



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 51 Morningside Avenue

Date:	December 5, 2008
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 13- Parkdale-High Park
Reference Number:	Folder Number 08 192593 RAW

SUMMARY

To report on an application submitted by the owner of the property to request permission to relocate the concrete steps, replace the existing retaining wall and to install soft landscaping within the road allowance. The total area of the encroachment is 18.49 square metres (4.3 metres by 4.3 metres). This is a matter for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that Etobicoke York Community Council approve this application subject to the following conditions:

1. The City Solicitor to be authorized to prepare an encroachment agreement for the existing encroachment.
2. The owner to pay all fees associated with the preparation of the agreement documents and pay an annual fee for the use of the road allowance, should that be imposed in future. Fees are subject to change.
3. 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.

4. The owner complies with the regulations set out in Municipal Code, Chapter 313, as amended, Streets and Sidewalks.

Financial Impact

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

ISSUE BACKGROUND

The owner of the property has made an application to reconstruct a walkway, retaining wall and install landscaping within the road allowance on Morningside Avenue. The work to be undertaken within the road allowance measures approximately 18.49 square metres (4.3 metres by 4.3 metres), Attachment 1.

COMMENTS

The application was circulated to Transportation Services and well as various Utilities. The following comments were received:

Bell Canada – Maintain a minimum of 0.6 metres clearance from bell existing plant and within 1 metre of bell and when crossing bell, hand dig.

Rogers Cable - Buried cable within the area, call for location prior to digging.

CONTACT

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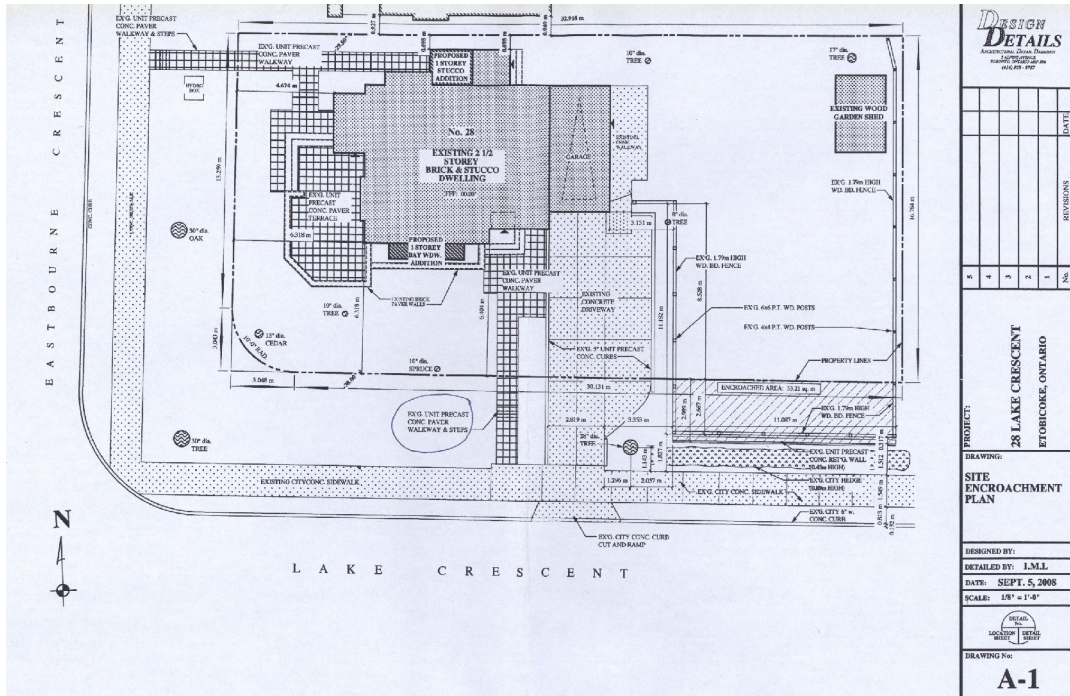
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Curtis Sealock, District Manager

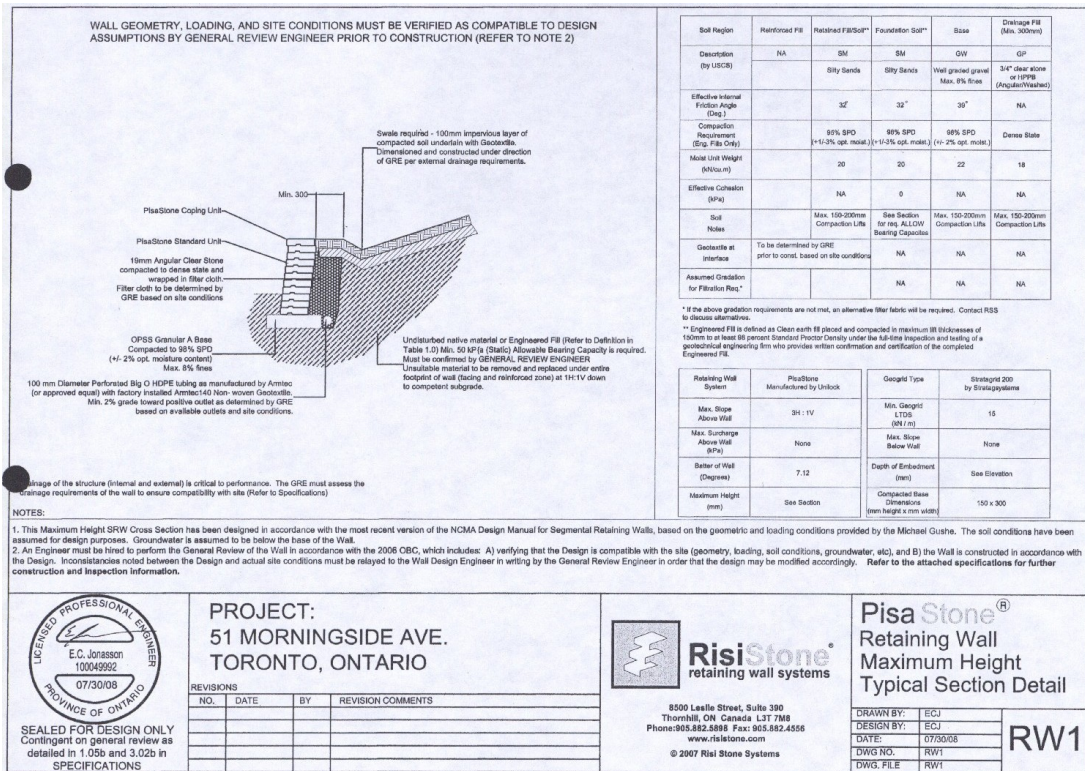
ATTACHMENTS

Attachment 1 – Site Plan and Retaining Wall Detail

Site Plan



Retaining Wall Detail



Attachment 1