

**Application for Encroachment Agreement  
416 Rogers Road**

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| <b>Date:</b>             | November 13, 2007  |
| <b>To:</b>               | Etobicoke York Community Council                             |
| <b>From:</b>             | Curtis Sealock, Manager, Municipal Licensing and Standards   |
| <b>Wards:</b>            | Ward 12, York South-Weston                                   |
| <b>Reference Number:</b> | Municipal Licensing and Standards Folder Number 06 19780 RAW |

**SUMMARY**

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To report on an application for an Encroachment Agreement to construct retaining walls within the road allowance as part of the landscaped area consisting of one raised, stone face, concrete retaining wall located on Blackthorn Avenue at the corner of Rogers Road and one raised, pressure treated wooden retaining wall located on Blackthorn Avenue; for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

**RECOMMENDATIONS**

**Municipal Licensing and Standards recommend that The Etobicoke York Community Council approve the application for the existing encroachments within the road allowance subject to the following conditions:**

1. the City Solicitor be authorized to prepare an Encroachment Agreement for the encroachments on the Blackthorn Avenue road allowance and that the applicant pay all fees associated with the preparation of the agreement.
2. comply at all times with regulations set out in the former City of York Streets By-law 3343-79, as amended;
3. the signed agreement to be returned to the City along with the required Certificate of Insurance, evidencing a third party bodily injury and property damage insurance in the amount of Two Million Dollars (\$2,000,000.00) or such other

coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy; and

4. the applicant to receive all necessary clearances from the Right-of-Way Management Section of Transportation Services and comply with any conditions identified including construction/street occupation permits as needed.

## **FINANCIAL IMPACT**

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There are no financial implications resulting from adoption of this report.

## **ISSUE/ BACKGROUND**

The encroachment application is part of a development of four single family dwelling units at the Northwest corner of Blackthorn Avenue and Rogers Road, in the former City of York, (Attachments 1, 3 & 5). The application submitted by the owner of the property proposes to construct retaining walls with soft landscaping within the Blackthorn Avenue road allowance. The raised, stone faced, concrete retaining wall on Blackthorn Avenue at the corner of Rogers Road measures 5.42 square metres and the raised pressure treated wooden retaining wall on Blackthorn Avenue measures 19.36 square metres, (Attachments 2, 3 & 4).

## **COMMENTS**

This application was circulated to Transportation Services, Toronto Fire Services and the relevant utilities, with no negative responses being received.

## **CONTACT**

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Municipal Licensing and Standards  
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## **SIGNATURE**

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Curtis Sealock, District Manager  
Etobicoke York District  
Municipal Licensing and Standards

## **ATTACHMENTS**

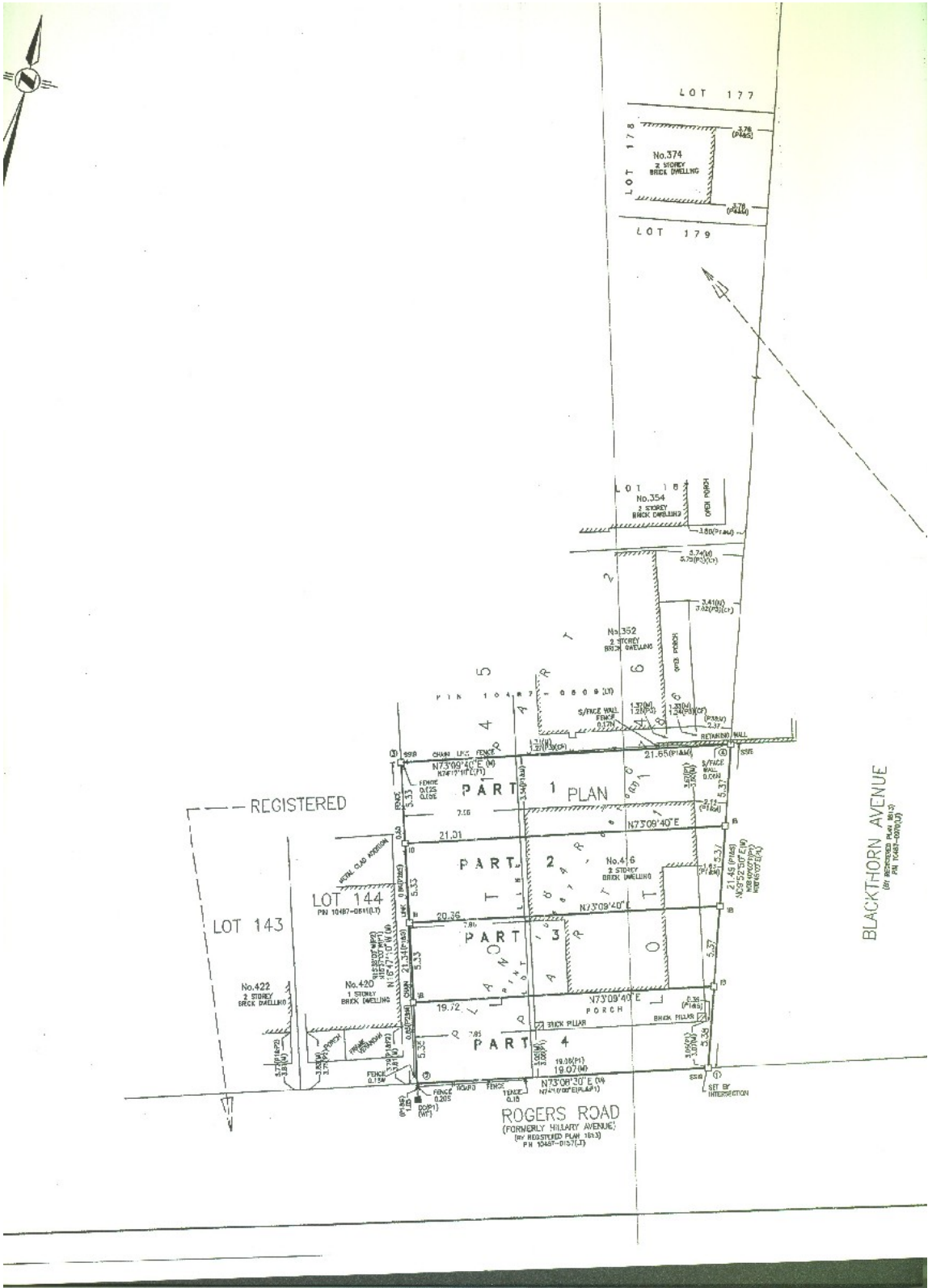
Attachment 1 - Site Plan

Attachment 2 - Retaining Wall and Guard Details

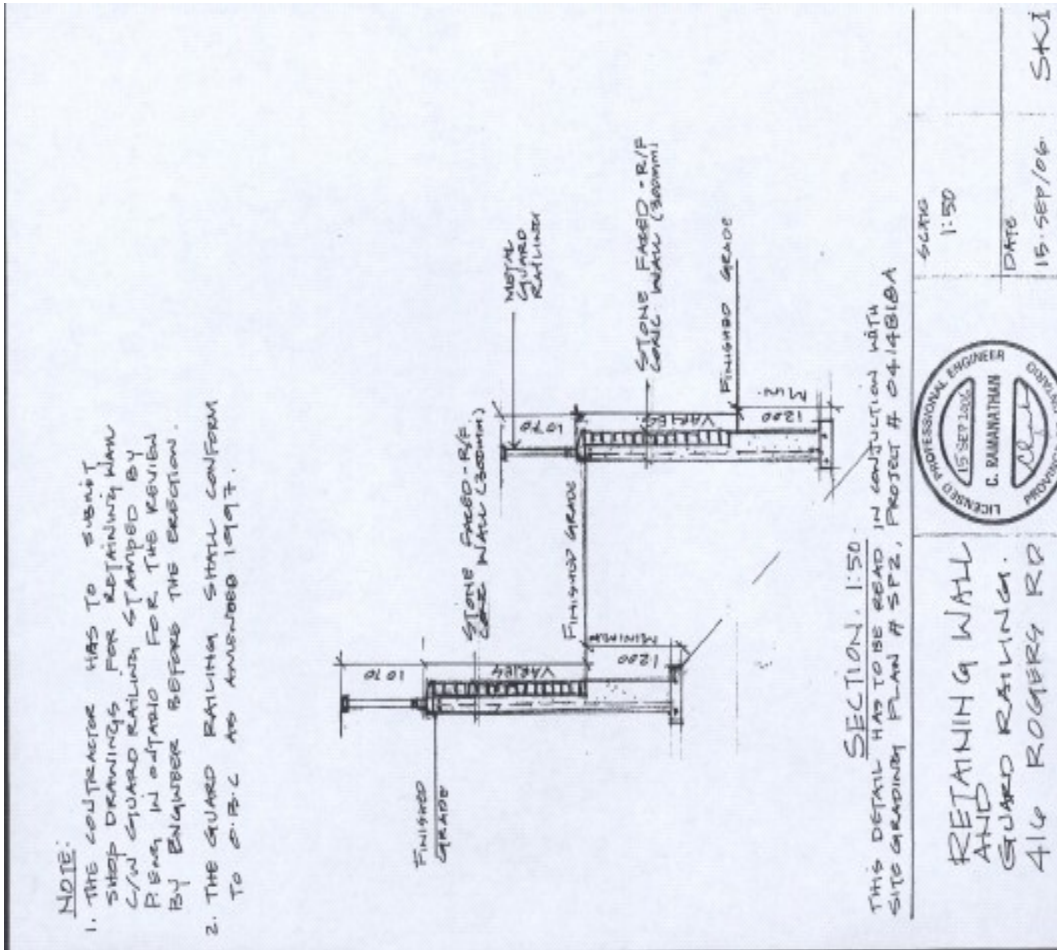
Attachment 3 – Detail #1 of Northwest Corner of Blackthorn Avenue and Rogers Road

Attachment 4 – Detail #2 of Northwest Corner of Blackthorn Avenue and Rogers Road

Attachment 5 – Photos of the Northwest Corner of Blackthorn Avenue and Rogers Road



**Attachment 1 – Site Plan for 416 Rogers Road**



**Attachment 2 – Retaining Wall/Guard Detail**







**Attachment 5 – Existing Photos of 416 Rogers Road**