



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 161 Symes Road

<b>Date:</b>	May 13, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 11 – York South-Weston
<b>Reference Number:</b>	ML&S Folder Number 08 114366 RAW

#### SUMMARY

---

This report is in regard to an application for an Encroachment Agreement to construct a wrought iron fence with brick piers within the front yard street allowance of Symes Road, with a total area of 35.14 square metres encroaching on the City road allowance, 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 modify this application and adopt the following:**

1. The City Solicitor be authorized to prepare an Encroachment Agreement for the proposed encroachment as modified.
2. The owner enters into an Encroachment Agreement with the City of Toronto and pays all fees associated with the preparation of the Agreement.
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 \$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.

4. The Certificate of Insurance shall be renewed and a copy thereof submitted to Municipal Licensing and Standards on an annual basis for the life of the encroachment.
5. The maximum height of the wrought iron fence is to be 1.22 metres measured from the traveled portion of the public roadway.
6. A 2.10 metre clearance setback from the fence to the back edge of the public roadway be maintained.
7. Footings shall not exceed 0.61 of a metre in depth below the grade of the existing sidewalk.
8. The fence shall not create a safety and visual hazard or interfere with the safe turning sight distance needed by motorists.
9. The owner shall obtain all necessary construction/streets occupation permit(s) for any work on the road allowance.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

The subject property is a two storey semi-detached brick dwelling. An application has been submitted by the owner of the property to install a wrought iron fence with brick piers at the front of the property which will be encroaching onto the road allowance. The encroachment will be approximately 35.14 square metres and measures 3.66 metres by 9.60 metres, with wrought iron gates that swing open to provide access to the driveway, (Attachments 1 and 2).

### **COMMENTS**

This application was circulated to Transportation Services and the various utility companies with no objections received regarding the installation. Transportation Services has commented on the construction and location of the fence as it relates to safety issues and these comments are reflected in the report recommendations.

### **CONTACT**

Curtis Sealock, District Manager  
Municipal Licensing and Standards  
Tel: 416-394-2532 Fax: 416-394-2904  
E-mail: [csealock@toronto.ca](mailto:csealock@toronto.ca)

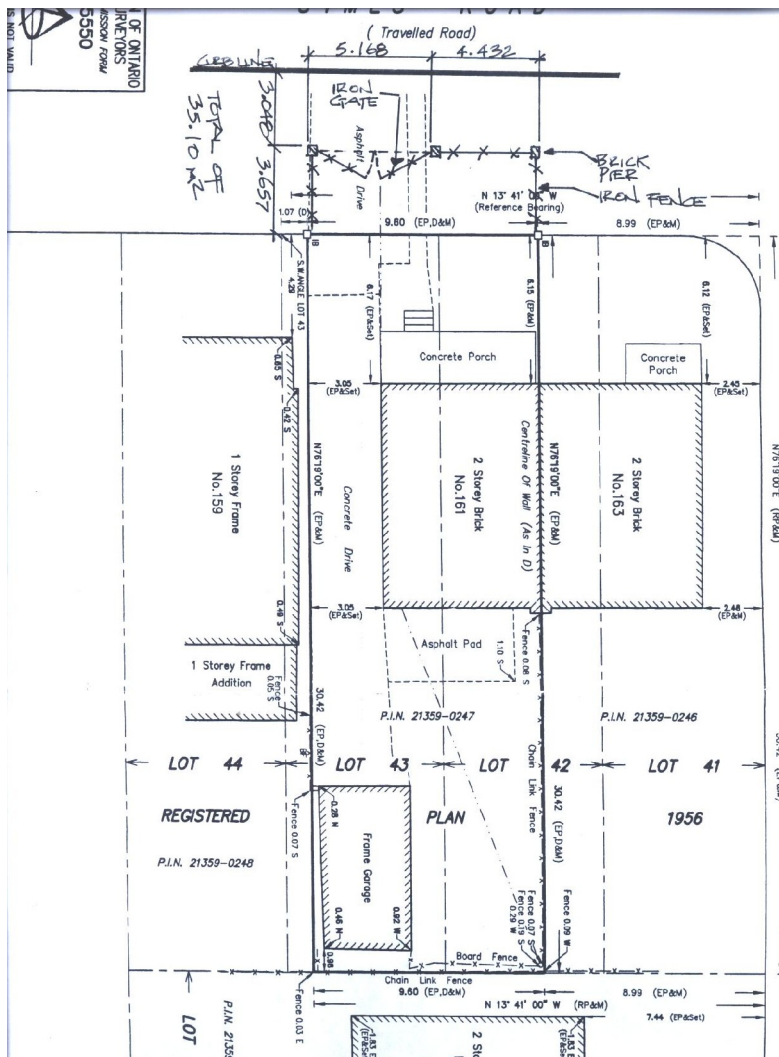
## **SIGNATURE**

---

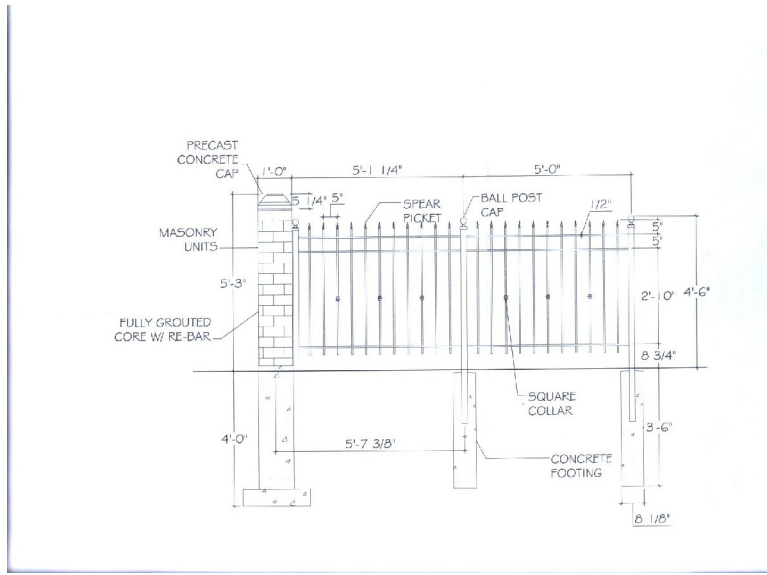
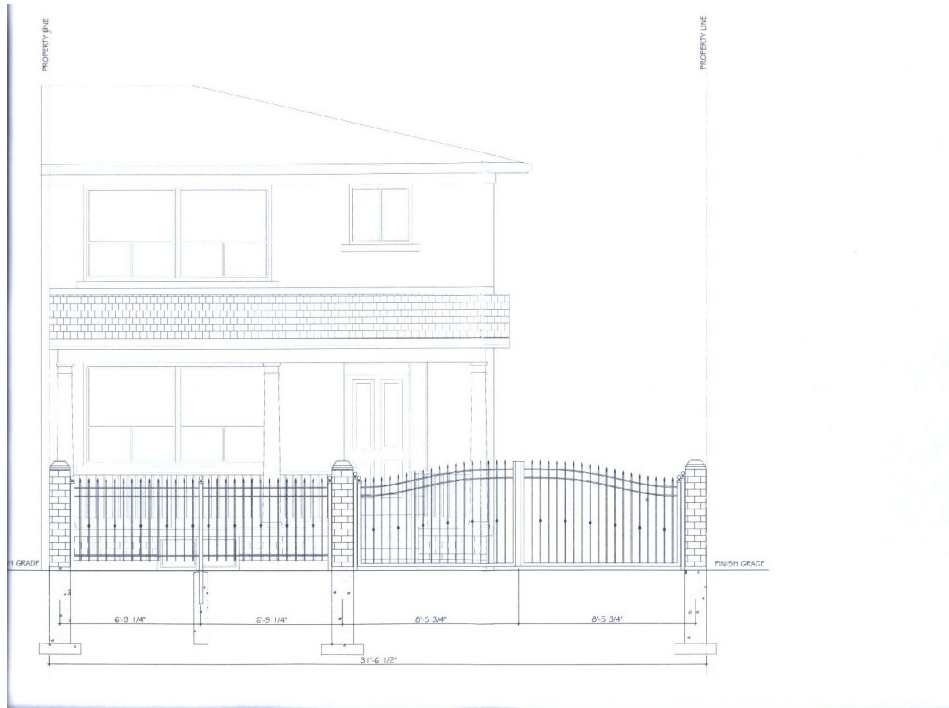
Curtis Sealock, District Manager  
Municipal Licensing and Standards

## **ATTACHMENTS**

Attachment 1 – Property Survey  
Attachment 2 – Fence Elevation and Detail



**Attachment 1-Property Survey**



**Attachment 2- Fence Elevation and Detail**