



Mike Colle

Toronto City Councillor | Eglinton-Lawrence

416-338-0008

mikecolletoronto.com

councillor_colle8@toronto.ca



North York Community Council

22 January 2024

RE: Encroachment Appeal – Fence, retaining edges, and wall at 245 Fairlawn Avenue

Dear Chair and Members,

John Wanless Public School at 245 Fairlawn Avenue applied in June 2023 to replace their existing fence due to disrepair and it being too short. The fence currently sits on the public right-of-way, so an encroachment agreement is required to install the replacement fence in the same location as the existing one. The fence has been installed on the public right-of-way with no issue for the duration of its existence. Therefore, Transportation Services is requesting authority to enter into an encroachment agreement with Toronto District School Board to permit the proposed installation of chain link fence, small retaining edges, and walls along Greer Road and existing wood fence, gazebo, shed, and sand box along Brookdale Avenue.

RECOMMENDATIONS:

The Director, Permits and Enforcement, Transportation Services recommends that:

1. North York Community Council authorize Transportation Services to permit the installation of a proposed chain link fence, retaining the edges, and walls of the existing fence, gazebo, shed, and sand box within the City boulevard along Fairlawn Avenue, Greer Road, and Brookdale Avenue and enter into an encroachment agreement with the Toronto District School Board in accordance with the City of Toronto Municipal Code, Chapter 743, Streets and Sidewalks, Use of, as generally shown in the enclosed attachments, subject to the following conditions:
 - a. The applicant/contractor will obtain utility sign-offs indicating no conflict
 - b. The owner enters into an encroachment agreement with the City of Toronto at the applicant's expense and assume all liability and damages related to the encroachment for proposed and existing structures
 - c. The property owner must retain valid liability insurance for the duration of the encroachment in case there are any claims initiated due to the encroachment.



Mike Colle

Toronto City Councillor | Eglinton-Lawrence

416-338-0008

mikecolletoronto.com

councillor_colle8@toronto.ca



- d. The property owner agrees that the City and/or utility companies may remove the fence or retaining structure to install or maintain services within the affected public right-of-way with no obligation to replace the encroachment
- e. Any other conditions considered appropriate by the General Manager or the City Solicitor

Best regards,

Deputy Mayor Mike Colle
City Councillor, Ward 8 – Eglinton-Lawrence

ATTACHMENTS:

Landscape Concept Plan
Site Location

City Hall Office
100 Queen Street West, A20
Toronto, ON M5H 2N2

Constituency Office
2952 Dufferin Street
Toronto, ON M6B 3S9