

Request for an exemption from Chapter 313 of the former City of Toronto Municipal Code: to permit an encroaching basement entrance with stairs, a wall and a metal railing at 92 Wanless Avenue

Date:	May 21, 2010
To:	North York Community Council
From:	Director, Transportation Services Division, North York District
Wards:	Ward 25-Don Valley West
Reference Number:	<i>ny10075</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 basement entrance with stairs, a foundational wall and a metal railing within the public right-of-way, on the Deal Avenue flank of 92 Wanless Avenue, which exceeds the dimensions of that which can be approved administratively. As this is an appeal and a request for 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 basement entrance with stairs, a wall and a metal railing at a depth of 3.02 metres below grade.

Financial Impact

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

DECISION HISTORY

On May 3, 2010, the agent working on behalf of the homeowner submitted a proposal to construct and maintain a basement entrance with stairs and a wall within the public right-of-way, on the Deal Avenue flank of 92 Wanless Avenue.

The proposed encroaching basement entrance with stairs, a wall and a metal railing are required in order to provide a secondary entrance to the residence. The stairs and wall are to be constructed of Pisa stone. The maximum projection into the public right-of-way is 0.76 metres and the minimum setback from the rear edge of the municipal sidewalk is approximately 3.60 metres. The maximum proposed depth of the footing and foundational wall is approximately 3.02 metres below grade.

COMMENTS

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 depth of 0.61 metres below grade. As the proposed maximum depth for the basement entrance is 3.02 metres below grade, Community Council approval is required prior to the facilitation of permits required for construction.

Discussions with Forestry Division on May 21, 2010 indicate that they have no objection to the proposed 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 Deal Avenue in the future.

Upon completion of the project, the homeowner 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 Cliff Jenkins 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 (*ny10075_drawing1*)

Attachment 2: Site Plan of proposed encroachments (*ny10075_drawing2*)