



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 65 Dunedin Drive

Date:	September 18, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 5, Etobicoke – Lakeshore
Reference Number:	ML&S Folder Number 08 111318 RAW

SUMMARY

This report is in regard to an application for an Encroachment Agreement to maintain an existing 0.46 metres high wood retaining wall which is encroaching 5.30 metres on the Dunedin Drive road allowance across 9.14 metres width of the frontage of the property municipally known as 65 Dunedin Drive, 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 approve the application for the existing encroachments within the road allowance subject to the following conditions:

1. The City Solicitor to be authorized to prepare an Encroachment Agreement for the proposed encroachment.
2. The owner to enter into an Encroachment Agreement with the City of Toronto and pays all fees associated with the preparation of the Agreement.
3. The Certificate of Insurance to be renewed and a copy thereof submitted to Municipal Licensing and Standards on an annual basis for the life of the encroachment.

4. The owner to return the signed agreement to the City along with the required Certificate of Insurance, evidencing a third party bodily 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 owner to maintain the subject retaining wall and the garden therein in good condition at all times and to avoid any overgrowth that may create traffic sight line obstruction.
6. The owners to comply with regulations set out in Chapter 231 of the Etobicoke Municipal Code, Streets and Sidewalks.

Financial Impact

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

ISSUE BACKGROUND

An application has been submitted by the owner of the property municipally known as 65 Dunedin Drive to maintain an existing 0.46 metres high wood retaining wall which is encroaching 5.30 metres on the Dunedin Drive road allowance across 9.14 metres width of the frontage of the property (Attachments 1, 2, 3 and 4)

COMMENTS

This application was circulated to Transportation Services and the various utility companies with no objections received.

CONTACT

Chip Au, Supervisor
Municipal Licensing and Standards
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SIGNATURE

Curtis Sealock, District Manager
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1 – Property Survey

Attachment 2 – Site Plan

Attachment 3 – Photo and Section of the Encroaching Retaining Wall

Attachment 4 – Photos showing the Encroachment and Close-up

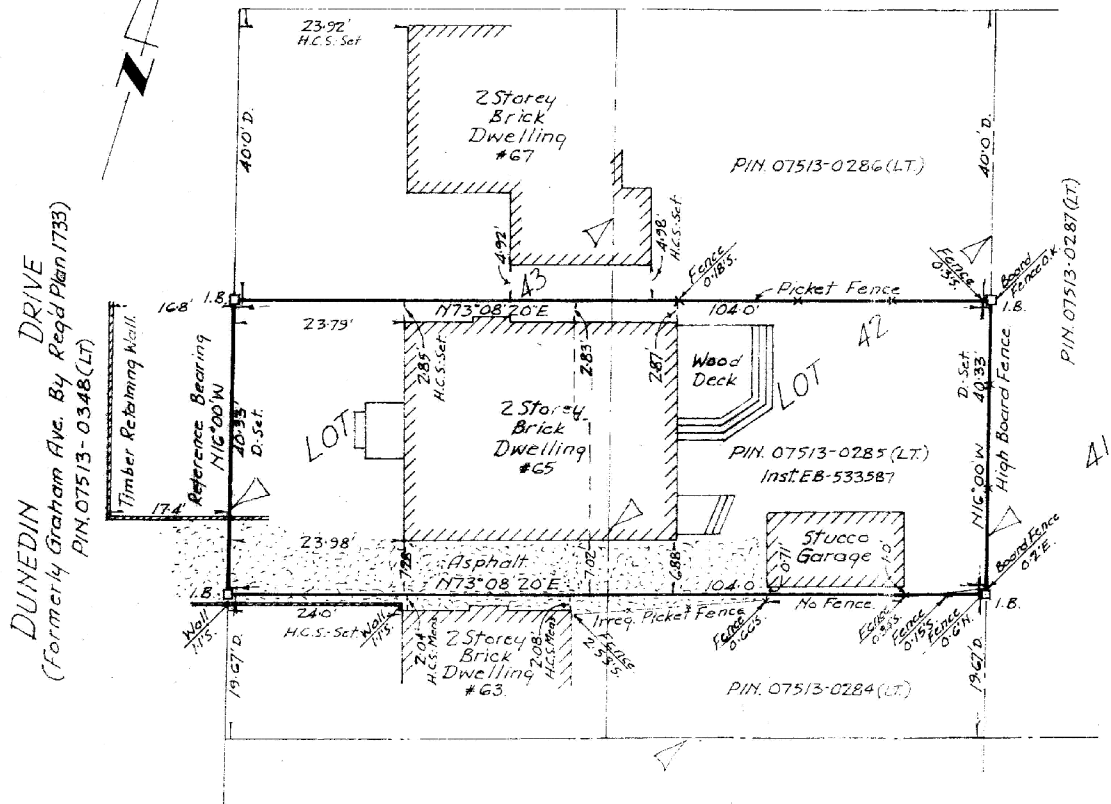
IMPERIAL
 Distances shown on this plan are
 in Feet and can be converted to
 Metres by Multiplying by 0.3048

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1123146



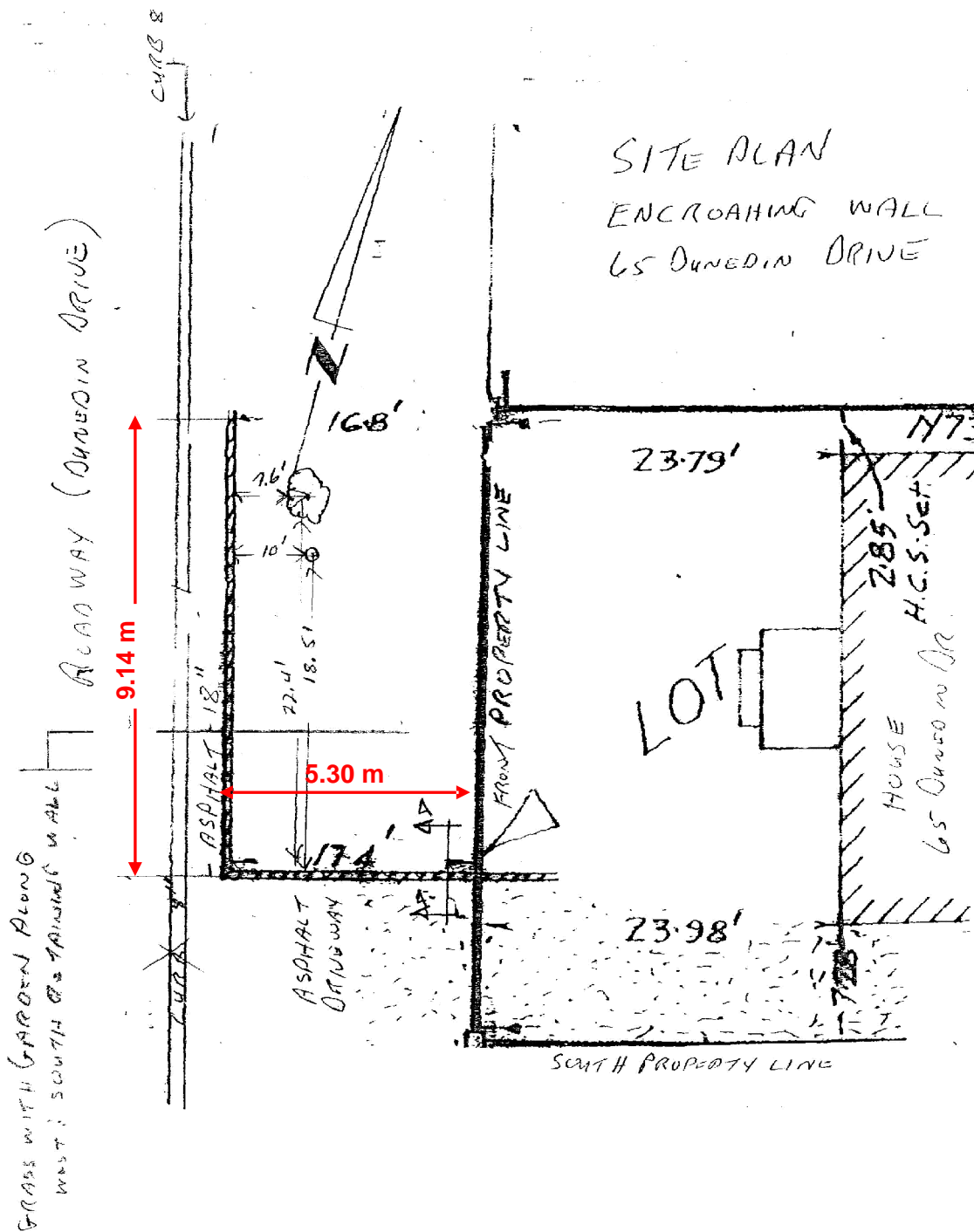
THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 in accordance with
 Regulation 1826, Section 2(1)(2)

SHAND AVENUE
 By Regd. Plan 1733
 P.I.N. 07513-0349 (LT.)

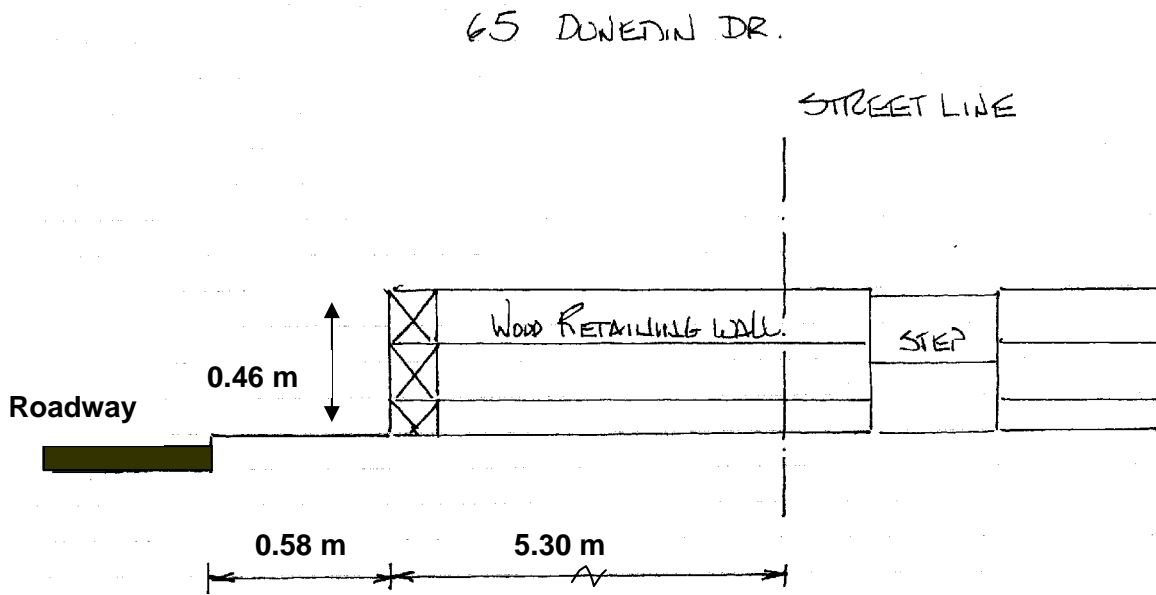


DUNEDIN DRIVE
 (Formerly Graham Ave. By Regd Plan 1733)
 P.I.N. 07513-0348 (LT.)

Attachment 1: Property Survey



Attachment 2: Site Plan



Section Drawing (For Illustration Only – Not to Scale)



Attachment 3: Photo and Section showing the Encroaching Retaining Wall



Attachment 4: Photos showing the Encroachment and Close-up