
North York Community Council

Meeting No.	6	Contact	Francine Adamo, Committee Administrator
Meeting Date	Tuesday, May 29, 2007	Phone	416-395-7348
Start Time	9:30 AM	E-mail	nycc@toronto.ca
Location	Council Chamber, North York Civic Centre		

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North York Community Council

Considered by City Council on June 19, 20 and 22, 2007

Meeting No.	6	Contact	Francine Adamo, Committee Administrator
Meeting Date	Tuesday, May 29, 2007	Phone	416-395-7348
Start Time	9:30 AM	E-mail	nycc@toronto.ca
Location	Council Chamber, North York Civic Centre		

NY6.7	AMENDED		Transactional	Ward: 34
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Sign Variance Request - 135 Fenelon Drive

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council refuse the sign variance request.
2. City Council direct the appropriate City staff to enforce the provisions of the Sign By-law including the possibility of removing the sign.

(March 13, 2007) report from Director of Building and Deputy Chief Building Official

Committee Recommendations

The North York Community Council recommends that City Council:

1. refuse the sign variance request;
2. direct the appropriate City staff to enforce the provisions of the Sign By-law including the possibility of removing the sign; and
3. authorize the City Solicitor, in the event the sign at 135 Fenelon Drive is removed by the City and the costs are added to the municipal tax role, and the costs associated with the sign removal are passed on to the tenants by the property owner, to attend any hearings that may take place before the Rent Review Tribunal with direction to oppose any application to pass these charges to the tenants.

Summary

This staff report is about a matter that the community council has delegated authority to make a final decision provided that it is not amended so that it varies with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Daniel Pitoscia of Strategic Media, on behalf of the property owner Beaux Properties, for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a non-illuminated wall sign at the above noted location.

The proposed wall sign, which has been erected without the benefit of a sign permit, measures 18.3 m high x 12.2 m wide (60'-0" by 40'- 0") and spans the top 7 storeys of the existing 19 storey apartment building. The sign is an off premise sign, for advertising purposes, located on the north wall of the building.

This off premise sign is prohibited under the former City of North York Sign By-law No. 30788, as amended.

Background Information

Sign Variance Request - 135 Fenelon Drive

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3477.pdf>

Communications

(March 16, 2007) letter from Stanely Makuch, Cassels Broack, Solicitor, on behalf of the applicant - NYMain6.7.1

(March 23, 2007) e-mail from Alison Gorbould - NYMain6.7.2

(March 23, 2007) e-mail from Peter de Konig - NYMain6.7.3

(March 24, 2007) e-mail from Roxanne Ignatius - NYMain6.7.4

(March 25, 2007) e-mail from Corinne Alstrom - NYMain6.7.5

(March 25, 2007) e-mail from Stewart C. Russell - NYMain6.7.6

(March 26, 2007) e-mail from Raj Bharati - NYMain6.7.7

(March 26, 2007) e-mail from Amy Stewart - NYMain6.7.8

(March 25, 2007) e-mail from Albert Kwan - NYMain6.7.9

(April 23, 2007) letter from Stanely Makuch, Cassels Brock, Solicitor, on behalf of Strategic Media - NYMain6.7.10

(April 26, 2007) e-mail from Amy Stewart - NYMain6.7.11

(April 27, 2007) e-mail from Alison Garbould - NYMain6.7.12

(April 29, 2007) e-mail from Stever Mercer - NYMain6.7.13

(April 29, 2007) e-mail from Alice Barton - NYMain6.7.14

(May 23, 2007) letter from Stanley Makuch, Cassels Brock, on behalf of Strategic Media, applicant - NYNew6.7.15

(May 27, 2007) e-mail from Sara Lipson - NYNew6.7.16

(May 27, 2007) e-mail from Shayla Duval - NYNew6.7.17

(May 27, 2007) e-mail from Caroline Chan - NYNew6.7.18

Speakers

Rami Tabetlo, Coordinator, IllegalSigns.ca

NY6.17	NO AMENDMENT		Transactional	Ward: 24
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Payment In-Lieu of Parking - Applicant - Seoul Station - 6365 Yonge Street

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 29 parking spaces, subject to payment-in-lieu for 2 parking spaces.
2. City Council require the applicant enter into an agreement with the City of Toronto for the payment-in-lieu of 2 parking spaces, based upon the proposed new building total gross floor area (GFA), which in this case amounts to \$10,000.00.
3. City Council request the appropriate City officials to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

(May 7, 2007) report from Acting Director, Transportation Services, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 29 parking spaces, subject to payment-in-lieu for 2 parking spaces;
2. require the applicant enter into an agreement with the City of Toronto for the payment-in-lieu of 2 parking spaces, based upon the proposed new building total gross floor area (GFA), which in this case amounts to \$10,000.00; and
3. request the appropriate City Officials to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that may be required.

Summary

To seek Council's approval to exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 29 parking spaces to permit the conversion of the previous take-out restaurant in the basement level of a two-storey retail commercial building to a commercial recreation space/karaoke bar, where as 14 parking spaces can be provided on-site. The karaoke bar as proposed is presently in operation.

Background Information

Payment In-Lieu of Parking - 6365 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3599.pdf>)

NY6.21	NO AMENDMENT		Transactional	Ward: 23
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All-Way Stop Control - Empress Avenue at Longmore Street

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motion:

1. City Council approve the request to install an all-way stop control at the intersection of Empress Avenue and Longmore Street.

(May 10, 2007) report from Acting Director, Transportation Services, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. approve the request to install an all-way stop control at the intersection of Empress Avenue and Longmore Street.

Summary

To deny the request to install an all-way stop control at the intersection of Empress Avenue and Longmore Street.

The existing traffic and roadway conditions do not warrant the introduction of all-way stop control at the above-noted intersection.

Background Information

All-Way Stop Control - Empress Avenue at Longmore Street - attachment 1

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3600.pdf>)

All-Way Stop Control - Empress Avenue at Longmore Street

(<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3601.pdf>)

Decision Advice and Other Information

The North York Community Council requested the General Manager, Transportation Services to report to the Public Works and Infrastructure Committee on the appropriateness of the condition requiring nine (9) preventable accidents in a three-year period and the discretion of City staff to report on the feasibility of signs, which do not meet all warrants but which could be supported to improve public safety.

NY6.23	NO AMENDMENT		Transactional	Ward: 34
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All-Way Stop Control - Graydon Hall Drive at Graydon Hall Place

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on Graydon Hall Drive, east and west of Graydon Hall Place.
2. City Council amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on Graydon Hall Place, north of Graydon Hall Drive.
3. City Council authorize the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

(May 10, 2007) report from Acting Director, Transportation Services, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on Graydon Hall Drive, east and west of Graydon Hall Place;
2. amend Schedule XIX of By-law 31001, of the former City of North York, to require traffic to stop on Graydon Hall Place, north of Graydon Hall Drive; and
3. authorize the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

Summary

To obtain approval to introduce an all-way stop control at the intersection of Graydon Hall Drive at Graydon Hall Place.

The installation of an all-way stop control at the intersection of Graydon Hall Drive at Graydon Hall Place will address the existing right-of-way conflicts for motorists and pedestrians at this intersection.

Background Information

All-Way Stop Control - Graydon Hall Drive at Graydon Hall Place
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3573.pdf>

Communications

(May 24, 2007) letter from Adam Brown, Sherman Brown Dryer Karol, on behalf of an owner in the immediate area - NYNew6.23.1

NY6.25	NO AMENDMENT		Transactional	Ward: 23
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To Permanently Close and Declare Surplus a Portion of Oakburn Crescent, South of Avondale Avenue and the whole of Oakburn Place, branching southerly from south side of Oakburn Crescent

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. Conditional upon the Government Management Committee recommending Recommendation 2 of the report (May 14, 2007) from the General Manager, Transportation Services, and the Chief Corporate Officer, City Council:
 - a. permanently close as public highways, on a phased basis, that portion of Oakburn Crescent, south of Avondale Avenue, shown as Part 1 on Sketch No. PS-2007-145b and the whole of Oakburn Place, branching off southerly from the south side of Oakburn Crescent, shown as Parts 2, 3 & 4 on Sketch No. PS-007-145b (collectively "the Highways"), subject to compliance with the requirements of City of Toronto Municipal Code Chapter 162, and provided that City Council subsequently approves a sale of the Highways;
 - b. if City Council approves a sale of the Highways, direct Transportation Services staff to give notice to the public of a proposed by-law to permanently close the Highways in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, with the North York Community Council hearing any member of the public who wishes to speak to this matter during consideration of the proposed by-law; and
 - c. following the closure of the Highways, easements be reserved by the City and/or granted to any affected utility companies, as may be necessary to protect the existing services and utilities in the Highways, or with the consent of the City and the said utility companies, the services and utilities be removed from the Highways and/or relocated, at the sole cost of the purchaser of the Highways.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

(May 14, 2007) report from General Manager, Transportation Services & Chief Corporate Officer

Committee Recommendations

The North York Community Council recommends:

1. That City Council, conditional upon the Government Management Committee recommending Recommendation 2. of the report (May 14, 2007) from the General Manager, Transportation Services, and the Chief Corporate Officer, that City Council:
 - a. permanently close as public highways, on a phased basis, that portion of Oakburn Crescent, south of Avondale Avenue, shown as Part 1 on Sketch No. PS-2007-145b and the whole of Oakburn Place, branching off southerly from the south side of Oakburn Crescent, shown as Parts 2, 3 & 4 on Sketch No. PS-2007-145b (collectively “the Highways”), subject to compliance with the requirements of City of Toronto Municipal Code Chapter 162, and provided that City Council subsequently approves a sale of the Highways;
 - b. if City Council approves a sale of the Highways, direct Transportation Services staff to give notice to the public of a proposed by-law to permanently close the Highways in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, with the North York Community Council hearing any member of the public who wishes to speak to this matter during consideration of the proposed by-law; and
 - c. following the closure of the Highways, easements be reserved by the City and/or granted to any affected utility companies, as may be necessary to protect the existing services and utilities in the Highways, or with the consent of the City and the said utility companies, the services and utilities be removed from the Highways and/or relocated, at the sole cost of the purchaser of the Highways; and
2. authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

Summary

The purpose of this report is to permanently close and declare a portion of Oakburn Crescent, south of Avondale Avenue and the whole of Oakburn Place surplus to municipal requirements, and to authorize the Chief Corporate Officer to invite an offer(s) to purchase from the abutting landowners, K&G Oakburn Apartments I Limited and K&G Oakburn Apartments II Limited.

Background Information

To Permanently Close and Declare Surplus - Oakburn Crescent, South Avondale Ave.
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3631.pdf>

NY6.26	NO AMENDMENT		Transactional	Ward: 23
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Designation of Fire Routes - Fire Route and Amendment to Chapter 880

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council designate part or those parts of the private road or roads shown on the site plan filed with the Fire Chief in respect of the municipal addresses set out below, as fire routes pursuant to Municipal Code Chapter 880 - Fire Routes – 5 Kenneth Avenue.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

(May 14, 2007) report from Toronto Fire Services

Committee Recommendations

The North York Community Council recommends that City Council:

1. designate part or those parts of the private road or roads shown on the site plan filed with the Fire Chief in respect of the municipal addresses set out below, as fire routes pursuant to Municipal Code Chapter 880- Fire Routes – 5 Kenneth Avenue; and
2. authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

Summary

To obtain Council approval for the amendment of the Fire Route By-law to designate certain locations as fire routes within the meaning of City of Toronto Municipal Code Chapter 880, as amended.

Fire Services uses designated fire routes as a key mechanism in regulating fire prevention, including the prevention of spreading fires and the delivery of fire protection services.

Background Information

Designation of Fire Routes - Chapter 880

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3539.pdf>

NY6.27	NO AMENDMENT		Transactional	
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Requests for Endorsement of Events for Liquor Licensing Purposes

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motion:

City Council for liquor licence purposes, declare the following events to be of community and/or municipal significance, and advise the Alcohol and Gaming Commission that it has no objection to their taking place:

1. Toronto Taste 2007, taking place Sunday, June 10, 2007, beginning at 5:00 p.m. at the Japanese Canadian Cultural Centre (6 Garamond Court, Toronto, ON, M3C 1Z5).
2. Festival de Verano (Summer Festival) taking place on Sunday, August 5, 2007 at Parc Downsview Park.

Committee Recommendations

The North York Community Council recommends that City Council, for liquor licence purposes, declare the following events to be of community and/or municipal significance, and advise the Alcohol and Gaming Commission that it has no objection to their taking place:

1. Toronto Taste 2007, taking place Sunday, June 10, 2007, beginning at 5:00 p.m. at the Japanese Canadian Cultural Centre (6 Garamond Court, Toronto, ON, M3C 1Z5).
2. Festival de Verano (Summer Festival) taking place on Sunday, August 5, 2007 at Parc Downsview Park.

Summary

Seeking Council's endorsement of various events for liquor licensing purposes.

NY6.28	NO AMENDMENT		Transactional	Ward: 16
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Residential Demolition Applications - 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue - Amendment to Conditions

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motion:

1. City Council delete Condition 2(e) regarding sod and Condition 2(h) regarding the letter of credit, outlined in Clause 23, North York Report 8, adopted by City Council on October 26, 27 and 28, 2004, from the conditions of approval for the residential

demolition applications at 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue.

(April 27, 2007) Member Motion from Councillor Karen Stintz

Committee Recommendations

The North York Community Council recommends that City Council:

1. delete Condition 2(e) regarding sod and Condition 2(h) regarding the letter of credit, outlined in Clause 23, North York Report 8, adopted by City Council on October 26, 27 and 28, 2004, from the conditions of approval for the residential demolition applications at 58 to 68 Orchard View Boulevard and 439 to 441 Duplex Avenue.

Summary

On October 12, 2004 North York Community Council approved the residential demolition applications subject to a number of conditions, including the planting of sod.
<http://www.toronto.ca/legdocs/2004/minutes/committees/tn/tn041012.pdf>

On October 26, 27 and 28, 2004, City Council approved the North York Community Council recommendations.

The current owner of the aforementioned site is working with the City to satisfy the approved conditions for the demolition permit. However, condition 2e) “that the site be planted with sod” should be removed as a result of a Committee of Adjustment application for a temporary use parking lot.

Background Information

Residential Demolition - 58 to 68 Orchard View Boulevard
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3623.pdf>

NY6.31	NO AMENDMENT		Transactional	Ward: 25
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Subdivision Agreement Amendment - 19 Legacy Court

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council authorize the City Solicitor to amend the Subdivision Agreement governing Lot 2, Registered Plan 66M-2331, former City of North York, to grant the request of the owners of the subject lands to alter the permitted building envelope by constructing a single storey garage addition to the rear northeast corner of the dwelling.

2. City Council authorize the City Solicitor and other affected City officials, as appropriate, to do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request.

(May 8, 2007) report from Director, Community Planning, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. authorize the City Solicitor to amend the Subdivision Agreement governing Lot 2, Registered Plan 66M-2331, former City of North York, to grant the request of the owners of the subject lands to alter the permitted building envelope by constructing a single storey garage addition to the rear northeast corner of the dwelling; and
2. authorize the City Solicitor and other affected City officials, as appropriate, to do all things necessary to execute and amend the subdivision agreement between the owner and the City to grant this request.

Summary

The purpose of this report is to seek Council's direction in response to a request from the owners of the subject lands to amend the existing Subdivision Agreement (Schedule H) as it relates to Lot 2 (19 Legacy Court) on the attached plan to permit the construction of a single storey double car garage addition to be located outside of the established building envelope.

Staff concludes that the proposed addition should not affect any significant view lines which currently exist as the garage would be built into the existing 3.0m high retaining wall and berm, rendering it visually undetectable to adjacent neighbours. As such, Council should direct staff to amend the existing Subdivision Agreement as it relates to Lot 2, Reference Plan 66M-2331, to reflect changes to the building envelope to permit the construction of the single storey addition.

Background Information

Subdivision Agreement Amendment - 19 Legacy
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3475.pdf>

NY6.32	NO AMENDMENT		Transactional	Ward: 9
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Final Report - Zoning By-law Amendment Application - 28 Privet Road

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council amend the Zoning By-law for the former City of North York

substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (May 7, 2007) from the Director, Community Planning, North York District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Statutory - Planning Act, RSO 1990

(May 7, 2007) report from Director, Community Planning, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (May 7, 2007) from the Director, Community Planning, North York District; and
2. authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Summary

An application has been submitted to amend the Zoning By-law to permit the construction of a semi-detached dwelling.

The proposal is in keeping with similar developments for semi-detached dwellings along Privet Road. This report reviews and recommends approval of the application to amend the Zoning By-law, and approval in principle of the associated Site Plan Control Application.

Background Information

Final Report - Zoning By-law Amendment Application - 28 Privet Road
<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3474.pdf>

Decision Advice and Other Information

The North York Community Council held a statutory public meeting on May 29, 2007, and notice was given in accordance with the *Planning Act*. No one addressed the North York Community Council on May 29, 2007.

NY6.33	NO AMENDMENT		Transactional	Ward: 9
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Request for Direction - Official Plan and Zoning By-law Amendment Application - 1055 Wilson Avenue

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motions:

1. City Council not support the application in its current form and authorize the City Solicitor and necessary City staff to attend the Ontario Municipal Board pre-hearing conference in opposition to the appeals.
2. City Council support the application if revisions are made to bring the application into general conformance with the proposed Avenue Zoning By-law for Wilson Avenue as follows:
 - a. the proposal is revised to bring the density of the building below 2.5 times the area of the lot;
 - b. the building mass is moved towards Wilson Avenue and stepped back as stipulated in the proposed By-law Amendment; and
 - c. the access is redesigned and site circulation improved as outlined in this report.
3. City Council authorize the City Solicitor and the necessary City staff to attend the Ontario Municipal Board pre-hearing conference in support of the appeals if the application is so revised.
4. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any Order approving the development until the owner has entered into a Site Plan Control Agreement under Section 41 of the Planning Act.
5. City Council authorize the City Solicitor and necessary City Staff to take such necessary actions to implement the foregoing.

(May 10, 2007) report from Director, Community Planning, North York District

Committee Recommendations

The North York Community Council recommends that City Council:

1. not support the application in its current form and authorize the City Solicitor and necessary City staff to attend the Ontario Municipal Board pre-hearing conference in opposition to the appeals;
2. support the application if revisions are made to bring the application into general conformance with the proposed Avenue Zoning By-law for Wilson Avenue as follows:
 - a. the proposal is revised to bring the density of the building below 2.5 times the

area of the lot;

- b. the building mass is moved towards Wilson Avenue and stepped back as stipulated in the proposed By-law Amendment; and
 - c. the access is redesigned and site circulation improved as outlined in this report;
3. authorize the City Solicitor and the necessary City staff to attend the Ontario Municipal Board pre-hearing conference in support of the appeals if the application is so revised;
 4. authorize the City Solicitor to request the Ontario Municipal Board to withhold any Order approving the development until the owner has entered into a Site Plan Control Agreement under Section 41 of the *Planning Act*; and
 5. authorize the City Solicitor and necessary City Staff to take such necessary actions to implement the foregoing.

Summary

This application proposes to amend the Official Plan and the Zoning By-law of the former City of North York to permit construction of a ten storey condominium apartment building at 1055 Wilson Avenue containing 165 residential units. The applicant has appealed the Official Plan and Zoning By-law Amendment application to the Ontario Municipal Board based on the lack of a decision from City Council within the timelines stipulated by the Planning Act. The purpose of this report is to seek Council's direction on the appeal as a pre-hearing conference is scheduled for June 20, 2007.

City staff and the applicant have been in discussions focussed on revising the proposal to bring it into compliance with the Avenue Zoning By-law proposed for Wilson Avenue. These discussions have been productive and it is expected that appropriate revisions to the proposal will be forthcoming in this regard.

This report seeks Council's authorization for staff to attend the pre-hearing conference at the Ontario Municipal Board and oppose the application in its current form. Should revisions be made which bring the proposal into general conformity with the proposed Avenue Zoning By-law for Wilson Avenue and resolve other outstanding site design issues, staff should attend the pre-hearing conference in support of the appeals.

Background Information

Request for Direction - 1055 Wilson Avenue

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3526.pdf>

NY6.38	NO AMENDMENT		Transactional	Ward: 25
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**Ontario Municipal Board Hearing - Committee of Adjustment
 Application - 26 Don Ridge Drive**

City Council Decision

City Council on June 19, 20 and 22, 2007, adopted the following motion:

1. City Council authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing, and hire outside Planning consultants if required, to uphold the City's zoning by-law and Committee of Adjustment decision to oppose the balcony and below grade garage variances

(May 29, 2007) Member Motion from Councillor Jenkins

Committee Recommendations

The North York Community Council recommends that City Council:

1. authorize the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing, and hire outside Planning consultants if required, to uphold the City's zoning by-law and Committee of Adjustment decision to oppose the balcony and below grade garage variances.

Summary

On April 26, 2007, the Committee of Adjustment heard an application to permit the construction of a new two storey detached dwelling with a five car below grade garage on the side.

The four variances sought were for: 1. Proposed building height of 8.81m whereas 8 m is permitted for a flat roof; 2. Proposed building length of 22.36m whereas 16.8m is permitted; 3. Proposed entrance to the garage to be located below the elevation of the centerline of the road whereas garage entrances are not permitted to be located below the elevation of the centerline of the road; and 4. Proposed balcony area of 8.14m² whereas 3.8m² is permitted.

The committee ruled in favour of two of the four variances sought by the owners of 26 Don Ridge Drive, namely the height and length and refused the below grade garage and balcony.

Below grade garages are uncharacteristic to this area. They are unsafe in accessing a traveled roadway; they create problems with snow storage on the lot, and interrupt the drainage patterns which more often than not, cause flooding problems to abutting properties.

The owners have appealed this decision to the Ontario Municipal Board. The Board has not scheduled a hearing date for this application.

The Councillor is requesting representation at the Ontario Municipal Board to uphold the Committee of Adjustment decision.

Background Information

Ontario Municipal Board Hearing - 26 Don Ridge Drive

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-4079.pdf>

Decision Advice and Other Information

Recorded Vote

A recorded vote on the Recommendation moved by Councillor Jenkins, Ward 25 - Don Valley West, was as follows:

For: Councillors Augimeri, Filion, Jenkins, Parker, Perruzza, Shiner, Stintz

Against: Councillors Feldman, Minnan- Wong

Absent: Councillors Moscoe, Carroll

Carried

Submitted Tuesday, May 29, 2007

Councillor Maria Augimeri, Chair, North York Community Council