



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 57 Arrowsmith Avenue (Amended)

Date:	June 10, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 12, York South Weston
Reference Number:	ML & S Folder Number 07 288683

SUMMARY

This staff report is in regard to an application for an Encroachment Agreement to maintain the existing columns and wall at the front of 57 Arrowsmith Avenue, with a total area of 45.63 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 existing and proposed encroachments as modified.
2. The owner to enter into an Encroachment Agreement with the City of Toronto and pay 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. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards.
5. The Certificate of Insurance to be renewed on an annual basis for the life of the encroachment.
6. The owner to obtain all necessary construction/streets occupation permit(s) for any work done on the road allowance.
7. That the life of the agreement be limited to 10 years from the date of registration on title or the date of removal of the encroachment at which time, the City may consider the agreement for further extension, if requested by the applicant.
8. The encroachment consisting of columns and wall to be maintained as per the approved plans, free of light fixtures and in good repair at all times (Attachments 2, 3, 4, and 5).

Financial Impact

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

ISSUE BACKGROUND

The owner's agent has submitted an application on behalf of the owners of the property for an Encroachment Agreement to maintain the existing five stone columns and wall on the Arrowsmith road allowance (Attachments 1, 2, 3, 4, and 5).

The columns measure 0.64 of a metre by 0.64 of a metre and vary in height from 0.92 of a metre at the east to 1.2 metres at the west end of the property and are situated 2.74 metres within the street line and are set back 0.36 of a metre from the rear face of the sidewalk. The total combined area of the encroachments within the road allowance is approximately 45.63 square metres (Attachments 2, 3 and 4).

COMMENTS

This application was circulated to Urban Forestry Services, Toronto Fire Services, and various utility companies for comments, with no adverse comments received.

Transportation Services responded with the following; there is no objection to the installation within the public right of way provided: "all the work is to conform with the plans submitted on file, with the exception of the installation of the fixtures mounted on the columns on both sides of the driveway".

CONTACT

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SIGNATURE

Curtis Sealock, District Manager
Etobicoke York District

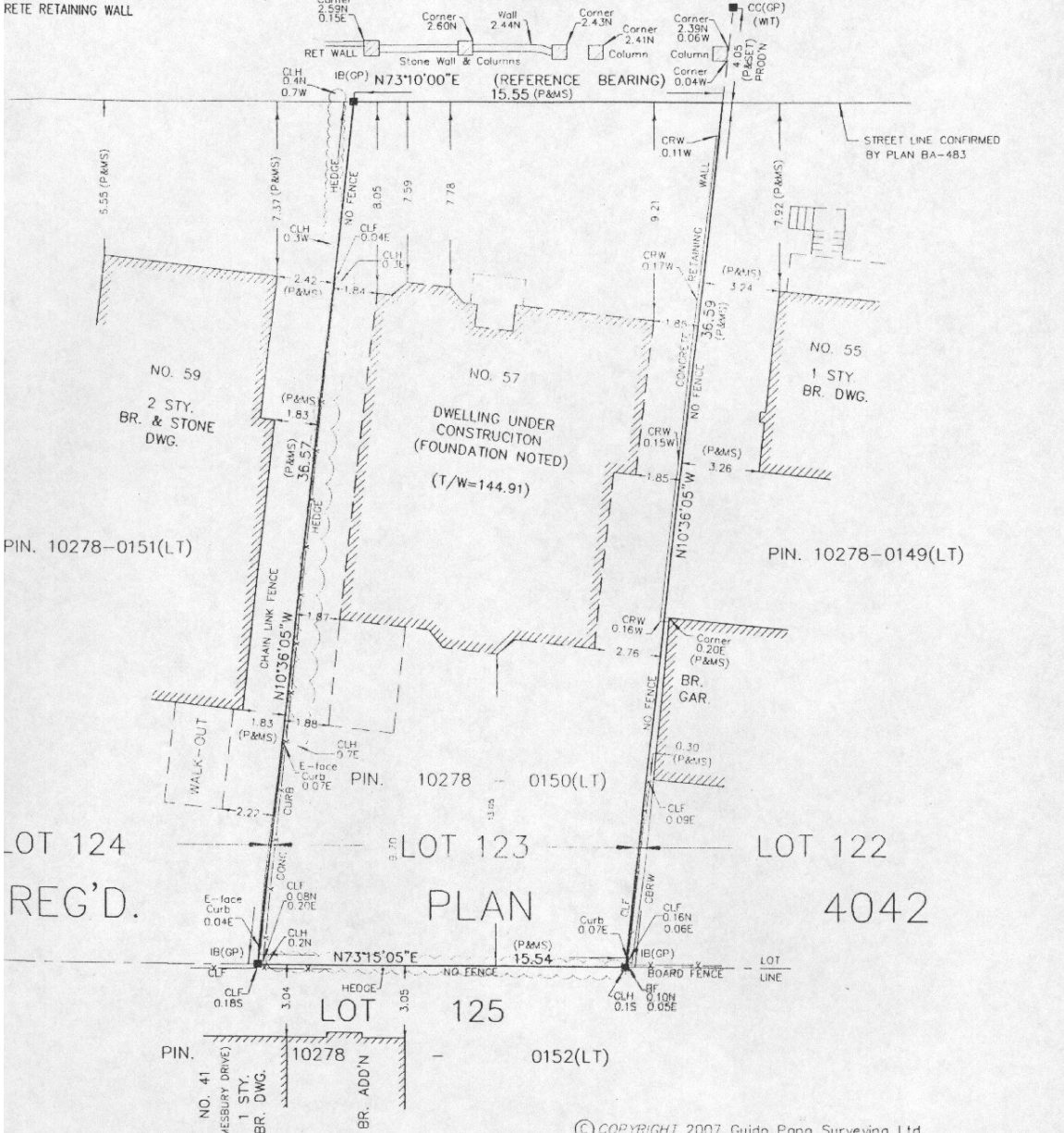
ATTACHMENTS

Attachment 1: Site Survey
Attachment 2: Column and wall plan
Attachment 3: Column and wall elevation plan
Attachment 4: Column and wall detail
Attachment 5: Photograph showing Encroachment on Arrowsmith road allowance

BY G. PAPA, O.L.S., DATED FEB. 27, 2007
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 PAPA, O.L.S.
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 D FENCE
 I LINK FENCE
 OF FOUNDATION WALL (GEODETIC ELEVATION)
 RETE RETAINING WALL

ARROWSMITH AVENUE

(DEDICATED BY REGISTERED PLAN 4042)
 PIN. 10278-0155(LT)

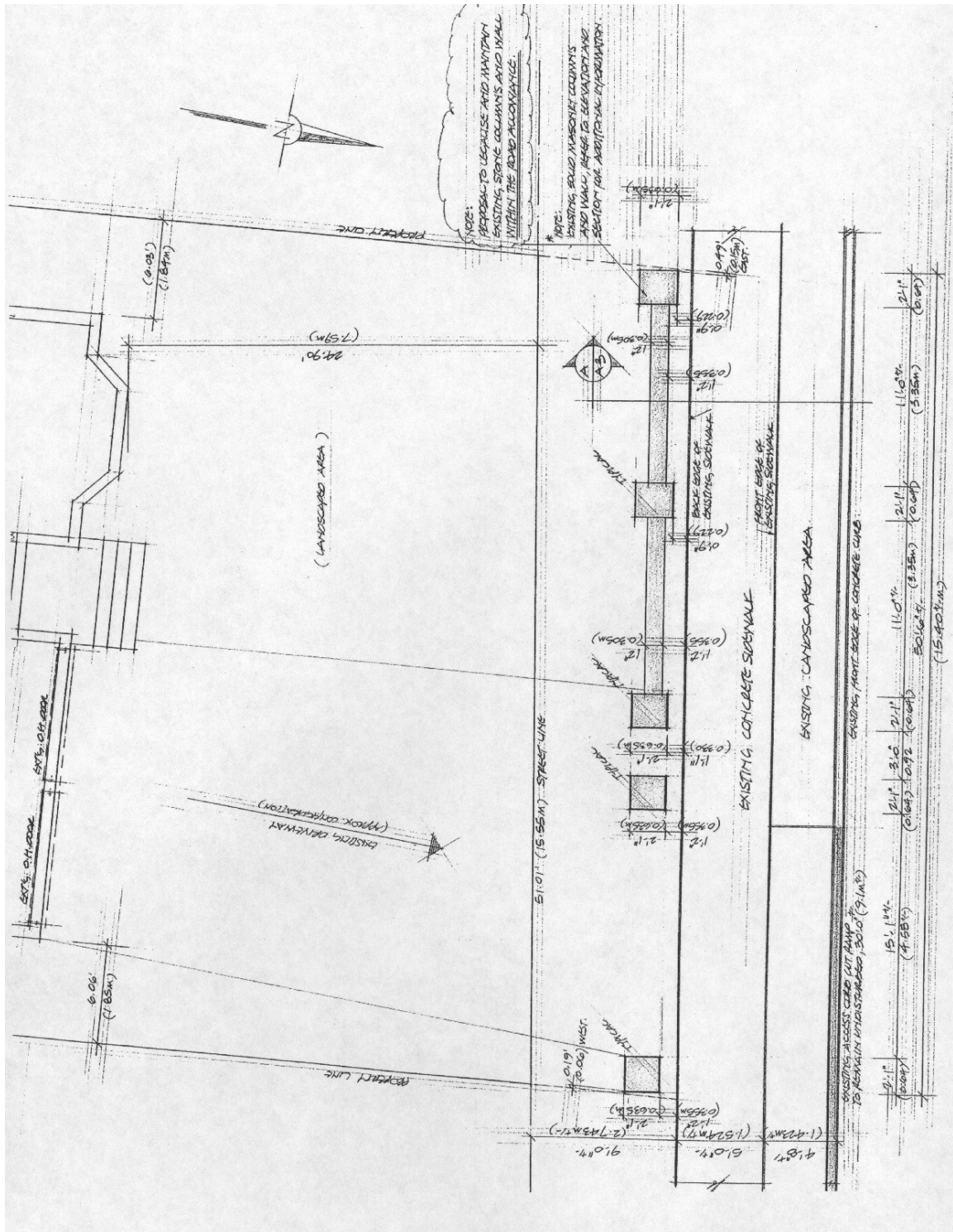


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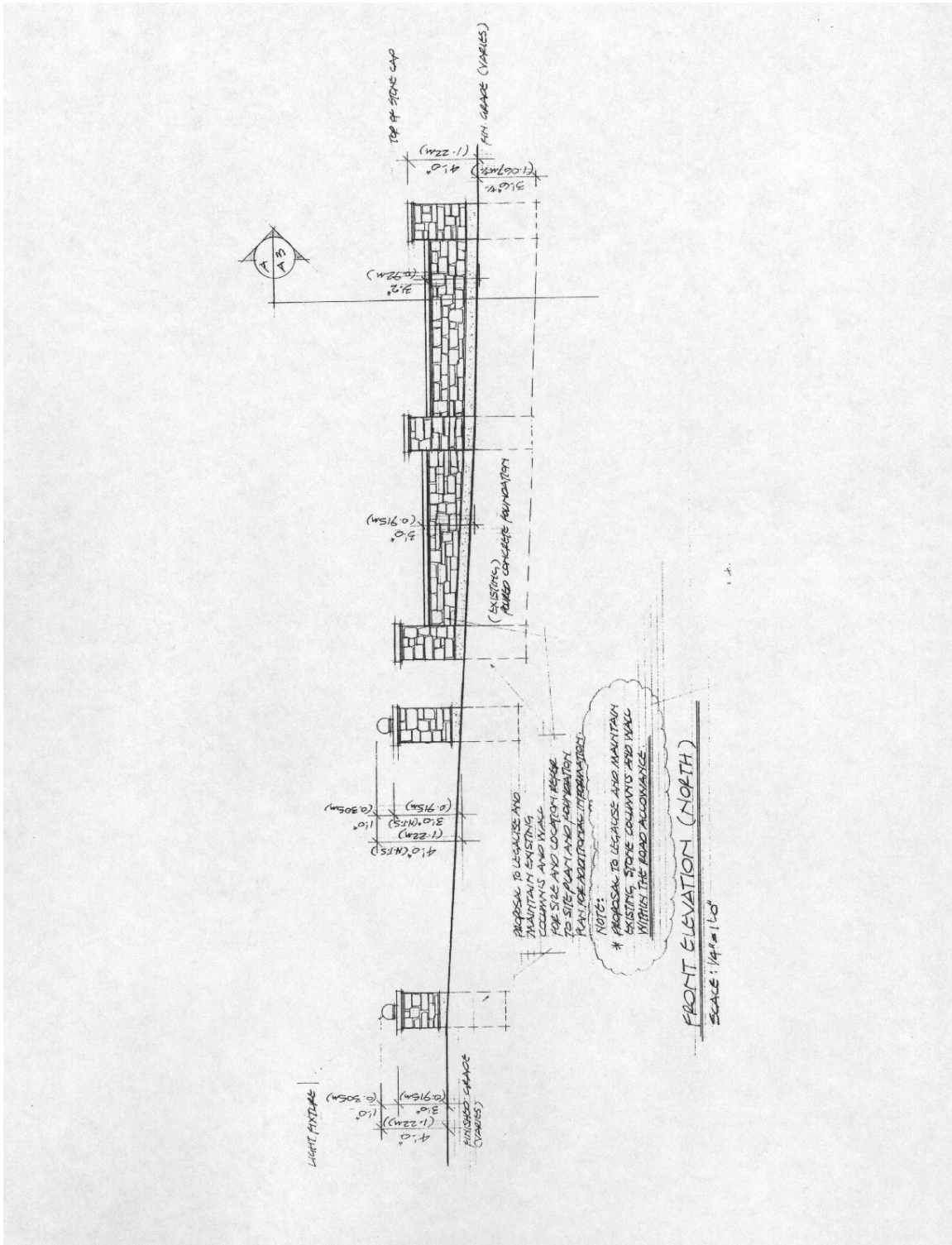
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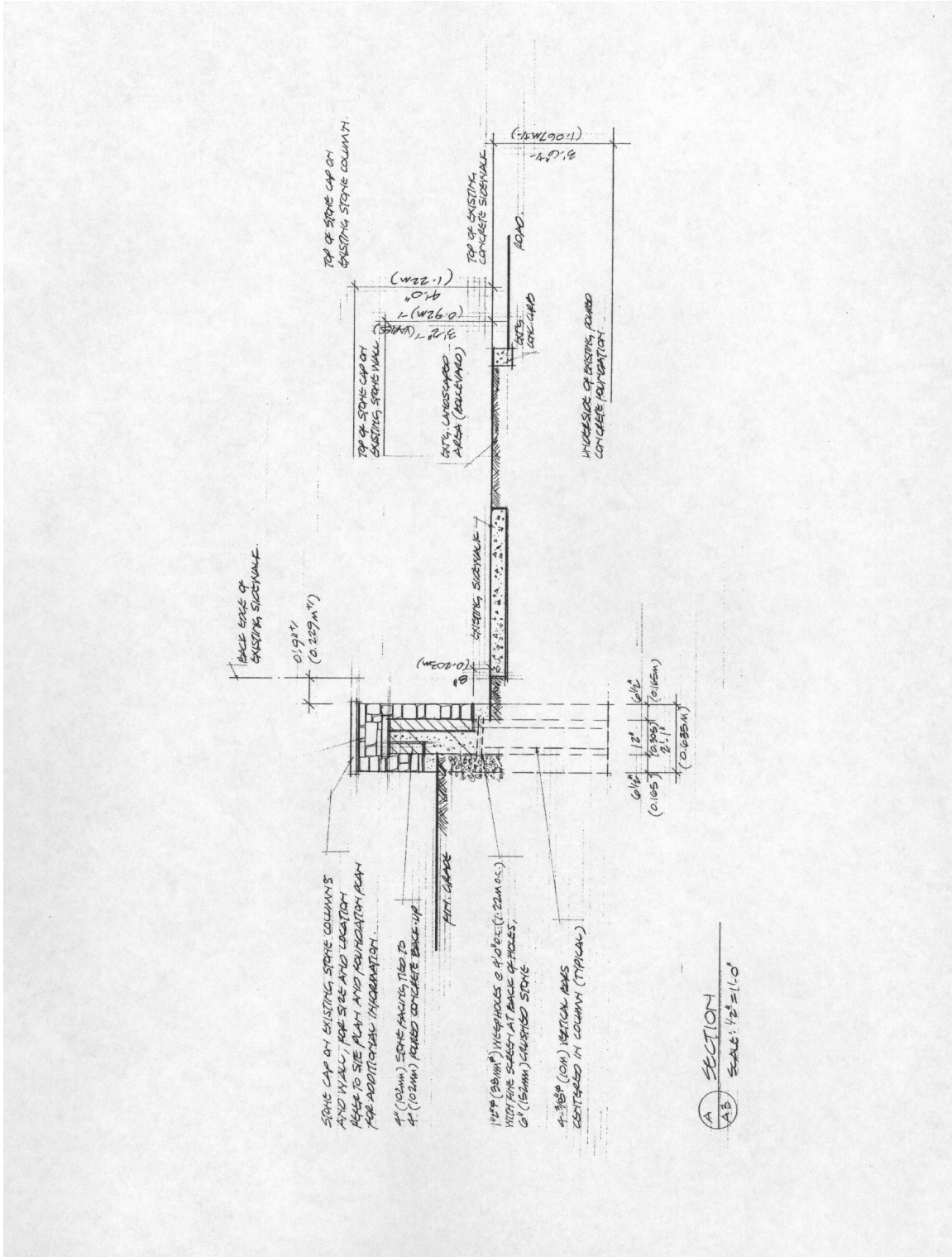
Attachment 1: Site Survey



Attachment 2: Column and wall plan



Attachment 3: Column and Wall elevation



Attachment 4: Column and wall detail



Attachment 5: Photograph showing Encroachment on Arrowsmith road allowance