



## STAFF REPORT ACTION REQUIRED

### Request for an Encroachment Agreement 51 Preston Street

<b>Date:</b>	October 29, 2007
<b>To:</b>	Chairman and Members of the Scarborough Community Council
<b>From:</b>	Peter J. Noehammer, Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 36 – Scarborough Southwest
<b>Reference Number:</b>	P:\2007\Cluster B\TRA\Scarborough\sc07070

#### **SUMMARY**

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This staff report is about a matter for which the Community Council has delegated authority from City Council to make a final decision.

The purpose of this report is to consider a request by the owner(s) of 51 Preston Street for an encroachment agreement. The proposed encroachment consists of a portion of a parking space in the City right-of-way.

#### **RECOMMENDATIONS**

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Transportation Services, Scarborough District, recommends that Scarborough Community Council:

1. authorize an encroachment agreement with the owner(s) of 51 Preston Street; and
2. authorize the City Solicitor to prepare and execute the encroachment agreement.

**Financial Impact**

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

**DECISION HISTORY**

At its meeting held on Wednesday January 17, 2007, Committee of Adjustment approved an application to permit a reduction in the size of the parking space at 51 Preston Street. At that time, the owner was requesting relief from the Zoning By-law in order to permit a parking space measuring 5.7 metres in length by 2.7 metres in width to be located partly within the municipal right-of-way, whereas the Zoning By-law requires a parking space with minimum dimension of 5.7 metres in length by 2.7 metres in width, located entirely on the property, but not in the street yard.

Committee reviewed and approved the minor variance to permit the street yard parking space measuring 3.7 metres in length by 2.7 metres in width on road allowance, with an additional length of 2 metres by 2.7 metres in width on private property.

The decision of the Committee of Adjustment to authorize the variance application for the parking space required that the owner enter into an encroachment agreement with the City to the satisfaction of the Director, Transportation Services, Scarborough District.

**COMMENTS**

The Committee of Adjustment decision to provide the length of 3.7 metres on the right-of-way was prior to the enactment of the new residential front yard parking by-law Chapter 918. Transportation Services has reviewed the street and has determined that this parking space if approved will be similar to other properties on the street.

Staff have reviewed this location and conclude that there would be minimal impact to the safety and maintenance of this local street and sidewalk. Staff have no objections to the owner entering into an encroachment agreement.

## **CONTACT**

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## **SIGNATURE**

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