



## STAFF REPORT ACTION REQUIRED

### Limiting Distance Agreement – Rear of 195 Avenue Road (Ramsden Park)

<b>Date:</b>	November 14, 2007
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	P:\2007\Internal Services\F&re\Gm07133F&re – (AFS 6449)

#### SUMMARY

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To obtain authority to enter into a Limiting Distance Agreement to permit the property owner of 195 Avenue Road a greater percentage of openings than the limiting distance provisions of Section 3.2.3.1 of the Ontario Building Code.

#### RECOMMENDATIONS

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The Chief Corporate Officer recommends that:

1. The City enter into a Limiting Distance Agreement with the property owner of 195 Avenue Road for a portion of Ramsden Park for the amount of \$25,000.00 plus GST and subject to the property owner paying an administration fee of \$570.00 plus GST, and on such terms and conditions, as are satisfactory to the Chief Corporate Officer, in a form and content acceptable to the City Solicitor.

#### Financial Impact

Revenue in the total amount of \$25,000.00 is anticipated.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **ISSUE BACKGROUND**

The owner of the property municipally known as 195 Avenue Road (the “Property”) was advised that the percentage of window openings at the rear of his property, facing an existing public laneway and Ramsden Park, does not comply with the Ontario Building Code. The Ontario Building Code regulates the size of “unprotected openings” such as windows and doors, in relation to their distance from the property line. A “limiting distance” is required to reduce the risk of fire spreading from a building situated on one property to a building located on an adjacent property. The existing public laneway immediately to the east of the Property has a width of approximately 3.5 m (11.5 ft), but still does not meet the setback requirements of the Ontario Building Code. Ramsden Park is located east of the public laneway, and is under the jurisdiction of Parks, Forestry & Recreation Division.

In order to permit a greater percentage of openings, the Property owner is seeking permission from the City to use a portion of Ramsden Park in the required setback calculations in order to comply with fire regulations contained in the Ontario Building Code. Section 3.2.3.1(8) of the Ontario Building Code permits the City, as the abutting owner, to enter into a Limiting Distance Agreement. In this instance, the City would enter into an agreement over a portion of Ramsden Park located to the east of the Property (“Limiting Distance Lands”) shown on the attached sketch, having a width of 3.5 m (11.5 ft) by a length of approximately 7.9 m (25.92 ft) and containing a total site area of approximately 27.73 m<sup>2</sup> (298.49 ft<sup>2</sup>). The City would therefore be agreeing that no building(s) or structure(s) will be erected over or upon the Limiting Distance Lands.

## **COMMENTS**

Staff of the Parks, Forestry & Recreation has been consulted and has no objection to the proposed Limiting Distance Agreement. Parks, Forestry & Recreation staff has also determined that there will be no impact on any future development of that subject portion of Ramsden Park and, accordingly, it is reasonable to grant this request.

## **CONTACT**

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## **SIGNATURE**

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Bruce Bowes, P. Eng.  
Chief Corporate Officer

## **ATTACHMENTS**

Appendix A – Site Map and Survey