



STAFF REPORT ACTION REQUIRED

Encroachment Agreement with The Weston Golf and Country Club, Limited

Date:	October 15, 2007
To:	Public Works and Infrastructure Committee
From:	Executive Director, Technical Services
Wards:	Etobicoke North, Ward 2
Reference Number:	P:\2007\Cluster B\Tec\PW07043.doc

SUMMARY

To seek City Council's authority to negotiate and enter into an encroachment agreement with The Weston Golf and Country Club, Limited ("Weston Golf") in connection with their proposed irrigation system.

The Weston Golf and Country Club, Limited ("Weston Golf") proposes to install an irrigation system for the golf course. The system includes piping, electrical wiring, hydro ducts, a pump house and two water storage ponds.

The top part of one of the ponds, some of the piping, electrical wiring and hydro ducts will encroach into or cross the City's sanitary sewer easements. Weston Golf has requested permission from the City to allow the encroachments. Council's authority is required for staff to negotiate and enter into an encroachment agreement.

RECOMMENDATIONS

The Executive Director, Technical Services recommends that:

1. the Executive Director of Technical Services be authorized to negotiate and enter into an encroachment agreement with The Weston Golf and Country Club, Limited on terms and conditions that are satisfactory to the General Manager of Toronto Water and the City Solicitor; and
2. the appropriate City staff be directed to take necessary actions in that connection.

Financial Impact

There are no financial implications.

ISSUE BACKGROUND

The City has the following sewer easements in the property of The Weston Golf and Country Club, Limited (“Weston Golf”) at 50 St. Phillip’s Road:

- easement for the 750mm (30-inch) Albion Sanitary Trunk Sewer (“Albion STS”) and a 375mm (15-inch) local sewer acquired in 1953 and registered as Instrument No. Etobicoke 125862 (Weston 13999)
- easement for the 1650mm (66-inch) Humber Sanitary Trunk Sewer (“Humber STS”) acquired in 1964 and registered as Instrument No. Etobicoke 294750 (Weston 20066)

Weston Golf has investigated different options to meet its long term irrigation needs. The ground water source is inadequate and it therefore proposes to build an irrigation system for collecting and storing the surface runoff and the flow from Humber River.

The irrigation system will consist of piping, electrical wiring, hydro ducts, a pump house and two storage ponds. Part of the irrigation system, including some piping, electrical wiring, hydro ducts and a storage pond will encroach onto the sewer easements. Weston Golf has therefore applied to the City for permission to allow the encroachments and has indicated it is prepared to enter into an encroachment agreement with the City.

Weston Golf has submitted a set of design drawings, dated November 15, 2006 and revised August 16, 2007, prepared by Braun Consulting Engineers and sealed by licensed professional engineer of Ontario D.H. Braun.

COMMENTS

Technical Services and Toronto Water staff have reviewed the design drawings submitted by Weston Golf and note the following items will encroach upon the easements:

1. a 200 mm IPS HDPE high pressure force main from proposed pump house to hole No. 3
2. a 250mm HDPE force main connecting the two proposed ponds
3. a 200mm HDPE force main from an existing pump house to one of the proposed ponds
4. a 25mm potable water line for possible future use
5. a bundle of 24V ac irrigation head control wires for controlling the sprinklers
6. three 100mm hydro ducts
7. shale and alluvium placement around one of the two proposed ponds

The locations and extents of encroachment are as follows:

- other than item (7), all other items will cross the easement for the local 375mm sewer at about 28m from the maintenance hole where 375mm sewer connects to the 750mm Albion STS
- item (3) will cross the easement for the 750mm Albion STS at about 20m from the CN Rail bridge that passes through the easement
- items (2) and one of the hydro ducts in item (6) will cross the easement for the 750mm Albion STS at about 115m from the previous crossing
- item (7) will encroach upon the easement for the 750mm Albion STS and the easement for the 1650mm Humber STS. The encroachments are irregular in shape measured approximately 8m by 100m and 6m by 80m and respectively.

All crossings mentioned above will be below grade and located above the existing sewers with a minimum of 300mm clearance.

Weston Golf and its consultant have worked with Technical Services and Toronto Water staff to minimize the encroachments. However, the above noted encroachments appear unavoidable and they can be accommodated within the easements without damaging the existing sewers. Staff have no objection to allowing the encroachments provided Weston Golf enters into an encroachment agreement with the City on terms and conditions satisfactory to the General Manager of Toronto Water and the City Solicitor. Such terms and conditions shall include but not limited to Weston Golf:

- obtaining all necessary approvals from regulatory agencies and CN Rail
- carrying out the construction of the irrigation system according to the submitted design drawings

- submitting a sewer protection plan showing the points of contractor and equipment crossing during construction and where necessary, methods of protecting the sewers from damage
- assuming all responsibility and liability in connection with the irrigation system during and after construction
- indemnifying the City for any damage due to the encroachments
- providing an as-built drawing upon completion of the construction
- paying all applicable fees

CONTACT

Wai Yeung, P. Eng.
Manager,
Standards, Policies and Quality Assurance
Technical Services
Phone: 416-338-5629
Fax: 416-392-8241
e-mail: wyeung2@toronto.ca

Ted Bowering, P. Eng.
Manager,
Policy & Program Development
Toronto Water
Phone: 416-338-5473
Fax: 416-338-2828
e-mail: tbowering@toronto.ca

SIGNATURE

William G. Crowther, P. Eng.
Executive Director
Technical Services

ATTACHMENTS

none