



## STAFF REPORT ACTION REQUIRED

### Application for Encroachment Agreement 423 Evans Avenue

<b>Date:</b>	January 24, 2011
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Curtis Sealock, District Manager, Municipal Licensing and Standards
<b>Wards:</b>	Ward 06 – Etobicoke-Lakeshore
<b>Reference Number:</b>	ML&S Folder Number 10246301 RAW

#### SUMMARY

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This report is in regard to an application submitted by agent for the property owner of 423 Evans Avenue for an Encroachment Agreement to maintain landscaping features (masonry gate-posts and decorative boulders) within the Evans Avenue and the Butterick Road public road allowances, for which the Etobicoke York Community Council has delegated authority from City Council to make a final decision. The total area of encroachments is approximately 18.8 square metres.

#### RECOMMENDATIONS

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**Municipal Licensing and Standards recommend that Etobicoke York Community Council approve the application submitted by agent for the property owner of 423 Evans Avenue for the existing landscaping features encroaching onto the two public road allowances, subject to the following conditions:**

1. The owner enters into an encroachment agreement with the City of Toronto.
2. The owner pay the City of Toronto all fees associated with the preparation of this agreement and, any annual fees for the use of the road allowance, should that be imposed in future.
3. Return the signed agreement 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 and greater amount as the

City may require, and naming the City of Toronto as an additional insured party under the policy.

4. Renew the said certificate of Insurance on an annual basis for the life of the encroachments.
5. Maintain in good repair at all times all landscaping features on the public road allowances.

### **Financial Impact**

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

### **ISSUE BACKGROUND**

This application for an encroachment agreement is for existing features that includes landscaping features on both the Evans Avenue and the Butterick Road public road allowances at the north and east elevations of the subject property (Attachments 1, 2, 3).

### **COMMENTS**

This application and supporting documents were circulated to Transportation Services and the various utility companies with no objections received.

### **CONTACT**

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### **SIGNATURE**

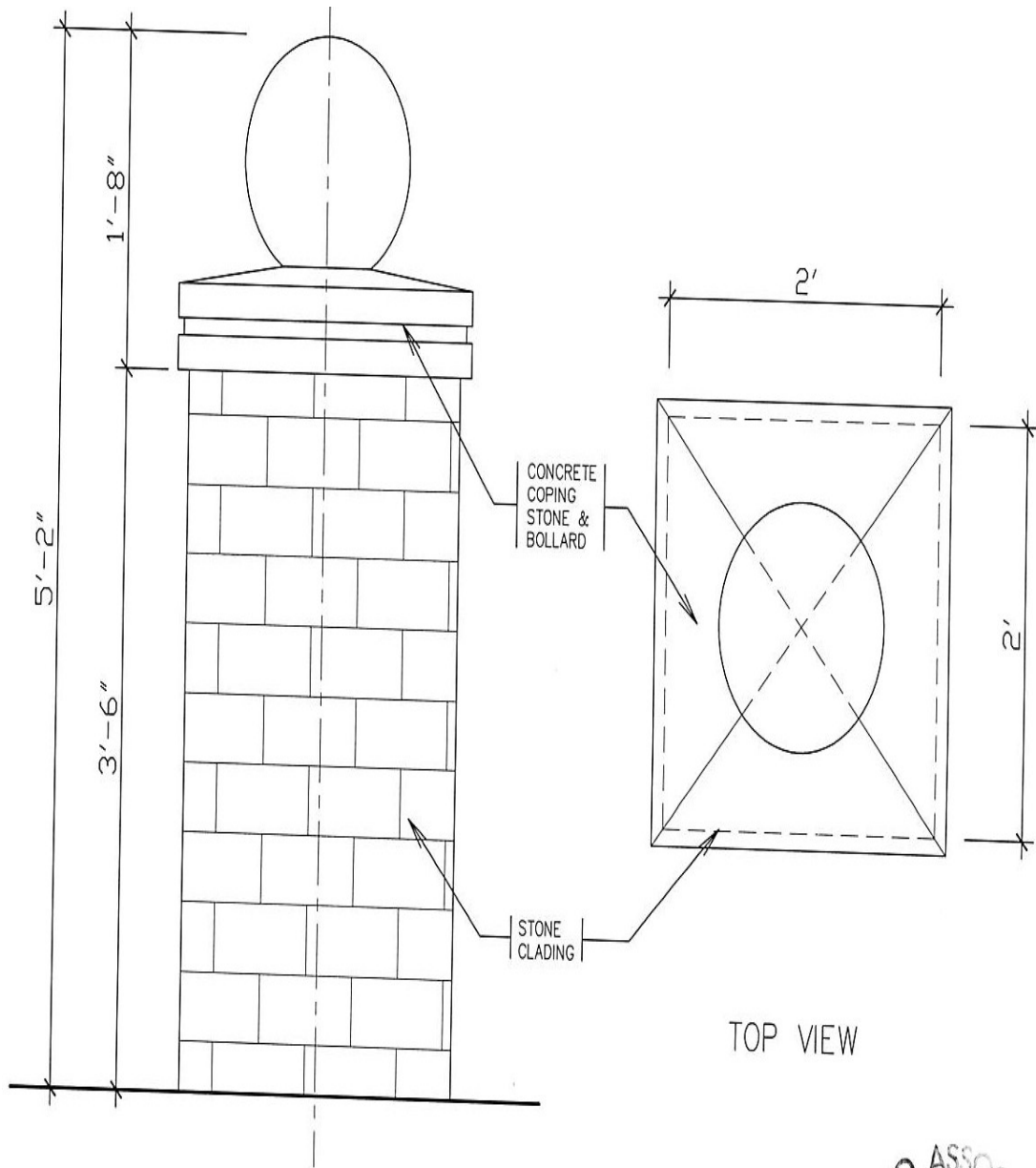
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Curtis Sealock, District Manager  
Municipal Licensing and Standards

### **ATTACHMENTS**

Attachment 1 – Site Plan of 423 Evans Avenue  
Attachment 2 – Typical Elevation of Stone Gate-posts  
Attachment 3 – Photos of 423 Evans Avenue





TYPICAL ELEVATION



**Attachment 2 – Typical Elevation of Stone Gate-posts**



Photo # 1 – Showing 423 Evans Avenue and the posts and boulders



Photo # 2 - Showing 423 Evans Avenue and the posts and boulders

### **Attachment 3 – Photos of 423 Evans Avenue**