



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 772 Windermere Avenue

Date:	October 19, 2009
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 13, Parkdale-High Park
Reference Number:	Municipal Licensing and Standards File Number 09 140897 RAW

SUMMARY

This report is in regard to an application submitted by the owner of the property for an Encroachment Agreement to maintain shrubs and two wooden planter boxes within the road allowance measuring 0.58 of a metre by 7.21 metres and 4.27 metres by 5.16 metres 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 Etobicoke York Community Council approve the application to maintain the encroachments within the road allowance, subject to the following conditions:

1. The City Solicitor be authorized to prepare an Encroachment Agreement for the encroachments.
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 annual fees be charged in future, the owner shall be responsible for payment of these 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 or 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 to remove the concrete parking space in the front yard road allowance and replace the area with sod and a 1.22 metre sidewalk.
6. The owner complies with the regulations set out in the former City of Toronto Municipal Code, Chapter 313, as amended, Streets and Sidewalks.
7. The owner to obtain all necessary construction/street 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 the owner of the property to obtain an Encroachment Agreement to maintain shrubs and two wooden planter boxes within the road allowance measuring 0.58 of a metre by 7.21 metres and 4.27 metres by 5.16 metres, Attachments 1 and 2.

COMMENTS

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

CONTACT

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SIGNATURE

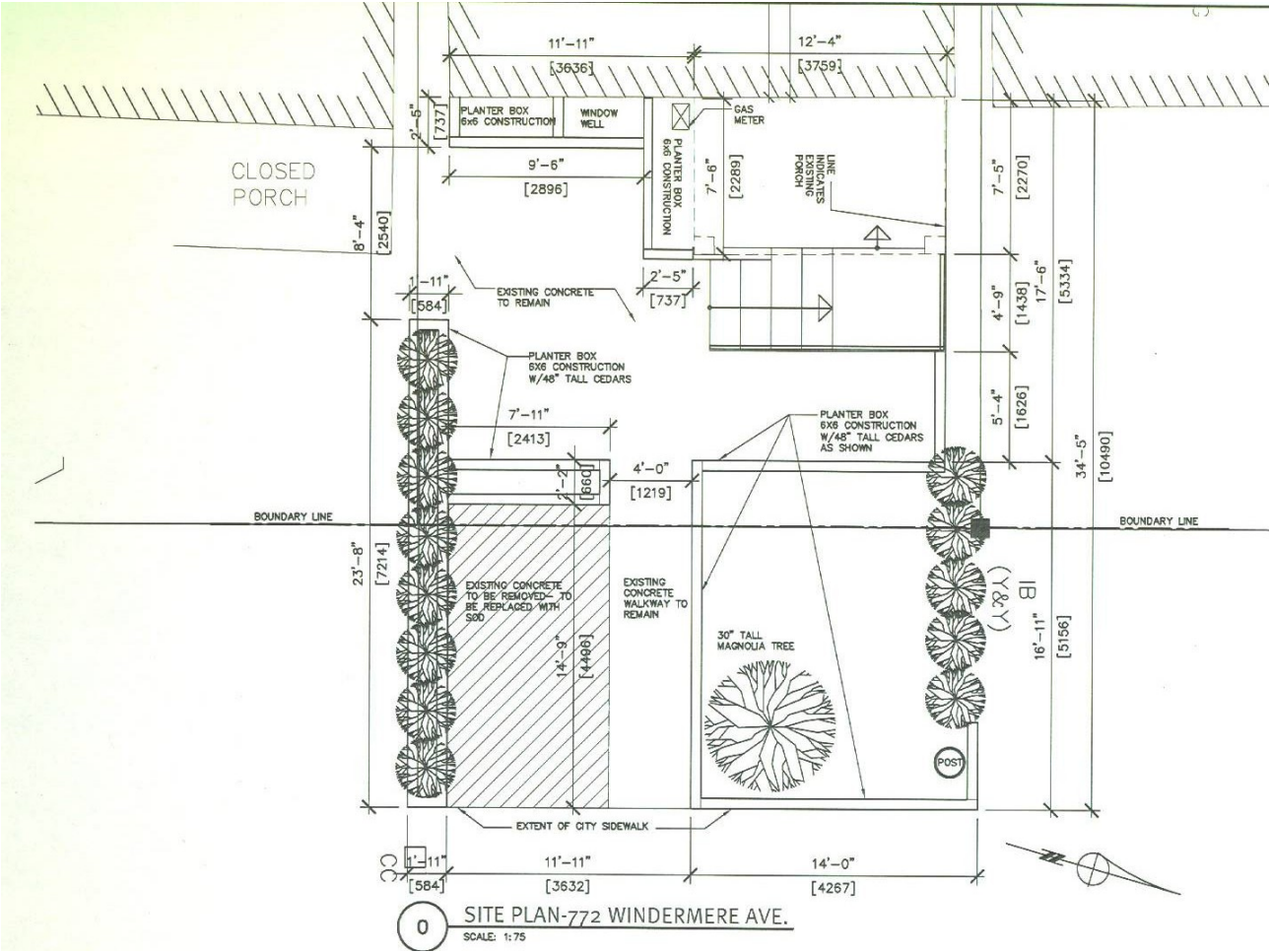
Curtis Sealock, District Manager

ATTACHMENTS

Attachment 1 – Site Plan

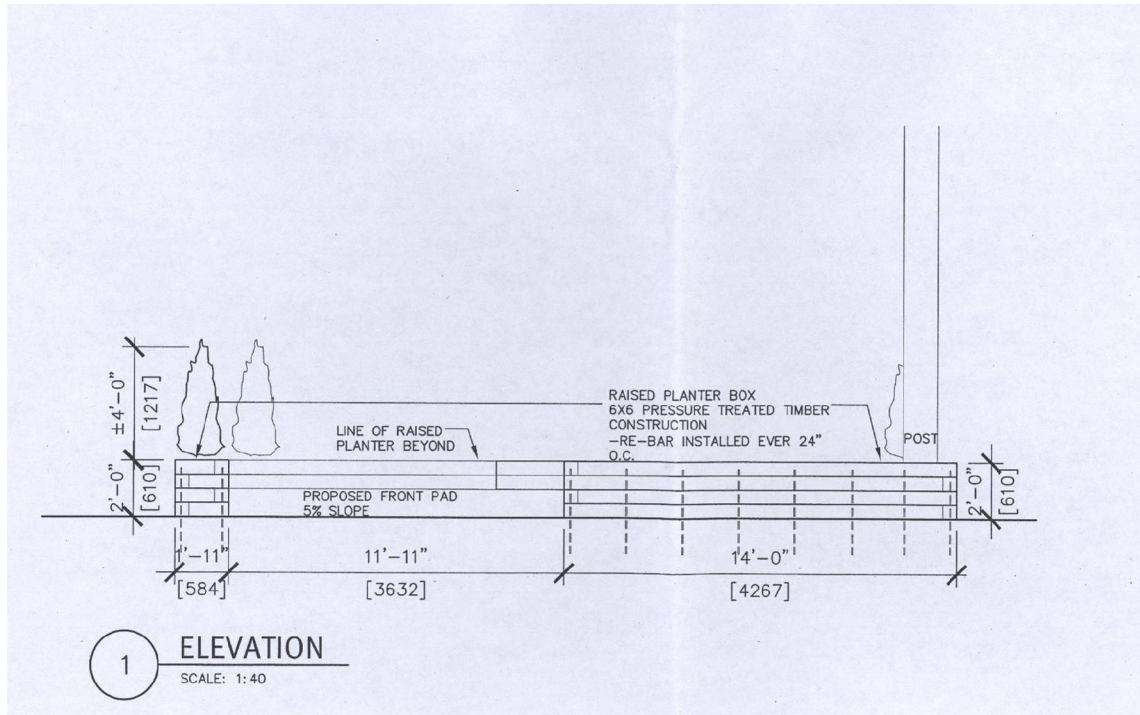
Attachment 2 – Front and Side Elevation

Site Plan

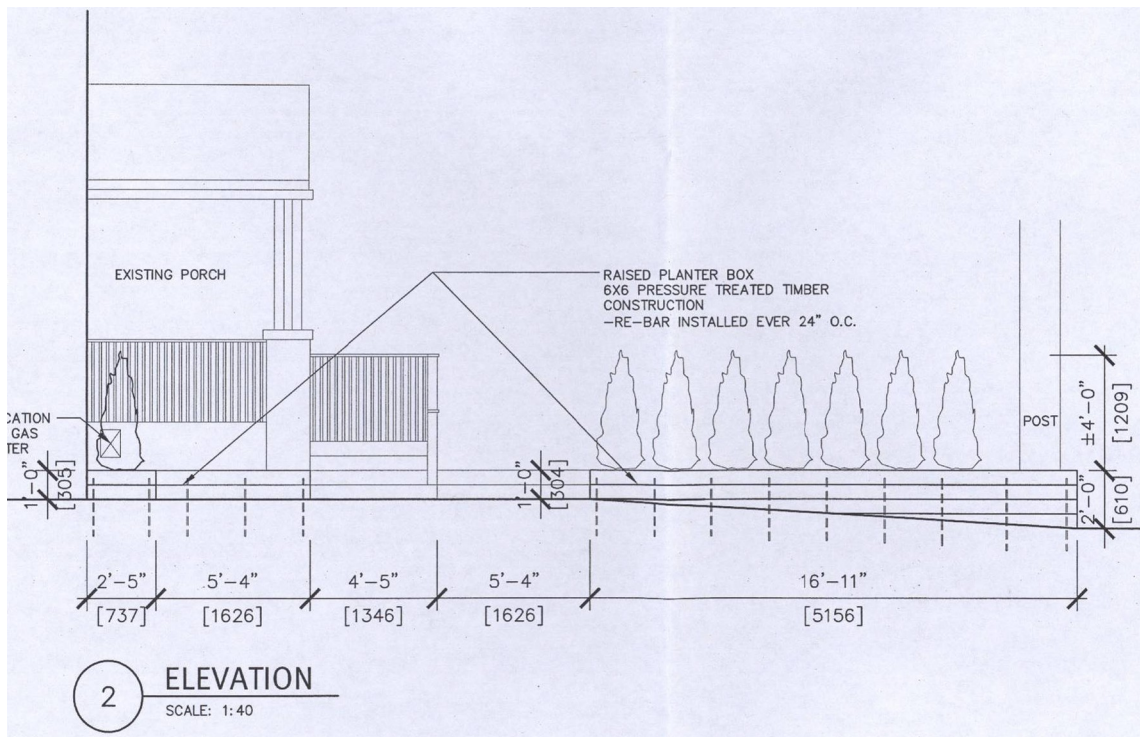


Attachment 1

Front Elevation



Side Elevation



Attachment 2