



**STAFF REPORT
INFORMATION ONLY
with Confidential Attachment**

4155 Yonge Street – Rezoning Application

Date:	November 22, 2007
To:	North York Community Council
From:	City Solicitor
Wards:	Ward 25 – Don Valley West
Reason for Confidential Information:	This report contains legal advice that is subject to solicitor-client privilege.
Reference Number:	

SUMMARY

This report responds to a request from North York Community Council for a report regarding the legality of imposing certain conditions on the approval of a zoning by-law amendment to permit an existing temporary parking lot to operate as a permanent parking lot.

RECOMMENDATIONS

The City Solicitor recommends that:

1. North York Community Council receive the confidential report in Attachment 1; and
2. City Council not authorize the public release of the confidential report in Attachment 1.

FINANCIAL IMPACT

There is no financial impact resulting from this report.

ISSUE BACKGROUND

On October 30, 2007, North York Community Council considered Item NY10.27, which is a proposed amendment to the Zoning By-law to permit an existing temporary parking lot to operate as a permanent use at 4165 Yonge Street. After consideration of the item, the following motion was passed:

“The North York Community Council:

1. deferred consideration of the report (October 2, 2007) from the Director, Community Planning, North York District, to its next meeting on November 27, 2007;
2. requested a report from the City Solicitor, in consideration with Planning staff, regarding the legality of requiring the existing sign to be removed as a condition of approving the proposed zoning amendment; and
3. directed that the following Motion, moved by Councillor Moscoe, be considered at its meeting on November 27, 2007 when dealing with this item:

“That approval be conditional on the applicant obtaining the necessary licenses to operate a commercial parking lot from Toronto Licensing and meet all of the requirements of the licensing by-law.”

CONTACT

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SIGNATURE

Anna Kinastowski
City Solicitor

ATTACHMENTS

Attachment 1 – Confidential Report – 4155 Yonge Street Rezoning Application