



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 26 Deforest Road

Date:	August 13, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 13 Parkdale – High Park
Reference Number:	ML& S Folder No. 08-116122 RAW 00 IR

SUMMARY

This staff report is in response to an application by the owner of the property municipally known as 26 Deforest Road to install a 1.66 metres high open wrought iron fence within the Runnymede Road street allowance, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The area of encroachment is approximately 62.80 square metres.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that Etobicoke York Community Council approves this application on the following conditions:

1. The applicant to enter into an Encroachment Agreement with the City of Toronto.
2. The City Solicitor to be authorized to prepare an Encroachment Agreement.
3. The applicant to pay all fees associated with the preparation and execution of this Agreement and upon harmonization of the Streets By-law, an annual fee to the City of Toronto as may be imposed for the use of the street allowance.
4. 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.

5. 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.
6. The owner/applicant to take every precaution during fence installation by hand-digging into the ground and allowing at least 1.0 metre clearance from the telephone conduits to avoid causing any damage to the services underground.
7. The owner/applicant to obtain a streets occupation permit from Transportation Services and contact Toronto Hydro, Enbridge Gas, Rogers Cable and Bell Canada prior to the commencement of any construction because of the proximity of the fence relative to their respective services underground.
8. The property owner to maintain the fence and the area enclosed by the fence including cutting the grass, pruning the trees and remove any waste and litter therein to the satisfaction of Transportation Services, Urban Forestry Services and Solid Waste Management, and comply at all times with the regulations set out in the former City of Toronto Municipal Code, Chapter 313, Streets and Sidewalks, as amended.

Financial Impact

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

ISSUE BACKGROUND

The property is located at the north east corner of Runnymede Road and Deforest Road (Attachment 1). An application has been submitted by the owner to install a 1.66 metres high open wrought iron fence with a gate on the Runnymede Road street allowance (Attachments 2, 3 and 4). The area of the encroachment is approximately 62.80 square metres.

COMMENTS

This application has been circulated to Transportation Services, Toronto Fire Services, Urban Forestry Services, as well as the various utilities suppliers for comments.

While there were no negative responses received, Bell Canada required special cautions in installing the fence because of its close proximity to the existing telephone services underground.

CONTACT

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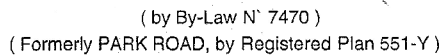
SIGNATURE

Curtis Sealock, District Manager
Etobicoke York District
Municipal Licensing and Standards

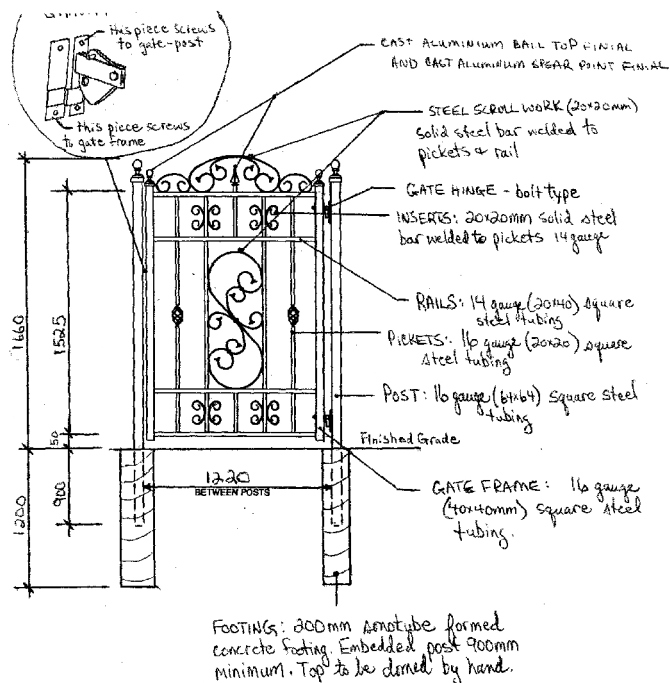
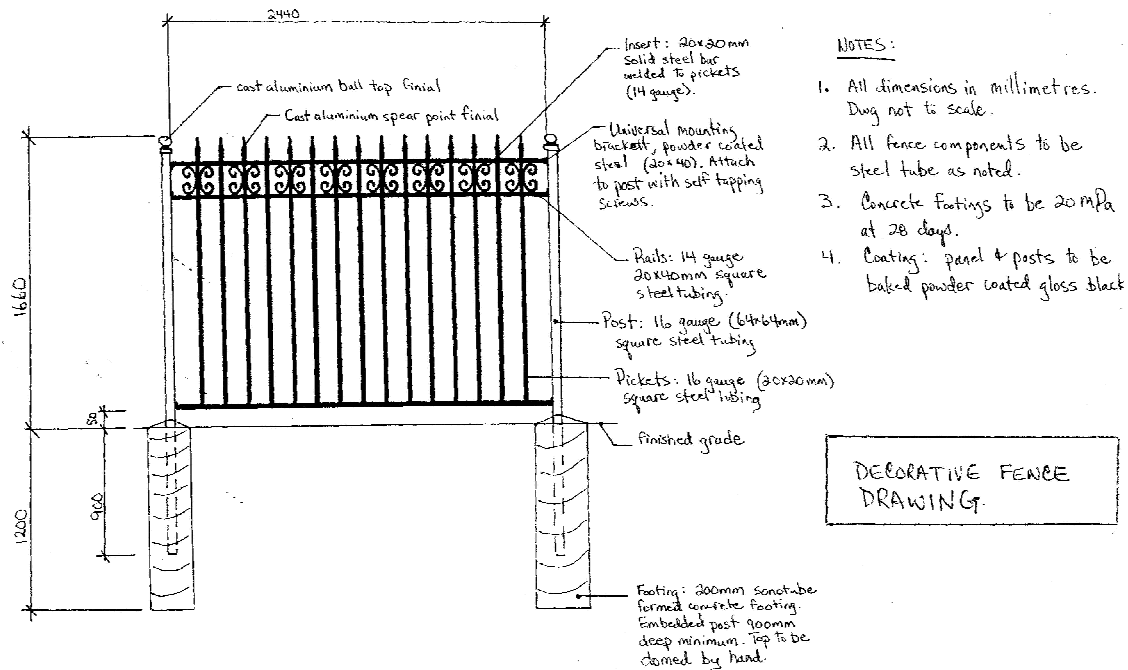
ATTACHMENTS

Attachment 1: Site Survey
Attachment 2: Site Plan
Attachment 3: Fence and Gate Details
Attachment 4: Photos showing the Fence Location on Runnymede Road street allowance

(by By-Law N` 4285)
(Formerly ELIZABETH STREET, by Registered Plan 551-Y)



Staff report for action on Encroachment Request for 26 Deforest Road



Attachment 3: Fence and Gate Details

Runnymede Road



Deforest Road



Attachment 4: Photos showing the Proposed Fence on Runnymede Road flankage