



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 24 Woodford Park Road

<b>Date:</b>	December 12, 2008
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 5 - Etobicoke-Lakeshore
<b>Reference Number:</b>	ML&S Folder Number 08 181486 RAW

#### SUMMARY

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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 maintain hedges, stairs and a wooden fence (complete with lattice-work) located at the east elevation extending from the northerly to the southerly edges of the property, encroaching onto the Woodford Park Road and Daniels Street road allowances, respectively, with an approximate area of 99.32 square metres.

#### RECOMMENDATIONS

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**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 existing encroachment.
2. **The applicant to pay the City of Toronto all fees associated with the preparation of this agreement;** in addition, pay an annual fee of \$11.00 per square metres, fees are 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 fences, stairs and hedges in a state of good repair, free of any/all hazards and comply at all times with the regulations set out in the former City of Etobicoke Municipal Code, Chapter, 231, Streets and Sidewalks.
6. To allow motorists exiting the property at 6 Daniels Street to view pedestrians on the Daniels Street sidewalk, the property owner of 24 Woodford Park Road must maintain the westernmost 6.0 metres of hedge planted within the road allowance abutting the Daniels Street frontage to a height of no more than .85 of a metre, measured from the adjoining sidewalk on the north side of Daniels Street.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

The property owner is requesting an encroachment agreement to maintain some existing hedges, fencing and stairs at the east end of his property that encroach onto the road allowance, (Attachments 1, 2, 3 and 4). The approximate area of the encroachment is 99.32 square metres.

### **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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Municipal Licensing and Standards  
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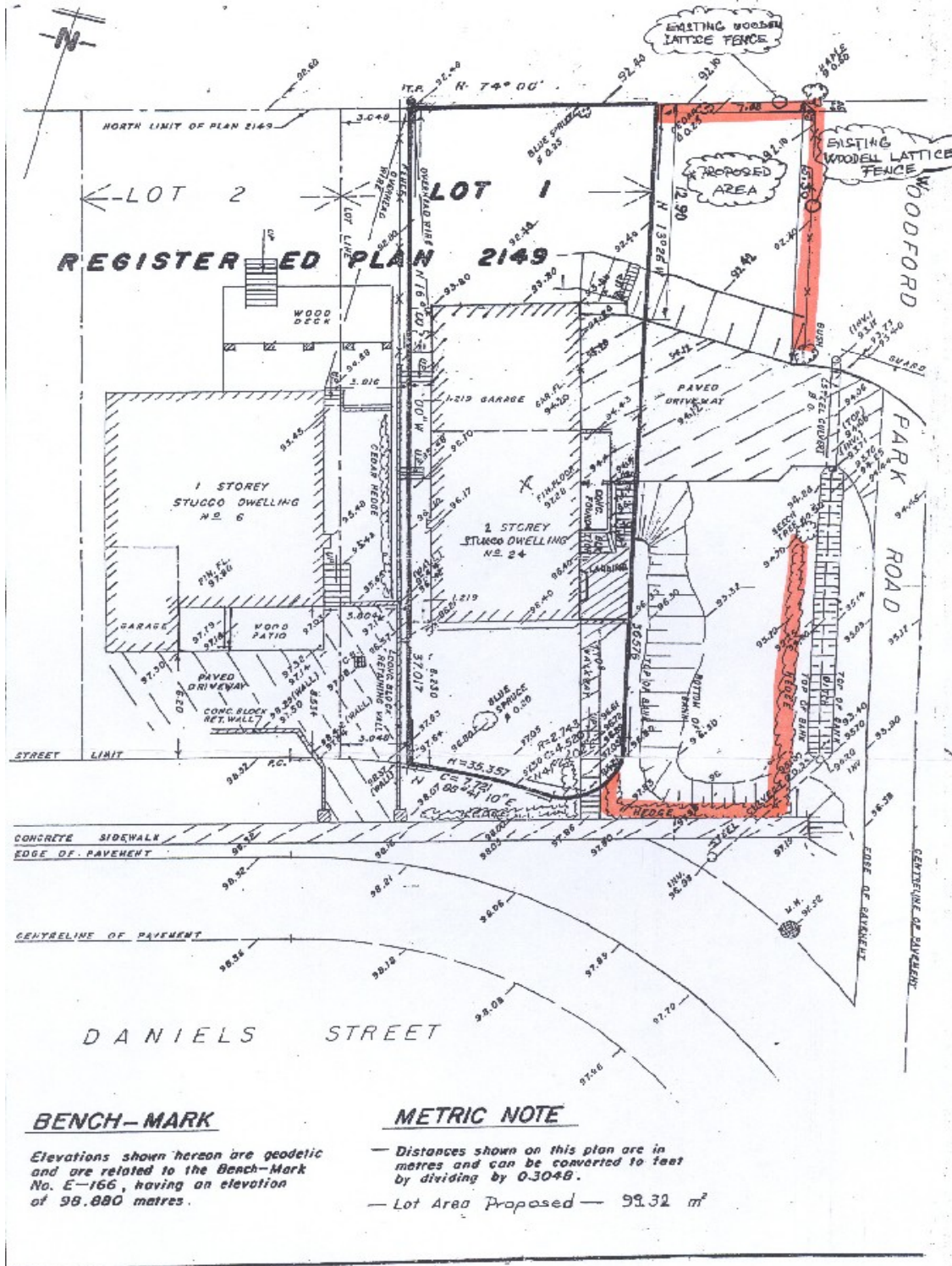
### **SIGNATURE**

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Curtis Sealock, District Manager  
Municipal Licensing and Standards

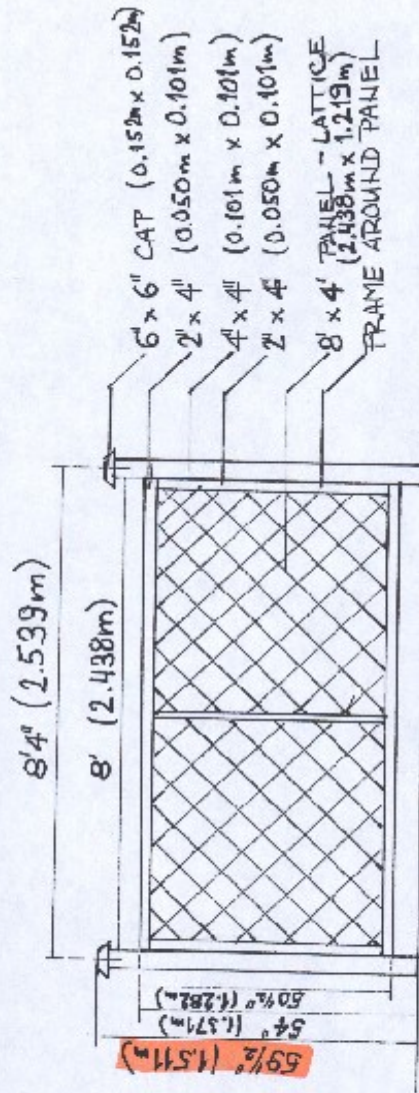
**Attachments:**

- Attachment 1: Survey
- Attachment 2: Fence detail
- Attachment 3: Stair Detail
- Attachment 4: Photos



**Attachment 1 – Survey**

PRIVACY FENCE SECTION

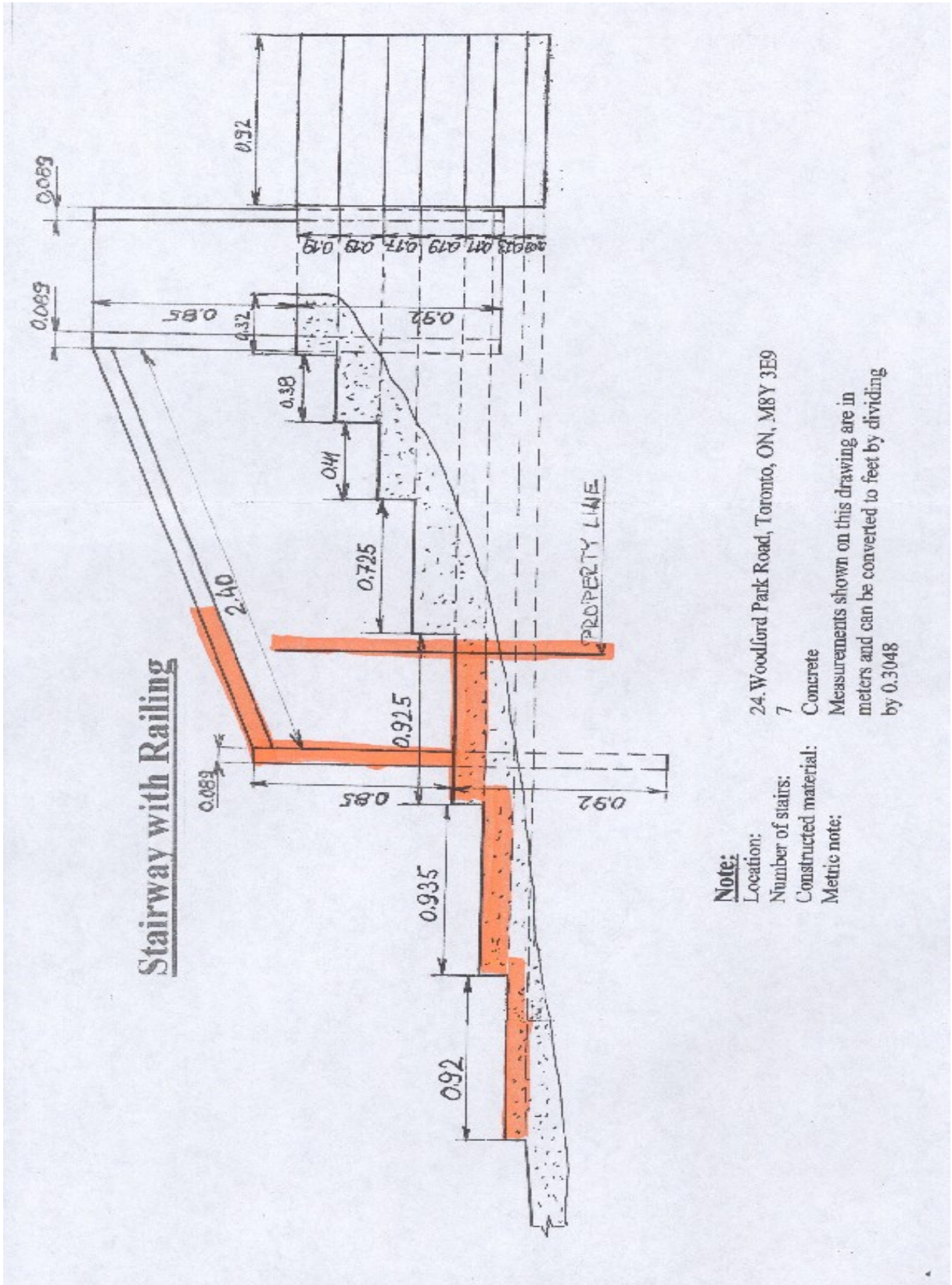


NOTE

- SECTIONS OF THE FENCE ARE MADE FROM WOOD - PRESSURE TREATED
- TABLE CALCULATION: 1FL = 0.3048 m
- 1in = 0.0254 m

**Attachment 2 – Fence Detail**





**Attachment 3: Stair Detail**





Photo of Encroachment Area with Fencing



Photo of Encroachment Area with fencing (from the Parkland view)

**Attachment 4: Photos**