



Committee of the Whole Report

For the Meeting of September 9, 2021

To: Committee of the Whole **Date:** August 25, 2021
From: Philip Bellefontaine, Director, Engineering & Public Works
Subject: Encroachment Agreement for 1720 Fairfield Road

RECOMMENDATION

That Council approve the City entering into an encroachment agreement to allow for a minor encroachment as detailed in this report for a parkade structure within the public right-of-way adjacent to 1720 Fairfield Road, on terms and in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's approval for the City to enter into an encroachment agreement with the owner of 1720 Fairfield Road to allow for a minor encroachment of the underground parking structure to remain in the City right-of-way during and upon completion of the construction of a new building at 1720 Fairfield Road.

The project at 1720 Fairfield Road has been issued a building permit in support of works associated with a Development Approval to construct a 2.5 storey multi-unit residential development. In an updated construction survey conducted by the project's surveyor it was determined that a portion of the underground parkade wall encroaches into the public right-of-way to an extent of 15 cm, for a length of 13.8 m as detailed in Attachment A.

This minor encroachment in the public right-of-way will remain, as shown in the attached plan, upon completion of the project. Staff have determined that this encroachment will not impact the development commitments as approved by Council or existing underground infrastructure.

The encroachment agreement contains language to protect the City's interests, such as indemnity provisions and the requirement for acceptable liability insurance.

The property owner will be required to pay an initial application fee and annual fees in accordance with City bylaws.

Respectfully submitted,

Philip Bellefontaine
Director, Engineering & Public Works

Report accepted and recommended by the City Manager.

List of Attachments

Attachment A: Encroachment Reference Plan