
City Council

MOTION WITHOUT NOTICE

MM31.8	ACTION			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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City of Toronto Zoning By-law Nos. 98-2009, 99-2009, 100-2009, 101-2009 and 102-2009 – Reverse Slope Driveways in North York Community Council Area – Moved by Councillor Stintz, seconded by Councillor Carroll

•This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.

•This Motion is subject to a re-opening of North York Community Council Item 22.34. A two-thirds vote is required to re-open that Item.

Recommendations

Councillor Stintz, seconded by Councillor Carroll, recommends:

1. That North York Community Council Item NY22.34 be referred back to the North York Community Council for further consideration.
2. That the Director of Community Planning, North York District, be requested to report to North York Community Council at the earliest possible date regarding a by-law to repeal the North York Zoning By-laws and, further, report on by-laws to re-establish the prohibitions on Reverse Slope Driveways contained in the repealed by-laws (the “Replacement By-laws”).
3. That the Director of Community Planning, North York District, and the City Clerk be directed to schedule a public meeting, pursuant to the Planning Act, before the North York Community Council for consideration of the repealing by-law and the Replacement By-laws.
4. That the North York Community Council be requested to consider the report and recommend to City Council the date on which the Replacement By-laws should be enacted.

Summary

On January 27 and 28, 2009, City Council enacted five zoning by-laws that effectively prohibited reverse slope driveways for new residential dwellings in the North York Community

Council area.

Since then, City staff and members of Council have received numerous calls from residents and builders complaining about the serious impact the newly enacted zoning provisions have created for their plans to build new residential dwellings. A number of development proposals that featured reverse slope driveways had received approvals through rezoning applications, variance applications to the Committee of Adjustment, or from the Ontario Municipal Board (OMB) on appeal. In some cases, minor variances were requested and approved, but no variance request had been made for a reverse slope driveway because it was, at the time of application, permitted by the zoning by-law. In other cases, there were “as-of-right” projects for which plans had been prepared and for which owners were about to submit building permit applications but, as a result of the North York Zoning By-laws, these proposals must be delayed for further approvals because the zoning by-law no longer permits reverse slope driveways.

It is reasonable to provide relief to persons who had designed a new home but had not yet obtained permits to build their residences, and have now been caught by this change in the zoning standards. Therefore, this Motion directing staff to bring forward a repealing by-law and new zoning By-laws to replace the repealed by-laws would allow sufficient time for those residential building projects currently in the planning process to obtain building permits.

REQUIRES RE-OPENING

North York Community Council Item 22.34 (City Council – January 27 and 28, 2009).

(Submitted to City Council on February 23 and 24, 2009, as MM31.8)