Application for Encroachment Agreement
14 Alberta Avenue

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<tr>
<th>Date:</th>
<th>January 2, 2013</th>
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<td>To:</td>
<td>Etobicoke York Community Council</td>
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<tr>
<td>From:</td>
<td>Curtis Sealock, District Manager, Municipal Licensing and Standards</td>
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<td>Wards:</td>
<td>Ward 17, Davenport</td>
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<td>Reference Number:</td>
<td>Municipal Licensing and Standard, Folder Number 12 190 777 RAW</td>
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**SUMMARY**

This report is in response to an application submitted by Mr. Vincent Tassone, Consultant for the owner of the property at 14 Alberta Avenue for an Encroachment Agreement to replace an existing retaining wall with a new stone retaining wall of approximately 1.68 metres in height, equipped with a guard, at exactly the same location, within the Alberta Avenue road allowance and part of the public laneway running adjacent to the south elevation of the property at Alberta Avenue. The total area of encroachment is 31.8 square metres. This is a matter for which the Etobicoke York Community Council has received delegated authority from City Council to make a final decision.

**RECOMMENDATIONS**

Municipal Licensing and Standards recommends that Etobicoke York Community Council approve the application submitted on behalf of the property owner at 14 Alberta Avenue to replace an existing retaining wall with a new stone retaining wall and guard at exactly the same location, within the Alberta Avenue road allowance and part of the public laneway running adjacent to the south elevation of the property at Alberta Avenue, subject to the following conditions:

1. The owner enters into an Encroachment Agreement with the City of Toronto.
2. The owner pays the City of Toronto all fees associated with the preparation of this agreement.
3. The owner to comply at all times with the regulations set out in Municipal Code, Chapter 743, as amended, Streets and Sidewalk, Use of.
4. No portion of the retaining wall within three (3) metres of the sidewalk within the Alberta Avenue road allowance shall exceed 0.76 metres in height.

5. The retaining wall shall be set back 0.50 metres from the sidewalk within the Alberta Avenue road allowance.

6. The retaining wall located at the most southwest corner adjacent to the parking space within the south elevation laneway shall be so constructed to provide a clear line of sight 2.5 metres in a north/south direction and 2.5 metres in a east/west direction.

7. No drainage discharge shall be permitted along the retaining wall within the road allowances.

8. Prior to commencement of any construction work, the owner shall submit revised drawings to Transportation Services and Toronto Building for review and approval, and obtain the necessary permits.

Financial Impact

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

ISSUE BACKGROUND

An application for an Encroachment Agreement has been submitted by Mr. Vincent Tassone, on behalf of the owners of the property to replace an existing retaining wall which is located within the road allowance at the south elevation of the property and runs along the public laneway in a west to east direction to the Alberta Avenue road allowance. The new stone retaining wall will be approximately 31.8 metres in length with a height of approximately 1.68 metres. Attachments 1 and 2.

COMMENTS

While the application with supporting documentation was circulated to various City Divisions and Utility Companies with no adverse comments being received, Transportation Services has established requirements that must be met in order to approve this application. These requirements have been set out in the recommendations of this report.
CONTACT

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Etobicoke York District
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SIGNATURE

_______________________________
Curtis Sealock, District Manager
Municipal Licensing and Standards
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Survey
Attachment 1: Retaining Wall Elevation
Attachment 2: Retaining Wall Cross Section
Attachment 2: Guard Detail
Retaining Wall Cross Section

Guard Detail

Attachment 2

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