

Application for Encroachment Agreement 4 Biggar Avenue

Date:	March 31, 2010
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 17, Davenport
Reference Number:	Municipal Licensing and Standards, File Number 09 158156 RAW

SUMMARY

To report on a application submitted by the owner at 4 Biggar Avenue for an Encroachment Agreement for permission to maintain a newly constructed metal fencing within the Biggar Avenue and Alberta Avenue road allowances, newly constructed wooden close board fencing at the rear flankage of the property and two existing brick retaining walls within the Alberta Avenue road allowance. The total area of encroachment is approximately 120.3 square metres.

RECOMMENDATIONS

Municipal Licensing and Standards recommend that the 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 encroachments.
2. The owner shall 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/s be charged in future, the owner shall be responsible for payment of all fees plus GST and fees are subject to change.
3. The signed Agreement to be returned to the City with the required Certificate of Insurance, evidencing a third party bodily injury and property 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. To satisfy Toronto Hydro requirements, the owner is required to provide a 1.52 metre (5 foot) long operable gate along north-south axis, centered opposite the mid point of hydro pole number 38.
5. The owner shall modify the close board wood fence to provide a 2.4 metre line of sight adjacent to the driveway and rear laneway as per reviewed drawing.
6. The owner to obtain a streets permit 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 impacts resulting from the adoption of this report.

ISSUE BACKGROUND

The owner of the property in question has submitted an application for an Encroachment Agreement to maintain newly erected metal fencing within the Biggar and Alberta Avenue road allowances, a newly constructed close board wood fence at the rear of the property, and two existing retaining walls adjacent to the driveway within the Alberta Avenue road allowance, Attachment 1, 2 and 3.

COMMENTS

This application was circulated to the various utility companies and departments with no objections being received. Toronto Hydro has requested the owner be required to provide a 1.52 metre (5 foot) long operable gate along north-south axis, centered opposite the mid point of hydro pole 38. Transportation Services requires the owner revise the close board wood fence at the rear of the property to provide a line of sight clearance for a distance of 2.4 metres adjacent to the driveway and laneway at the rear of the property.

CONTACT

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Municipal Licensing and Standards
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SIGNATURE

Curtis Sealock, District Manager

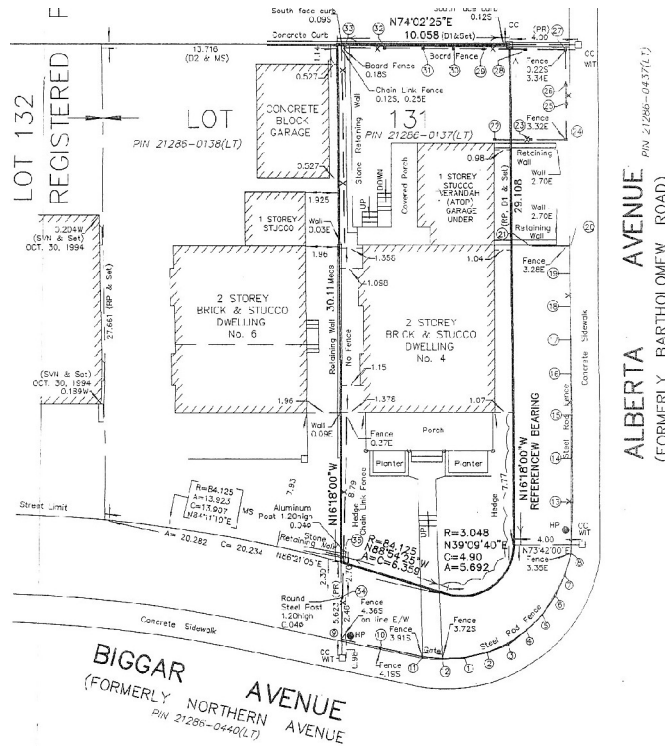
ATTACHMENTS

Attachment 1 – Site Survey and Modified Location of rear wood fence

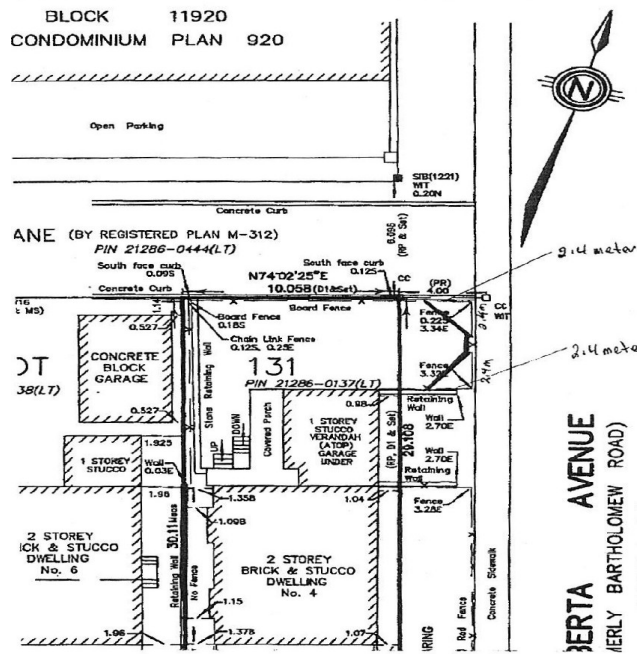
Attachment 2 – Fence Details

Attachment 3 – Retaining Wall Detail

Site Survey

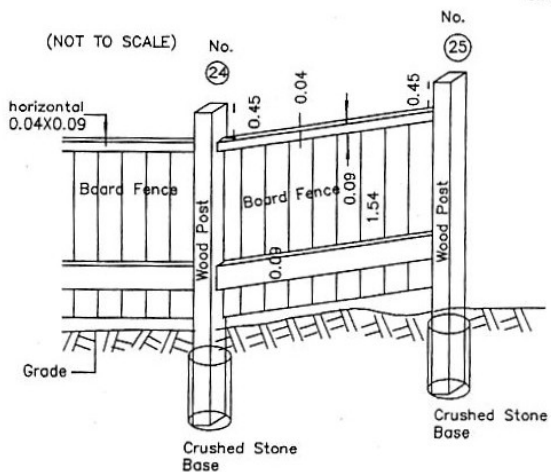
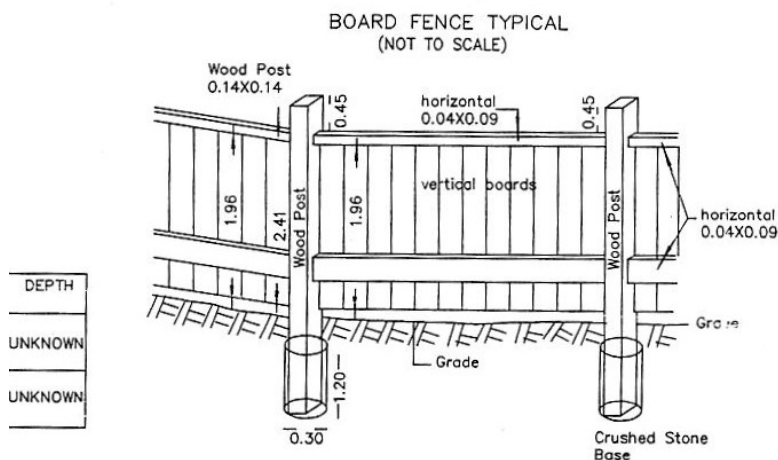
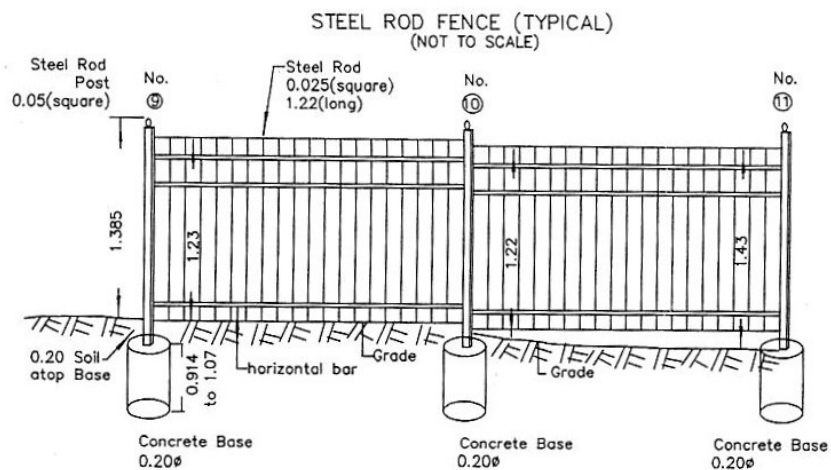


Modified Rear Fence Detail



Attachment 1

Fence Details



RUDOL

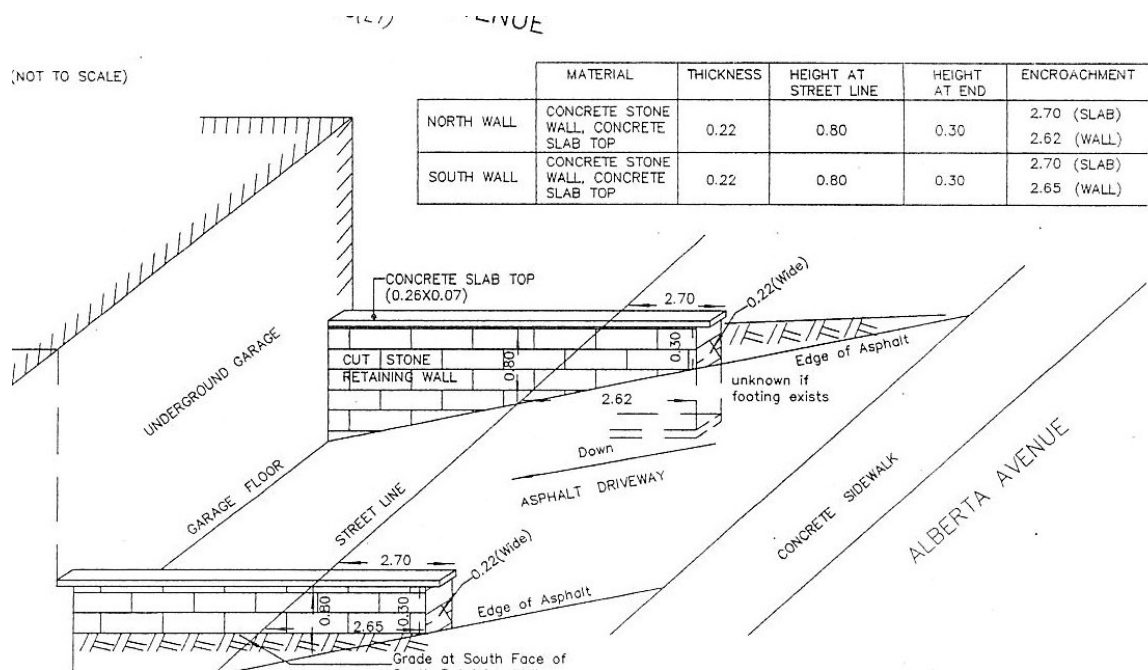
1622 EGLIN'

DRAWN BY: J.

CHECKED BY: J.

Attachment 2

Retaining Wall Detail



Attachment 3