



STAFF REPORT ACTION REQUIRED

Application for Encroachment Agreement 43 Old Mill Terrace

Date:	July 7, 2010
To:	Etobicoke York Community Council
From:	Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards:	Ward 5, Etobicoke-Lakeshore
Reference Number:	Municipal Licensing and Standards Folder Number 10 157212 RAW 00 IR

SUMMARY

This report is in regard to an application submitted by the owner of the property at 43 Old Mill Terrace for an Encroachment Agreement to maintain the encroachment which varies in height between 0.68 of a metre to 0.22 of a metre high block retaining wall and stone stairs on the north side of the driveway for a distance of 6.13 metres and a 0.24 of a metre high retaining wall on the south side of the driveway, encroaching into the road allowance for a distance of 9.73 metres. 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 encroachments at 43 Old Mill Terrace, 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 applicant is required to maintain the encroachment, within the road allowance in accordance with the provisions of the former City of Etobicoke Municipal Code Chapter 231, Streets and Sidewalks.

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 at 43 Old Mill Terrace to obtain an Encroachment Agreement to install and maintain the encroachment which varies in height between 0.68 of a metre to 0.22 of a metre high block retaining wall and stone stairs on the north side of the driveway for a distance of 6.13 metres and a 0.24 of a metre high retaining wall on the south side of the driveway, encroaching into the road allowance for a distance of 9.73 metres, Attachments 1, 2, and 3.

COMMENTS

This application was circulated to various City Departments and Utility Companies with no objections received regarding the installation.

CONTACT

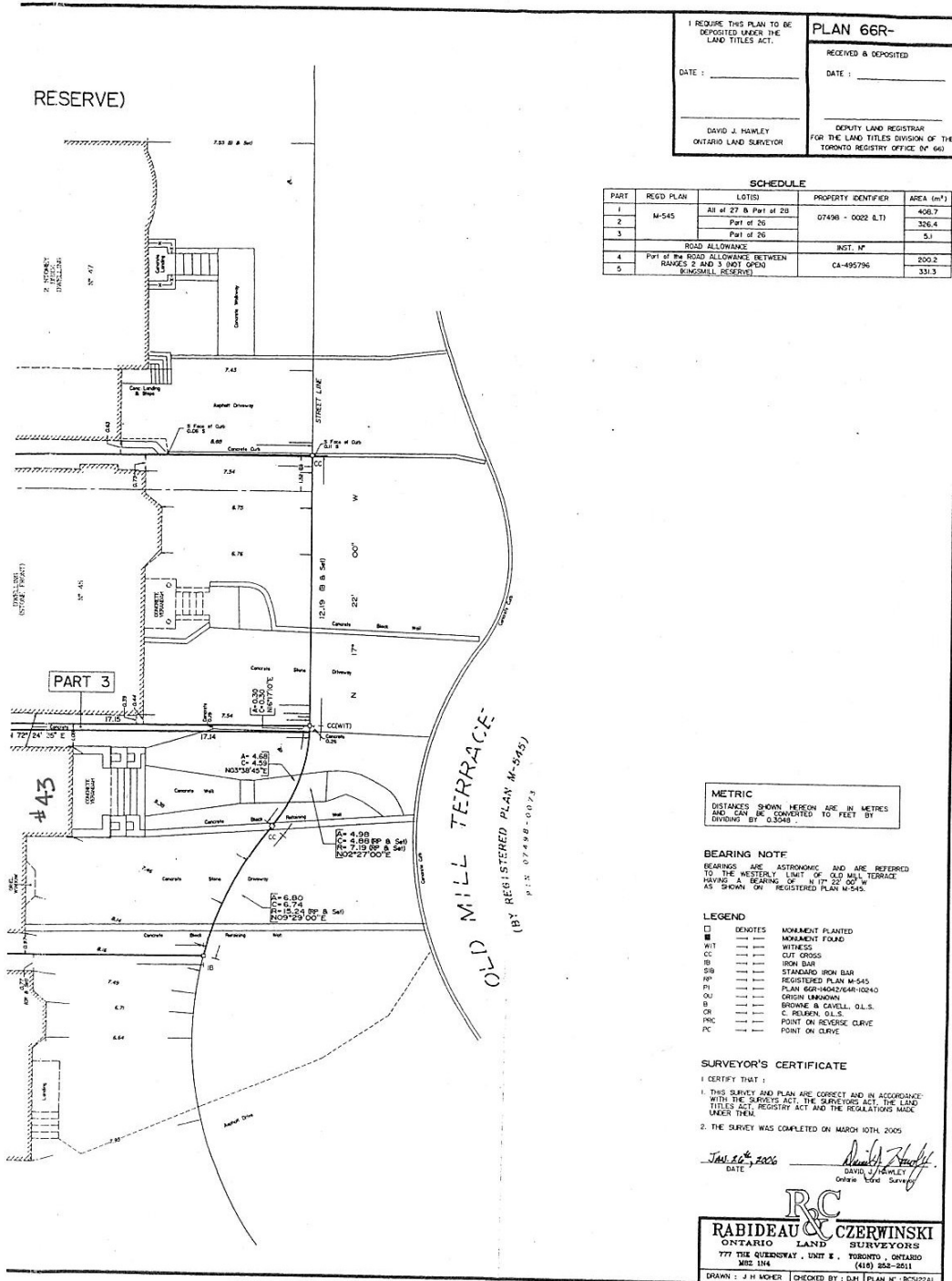
Curtis Sealock, District Manager
Municipal Licensing and Standards
Tel: 416-394-2532 Fax: 416-394-2904
E-mail: csealock@toronto.ca

SIGNATURE

Curtis Sealock, District Manager

ATTACHMENTS

Attachment 1 - Survey
Attachment 2 - Retaining Wall Detail
Attachment 3 – Photograph of 43 Old Mill Terrace



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: _____

DAVID J. HAWLEY
ONTARIO LAND SURVEYOR

PLAN 66R-

RECEIVED & DEPOSITED

DATE: _____

DEPUTY LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF THE
TORONTO REGISTRY OFFICE BY 660

SCHEDULE				
PART	REGD PLAN	LOT(S)	PROPERTY IDENTIFIER	AREA (m ²)
1	M-545	All of 27 & Part of 28	07498 - 0022 (L.T.)	408.7
2		Part of 26		326.4
3		Part of 26		5.1
ROAD ALLOWANCE			INST. M	
4	Part of the ROAD ALLOWANCE BETWEEN RANGES 2 AND 3 (NOT OPEN)			200.2
5	(KINGSMILL RESERVE)		CA-495796	331.3

METRIC
DISTANCES SHOWN HEREON ARE IN METRES
AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED
TO THE WESTERN LIMIT OF OLD MILL TERRACE
HAVING A BEARING OF N 17° 22' 00" W
AS SHOWN ON REGISTERED PLAN M-545.

- LEGEND**
- DENOTES MONUMENT PLANTED
 - MONUMENT FOUND
 - WIT WITNESS
 - CC CUT CROSS
 - SB IRON BAR
 - SB STANDARD IRON BAR
 - RP REGISTERED PLAN M-545
 - PL PLAN 66R-HAWLEY-0240
 - OU ORIGIN UNKNOWN
 - B BROWNE & GAVELL, O.L.S.
 - CR C. REIDEN, O.L.S.
 - PC POINT ON REVERSE CURVE
 - PC POINT ON CURVE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT, REGISTRY ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON MARCH 10TH, 2005.

JUL 20 2006
DATE

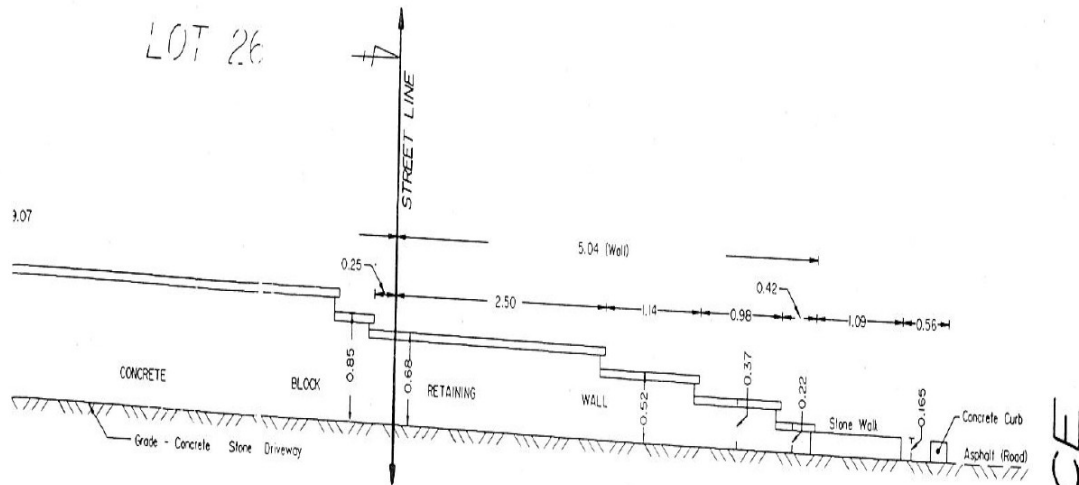
DAVID J. HAWLEY
Ontario Land Surveyor

RC
RABIDEAU & CZERWINSKI
ONTARIO LAND SURVEYORS
777 THE QUEENSWAY, UNIT 8, TORONTO, ONTARIO
M5C 1M4
(416) 598-2611

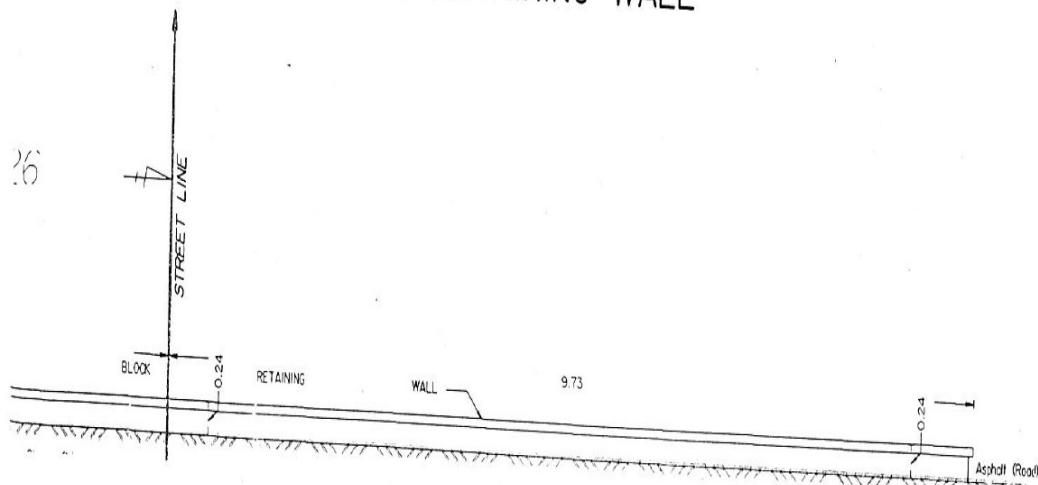
DRAWN: J. H. MOHR CHECKED BY: D. J. HAWLEY PLAN N°: R0502241

Attachment 1 - Survey

NORTH SIDE DRIVEWAY RETAINING WALL



SOUTH SIDE DRIVEWAY RETAINING WALL



LD MILL TERRACE

Attachment 2 - Retaining Wall Detail



Attachment 3 – Photograph of 43 Old Mill Terrace