



**STAFF REPORT  
ACTION REQUIRED**

**Application for Encroachment Agreement  
356 Windermere Avenue**

<b>Date:</b>	August 18, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 13, Parkdale-High Park
<b>Reference Number:</b>	Municipal Licensing and Standards File Number 09 140897 RAW

**SUMMARY**

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This report is in regard to an application submitted by Cresford Developments on behalf of Windermere United Church for an Encroachment Agreement for a proposed L- Shaped access ramp, measuring 1.19 metres by 9.02 metres, encroaching onto the City road allowance, 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 proposed encroachment within the road allowance subject to the following conditions:**

1. The City Solicitor 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 pay all fees associated with the preparation of the Agreement. Should an annual fee be charged in future, the owner shall be responsible for payment of the fees.
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 Certificate of Insurance to be renewed on an annual basis for the life of the encroachment.
5. The owner complies with the regulations set out in the former City of Toronto Municipal Code, Chapter 313, as amended, Streets and Sidewalks.
6. The owner to obtain all necessary construction/streets occupation permit(s) for any work done on the road allowance.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

A request has been made by Cresford Developments on behalf of Windermere United Church to obtain an Encroachment Agreement to permit the installation of a access ramp within the road allowance, Attachment 1.

### **COMMENTS**

This application was circulated to various city divisions and utility companies with no objections received regarding the installation.

### **CONTACT**

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### **SIGNATURE**

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Curtis Sealock, District Manager

### **ATTACHMENTS**

Attachment 1 - Construction Site Plan and Construction Detail

