

**Streetscape Improvements - Forest Hill Village BIA,  
Montclair Parkette**

<b>Date:</b>	May 5, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Manager, Right of Way Management, Transportation Services Toronto and East York District
<b>Wards:</b>	St. Paul's – Ward 22
<b>Reference Number:</b>	Te10051te.row

**SUMMARY**

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This staff report is about a matter which Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an application on behalf of the Forest Hill Village Business Improvement Area for streetscape improvements, amongst which include decorative sidewalks with natural stone and decorative custom lighting, within the public right of way on Montclair Avenue and Spadina Road.

As the decorative sidewalks and decorative custom lighting will not negatively impact on the public right of way, Transportation Services recommends approval of these encroachments.

**RECOMMENDATIONS**

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**Transportation Services recommends that Toronto and East York Community Council:**

1. approve the installation of the decorative sidewalks with natural stone and decorative custom lighting within the public right of way on Montclair Avenue and Spadina Road, subject to the Forest Hill Village BIA entering into an encroachment agreement with the City of Toronto, agreeing but not limited to the following:

- a. maintain the decorative sidewalks with natural stone and decorative custom lighting at their own expense in good repair and a condition satisfactory to the General Manager of Transportation Services and will not make any additions or modifications to the encroachments beyond what is allowed under the terms of the Agreement;
  - b. indemnify the City and utility/telecommunication companies of any damage sustained to the decorative sidewalks with natural stone in the event of a need to access the area;
  - c. remove the decorative sidewalks with natural stone and decorative custom lighting, upon receiving 90 days written notice to do so;
  - d. obtain clearance and/or sign off from Toronto Parks, Forestry & Recreation, Urban Forestry group and the Electrical Safety Authority;
  - e. pay for the costs of preparing the agreement; and
  - f. accept such additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City;
2. Legal Services be requested to prepare and execute the Encroachment Agreement.

### **Financial Impact**

Funding for this project is on a cost-shared basis between the City and the Forest Hill Village BIA.

### **ISSUE BACKGROUND**

An application has been submitted by a representative of Economic Development on behalf of the Forest Hill Village Business Improvement Area requesting permission to undertake streetscape improvements in connection with the overall improvement of Montclair Parkette. The streetscape improvements include the installation and maintenance of decorative sidewalks with natural stone, decorative custom lighting and a new planting area with retaining walls within the public right of way along Montclair Avenue and Spadina Road, adjacent to Montclair Parkette.

Photos of Montclair Parkette and the surrounding area are shown in Appendix “A”.

The City sidewalk along Montclair Avenue and Spadina Road will be replaced with decorative sidewalks with natural stone for a distance of approximately 18 lineal metres and 15 lineal metres, respectively.

The decorative lighting band consists of a custom recessed light fixture installed within the retaining wall. The decorative lighting band measures approximately 150 mm in width and will span the length of the retaining wall. The retaining wall spans the length

of the Parkette to the north and east, from Spadina Road to Montclair Avenue, although only portions of the retaining wall with the decorative custom lighting encroach within the public right of way. Overlaid on the custom lighting band will be white acrylic lettering inscribing “Forest Hill Village”.

Conceptual renderings of the Parkette are shown in Appendix “B”.

Given the potential impact of this project on existing utility services, it is the applicant’s responsibility to undergo a public utility review with a view of obtaining clearances from the affected utility agencies or satisfying their requirements prior to the issuance of a construction permit authorizing work within the public right of way. At the time of the preparation of this report, clearance from Urban Forestry and the Electrical Safety Authority were still outstanding.

## **COMMENTS**

### **Applicable regulations**

There are no provisions within the former City of Toronto Municipal Code, Chapter 313, Streets and Sidewalks, to allow for the installation and maintenance of the decorative sidewalks with natural stone or the decorative custom lighting. As such, we are required to report on this matter.

### **Reasons for Approval**

Transportation Services has reviewed the application and determined that the decorative sidewalks with natural stone and decorative custom lighting do not impact negatively on the public right of way and can be permitted, provided that the BIA enters into an encroachment agreement with the City of Toronto and satisfies any requirements imposed by Urban Forestry and the Electrical Safety Authority.

Details of the encroachments are on file with Transportation Services.

A property data map denoting Montclair Parkette is shown in Appendix “C”.

## **CONTACT**

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## **SIGNATURE**

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Angie Antoniou  
Manager, Right of Way Management

## **ATTACHMENTS**

Appendix 'A' – Photos of the area surrounding Montclair Parkette

Appendix 'B' – Conceptual renderings of Montclair Parkette

Appendix 'C' – Property data map

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