

**Application for Encroachment Agreement  
10 Yule Avenue**

<b>Date:</b>	April 07, 2010
<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 Folder Number 07 160946 RAW

**SUMMARY**

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This report is in regard to an application submitted by the owner of 10 Yule Avenue for an Encroachment Agreement to maintain the existing garage, retaining walls and wrought iron fencing within the Yule Avenue road allowance, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The total area of the encroachments is approximately 34.69 square metres.

**RECOMMENDATIONS**

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**Municipal Licensing and Standards recommend that Etobicoke York Community Council approve the application for the existing encroachments within the road allowance subject to the following conditions:**

1. The owner pay the City of Toronto all fees associated with the preparation of this agreement and pay an annual fee, plus GST, for the use of the road allowance, should that be imposed in future. All fees are subject to change.
2. The City Solicitor to be authorized to prepare an Encroachment Agreement.
3. The owner to renew the said Certificate of Insurance on an annual basis for the life of the encroachments.
4. The owner carry out all construction work and obtain the necessary building permits, including installation of the required guardrails on both private property and Yule Avenue road allowance in front of the property, in accordance with the

Ontario Building Code (guardrails and fence shall comply with the requirements of Transportation Services).

5. The owner to maintain in good condition at all times the retaining walls, garage, fence, guardrails and handrails within the Yule Avenue road allowance.
6. The owner to comply with the conditions under the Ravine Permit issued on June 22, 2007 and all the requirements of Urban Forestry Services for the funding, protection, removal and replacement of private trees on the property as well as City trees in the front of the property.
7. The owner to obtain streets permits and comply with regulations set out in Chapter 313 of the former City of Toronto Municipal Code, Streets and Sidewalks.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

This application for an encroachment agreement was before the Etobicoke York Community Council on September 10, 2007 as Item EY9.51 and the application was approved at the time. Since then, the property owner has revised the plans to include the re-building of a natural stone retaining wall complete with a wrought iron fence, (Attachments 1, 2, and 3).

### **COMMENTS**

This amended application and supporting documents were circulated to Transportation Services and the various utility companies with no objections received regarding the as-built installations.

### **CONTACT**

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## **SIGNATURE**

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Curtis Sealock, District Manager  
Municipal Licensing and Standards

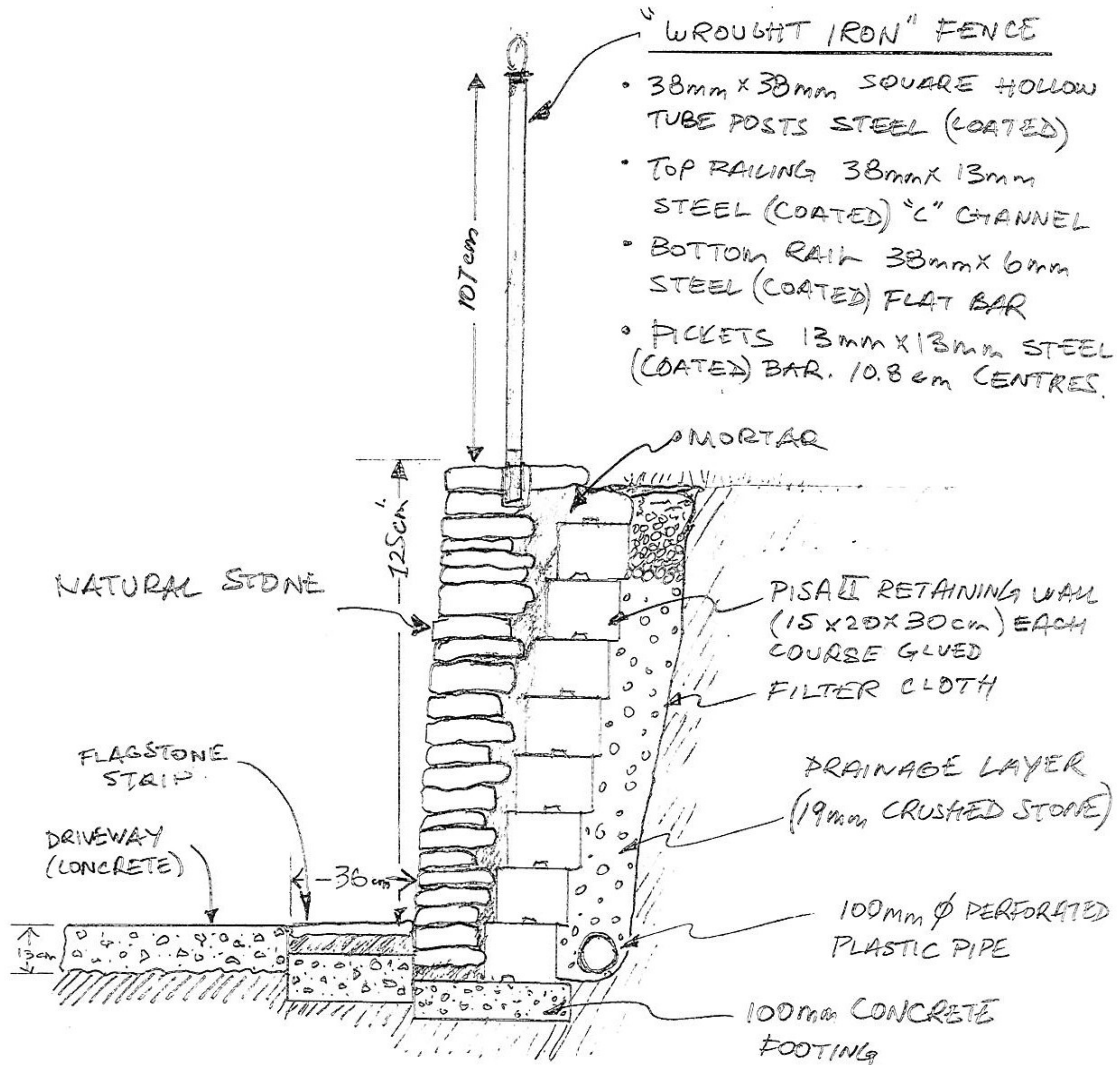
## **ATTACHMENTS**

Attachment 1 – Survey of 10 Yule Avenue  
Attachment 2 – Retaining Wall and Wrought Iron Fence Detail  
Attachment 3 – Photos 1, 2 of 10 Yule Avenue



## ENCROACHMENT AGREEMENT DETAILS

### SECTION C-C: RETAINING WALL CONSTRUCTION DETAILS



#### NOTES:

1. OVERALL HEIGHT OF RETAINING WALL VARIES FROM 91cm AT STREET SIDEWALK TO 150cm AT GARAGE.

DATE: SEPTEMBER 25, 2009

PROJECT: 10 YULE AVE TORONTO DOMINION: A VILLAGE

### Attachment 2- Retaining Wall and Wrought Iron Fence Detail





Photo 1 – Front Elevation



Photo 2 – Showing new stone retaining wall and wrought iron fence/guard

**Attachment 3- Photos of Front Elevation – 10 Yule Avenue**