



**STAFF REPORT
ACTION REQUIRED**

**Request to Waive Encroachment Fee – 100 Queen’s
Park Crescent, Royal Ontario Museum – Further Report**

Date:	May 21, 2008
To:	Toronto and East York Community Council
From:	Transportation Services
Wards:	Trinity-Spadina, Ward 20
Reference Number:	Te08037te.row

SUMMARY

City Council, in considering a request from the Royal Ontario Museum to waive the annual permit renewal fee for the encroachment of a portion of the Michael Lee-Chin “Crystal” structure over the City’s street allowance, requested that this matter be reviewed in the context of Council’s policies of community benefits relating to development approvals.

Staff have submitted a report to the Public Works and Infrastructure Committee on the policy question, however, the actual application by the Royal Ontario Museum remains unresolved. This aspect is within the purview of Community Council. Accordingly, Transportation Services is recommending that Toronto and East York Community Council again submit its recommendation to City Council in order that the application can be dealt with in the context of whatever policy direction the Committee and City Council may pursue.

RECOMMENDATION

Transportation Services recommends that Toronto and East York Community Council:

1. Again submit its recommendation to City Council respecting the disposition of the Royal Ontario Museum’s request to waive the standard annual permit renewal fee for the encroachment over the City’s street allowance of the Michael Lee-Chin Crystal.

Financial Impact

Should City Council approve waiving the annual permit renewal for the encroachment of the Michael Lee-Shin Crystal that extends over the public right-of-way of the Bloor Street flank of 100 Queen's Park Crescent, a reduction of \$2,400 in total annual revenue will result.

DECISION HISTORY

City Council, at its meeting of April 23 and 24, 2007, considered the matter, "Request to Waive Encroachment Fee – 100 Queen's Park Crescent – Royal Ontario Museum" (Item TE4.18). In response to a request from the Museum, the Toronto and East York Community Council recommended that the annual encroachment permit renewal fee (\$2,400) for the portion of the Michael Lee-Chin "Crystal" structure which extends within the public road allowance of Bloor Street West, be waived on condition that the ROM provide five community placements per year to the Principal of Ryerson Public School in the March Break Camp. The Staff Report (March 12, 2007) recommended against waiving this standard encroachment fee.

Council referred the Item to the City Manager for a report to the Planning and Growth Management Committee on a policy of receiving and quantifying in-kind payments for encroachment agreements, such report to be concurrent with the previously requested report on community benefits relating to development approvals.

COMMENTS

In order to achieve resolution of the Royal Ontario Museum's request, it is necessary for Toronto and East York Community Council to again submit its recommendation on this matter to City Council for consideration in context with Council's direction on the policy question. The policy matter is addressed separately in a staff report to the Public Works and Infrastructure Committee. That report essentially proposes that while staff does not recommend waiving the fees or substituting some other manner of meeting this obligation, Council should continue to review any such requests, which are quite infrequent and usually have unique circumstances, on the basis of their individual fact situation and merits.

CONTACT

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