
North York Community Council

Meeting No.	28	Contact	Francine Adamo, Committee Administrator
Meeting Date	Tuesday, October 13, 2009	Phone	416-395-7348
Start Time	9:30 AM	E-mail	nycc@toronto.ca
Location	Council Chamber, North York Civic Centre	Chair	Councillor Maria Augimeri

North York Community Council		
Councillor Maria Augimeri (Chair) Councillor John Parker Vice-Chair) Councillor Shelley Carroll	Councillor Mike Feldman Councillor John Filion Councillor Cliff Jenkins Councillor Denzil Minnan-Wong	Councillor Howard Moscoe Councillor Anthony Perruzza Councillor David Shiner Councillor Karen Stintz

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Declarations of Interest under the *Municipal Conflict of Interest Act***Confirmation of Minutes - September 15, 2009****Schedule of Timed Items**

9:45 a.m.	-	NY28.1 - NY28.2
10:00 a.m.	-	NY28.3
10:15 a.m.	-	NY28.5 - NY28.7
10:30 a.m.	-	NY28.8 - NY28.11
10:45 a.m.	-	NY28.12 - NY28.15
11:00 a.m.	-	NY28.16 - NY28.19
1:30 p.m.	-	NY28.27
1:45 p.m.	-	NY28.28

(Deferred from September 15, 2009 - NY27.65)

NY28.1	ACTION	9:45 AM	Delegated	Ward: 9
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Fence Exemption Request - 67 Cuffley Crescent North**Origin**

(August 26, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards recommends that:

1. Exemption from Chapter 447 – Fences, for the property at 67 Cuffley Crescent North be refused.

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 subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the front yard which is in violation of the By-law.

Financial Impact

There is no financial impact anticipated in this report.

Background Information

Staff Report - Fence Exemption Request - 67 Cuffley Cres. N.
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23652.pdf>

(Deferred from July 7, 2008 - NY17.4, September 9, 2008 - NY18.7, October 7, 2008 - NY19.5, January 13, 2009 - NY22.1, March 26, 2009 - NY24.7 and September 15, 2009 - NY27.10)

NY28.2	ACTION	9:45 AM	Delegated	Ward: 25
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Fence Exemption Request - 27 Alderbrook Drive

Origin

(June 16, 2008) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards recommends that:

1. The fence exemption not be granted.

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 consider a request by the owner(s) of 27 Alderbrook Drive, to be exempted from Chapter 447 – Fences, section 447-2(B). This section states that the maximum height of a fence in the rear yard is 2 metres.

The existing fencing in the side and rear yard is on the south side of the property and consists of different sections. The wood fence sections range in height up to 2.6 metres and extend for approximately 40.2 metres to the front face of the house/garage. The concrete wall which is erected beside the property line and serves as part of the pool enclosure, ranges in height up to 3.5 metres and is approximately 8.7 metres in length.

Financial Impact

There is no financial impact anticipated in this report.

Background Information

Staff Report - Fence Exemption - 27 Alderbrook Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23647.pdf>

Communications

(September 8, 2008) E-mail from Mark A. Marcello (NY.Main.NY27.10.1)

(April 3, 2009) Letter from Les Rudnicki, Ontario Land Surveyor, Speight Van Nostrand & Gibson Limited (NY.Main.NY27.10.2)

2a Fence Exemption Request - 27 Alderbrook Drive

Origin

(August 6, 2008) Report from Director of Building and Deputy Chief Building Official, North York District and District Manager, Municipal Licensing and Standards, North York District

Recommendations

Toronto Building North York Division and Municipal Licensing & Standards Division, North York District recommends:

1. That this staff report be received for information purposes.

Summary

This staff report is about a matter that Community Council has been delegated authority to make a final decision provided that it is not amended so that it varies with City policy or by-law.

The purpose of this report is to submit a follow-up report on item NY17.4 deferred at the North York Community Council meeting of July 7, 2008.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Joint Staff Report - Fence Exemption Request - 27 Alderbrook Dr
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23648.pdf>

**(Deferred from February 9, 2009 - NY23.6, March 26, 2009 - NY24.8 and
September 15, 2009 - NY27.8)**

NY28.3	ACTION	10:00 AM	Delegated	Ward: 34
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Fence Exemption Request - 62 Larabee Crescent

Origin

(January 12, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards recommends that:

1. The fence exemption not be granted.

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 subject matter is an application for an exemption to Chapter 447 of the Toronto Municipal Code, Fences, to maintain an existing fence in the front yard which is in violation of the By-law.

Financial Impact

There is no financial impact anticipated in this report.

Background Information

Staff Report - Fence Exemption - 62 Larabee Crescent
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23646.pdf>

Communications

(September 13, 2009) Petition from Romina Luga containing sixteen (16) signatures of area residents on Larabee Crescent (NY.New.NY27.8.1)

(September 14, 2009) E-mail from Romina Luga, submitting clearance documents from Bell, Enbridge, Rogers and Toronto-Hydro Electric System (NY.New.NY27.8.2)

**(Deferred from September 15, 2009 - NY27.7 –
For Public Presentation and Debate)**

NY28.4	ACTION			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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Wrought Iron Fence in Front Yards**Origin**

(May 22, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Summary

The majority of wrought iron fence exemption applications in front yards since the enactment of Chapter 447 (Fences) have originated from properties in Ward 25. The regulation of fences based upon aesthetics or upon neighbourhood or area is not possible and regardless would not preclude exemption applications. Fence gates installed in front yard or exterior side yard fences can be regulated so as to restrict their opening into the City road allowance.

Financial Impact

There is no financial implication or impact resulting from this report.

Background Information

Staff Report & Attachment 1 - Wrought Iron Fence in Front Yards
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23645.pdf>

NY28.5	ACTION	10:15 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 23 Sunnydene Crescent

Origin

(September 23, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that:

1. The North York Community Council approve the encroachment agreement for 23 Sunnydene Crescent, subject to the following conditions:
 - a. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
 - b. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
 - c. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
 - d. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
 - e. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
 - f. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
 - g. The owner(s) pay all applicable fees.

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 subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 23 Sunnydene Crescent
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23688.pdf>

NY28.6	ACTION	10:15 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 100 Gordon Road**Origin**

(September 23, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that:

1. The North York Community Council approve the encroachment agreement for 100 Gordon Road, subject to the following conditions:
 - a. That the owner(s) maintain the bushes/hedges/trees to the satisfaction of Transportation Services Division so that they do not obstruct the view of the speed limit sign on Seneca Street;
 - b. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
 - c. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
 - d. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
 - e. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
 - f. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;

- g. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
- h. The owner(s) pay all applicable fees.

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 subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 100 Gordon Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23699.pdf>

NY28.7	ACTION	10:15 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 37 Brookfield Road

Origin

(September 23, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that:

1. The North York Community Council approve the encroachment agreement for 37 Brookfield Road, subject to the following conditions:
 - a. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
 - b. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
 - c. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;

- d. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- e. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- f. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
- g. The owner(s) pay all applicable fees.

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 subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 37 Brookfield Road
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23701.pdf>

NY28.8	ACTION	10:30 AM	Delegated	Ward: 25
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Encroachment Agreement Request - 15 Owen Boulevard

Origin

(September 23, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that:

1. The North York Community Council approve the encroachment agreement for 15 Owen Boulevard, subject to the following conditions:
 - a. That the owner(s) ensure that all gates swing inwards to the satisfaction of the

Transportation Services division;

- b. That the owner(s) enter into an Encroachment Agreement with the City, to the satisfaction of the City Solicitor and the Executive Director of Municipal Licensing and Standards;
- c. That the appropriate City Officials be authorized to take the necessary action to give effect thereto;
- d. That no claims will be made against the City by the owner(s) for damages occurring to the area of the encroachment or its elements during snow removal;
- e. The indemnification to the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount no less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- f. That the life of the Agreement be limited to 10 years from the date of registration on title or to the date of removal of the encroachment at which time, the City may consider the Agreement for further extension, if requested by the applicant;
- g. In the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Executive Director of Municipal Licensing and Standards;
- h. The owner(s) pay all applicable fees.

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 subject matter is an application for an encroachment agreement.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement Request - 15 Owen Boulevard
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23702.pdf>)

NY28.9	ACTION	10:30 AM	Delegated	Ward: 23
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Boulevard Marketing Request - 184 Parkview Avenue

Origin

(September 23, 2009) Report from District Manager, Municipal Licensing and Standards, North York District

Recommendations

Municipal Licensing and Standards has received the necessary clearances to recommend that:

1. The North York Community Council approve the Boulevard Marketing application for 184 Parkview Avenue, subject to the following conditions:
 - a. That the area of the boulevard marketing be no greater than 16.34 square metres;
 - b. That the current structures over the marketing areas be removed and that no structure or canopy of any kind be erected over the marketing area without approval;
 - c. That no marketing or any other activity or storage of materials take place anywhere else on the property or on the adjacent right-of-way so as to obstruct pedestrian or vehicular sight lines;
 - d. That the boulevard leasing license be renewable on an annual basis with the appropriate insurance in place and the required fee being paid;
 - e. That a street allowance construction permit, as necessary, be acquired for any resurfacing of the area of occupancy, or attachment to or alteration thereof;
 - f. That no claims will be made against the City by the owner(s) for damages occurring to the boulevard marketing area or its elements during snow removal;
 - g. That the occupancy permitted by the license is to be removed by the owner, at the expense of the licensee, within 30 days of receiving written notice from the Executive Director of Municipal Licensing and Standards;
 - h. The licensee agrees that the City, or any gas, telephone, telegraph, electric light or other public utility company, shall have the right at all times to enter upon the permitted encroachment for the purpose of constructing, repairing, maintaining, replacing or removing any sewer, mains, culverts, drains, water pipes, pole wires or other underground services and installations. The licensee shall not be entitled to any damages or compensation by reason of the exercise of the City and utility company's rights; and the licensee, at his own expense, shall carry out such alterations or removal of the encroachment as may be directed by the City;

- i. In default of the removal not occurring as directed, the City may carry out the removal, at the expense of the licensee, and may recover the costs incurred by legal action or in a like manner as municipal taxes;
- j. The indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000 or such greater amount as the City Solicitor may require;
- k. The licensee will, at his expense and to the satisfaction of the Executive Director of Municipal Licensing and Standards, keep and maintain the boulevard marketing area and all or any of its components in a good and proper state of repair and safety, and will not make any additions or modifications beyond what is allowed pursuant to the terms of the License permit;
- l. The licensee pay the appropriate annual leasing rate, established by the City of Toronto, Corporate Services, Facilities and Real Estate Division;
- m. The licensee will secure an endorsement on their business license for boulevard marketing from Municipal Licensing & Standards;
- n. The boulevard marketing area is in effect and renewable on a yearly basis.

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 subject matter is an application for boulevard marketing.

Financial Impact

There is no financial impact anticipated resulting from the adoption of this report.

Background Information

Staff Report - Boulevard Marketing Request - 184 Parkview Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23695.pdf>

(Deferred from September 15, 2009 - NY27.75)

NY28.10	ACTION	10:30 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code – To permit a front yard parking pad at 441 Castlefield Avenue

Origin

(August 17, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The appeal for exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 441 Castlefield Avenue be denied by North York Community Council as on-street parking permits are available for this property.

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.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 441 Castlefield Avenue which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Front Yard Parking - 441 Castlefield Ave.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23657.pdf>)

Attachment 1 - Front Yard Parking - 441 Castlefield Ave

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23658.pdf>)

(Deferred from September 15, 2009 - NY27.76)

NY28.11	ACTION	10:30 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code – To permit a front yard parking pad at 109 Albertus Avenue

Origin

(August 14, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The appeal for exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 109 Albertus Avenue be denied by North York Community Council as on-street parking permits are available for this property.

Council as on-street parking permits are available for this property and soft landscaping requirements cannot be met.

Summary

This staff report is about a matter over which 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.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit a front yard parking pad at 109 Albertus Avenue which does not meet the requirements of the Code. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Front Yard Parking - 109 Albertus Ave.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23659.pdf>)

Attachment 1 - Front Yard Parking - 109 Albertus Ave.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23660.pdf>)

Communications

(September 4, 2009) Letter from Patricia Higginbottom (NY.Main.NY27.76.1)

(Deferred from September 15, 2009 - NY27.73)

NY28.12	ACTION	10:45 AM	Delegated	Ward: 25
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Request for an exemption from Chapter 313 of the former City of Toronto Municipal Code - To permit an encroaching retaining wall at 32 Wanless Avenue

Origin

(August 5, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that:

1. The appeal to maintain the encroaching retaining wall fronting 32 Wanless Avenue be denied, as the required 0.46 metre setback from the rear edge of the municipal sidewalk has not been met.

Summary

This staff report is about a matter over which 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.

To report on a request for an exemption from Chapter 313 of the former City of Toronto Municipal Code to permit the maintenance of an encroaching retaining wall fronting 32 Wanless Avenue for which Transportation Services setback requirements have not been met. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Encroachment Agreement - 32 Wanless Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23653.pdf>
 Attachment 1 - Encroachment Agreement - 32 Wanless Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23654.pdf>

(Deferred from May 14, 2009 - NY26.17 and September 15, 2009 - NY27.6)

NY28.13	ACTION	10:45 AM	Delegated	Ward: 26
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Request for an exemption from the former Borough of East York Municipal Code to permit an encroaching landscape wall at 182 Hanna Road

Origin

(April 23, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division, North York District recommends that:

1. The appeal to maintain the encroaching landscape wall fronting 182 Hanna Road be denied as the required 0.3 metre setback from the municipal sidewalk cannot be provided as it would result in damage to the existing mature City owned tree.

Summary

This staff report is about a matter that Community Council has delegated authority to make a final decision.

To report on a request for an exemption from the former Borough of East York Municipal Code to permit the maintenance of an encroaching landscape wall fronting 182 Hanna Road which

does not meet the required 0.3 metre setback from the municipal sidewalk. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Request for Exemption - Encroaching Landscape Wall - 182 Hanna Road

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23643.pdf>)

Attachment 1 - Request for Exemption - Encroaching Landscape Wall - 182 Hanna Road

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23644.pdf>)

(Deferred from September 15, 2009 - NY27.74)

NY28.14	ACTION	10:45 AM	Delegated	Ward: 26
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Request for an exemption from the former Borough of East York Municipal Code – To permit encroaching landscape features at 45 Parklea Drive

Origin

(August 6, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division, North York District recommends that:

1. The appeal to maintain the encroaching 0.15 metre high landscape wall at 45 Parklea Drive be approved as removal may damage the existing mature City owned tree in the vicinity; and
2. The appeal to maintain the encroaching sprinkler system and light post with outlet at 45 Parklea Drive be denied as they are not permitted encroachments.

Summary

This staff report is about a matter that 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.

To report on a request for an exemption from the former Borough of East York Municipal Code to permit the maintenance of an encroaching landscape wall, sprinkler system and light post with outlet, fronting 45 Parklea Drive, which do not meet the provisions set out in By-law No. 111-92. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Encroaching Agreement Request - 45 Parklea Dr.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23655.pdf>)

Attachment 1 - Encroachment Agreement Request - 45 Parklea Dr.

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23656.pdf>)

NY28.15	ACTION	10:45 AM	Delegated	Ward: 16
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Request for an exemption from Chapter 918 of the City of Toronto Municipal Code – To permit front yard parking at 73 Unsworth Avenue

Origin

(September 4, 2009) Report from Director, Transportation Services, North York District

Recommendations

Transportation Services, North York District recommends that North York Community Council:

1. Deny the appeal for exemption from Chapter 918 of the City of Toronto Municipal Code to permit front yard parking at 73 Unsworth Avenue as the proposal does not comply with the requirements of the Municipal Code.

Summary

This staff report is about a matter over which North York 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.

To report on a request for an exemption from Chapter 918 of the City of Toronto Municipal Code, to permit front yard parking at 73 Unsworth Avenue which does not meet the requirements of this Chapter. As this is an appeal and a request for an exemption from the by-law, it is scheduled as a deputation item.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report - Front Yard Parking - 73 Unsworth Ave

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23674.pdf>)

Drawing - Site Plan of the Proposed Front Yard Parking Pad - 73 Unsworth Ave

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23675.pdf>)

NY28.16	ACTION	11:00 AM	Delegated	Ward: 23
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Sign Variance - 515 Drewry Avenue

Origin

(September 22, 2009) Report from Director of Building and Deputy Chief Building Official

Recommendations

The Toronto Building Division recommends that:

1. North York Community Council approve the request for sign variances at 515 Drewry Avenue.

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 to that it varies with City policy or by-laws.

The purpose of this report is to review and make recommendations on a request by Todd Trudelle of The Goldberg Group, on behalf of Imperial Oil Ltd., owners of the property at 515 Drewry Avenue for approval of a variance from the former North York Sign By-law 30788, as amended, to permit the erection of six business identification ground signs in conjunction with the Carwash, Service Station/Convenience Store containing a Tim Hortons pick up and Drive-Through facility which are currently under construction at this location.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report & Attachments 1-5 - Sign Variance - 515 Drewry Ave.
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23616.pdf>

NY28.17	ACTION	11:00 AM	Delegated	Ward: 23
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Residential demolition - 2 Anndale Drive

Origin

(September 22, 2009) Report from Director of Building and Deputy Chief Building Official

Recommendations

Toronto Building North York Division recommends that:

1. The request to demolish the residential building at 2 Anndale Drive be approved with the following conditions:

- (a) All debris and rubble be removed immediately after demolition and the excavation be filled in; and
- (b) The site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B.

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 bylaws.

In accordance with Section 33 of the Planning Act and the former City of Toronto Municipal Code Ch. 363, Article 11 “Demolition Control”, the application for demolition of the single family dwelling 2 Anndale Drive is referred to Toronto North Community Council to refuse or to grant the application, including any conditions, to be attached to the demolition permit.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report & Attachment 1 - Residential Demolition - 2 Anndale Drive
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23593.pdf>

NY28.18	ACTION	11:00 AM	Delegated	Ward: 23
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Residential Demolition Application for 283 Greenfield Avenue

Origin

(September 22, 2009) Report from Director of Building and Deputy Chief Building Official

Recommendations

Toronto Building North York Division recommends that:

1. North York Community Council approve the request to demolish the residential building at 283 Greenfield Avenue subject to the following conditions:
 - a. All debris and rubble be removed immediately after demolition and excavation filled in; and
 - b. the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623 – 5 and 629 – 10, Paragraph B.

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 from City policy or by-law.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code Ch. 363, Article 11, “Demolition Control”, an application for a demolition permit at 283 Greenfield Avenue is referred to North York Community Council to refuse or to grant the demolition permit. The City of Toronto owns the property at 283 Greenfield Avenue and requires permission to demolish the existing dwelling in order to supplement a new park at Greenfield Avenue.

If the North York Community Council grants issuance of the demolition permits, it may do so with or without conditions.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report & Attachment 1 - Residential Demolition Application for 283 Greenfield Ave.
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23594.pdf>)

NY28.19	ACTION	11:00 AM		Ward: 34
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Demolition Control Applications - 60 Rowena Drive (5 Avonwick Gate)

Origin

(September 18, 2009) Report from Edward Tipping, Director and Deputy Chief Building Official

Recommendations

Toronto Building recommends that North York Community Council:

1. Refuse the application to demolish the subject residential building; or
2. Approve the application to demolish the subject residential building without conditions; or
3. Approve the application to demolish the subject residential building with the following conditions;
 - i. that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - ii. that all debris and rubble be removed immediately after demolition;
 - iii. that sod be laid and the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5, and 629-10, paragraph B; and

- iv. that holes on the property are backfilled with clean fill.

Summary

This Staff Report is about a matter for which Community Council does not have delegated authority from City Council to make a decision on whether to issue or refuse the permit to demolish the residential properties at the above noted address because the buildings on the subject property have a heritage designation under the Ontario Heritage Act (OHA).

On March 6, 2009 Toronto Building received a demolition permit application to demolish three vacant residential buildings located at 60 Rowena Drive (also known as 5 Avonwick Gate). The buildings on the property have been designated under the OHA.

In accordance with Section 33 of the Planning Act and the Municipal Code, Chapter 363, Article II “Demolition Control”, the above noted demolition permit application is submitted to the North York Community Council for consideration and to make recommendation to refuse or to grant the issuance of a demolition permit because the owner has not applied for a building permit to replace the buildings to be demolished.

If the North York Community Council recommends granting the issuance of the demolition permit, it may do so with or without conditions.

The recommendation to grant or to refuse the demolition application will be forwarded to City Council for a final decision.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report & Attachments 1-2 - Demolition Control Applications - 60 Rowena Drive (5 Avonwick Gate)

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23592.pdf>

NY28.20	ACTION		Delegated	Ward: 15
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One-Way Street Designation/Turn Prohibitions - 2401 Dufferin Street (Belgravia Avenue and Whitemore Avenue)

Origin

(September 18, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division recommends that North York Community Council:

1. Amend By-law Nos. 196-84 and 2958-94, of the former City of York, to delete Whitmore Avenue as a eastbound one-way street, from the Dufferin Street to Marlee Avenue;
2. Amend By-law Nos. 196-84 and 2958-94, of the former City of York, to add Whitmore Avenue as a eastbound one-way street, from the a point 40 metres east of Dufferin Street to Marlee Avenue; and
3. Amend By-law Nos. 196-84 and 2958-94, of the former City of York, to prohibit westbound right movements from Belgravia Avenue into the driveway access to 2401 Dufferin St.

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.

To obtain approval to convert the one-way operation of Whitmore Avenue from Dufferin Street to a point 40 metres east to a two-way operation, construct a traffic island on the north side of Whitmore Avenue opposite the new driveway access, and to prohibit westbound right turns from Belgravia Avenue in to the driveway access of 2401 Dufferin Street located on the north side of Belgravia Avenue.

The re-designation of Whitmore Avenue from Dufferin Street to a location approximately 40 metres east thereof will provide access and egress to 2401 Dufferin Street via the signalized access of Dufferin Street and Whitmore Avenue and the driveway access on to Belgravia Avenue will provide egress from the site. The proposed site access modifications will result in the elimination of a driveway access point on Dufferin Street and address the residents concerns regarding infiltration into the neighbourhood.

Financial Impact

All costs associated with the installation of the required turn/entry prohibitions are the responsibility of the applicant, Paul W. Rycroft Land Developments on behalf of Rexall Pharmacy.

Background Information

Staff Report - One-way Street Designation/Turn Restrictions - 2401 Dufferin Street
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23681.pdf>

Map - One-way Street Designation/Turn Restrictions - 2401 Dufferin Street
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23682.pdf>

NY28.21	ACTION		Delegated	Ward: 16
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Left Turn/Entry Prohibition - 59 Briar Hill Avenue

Origin

(September 18, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division recommends that North York Community Council:

1. Prohibit northbound left turns at anytime from the driveway at 59 Briar Hill Avenue on to Briar Hill Avenue; and
2. Prohibit entry at anytime from Briar Hill Avenue on to the private driveway at 59 Briar Hill Avenue.

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.

To obtain approval to implement a westbound “No Left Turn” movement prohibition from the driveway of number 59 Briar Hill Avenue along with a “Do Not Enter” prohibition into the same driveway on the south side of Briar Hill Avenue.

The implementation of the prohibited left turn and entrance restriction will result in the safe and smooth egress onto Briar Hill Avenue.

Financial Impact

All costs associated with the installation of the required turn/entry prohibitions are the responsibility of the applicant. The costs for the installation of the above noted traffic control restriction is estimated at \$1,000.00. The Applicant has submitted a cheque to the City in the amount of the above noted funds.

Background Information

Staff Report - Left Turn/Entry Prohibition - 59 Briar Hill Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23668.pdf>
 Map - Left Turn/Entry Prohibition - 59 Briar Hill Ave
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23669.pdf>

NY28.22	ACTION			Ward: 16
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Turn Restrictions - Avenue Road at Glencairn Avenue

Origin

(September 18, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division recommends that City Council:

1. Prohibit eastbound left turns from 6:00 a.m. to 10:00 a.m. and. 3:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays, on Glencairn Avenue at Avenue Road;
2. Prohibit westbound left turns from 6:00 a.m. to 10:00 a.m. and. 3:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays, on Glencairn Avenue at Avenue Road;
3. Prohibit eastbound through traffic movements from 6:00 a.m. to 10:00 a.m. and. 3:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays on Glencairn Avenue and Avenue Road; and
4. Prohibit westbound through traffic movements from 6:00 a.m. to 10:00 a.m. and. 3:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays on Glencairn Avenue at Avenue Road.

Summary

To obtain approval to implement turn restrictions at the intersection of Avenue Road and Glencairn Avenue.

The proposed turn restrictions will address the safety concerns regarding left turning and through movements at the intersection of Avenue Road and Glencairn Avenue.

Since the Toronto Transit Commission (TTC) operates a transit service on Avenue Road, City Council approval of this report is required. TTC staff has been consulted on the proposed turn prohibition removal and have not objected to the proposal.

Financial Impact

All costs associated with the installation of the turn restrictions are included within the Transportation Services Division’s 2009 Operating Budget.

Background Information

Staff Report - Turn Restrictions - Avenue Road at Glencairn Avenue
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23637.pdf>
 Map - Avenue Road at Glencairn Avenue, Left and Through Prohibitions
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23638.pdf>

NY28.23	ACTION			Ward: 25
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Operational Changes to Traffic Control Signal - Bayview Avenue at 2365 Bayview Avenue (Crescent School)

Origin

(September 18, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division recommends that City Council:

1. Rescind the existing westbound left turn restriction at all times, from the access to 2365 Bayview Avenue (Crescent School).

Summary

To obtain approval to rescind the existing westbound left turn prohibition at Bayview Avenue at the access to 2365 Bayview Avenue (Crescent School).

The removal of the above-noted traffic control measure will provide full movement egress from the access to Crescent School and improve southbound traffic operations on Bayview Avenue during the peak periods.

Since the Toronto Transit Commission (TTC) operates a transit service on Bayview Avenue, City Council approval of this report is required. TTC staff has been consulted on the proposed turn prohibition removal and have not objected to the proposal.

Financial Impact

All costs associated with the removal of the left turn prohibition and the modifications to the existing traffic control signals and driveway access will be borne by the Crescent School.

Background Information

Staff Report - Operational Changes to Traffic Control Signal - Bayview Ave at 2365 Bayview Ave (Crescent School)

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23640.pdf>

Map - Westbound Left Turn Prohibition Removal, Bayview Ave at Crescent School

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23641.pdf>

Map - Existing Westbound to Southbound Routing from the Crescent School

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23642.pdf>

NY28.24	ACTION		Delegated	Ward: 25
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Parking Prohibitions - Ternhill Crescent**Origin**

(September 24, 2009) Report from Director, Transportation Services Division, North York District

Recommendations

Transportation Services Division recommends that North York Community Council:

1. Amend Schedule VIII of By-law No. 31001, of the former City of North York, to prohibit parking from 8:00 a.m. to 8:00 p.m. Monday to Saturday on both sides of Ternhill Crescent, from the north limit of Overland Drive to a point 89 metres to the north thereof.

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.

To obtain approval in order to prohibit parking on both sides of Ternhill Crescent from 8:00 a.m. to 8:00 p.m., Monday to Saturday, from Overland Drive to a point 89 m to the north thereof.

The implementation of the parking prohibition will address the residents’ concern regarding vehicles continually parked on both sides of Ternhill Crescent between Overland Drive and a point 89 metres north thereof.

Financial Impact

All costs associated with the parking prohibitions are included within the Transportation Services Division’s 2009 Operating Budget.

Background Information

Staff Report - Parking Prohibitions - Ternhill Crescent
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23664.pdf>
 Map - Parking Prohibitions - Ternhill Crescent
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23665.pdf>

NY28.25	ACTION			
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Town of Markham Yonge and Steeles Corridor Study and City of Vaughan Yonge Street Area Study

Origin

(August 14, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. City Council receive this report for information purposes and recommend City staff continue to monitor and report further, if necessary, on the Town of Markham Yonge and Steeles Corridor Study, and the City of Vaughan Yonge Street Area Study.

Summary

This report provides information on the planning studies being conducted by the Town of

Markham and the City of Vaughan for the area around Yonge Street and Steeles Avenue. The final report for the Town of Markham Yonge and Steeles Corridor Study was endorsed in principle by Markham Council in October 2008 and the next step is to prepare a draft Official Plan Amendment implementing the Study's recommendations and hold the Statutory Public Meeting.

The City of Vaughan Yonge Street Area Study is underway and is currently in the public consultation stage. A draft final report is expected within the next few months. The study area boundaries are shown on Attachment 1.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Staff Report & Attachment 1 - Town of Markham Yonge & Steeles Corridor Study & City of Vaughan Yonge Street Area Study

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23623.pdf>)

**(Deferred from September 15, 2009 - NY27.59 –
For Public Presentation and Debate)**

NY28.26	ACTION			Ward: 15
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1100-1150 Caledonia Road - Interpretation of the Official Plan

Origin

(August 19, 2009) Report from Chief Planner and Executive Director, City Planning Division

Summary

This report responds to City Council's May 25, 26 and 27, 2009 direction that City Planning staff provide an interpretation of the Employment Areas policies of the Official Plan as they apply to lands known municipally as 1100-1150 Caledonia Road and report to North York Community Council and Planning and Growth Management Committee with respect to the interpretation of the applicable policy. City Planning staff, in consultation with the General Manager, Economic Development and the City Solicitor are of the opinion that Policy 4.6.3 would apply to an application proposing major retail uses on these lands.

Financial Impact

There are no financial impacts associated with this report.

Background Information

Staff Report and Attachments 1-5 - 1100-1150 Caledonia Road - Interpretation of the Official Plan

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23651.pdf>)

NY28.27	ACTION	1:30 PM		Ward: 23
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Final Report - Common Elements Condominium and Part Lot Control Applications - 91, 93, 95, 97, 99 Finch Avenue West

Statutory - Planning Act, RSO 1990

Origin

(September 21, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. That in accordance with the delegated approval under by-law 229-2000, City Council be advised that the Chief Planner intends to approve the draft plan of common elements condominium, as generally illustrated on Attachment 1, subject to:
 - a. the conditions generally listed in Attachment 3, which unless otherwise noted, must be fulfilled prior to the release of the plan of condominium for registration;
 - b. any such revisions to the proposed condominium plan or any such additional or modified conditions as the Chief Planner may deem to be appropriate; and
 - c. draft plan approval not being issued until the necessary Bill(s) is in full force and effect.
2. City Council enact a Part Lot Control Exemption By-law, with respect to the subject lands, to be prepared to the satisfaction of the City Solicitor.
3. City Council authorize the City Solicitor to introduce any necessary Bills for a Part Lot Control Exemption By-law to expire (2) years from date of enactment.
4. City Council require the owner to provide proof of payment to the satisfaction of the City Solicitor for all current property taxes for the subject site prior to enactment of the Part Lot Control Exemption By-law.
5. City Council require the owner to register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act agreeing not to transfer and charge any part of the Lands without the written consent of the Chief Planner or his designate prior to the introduction of Bills in Council.
6. That the Chief Planner or his delegate not provide written consent to transfer and charge any parts of the lands until all appropriate pre-approval conditions in the Site Plan Agreement are fulfilled.
7. City Council authorize the City Solicitor to take the necessary steps to release the

Section 118 Restriction from title at such time as confirmation is received that the Common Elements Condominium Plan has been registered.

8. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.

Summary

These applications were made on June 3, 2009 (CD) and May 15, 2009 (PL) and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The Common Elements Condominium application is required to provide legal access to the individual townhouse units and to ensure ongoing shared ownership and maintenance of the common elements including the private driveway.

The exemption from Part Lot Control provisions of the Planning Act is required to permit the creation of individual conveyable townhouse and semi-detached lots.

This report recommends approval of the Draft Plan of Common Elements Condominium and approval of the application to lift Part Lot Control subject to the conditions listed below, including that the owner of the lands be required to register a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the prior consent of the Chief Planner or his designate.

Financial Impact

The recommendations in this report have no financial impact.

Background Information

Final Report & Attachments 1-4 - 91, 93, 95, 97, 99 Finch Ave. W.
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23629.pdf>

(Deferred from May 14, 2009 - NY26.42)

NY28.28	ACTION	1:45 PM		Ward: 25
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Final Report – Partial Removal of the Holding (H) Symbol application – 2075 Bayview Ave Sunnybrook Hospital

Origin

(April 22, 2009) Report from Director, Community Planning, North York District

Recommendations

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.

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.
3. The applicant be required to obtain Notice of Approval Conditions of Site Plan Approval before the necessary Bills are introduced to City Council for enactment.

Summary

This application was made on January 26, 2009 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 780 m² (8,400 ft²) 2 – storey addition to the existing Wellspring Centre facility located on the northwest portion of the Sunnybrook Hospital campus site at 2075 Bayview Avenue. The addition requires a partial removal of the holding symbol (H) to permit an increase in density which would bring the total gross floor area of the hospital campus to 259,480 m² (2,793,108 ft²) or 0.66 fsi. The application is recommended for approval on the basis that the proposed addition is appropriate and satisfies the criteria to permit a partial lifting of the hold on the subject property. This report recommends that the bills proceed to Council once the applicant has obtained Notice of Conditions of Site Plan Approval.

Financial Impact

There are no financial implications resulting from the adoption of this report.

Background Information

Staff Report & Attachments 1-5 - Final Report - 2075 Bayview Ave Sunnybrook Hospital
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-23671.pdf>

NY28.Bills	ACTION		Delegated	
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General Bills
Confirmatory Bills