

Request for an exemption from Chapter 313 of the former City of Toronto Municipal Code: to permit encroaching stairs, railings and landings at 24 Bedford Park Avenue

Date:	May 27, 2010
To:	North York Community Council
From:	Director, Transportation Services Division, North York District
Wards:	Ward 16 Eglinton-Lawrence
Reference Number:	<i>ny10076</i>

SUMMARY

This staff report is about a matter which North York Community Council has delegated authority to make a final decision provided that it is not amended so that it varies with City policy or by-laws.

To report on a request for an exemption from Chapter 313 of the former City of Toronto Municipal Code to permit the construction and maintenance of an encroaching concrete staircase with railings and landings, within the public right-of-way, fronting 24 Bedford Park Avenue, exceed the dimensions that may be approved administratively pursuant to the municipal code. As this is an appeal and a request for an exemption, it is scheduled as a deputation item.

RECOMMENDATIONS

Transportation Services Division, North York District recommends that North York Community Council:

1. Approve the proposal to construct and maintain an encroaching concrete staircase with railings and landings, with a maximum footing depth of 1.5 metres below grade.

Financial Impact

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

DECISION HISTORY

On March 15, 2010, the agent working on behalf of the Toronto Catholic District School Board submitted an application to construct and maintain a set of concrete stairs with metal railings and landings within the public right-of-way, fronting Blessed Sacrament Catholic School at 24 Bedford Park Avenue.

There is significant pedestrian congestion on the narrow walkway on either side of the main school entrance at school drop-off and pick-up times. As a result of the crowded conditions and the lack of a direct connection between the main entrance of the school and the municipal sidewalk below, many parents and children are forced to walk on the sloped boulevard between mature City owned trees. Aside from the potential safety concerns, another impact has been the compaction and erosion of soil and the exposure of the tree roots. Allowing the current condition to persist is potentially unsafe for parents and children, and would be unhealthy for the existing City owned trees.

COMMENTS

The proposed encroaching staircase would provide parents and children with a direct connection between the main school entrance and the municipal sidewalk, while preserving the health of the City owned trees. The maximum projection into the public right-of-way is 4 metres and the minimum setback from the rear edge of the municipal sidewalk is 0.6 metres. The maximum proposed depth of this encroachment within the right of way is 1.5 metres

Discussions with Forestry Division on May 11, 2010 indicate that they have no objection to the proposed construction as the staircase will be constructed on drilled footings in an effort to minimize the impact on the City owned trees.

Chapter 313 of the former City of Toronto Municipal Code makes provision for the administrative approval of encroachments within the public right-of-way with a maximum footing depth of 0.61 metres below grade. As the proposed maximum footing depth for the staircase is 1.5 metres below grade, Community Council approval is required prior to the facilitation of permits required for the construction.

Prior to the issuance of any permits facilitating the construction of this encroachment within the right of way, the applicant will be required to provide Transportation Services with written sign-off from all public utilities, certifying that this installation will not adversely affect their existing physical plant, or their ability to use the utility corridor on

Bedford Park Avenue in the future. Upon completion of the project, the Toronto Catholic District School Board will be required to enter into an encroachment agreement with the City of Toronto in order to maintain these encroaching structural elements within the public right-of-way.

Councillor Karen Stintz has been advised of the recommendations in this report.

CONTACT

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SIGNATURE

Myles Currie, B.A.
Director

ATTACHMENTS

Attachment 1: Site Plan of proposed encroachments (*ny10076_drawing1*)

Attachment 2: Site Plan of proposed encroachments (*ny10076_drawing2*)