



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 76 High Street

Date:	December 12, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, Manager, Municipal Licensing and Standards
Wards:	Ward 5 - Etobicoke-Lakeshore
Reference Number:	ML&S Folder Number 08 179842 RAW

SUMMARY

This Staff Report is about a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The subject matter is an application for an encroachment agreement to construct a set of stairs located at the southeast corner of the property, encroaching onto the High Street road allowance, with an approximate area of 5.0 square metres.

RECOMMENDATIONS

Municipal Licensing and Standards recommend that the Etobicoke York Community Council approve the application on the following conditions:

1. The City Solicitor be authorized to prepare an Encroachment Agreement for the proposed encroachment.
2. **The applicant to pay the City of Toronto all fees associated with the preparation of this agreement**, as well as an annual fee of \$11.00 per square metre, (fees subject to change).
3. The signed agreement is returned 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.

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 encroachments.
5. The applicant shall be responsible to maintain the encroaching stairs in a state of good repair, free of any/all hazards, kept free of ice and snow and comply at all times with the regulations set out in the applicable former City of Etobicoke Municipal Code, Chapter 231, Streets and Sidewalks..
6. The applicant obtains all required permits including those required to work in the public right-of-way for the purposes of constructing the proposed stairs and pay all fees and deposits required by the City of Toronto and Transportation Services.

Financial Impact

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

ISSUE BACKGROUND

The property owners are proposing to build a set of new concrete stairs to replace the existing stairs at the southeast corner of the property which will encroach onto the High Street road allowance. The encroachment of the stairs onto the road allowance is approximately 5.0 square metres, (1.0 metres by 5.0 metres), (Attachments 1, 2, 3 and 4).

COMMENTS

The application has been forwarded to Transportation Services and Fire Services, as well as the utility companies for comments. No adverse comments were received.

CONTACT

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SIGNATURE

Curtis Sealock, District Manager
Municipal Licensing and Standards

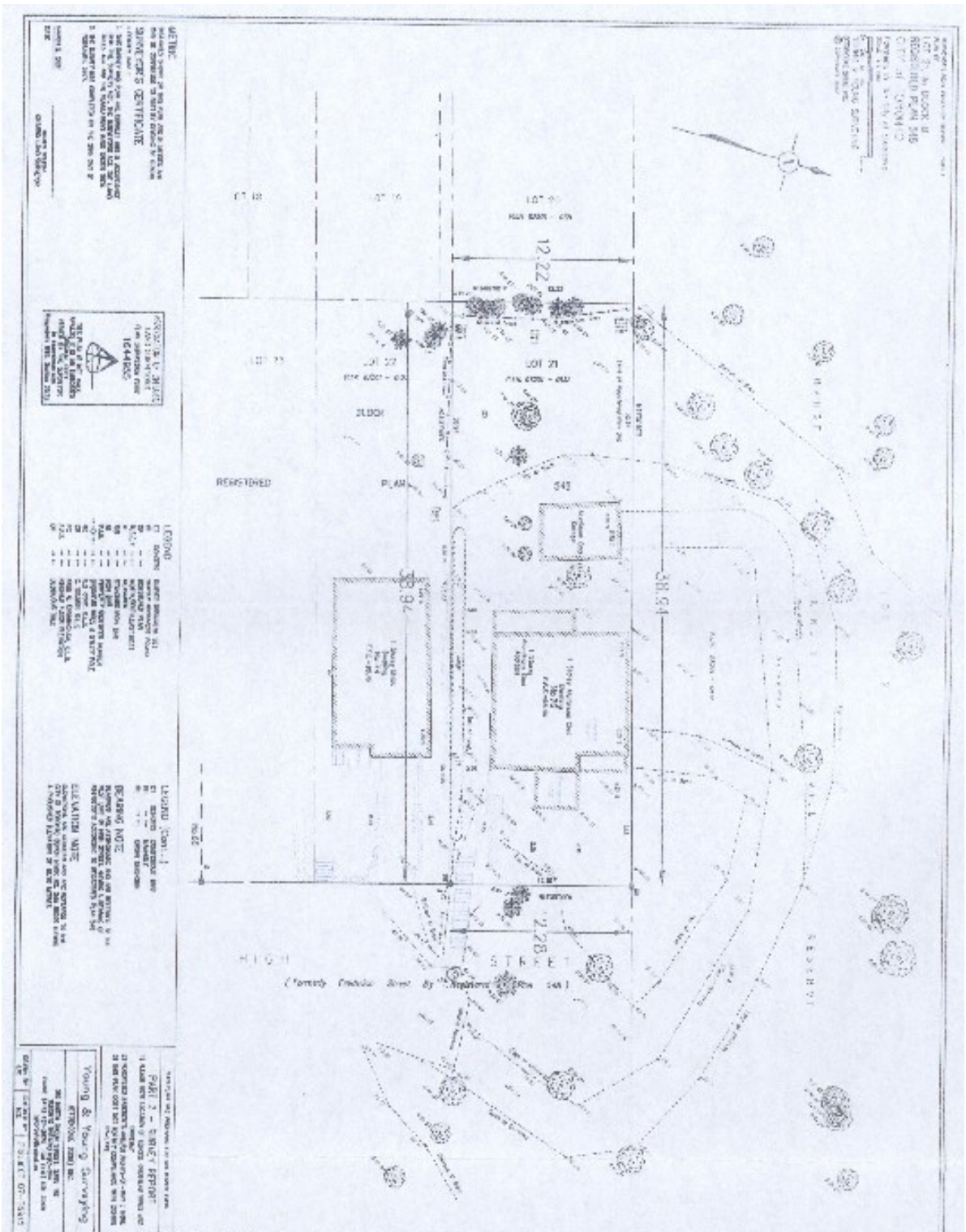
Attachments:

Attachment 1: Survey

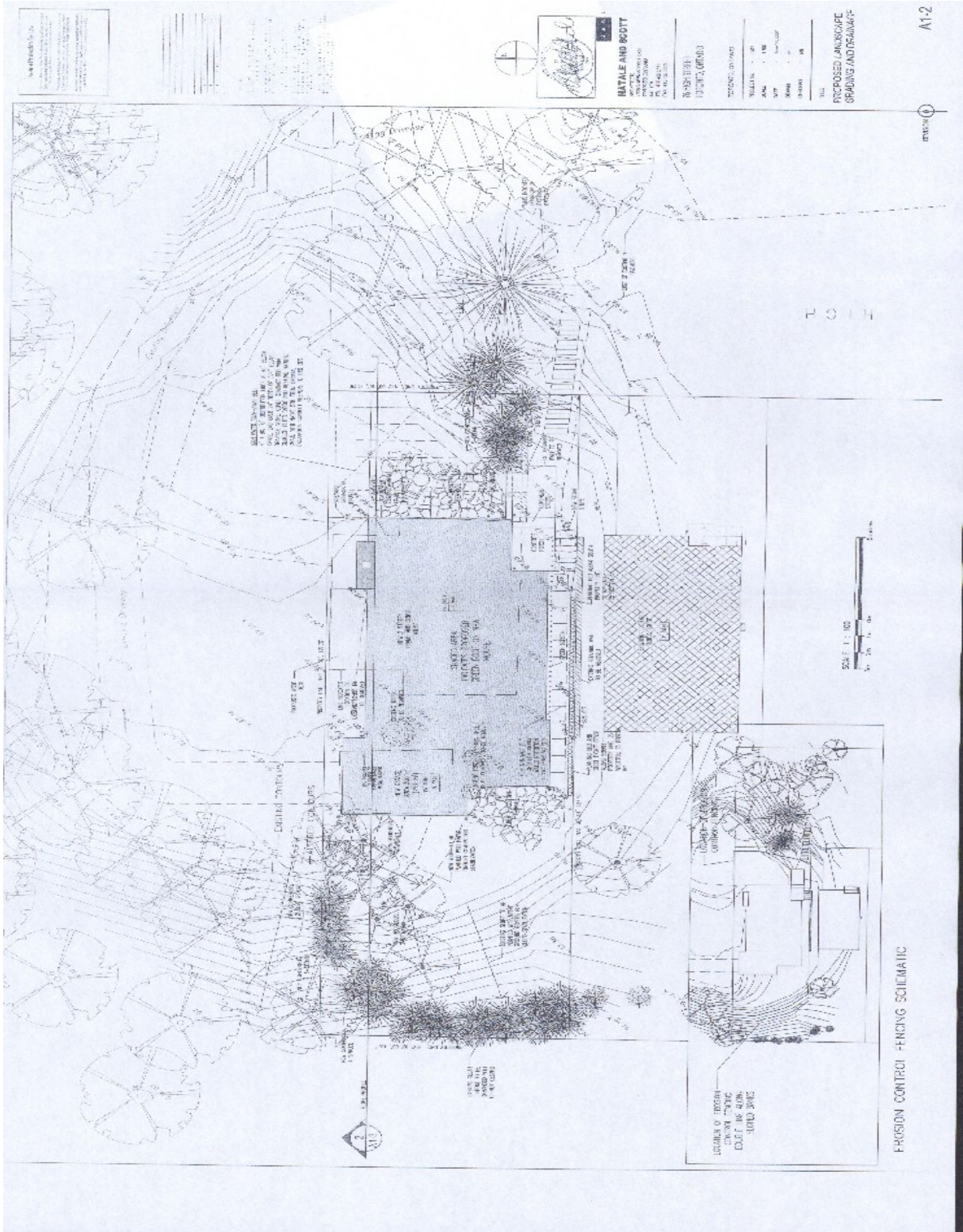
Attachment 2: Plan View

Attachment 3: Stair Detail

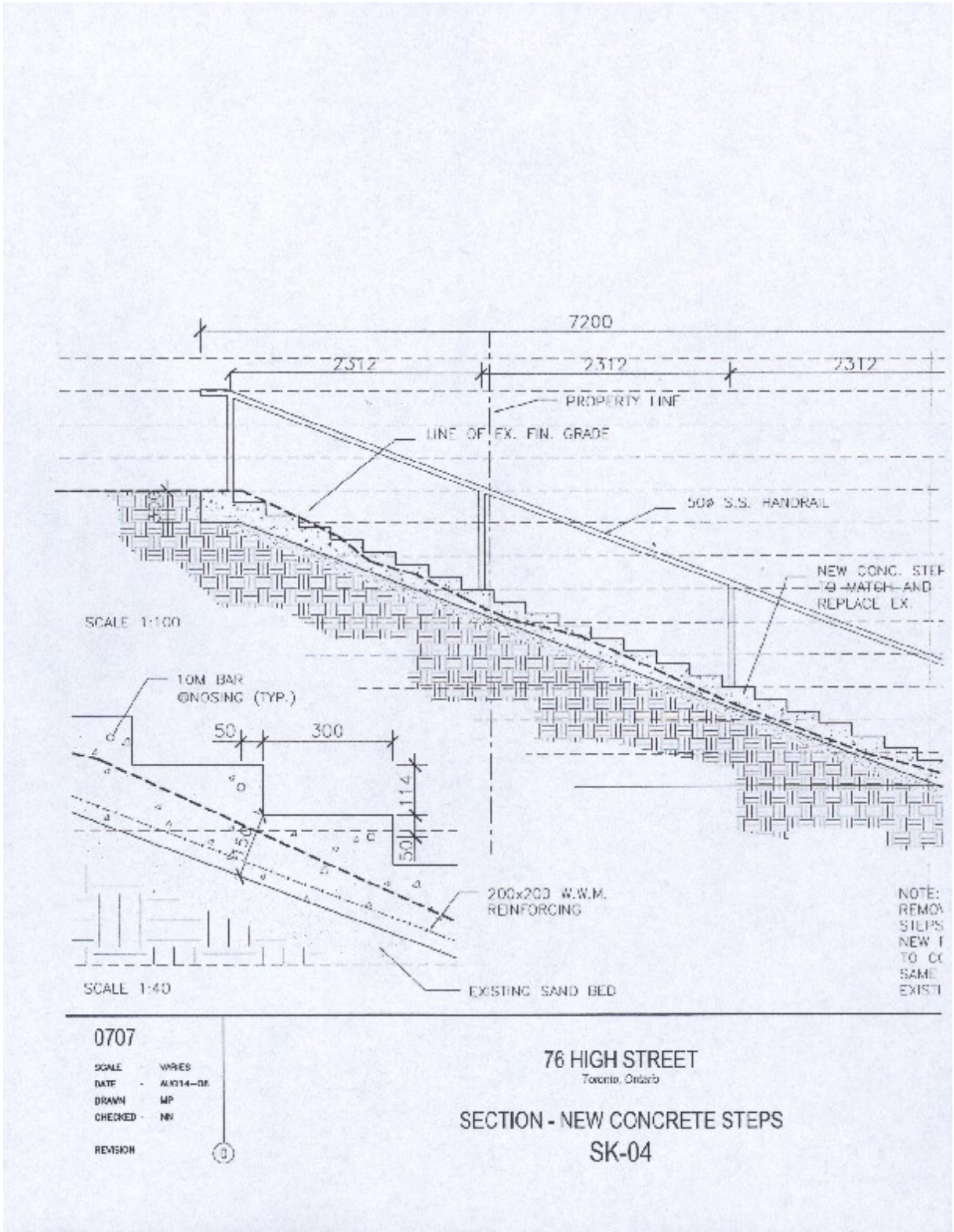
Attachment 4: Stair Site Plan



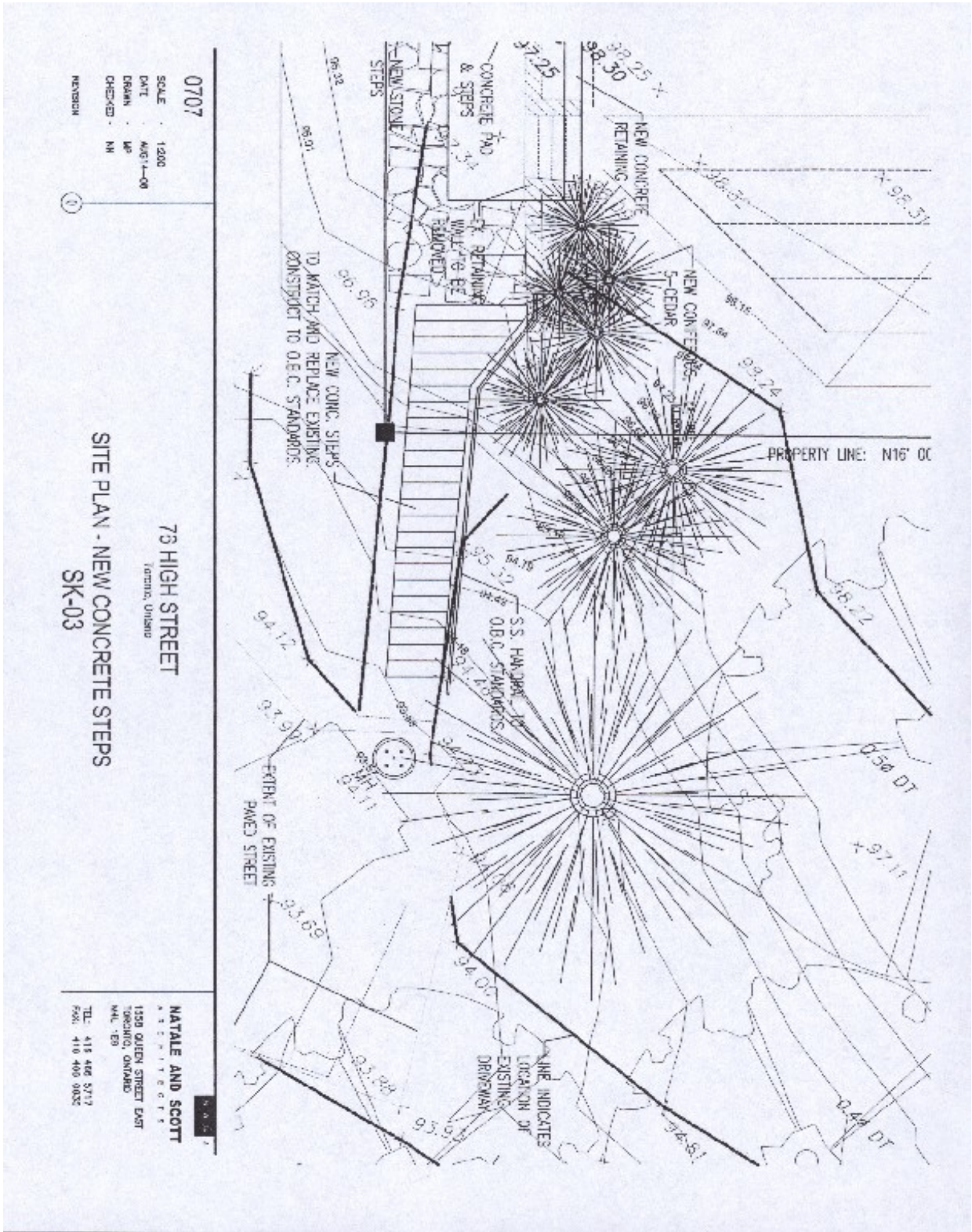
Attachment 1 – Survey



Attachment 2 – Plan View



Attachment 3: Stair Detail



Attachment 4: Stair Site Plan