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**City Council**

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**Motion without Notice**

<b>MM11.16</b>	<b>ACTION</b>			Ward:6
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**2242 and 2246 Lake Shore Boulevard West - Authority to Enter into Encroachment Agreement and/or to Release and Replace Existing Sewer Easement - by Councillor Mark Grimes, Seconded by Councillor Mike Layton**

*\*This Motion has been deemed urgent by the Chair.*

*\*This Motion is not subject to a vote to waive referral.*

*\*This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Mark Grimes, seconded by Councillor Mike Layton, recommends that:

1. That City Council authorize entering into an encroachment agreement with respect to tiebacks and service connections encroaching into the City's existing sewer easement at 2242 & 2246 Lake Shore Boulevard West, and/or the release of all or portions of the existing sewer easement and the replacement of the released portions if determined necessary by the Executive Director of Technical Services, in consultation with the City Solicitor, such encroachment agreement and/or releases and replacement easement to be on terms and conditions satisfactory to the Executive Director of Technical Services, in consultation with the City Solicitor.

**Summary**

The City of Toronto has a registered sewer easement over a portion of 2242 & 2246 Lake Shore Boulevard West. The developer of the condominium project at this address is required under the registered Site Plan Agreement to enter into an encroachment agreement with the City with respect to tiebacks and proposed service connections encroaching under the existing sewer easement along Lake Shore Boulevard West, to the satisfaction of the Executive Director of Technical Services and the City Solicitor. The encroachment agreement must be entered into prior to the registration of the first condominium corporation on the site.

The purpose of this motion is to obtain authority for the entering into of the encroachment agreement or possibly the release and replacement of the existing easement if the Executive Director of Technical Services and City Solicitor should determine that it is more appropriate to update the easement document.

This is an urgent matter as the developer and unit purchasers are anxious to register the first condominium building on the site.

(Submitted to City Council on September 21 and 22, 2011 as MM11.16)