

Encroachment Appeal – 866 Sheppard Avenue West

Date: June 16, 2025

To: North York Community Council

From: Director, Permits and Enforcement, Transportation Services

Wards: Ward 6, York Centre

SUMMARY

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

The purpose of this report is for North York Community Council to consider an appeal from the property owner of 866 Sheppard Avenue West regarding their encroachment application. The encroachment consists of one 1.83M high double-faced ground sign made up of a LED illuminated frameless white flex top and an anthracite-coloured faux stone cladding base supported by a 1.37M footing depth which is in contravention of City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use Of.

The property owner is seeking authority from North York Community Council to allow the ground sign to be constructed and maintained within the public right-of-way at 866 Sheppard Avenue West, which is in contravention of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use Of.

RECOMMENDATIONS

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

1. North York Community Council authorize the General Manager of Transportation Services to enter into an encroachment agreement with the property owner of 866 Sheppard Avenue West, and permit this double-faced ground sign, subject but not limited to, the following conditions:

a. Indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages, and expenses that may result from such permission granted;

b. Maintain the double-faced ground sign 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 encroachment beyond what is allowed under the terms of the Agreement;

c. The property owner will enter into an encroachment agreement with the City of Toronto, at the applicant's expense, and assume all liability and damages related to the encroachments;

d. The property owner obtain permission from Urban Forestry regarding hurting one of the trees located nearby the proposed ground sign;

e. Obtain permission from underground and affected utilities prior to excavation of footing; and

f. Ensure that electrical wirings and connections from proposed ground sign to source in the building be in accordance with Ontario Electrical Safety Code.

FINANCIAL IMPACT

There are no financial impacts resulting from the adoption of the recommendations in this report.

DECISION HISTORY

This report addresses a new initiative.

COMMENTS

An encroachment application was received on September 28, 2024, from the owners of 866 Sheppard Avenue West, requesting permission to construct and maintain a double-faced ground sign within the public right-of-way on Sheppard Avenue West of the subject premises. The applicant was notified that the ground sign is not eligible for an encroachment agreement as it is not on the list of items which the General Manager of Transportation Services has delegated authority to approve. An appeal was subsequently received from the property owner.

Transportation Services has reviewed the application, and the property located at 866 Sheppard Avenue West. The proposed encroachment contravenes Code Chapter 743-33 because it does not fall into any of the categories in the list below,

The General Manager is hereby authorized to issue permits and enter into an agreement allowing encroachment upon, along, across, under or in a street or any portion thereof, for the purpose of:

- a. Installing public art;
- b. Installing fences, ornamental walls higher than 0.90M above the travelled surface of the adjoining road;
- c. Installing railings, bollards, building projections, air conditioning units, arbours and pergolas, piling and shoring;

- d. Planting trees and installing street furniture including, but not limited to, benches, bicycle stands and planter boxes;
- e. Installing electronic equipment and associated signage for the purpose of counting vehicles and pedestrians in BIA areas; and
- f. Installing fountains, ornaments, statues, weigh scales, areaways, conduit, fuel tanks, snow melting systems, vegetation sprinkler systems, and vents providing access to public transit systems.

As required by Section 743-48 of the Toronto Municipal Code, Transportation Services has responded to the appeal by preparing this report for North York Community Council consideration and to provide the applicant with an opportunity to be heard.

Transportation Services has reviewed the application and staff is of the opinion that the proposed ground sign will not have a negative impact on the public right-of-way for pedestrians, for traffic on the affected streets, or the City's ability to properly maintain the right-of-way. Therefore, Transportation Services recommends North York Community Council authorize the encroachment in its proposed configuration.

The Ward Councillor has been advised of the recommendations in this report.

Encroachment plan, sections and details of the proposed encroachment are shown in Attachments 1, 2, 3 and 4.

CONTACT

Elio Capizzano, Manager, Permits and Enforcement - Transportation Services, 416-392-7878, Elio.Capizzano@toronto.ca

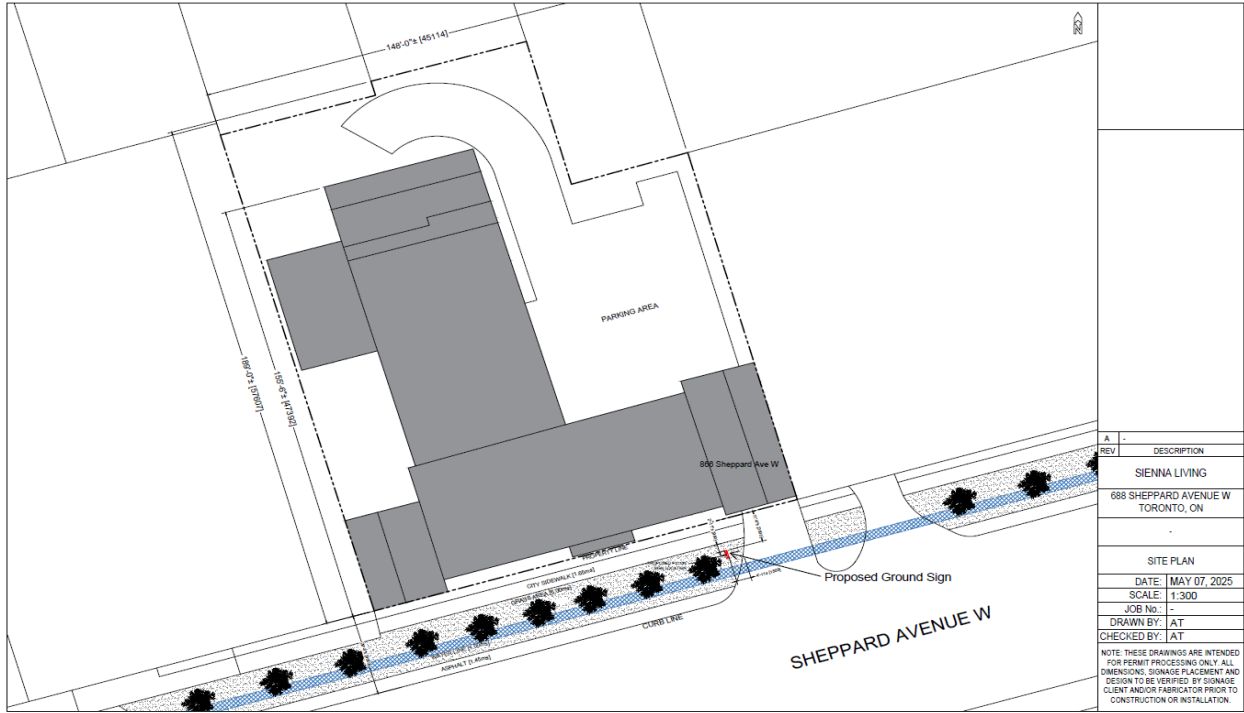
SIGNATURE

Antonia Markos
Director, Permits and Enforcement, Transportation Services

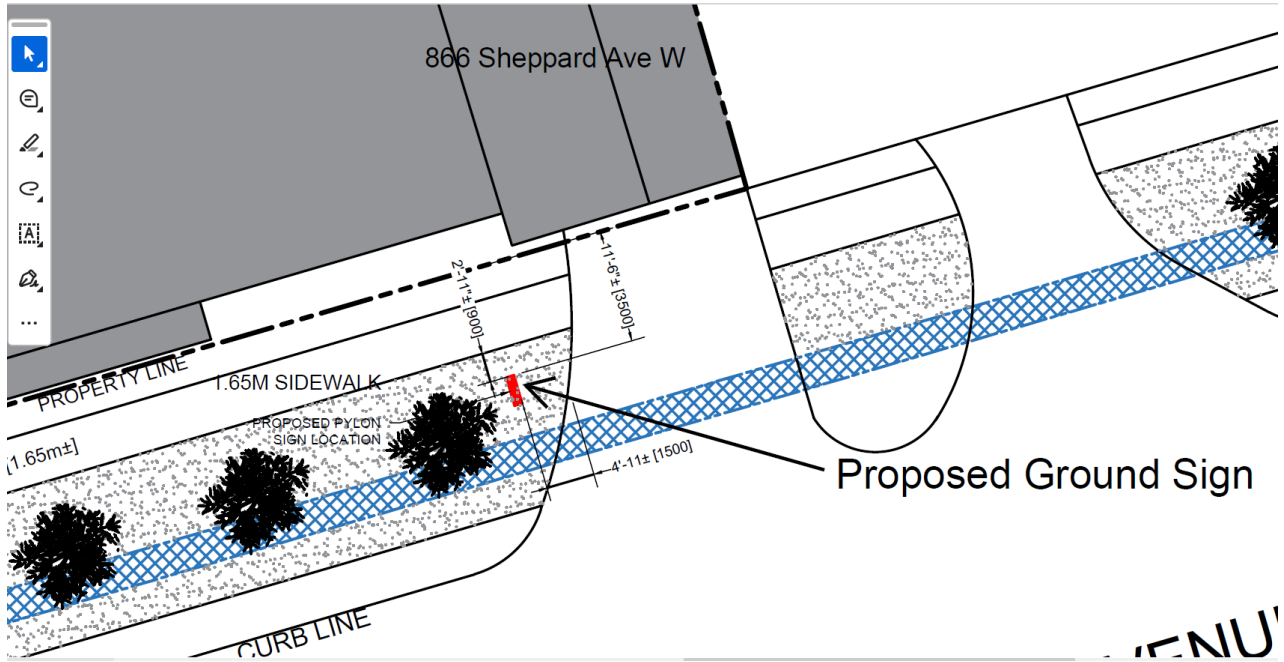
ATTACHMENTS

- Attachment 1: Encroachment Plan - 866 Sheppard Avenue West
- Attachment 2: Location of Proposed Ground Sign - 866 Sheppard Avenue West
- Attachment 3: Elevation – 866 Sheppard Avenue West
- Attachment 4: Foundation Plan – 866 Sheppard Avenue West

Attachment 1: Encroachment Plan - 866 Sheppard Avenue West



Attachment 2: Location of Proposed Ground Sign - 866 Sheppard Avenue West



Attachment 3: Elevation – 866 Sheppard Avenue West

1.83M Pylon

Specifications:

Supply & install one (1) double face illuminated pylon sign
 Frameless aluminum construction
 Frameless white Flex faces
 Graphics digitally printed and face applied
 Header cabinet painted white
 White LED illumination
 Reveal & retainers painted grey to match Pantone Cool Grey 10C
 Lower body clad with Dry Stack Faux Stone Siding - Colour: Anthracite
 Address: 1/4" thick cut-out aluminum numerals finished white & pin-mounted
 Reuse existing concrete base

Colours:

- White Flex faces
- Graphics digitally printed and face applied
- Header cabinet painted white
- Address: Finished White
- Reveal & retainers painted grey to match Pantone Cool Grey 10C
- Lower body clad with Dry Stack Faux Stone Siding - Colour: Anthracite

Project ID
LF1-87034

Address
866 Sheppard Ave. W
Toronto, ON

Sign Item
SG1

Date: 03-20-2024
Scale: 1/4"=1'-0"
Contact: A. Di Marco
Designer: J. Foster

Revision Note

02-28-2024
Updated Site Plan

Information Required for Production

Customer Approval

Signature _____
 MWD/YYYY _____

All rights reserved. The artwork depicted herein are copyrighted and are the exclusive property of Pattison ID and its staff cannot be reproduced without permission, in whole or in part, without written permission of Pattison ID.

It is the Customer's responsibility to ensure that the sign installation location is suitable for sign and support the installation of the sign being ordered. Notify Pattison ID immediately if further details are required.

Pattison
1.866.635.1110
pattisonid.com

NOTE: TECHNICAL SURVEY HAS NOT BEEN PERFORMED. DIMENSIONS MUST BE VERIFIED PRIOR TO PRODUCTION.

