



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 116 Eileen Avenue

Date:	February 12, 2010
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 11, York South-Weston
Reference Number:	Municipal Licensing and Standards, File Number 09 174699 RAW

SUMMARY

This report is in connection to an application submitted by the owner of 116 Eileen Avenue for an Encroachment Agreement for permission to maintain existing concrete retaining walls, with an encroachment area of approximately 2.2 square metres within the Eileen Avenue 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 proposed encroachment.
2. The owner enters into an Encroachment Agreement with the City of Toronto and pays all fees associated with the preparation of the agreement. Should an annual fee/s be charged in the future, the owner shall be responsible for payment of the fees.
3. The signed Agreement is to be returned to the City with the required Certificate of Insurance, evidencing a third party bodily injury and property damage insurance in the amount of Two Million Dollars (\$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. The Certificate of Insurance shall be renewed on an annual basis for the life of the encroachments.

4. The owner is to install guards at the top of the retaining walls, in accordance with the Ontario Building Code regulations, where the grade separation is more than 0.60 metres (2.0 feet).

Financial Impact

There is no financial impact resulting from adoption of this report.

ISSUE BACKGROUND

The owner of the property has submitted an application to maintain the existing retaining walls for the garage entrance of the dwelling. These retaining walls encroach onto the Eileen Avenue road allowance approximately 2.2 square metres.

COMMENTS

This application was circulated to various utility companies as well as Transportation Services with no objections received regarding the installation.

CONTACT

Curtis Sealock, District Manager
Municipal Licensing and Standards
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E-mail: csealock@toronto.ca

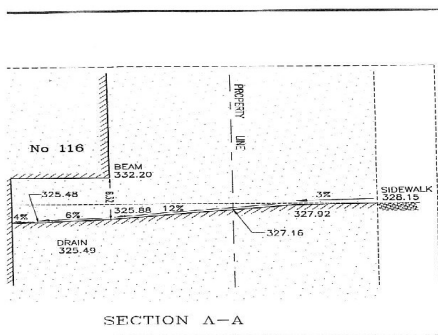
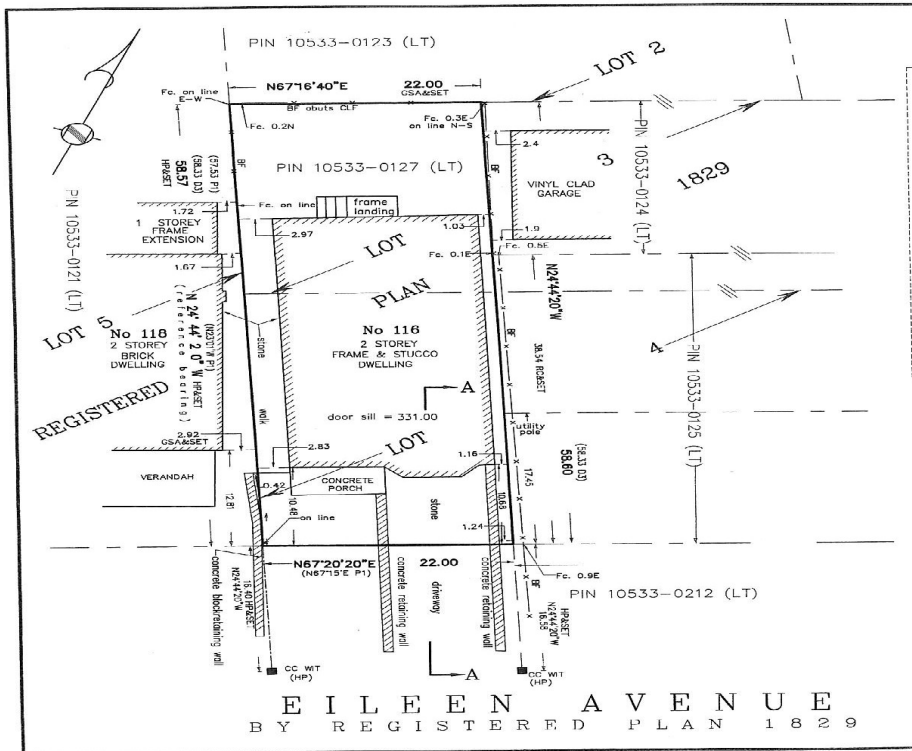
SIGNATURE

Curtis Sealock, District Manager

ATTACHMENTS

Attachment 1- Survey/Site Plan
Attachment 2- Construction Detail

Survey/Site Plan



SURVEYORS REAL PROPERTY REPORT

PART 1
PLAN OF LOTS 3 AND 4
REGISTERED PLAN 1829
CITY OF TORONTO
 FORMERLY CITY OF YORK
 SCALE 1" = 10'

H. PILLER CORPORATION LTD.

LEGEND	
■	Monument found
CC	Monument planted
IB	Cut Cross
SSIB	Iron Bar
SIB	Short Standard Iron Bar
WT	Standard Iron Bar
W	Witness Monument
Q/U	Origin unknown
MEAS	Measured
P1	Registered Plan 1829
D2	Inst. No. CA 714369
D1	Inst. No. York 582035
DC	Inst. No. CA 644539
RC	T. Czerwinski, OLS (1990)
GSA	Rodriguez & Czerwinski, OLS (2000)
HP	G.S. Abrey, OLS
	H. Piller, OLS
	(03-21-7583-00)
Fc	Fence
CLF	Fence link fence
BF	Board fence
P&W	Post and wire fence
FP	Fence post
W	West
E	East
N	North
S	South

BEARING NOTE:
 Bearings are referred to the westerly limit of Lots 3 and 4 as shown on plan R54763 by Rabideau & Czerwinski, OLS having an astronomic bearing of N24°44'20"W.

PART 2 - (see reverse)
 This plan must be read in conjunction with the Survey Report dated November 15, 2007.

NOTE:
 Distances shown on this plan are in feet and can be converted to metres by multiplying by 0.3048.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. This survey and plan are correct and in accordance with the Survey Act and the Regulations made under them;
 2. The survey was completed on the 6th day of November, 2007.

date Nov. 14 / 2007 *Anna M. Akoon*
 Ontario Land Surveyor

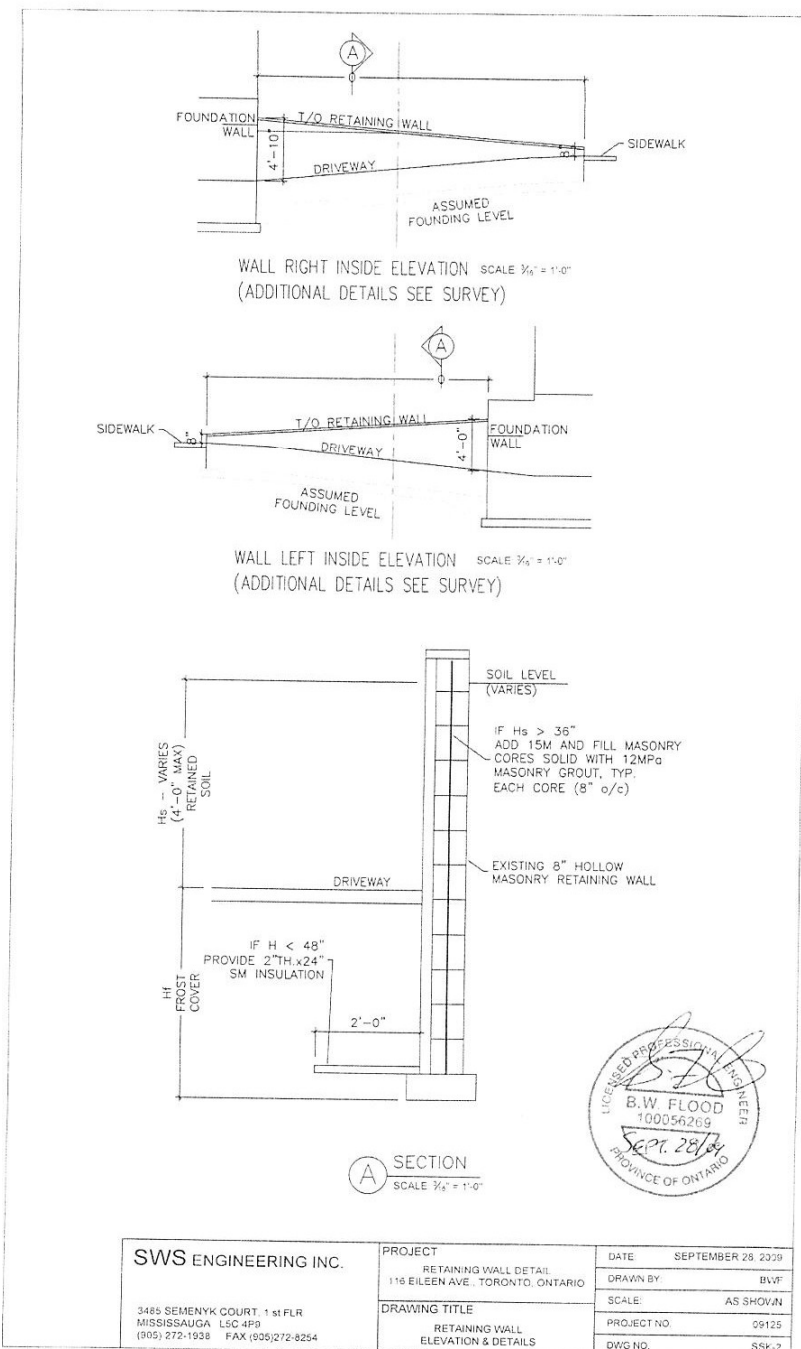
reference number: 07-21-7583-01

H. Piller Corporation Ltd.
 TORONTO 416 - 488 - 1174 CANADA



Attachment 1

Construction Detail



Attachment 2