



**STAFF REPORT  
ACTION REQUIRED**

**619 and 625 Avenue Road – Maintenance of an Existing Identification Sign**

<b>Date:</b>	September 17, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	St. Paul’s – Ward 22
<b>Reference Number:</b>	Te07067te.row

**SUMMARY**

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

Transportation Services has assessed a request from Kenair Apartments Limited and TSCC 1516, the condominium located at 619 and 625 Avenue Road, known as “The Lonsdale”, to maintain an existing sign fronting the property that encroaches within the public right of way.

Given that the sign does not impact negatively on the public right of way, Transportation Services recommends approval of the maintenance of the identification sign.

**RECOMMENDATIONS**

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**Transportation Services recommends that Toronto East York Community Council:**

1. approve the maintenance of the identification sign within the public right of way fronting 619 and 625 Avenue Road, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - a. indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the Deputy

City Manager and Chief Financial Officer and in an amount not less than \$2,000,000 or such greater amount as the Deputy City Manager and Chief Financial Officer may require;

- b. maintain the identification sign at their own expense in good repair and a condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the agreement;
  - c. remove the identification sign upon receiving 90 days written notice to do so; and
  - d. accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City; and
2. direct Legal Services and/or the General Manager of Transportation Services to extend the Encroachment Agreement to the new owner, in the event of sale or transfer of the property abutting the encroachment, subject to the approval of the General Manager of Transportation Services.

### **Financial Impact**

There is no financial impact to the City as a result of this report.

### **ISSUE BACKGROUND**

Acting on behalf of the owner, Kenair Apartments Limited and TSCC 1516, submitted an application requesting permission to maintain an existing identification sign fronting 619 and 625 Avenue Road (southeast corner of Lonsdale Road and Avenue Road). The sign is used for the purpose of building identification for “The Lonsdale”.

Staff have inspected the area and determined that the encroachment will not negatively impact the public right of way. The inspection reported that the sign measures 4.06 m in height, 3.47 m in length and 0.59 m in width. The sign is 0.7 m set-back from the sidewalk on Avenue Road and is constructed of metal. The applicant claims that the existing sign for “The Lonsdale” condominium apartment residences is a replacement for a previous sign that was approximately on the same location. The original sign measured approximately 2.7 m in height, 1.8 m in length and was elevated 0.75 m above ground. It identified “The Lonsdale” condominium residences. The present sign was erected in March 2005. The original sign, and thus the present sign, were erected unintentionally upon a portion of the landscaped boulevard that was dedicated to the City and the original sign was located here because of rigid site constraints.

The boulevards along Avenue Road, Lonsdale Road and the adjacent yards of “The Lonsdale” are beautifully landscaped. The combination of landscaping, driveway entrance location, below grade garage entrance ramp and the prior dedication of lands to

the City has resulted in a condition where there is no other reasonable place to situate the sign and still maintain an adequate sightline from passing vehicles.

## **COMMENTS**

### **Applicable regulation**

There are no provisions within the former City of Toronto Municipal Code, Chapter 313, Streets and Sidewalks, to allow for the encroachment of signs within the public right of way; therefore, we are required to report to Community Council on this matter.

The maintenance of the building encroachment is considered under the provisions of Chapter 313, Streets and Sidewalks of the former City of Toronto Municipal Code and can be dealt with administratively.

### **Reasons for approval**

Transportation Services has reviewed the application and determined that the identification sign does not impact negatively upon the public right of way.

Details of the encroachment are on file with Transportation Services.

Photos of the property are shown on Appendix 'A'.

## **CONTACT**

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## **SIGNATURE**

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Angie Antoniou  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' – photos

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