

Encroachment Appeal – 312 Sheppard Avenue East

Date: December 8, 2025

To: North York Community Council

From: Director, Street Permits, Transportation Services

Wards: Ward18, Willowdale

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 312 Sheppard Avenue East regarding their encroachment application. The encroachment consists of one 1.83M high x 2.05M wide x 0.51M thick double-faced LED illuminated green TD ground sign on top of a 4.28M high 200mm square HSS steel post for a total height of 6.10M 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 312 Sheppard Avenue East, which is in contravention of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use Of.

RECOMMENDATIONS

The Director, Street Permits, 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 312 Sheppard Avenue East, and permit this double-faced ground sign, subject but not limited to, the following conditions:

- a. Property owner must 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. Owner must 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. Owner must accept additional conditions as the City Solicitor or the General Manager of Transportation Services may deem necessary in the interest of the City;
- d. 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;
- e. Permission from underground and affected utilities must be obtained prior to excavation of footing;
- f. Property owner must ensure that electrical wirings and connections from proposed ground sign to source in the building be in accordance with Ontario Electrical Safety Code;
- g. Property owner must ensure that applicant/owner obtain clearance from Toronto Hydro on the distance of the sign to the suspended power line.

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 October 02, 2025, from the agent of the owners of 312 Sheppard Avenue East, requesting permission to construct and maintain a double-faced ground sign within the public right-of-way on Sheppard Avenue East 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 agent of the property owner.

Transportation Services has reviewed the application, and the property located at 312 Sheppard Avenue East. 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.

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

CONTACT

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SIGNATURE

Antonia Markos
Director, Street Permits, Transportation Services

ATTACHMENTS

Attachment 1: Location Plan and Details – 312 Sheppard Avenue East
Attachment 2: Elevations and Foundation Plan – 312 Sheppard Avenue East

Attachment 1: Location Plan and Details

Figure 1 - Location Plan

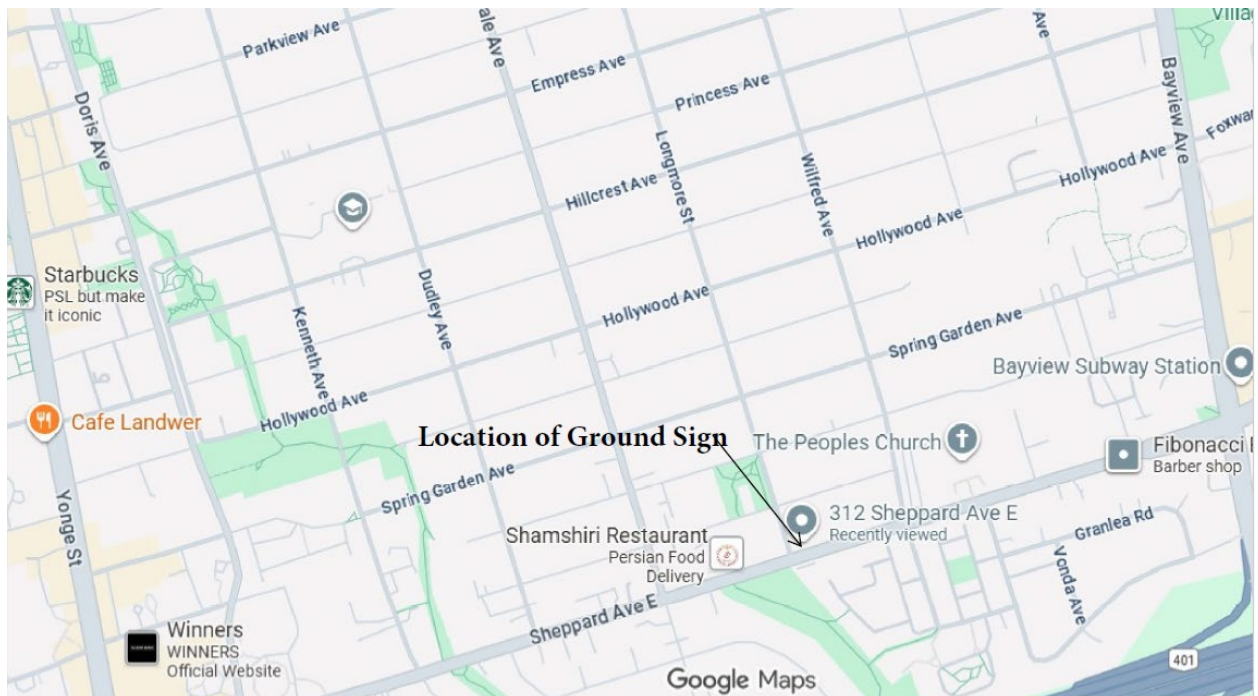
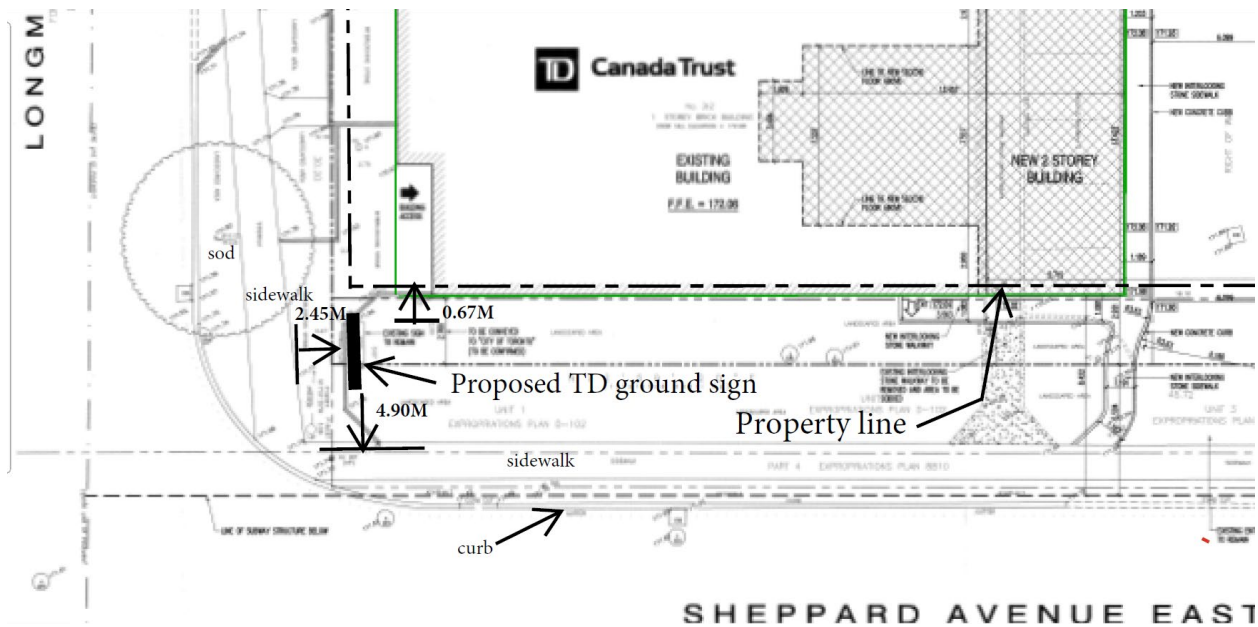


Figure 2 - Details



Attachment 2: Elevations and Foundation Plan

Figure 3 - Elevations

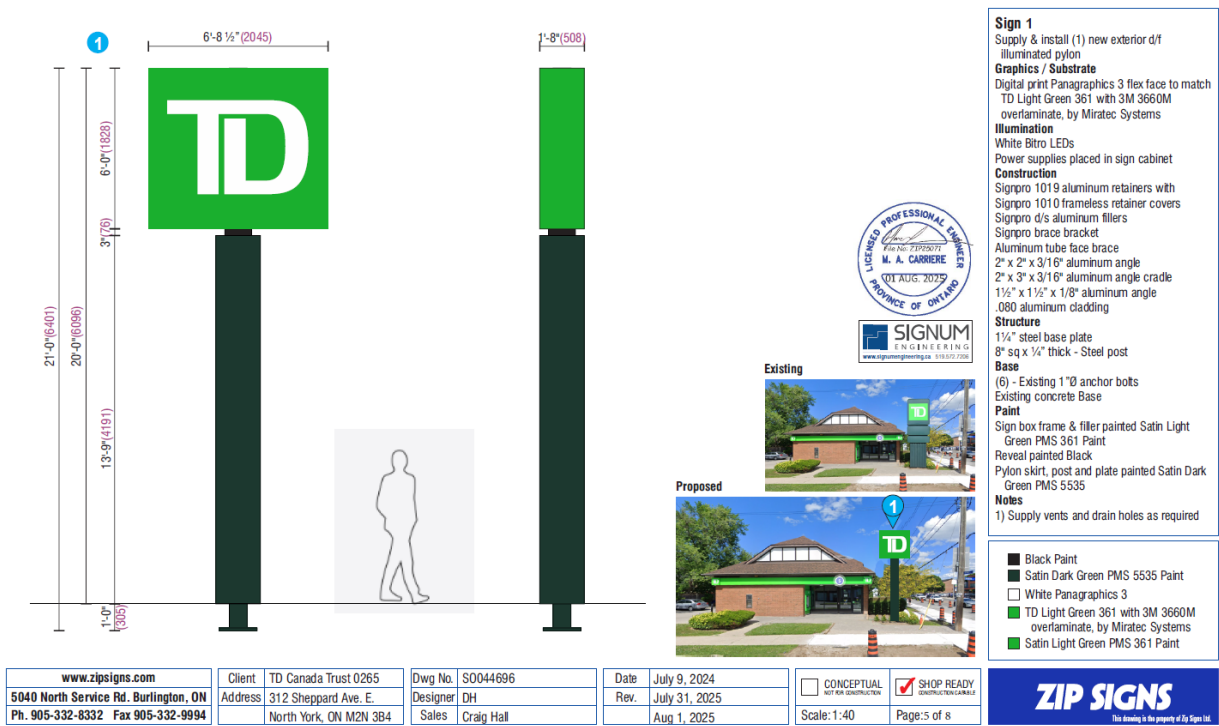


Figure 4 - Foundation Plan

