



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 2635 Lake Shore Boulevard West

Date:	December 14, 2009
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 6, Etobicoke-Lakeshore
Reference Number:	Municipal Licensing and Standards File Number 09176501 RAW 00 IR

SUMMARY

This report is in regard to an application submitted by the owner of the property at 2635 Lake Shore Boulevard West, for an Encroachment Agreement to maintain the encroachment of an existing 1.81 metre high iron fence and gate that encroaches onto the public right of way at a maximum distance of approximately 0.8 metres. In addition, this report should be considered in conjunction with the report before Etobicoke York Community Council for a fence exemption at the same property. 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 recommend that the Etobicoke York Community Council approve the application to maintain the encroachment within the road allowance, subject to the following conditions:

1. The City Solicitor to 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.
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.

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 the encroachment of an existing 1.81 metre high iron fence and gate which encroaches onto the public right of way. The property owner has also submitted a request for a fence exemption for the portion of fence that is within private property and the report is before Etobicoke York Community Council as a separate matter.

COMMENTS

This application was circulated to various Departments and Utilities companies with no objections received regarding the installation.

CONTACT

Curtis Sealock, District Manager
Municipal Licensing and Standards
Tel: 416-394-2532 Fax: 416-394-2904
E-mail: csealock@toronto.ca

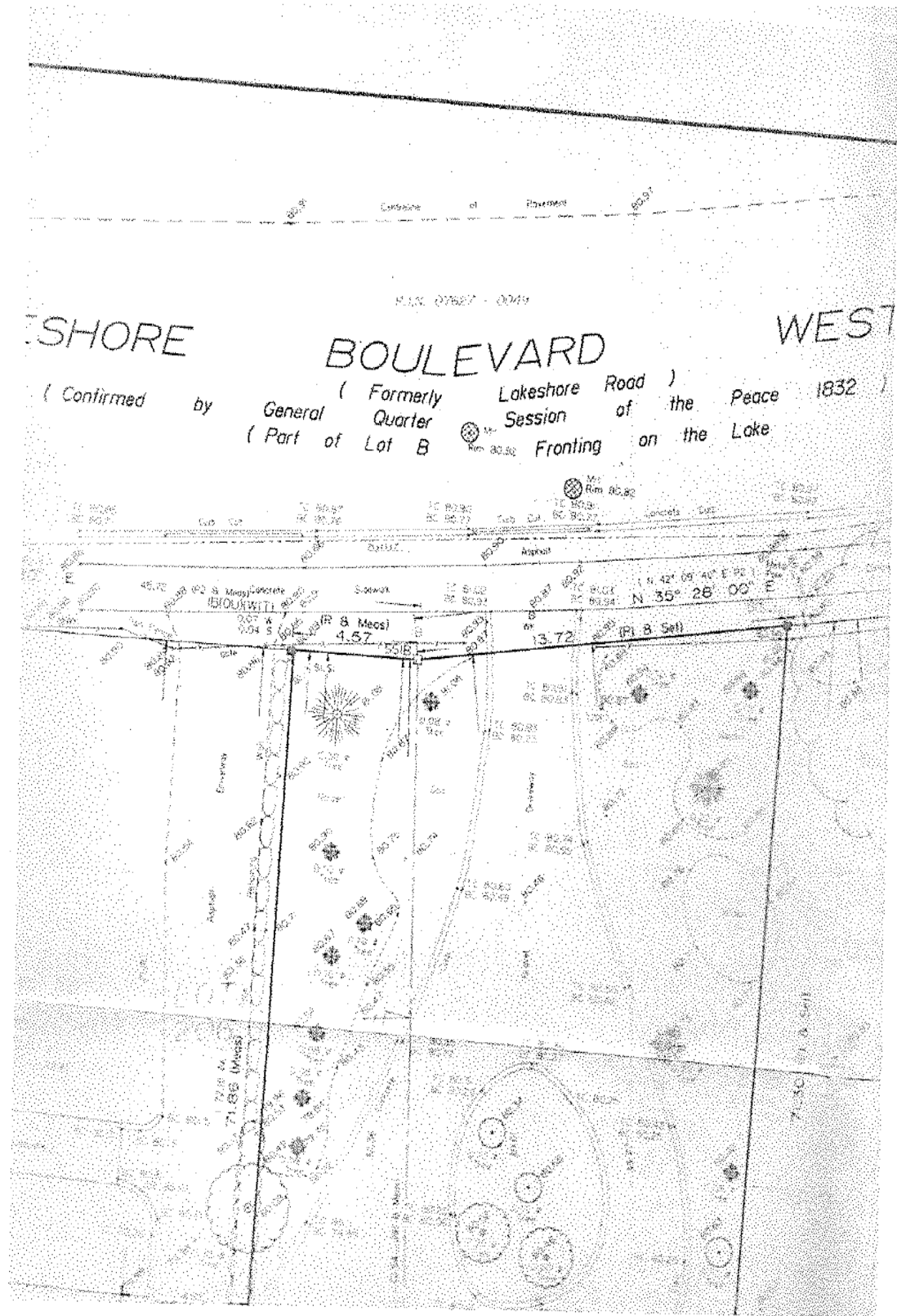
SIGNATURE

Curtis Sealock, District Manager

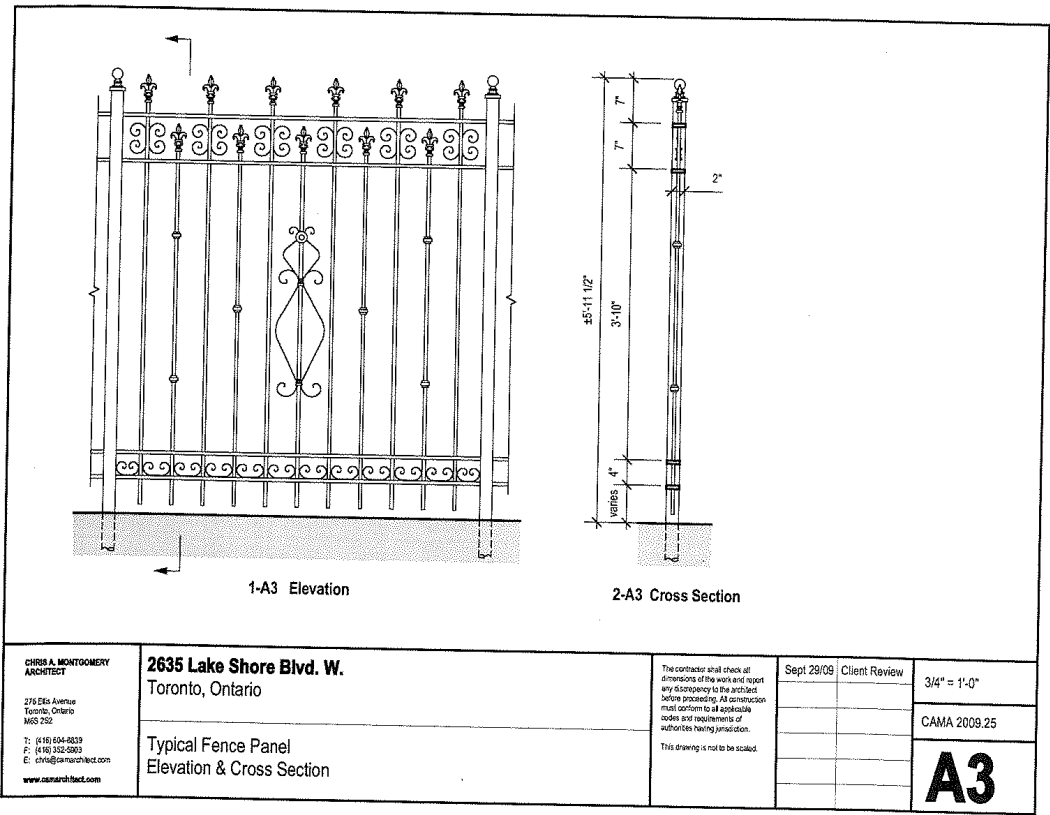
ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Fence Detail
Attachment 3: Photo of Encroaching Fence

ATTACHMENT 1: SITE PLAN



ATTACHMENT 2: FENCE DETAIL



ATTACHMENT 3: PHOTO OF ENCROACHING FENCE



2635 Lake Shore Blvd. W. [REDACTED]
(Looking east @ encroaching section)