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## North York Community Council

<b>Meeting No.</b>	22	<b>Contact</b>	Francine Adamo, Committee Administrator
<b>Meeting Date</b>	Tuesday, January 13, 2009	<b>Phone</b>	416-395-7348
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	nycc@toronto.ca
<b>Location</b>	Council Chamber, North York Civic Centre	<b>Chair</b>	Councillor John Parker

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### Item

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- NY22.9 Payment In-Lieu of Parking - 1977 Avenue Road (Ward: 16)
- 
- NY22.10 Conservation Review Board Decision and Designation of 1325, 1351 and 1365 Bayview Avenue (Ward: 26)
- 
- NY22.15 Turn Restriction - Laird Drive at Parkhurst Boulevard (Ward: 26)
- 
- NY22.18 Designation of Fire Routes and amendment to Chapter 880 - 5 & 15 Tangreen Court (Ward: 23)
- 
- NY22.19 Designation of Fire Routes and amendment to Chapter 880 - 650, 660 & 662 Sheppard Avenue East (Ward: 24)
- 
- NY22.20 Designation of Fire Routes and amendment to Chapter 880 - Fire Routes - 3501 Yonge Street (Ward: 25)
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- NY22.22 Appointment of Members of Council to Toronto & Region Conservation Authority Humber and Don Watersheds Sub-Committees (Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)
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- NY22.23 Appointment of Members of Council to the Community Museum Management Board & North York Community Preservation Panel (Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)
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- NY22.24 Recommended Candidate to Fill Mid-term Vacancy on the North York Community Preservation Panel (Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)

**Item**

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NY22.34 Zoning Amendments to Regulate Reverse Slope Driveways in the North York Community Council District Boundary (Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)

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NY22.35 Zoning Amendments to Change the Definition of 'Boarding or Lodging House' in the North York Community Council District Boundary (Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34)

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NY22.36 Appeal of Committee of Adjustment Decision and Staff Representation at the Ontario Municipal Board - 10 Staynor Avenue (Ward: 15)

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NY22.37 Appeal of Committee of Adjustment Decision & Legal & Planning Staff's Attendance at the Ontario Municipal Board - 1 St. Edmund's Drive, A0715/08NY (Ward: 25)

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NY22.39 Payment in Lieu of Parking - 2015 Avenue Road (Ward: 16)

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NY22.40 Ontario Municipal Board hearing - Committee of Adjustment Application - 182 & 184 Norton Avenue (Ward: 23)

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## North York Community Council

<b>Meeting No.</b>	22	<b>Contact</b>	Francine Adamo, Committee Administrator
<b>Meeting Date</b>	Tuesday, January 13, 2009	<b>Phone</b>	416-395-7348
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	nycc@toronto.ca
<b>Location</b>	Council Chamber, North York Civic Centre	<b>Chair</b>	Councillor John Parker

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NY22.9	Adopted on Consent			Ward: 16
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### Payment In-Lieu of Parking - 1977 Avenue Road

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 18 parking spaces, subject to payment-in-lieu for 9 parking spaces.
2. City Council request the applicant to enter into an agreement with the City of Toronto for the payment-in-lieu of 9 parking spaces, which is the difference in parking for the previous and proposed land use, amounting to a payment of \$22,500.00 instead of \$45,000.00.

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#### Committee Recommendations

North York Community Council recommends that:

1. City Council exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 18 parking spaces, subject to payment-in-lieu for 9 parking spaces.
2. City Council request the applicant to enter into an agreement with the City of Toronto for the payment-in-lieu of 9 parking spaces, which is the difference in parking for the previous and proposed land use, amounting to a payment of \$22,500.00 instead of \$45,000.00.

#### Origin

(December 16, 2008) Report from Director, Transportation Services, North York District

**Summary**

To seek Council’s approval to exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 18 parking spaces to permit a restaurant to operate on the front portion of the ground floor in the mixed-use building, whereas zero (0) parking spaces can be provided on-site.

**Background Information (Committee)**

Staff Report - Payment In-Lieu of Parking - 1977 Avenue Road  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17800.pdf>)  
Map - Payment In-Lieu of Parking - 1977 Avenue Road  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17801.pdf>)

**9a Request that the Proposed Restaurant at 1977 Avenue Road be Subject to Payment-in-Lieu of Parking for 9 Spaces instead of 18 Spaces**

**Origin**

(January 13, 2009) Member Motion from Councillor Stintz

**Summary**

On November 5, 2008, the Committee of Adjustment approved a parking deficiency as part of Minor Variance Application A0617/08NY, which requires an agreement with the applicant that must be approved by Council.

In accordance with Zoning By-law 7625, a total of 18 on-site parking spaces are required for the proposed uses.

Zero (0) spaces can be provided on-site, a parking deficiency of 18 spaces.

The subject property operated as a retail store as its previous use and required a total of 9 spaces.

It is therefore recommended that the applicant is subject to Payment-in-Lieu of Parking for 9 spaces, which is the difference in parking for the previous and proposed land use, amounting to a payment of \$22,500.00 instead of \$45,000.00.

**Background Information (Committee)**

Member Motion - Payment-in-Lieu of Parking - 1977 Avenue Road  
(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18332.pdf>)

NY22.10	Adopted on Consent			Ward: 26
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## **Conservation Review Board Decision and Designation of 1325, 1351 and 1365 Bayview Avenue**

### **City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council pass a by-law to designate the property at 1325 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.
2. City Council pass a by-law to designate the property at 1351 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.
3. City Council pass a by-law to designate the property at 1365 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.

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### **Committee Recommendations**

North York Community Council recommends that:

1. City Council pass a by-law to designate the property at 1325 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.
2. City Council pass a by-law to designate the property at 1351 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.
3. City Council pass a by-law to designate the property at 1365 Bayview Avenue under Part IV, Section 29 of the Ontario Heritage Act.

### **Origin**

(December 15, 2008) Report from Director, Policy and Research, City Planning Division

### **Summary**

The purpose of this report is to provide Toronto City Council with advice on the decision of the Conservation Review Board (CRB) regarding Council's notice of intention to designate the properties at 1325, 1351 and 1365 Bayview Avenue. This report also provides recommendations to Council regarding the completion of the designation of those properties.

On November 6, 2008, staff of Heritage Preservation Services received the decision of the CRB resulting from the hearing for the appeal to the notice of intention to designate the above mentioned properties. The decision advises that the properties possess sufficient cultural heritage value under the provincial Criteria for Determining Cultural Heritage Value or Interest (Regulation 9/06) of the Ontario Heritage Act to warrant designation, but also makes recommendations about some cultural heritage values identified by the City and on strategies for the protection of the properties.

In consideration of the decision and recommendations of the CRB, this report also provides

recommendations on changes to the original “Reasons for Designation” as presented to Council in November of 2007.

### **Background Information (Committee)**

Staff Report - 1325, 1351 & 1365 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17844.pdf>)

Attachment 1 - Conservation Review Board Hearing Report - 1325, 1351 & 1365 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17883.pdf>)

Attachment 2 - Map of Properties Recommended for Designation

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17884.pdf>)

Attachment 3 - Photo of Properties Recommended for Designation

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17885.pdf>)

Attachment 4 - Reasons for Designation - Glen-Leven Apartments, 1325 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17886.pdf>)

Attachment 5 - Reasons for Designation - Strathavon Apartments, 1351 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17887.pdf>)

Attachment 6 - Reasons for Designation - Kelvingrove Apartments, 1365 Bayview Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17888.pdf>)

### **Background Information (City Council)**

(January 22, 2009) communication from the Toronto Preservation Board (NY22.10a)

(<http://www.toronto.ca/legdocs/mmis/2009/cc/bgrd/backgroundfile-18611.pdf>)

### **Communications (Committee)**

(January 12, 2009) submission from Howard Cohen, Context Development Inc. (NY.New.NY22.10.1)

### **Communications (City Council)**

(January 26, 2009) letter from Howard Cohen, President, Context Development Inc. (CC.Supp.NY22.10.2)

### **Speakers (Committee)**

Ian Lord, Weir Foulds LLP, on behalf of the property owners, ADMNS Kelvingrove Investment Corporation and Context Development Inc.

Brian Athey, President, Leaside Property Owners' Assoc.

Pat Stephenson, on behalf of Kelvingrove/Glen Leven Tenants' Association

NY22.15	Adopted on Consent			Ward: 26
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## **Turn Restriction - Laird Drive at Parkhurst Boulevard**

### **City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council prohibit southbound right turns from 7:00 a.m. to 9:00 a.m., Monday to

Friday, on Laird Drive at Parkhurst Boulevard, bicycles excepted.

### Committee Recommendations

North York Community Council recommends that:

1. City Council prohibit southbound right turns from 7:00 a.m. to 9:00 a.m., Monday to Friday, on Laird Drive at Parkhurst Boulevard, bicycles excepted.

### Origin

(December 8, 2008) Report from Director, Transportation Services Division, North York District

### Summary

To obtain approval to prohibit southbound Right turns at the intersection of Laird Drive at Parkhurst Boulevard.

The implementation of the proposed right turn prohibition during the morning peak period would eliminate neighbourhood infiltration on Parkhurst Boulevard.

### Background Information (Committee)

Staff Report - Turn Restriction - Laird Drive at Parkhurst Boulevard  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17718.pdf>  
 Map - Turn Restriction - Laird Drive at Parkhurst Boulevard  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17719.pdf>

NY22.18	Adopted on Consent			Ward: 23
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### Designation of Fire Routes and amendment to Chapter 880 - 5 & 15 Tangreen Court

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

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 & 15 Tangreen Court.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

### Committee Recommendations

North York Community Council recommends that:

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 & 15 Tangreen Court.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

### Origin

(December 11, 2008) Report from Toronto Fire Services

### 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 of fires and the delivery of fire protection services.

### Background Information (Committee)

Staff Report - Fire Routes - 5 & 15 Tangreen Court

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17736.pdf>)

Draft By-law - Fire Routes - 5 & 15 Tangreen Court

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17737.pdf>)

NY22.19	Adopted on Consent			Ward: 24
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### Designation of Fire Routes and amendment to Chapter 880 - 650, 660 & 662 Sheppard Avenue East

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

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 – 650 Sheppard Ave East, 660 Sheppard Ave East and 662 Sheppard Ave East.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

#### Committee Recommendations

North York Community Council recommends that:



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 – 650 Sheppard Ave East, 660 Sheppard Ave East and 662 Sheppard Ave East.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

### Origin

(December 11, 2008) Report from Toronto Fire Services

### 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 of fires and the delivery of fire protection services.

### Background Information (Committee)

Staff Report - Fire Routes - 650, 660 & 662 Sheppard Ave East

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17734.pdf>

Draft By-law - Fire Routes - 650, 660 & 662 Sheppard Ave East

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17735.pdf>

NY22.20	Adopted on Consent			Ward: 25
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### Designation of Fire Routes and amendment to Chapter 880 - Fire Routes - 3501 Yonge Street

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

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 – 3501 Yonge Street.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

#### Committee Recommendations

North York Community Council recommends that:

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 – 3501 Yonge Street.
2. City Council authorize the Fire Chief and City Solicitor to take the appropriate action to make a designated Fire Route.

### Origin

(December 11, 2008) Report from Toronto Fire Services

### 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 of fires and the delivery of fire protection services.

### Background Information (Committee)

Staff Report - Fire Routes - 3501 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17738.pdf>)

Draft By-law - Fire Routes - 3501 Yonge Street

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17739.pdf>)

NY22.22	Adopted on Consent			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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### Appointment of Members of Council to Toronto & Region Conservation Authority Humber and Don Watersheds Sub-Committees

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council appoint Councillor Parker to the Toronto and Region Conservation Authority Don Watershed Regeneration Council for a term of office ending November 30, 2010, and until a successor is appointed.
2. City Council appoint Councillor Perruzza to the Toronto and Region Conservation Authority Humber Watershed Alliance for a term of office ending November 30, 2010, and until a successor is appointed.

#### Committee Recommendations

North York Community Council recommends that:

1. City Council appoint Councillor Parker to the Toronto and Region Conservation Authority Don Watershed Regeneration Council for a term of office ending November 30, 2010, and until a successor is appointed.
2. City Council appoint Councillor Perruzza to the Toronto and Region Conservation Authority Humber Watershed Alliance for a term of office ending November 30, 2010, and until a successor is appointed.

### Origin

(December 11, 2008) Report from City Clerk

### Summary

This report forwards information and a list of Members' preferences for appointment to the Toronto and Region Conservation Authority Humber Watershed Alliance and the Toronto and Region Conservation Authority Humber Don Watershed Regeneration Council so that Community Council may nominate Members for appointment by Council.

### Background Information (Committee)

Report from City Clerk & Attachment 1 - Watershed Sub-Committees - Interested Members  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17728.pdf>

NY22.23	Adopted on Consent			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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### Appointment of Members of Council to the Community Museum Management Board & North York Community Preservation Panel

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council appoint Councillor Filion to the Gibson House/Zion Schoolhouse Museum Management Board for a term of office ending November 30, 2010, and until a successor is appointed.
2. City Council appoint Councillor Moscoe and Councillor Parker to the North York Community Preservation Panel for a term of office ending November 30, 2010, and until their successors are appointed.

#### Committee Recommendations

North York Community Council recommends that:

1. City Council appoint Councillor Filion to the Gibson House/Zion Schoolhouse Museum Management Board for a term of office ending November 30, 2010, and until a

successor is appointed.

2. City Council appoint Councillor Moscoe and Councillor Parker to the North York Community Preservation Panel for a term of office ending November 30, 2010, and until their successors are appointed.

**Origin**

(December 11, 2008) Report from City Clerk

**Summary**

This report forwards information and a list of Members’ preferences for appointment to the Gibson House/Zion Schoolhouse Community Museum Management Board and the North York Community Preservation Panel, so that Community Council may nominate Members for appointment by Council.

**Background Information (Committee)**

Report from City Clerk & Attachment 1 - Appointment to Museum Board & Preservation Panel - Interested Members

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17729.pdf>

Revised Attachment 1 - Appointment to Museum Board & Preservation Panel - Interested Members

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18189.pdf>

NY22.24	Adopted on Consent			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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**Recommended Candidate to Fill Mid-term Vacancy on the North York Community Preservation Panel**

**City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council nominate the candidate listed in the confidential Attachment 1 to the report (December 15, 2008) from the Director, Policy and Research, City Planning Division, effective January 1, 2009, to the North York Community Preservation Panel for a term coincident with Council or until their successors are appointed.
2. City Council authorize the release of the confidential Attachment 1, once it has dealt with the report (December 15, 2008) from the Director, Policy and Research, City Planning Division.

Confidential Attachment 1 is now public in its entirety and contains the name of the following individual nominated for appointment to the North York Community Preservation Panel effective January 1, 2009, for a term coincident with Council or until a successor is appointed:

Geoff Kettel

**Confidential Attachment - Personal matters about an identifiable individual, including municipal or local board employees**

**Committee Recommendations**

North York Community Council recommends that:

1. City Council nominate the candidate listed in the confidential Attachment 1 to the report (December 15, 2008) from the Director, Policy and Research, City Planning Division, effective January 1, 2009, to the North York Community Preservation Panel for a term coincident with Council or until their successors are appointed.
2. City Council authorize the release of the confidential Attachment 1, once it has dealt with the report (December 15, 2008) from the Director, Policy and Research, City Planning Division.

**Origin**

(December 15, 2008) Report from Director, Policy and Research, City Planning Division

**Summary**

This report recommends a candidate to fill a mid-term vacancy on the North York Community Preservation Panel and recommends that City Council nominate the individual listed in confidential Attachment 1 to the North York Community Preservation Panel. Candidates were scored by a Selection Committee on their ability to answer predetermined interview questions.

**Background Information (Committee)**

Staff Report - Recommended Candidate for the North York Community Preservation Panel  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17733.pdf>

NY22.34	Adopted			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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**Zoning Amendments to Regulate Reverse Slope Driveways in the North York Community Council District Boundary**

**City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council enact the Zoning By-law Amendments for regulating reverse slope driveways in the zoning by-laws of the former cities of Toronto, North York, York, East York (Township and Leaside bylaws) as they may apply to the district boundary of the North York Community Council substantially in accordance with the draft zoning

by-laws identified as Attachment No. 1, 2, 3, 4 and 5 to the report (December 16, 2008) from the Chief Planner and Executive Director, City Planning Division.

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.

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*Statutory - Planning Act, RSO 1990*

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council enact the Zoning By-law Amendments for regulating reverse slope driveways in the zoning by-laws of the former cities of Toronto, North York, York, East York (Township and Leaside bylaws) as they may apply to the district boundary of the North York Community Council substantially in accordance with the draft zoning by-laws identified as Attachment No. 1, 2, 3, 4 and 5 to the report (December 16, 2008) from the Chief Planner and Executive Director, City Planning Division.
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.

### **Committee Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on January 13, 2009, and notice was given in accordance with the Planning Act.

A staff presentation was made by Joe D'Abramo, Acting Director, Zoning By-law and Environmental Planning, City Planning Division.

North York Community Council:

1. Requested the General Manager, Toronto Water, to report to the North York Community Council on whether there are any amendments required to the Sewer Use By-law to ensure that it is consistent with a prohibition of reverse slope driveways in the North District.
2. Requested the Chief Planner and Executive Director, City Planning Division, to report directly to Council on the matter of grandfathering those building permit applications for as-of-right reverse slope driveways that have been submitted prior to January 14, 2009.

### **Origin**

(December 16, 2008) Report from Chief Planner and Executive Director, City Planning

### **Summary**

The flooding of basements in grade-related houses has been a growing problem. A contributing

factor to some basement flooding is when driveways lead downward into garages located in the lower level of houses, which is currently permitted in the zoning bylaws applying to the North York Community Council jurisdictional area. This report recommends amending the zoning bylaws that apply to the North York Community Council district boundary in order to restrict the as-of-right permission to develop reverse slope driveways.

### Background Information (Committee)

Staff Report & Attachments 1-5 - Reverse Slope Driveways

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17852.pdf>)

Letter from City Clerk - North York Community Council Decision letter

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17831.pdf>)

Letter from City Clerk - Recommendations to Council

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17838.pdf>)

Letter from City Clerk - Planning & Growth Management Committee Decision

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17839.pdf>)

Staff Report to Planning & Growth Management

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17840.pdf>)

Letter from City Clerk - North York Community Council Decision

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17841.pdf>)

Member Motion - North York Community Council

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17842.pdf>)

### Communications (Committee)

(December 30, 2008) fax from Donald Kerr (NY.New.NY22.34.1)

(January 11, 2009) e-mail from A. A. (Sandy) Robertson, President, Bayview Cummer Neighbourhood Association (NY.New.NY22.34.2)

### Communications (City Council)

(January 13, 2009) fax from Adam J. Brown, Sherman Brown Dryer Karol, Barristers and Solicitors (CC.Main.NY22.34.3)

### Speakers (Committee)

Nancy Weisbrod

Vito Tamma

Alasdair Robertson, Past President, Bayview Cummer Neighbourhood Association

NY22.35	Adopted on Consent			Ward: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
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## Zoning Amendments to Change the Definition of 'Boarding or Lodging House' in the North York Community Council District Boundary

### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council enact the Zoning Bylaw Amendment to the definition of 'Boarding and

Lodging House' found in the former City of North York Zoning Bylaw No. 7625 substantially in accordance with the draft zoning by-law identified as Attachment No. 1 to the report (December 16, 2008) from the Chief Planner and Executive Director, City Planning Division.

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.

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*Statutory - Planning Act, RSO 1990*

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council enact the Zoning Bylaw Amendment to the definition of 'Boarding and Lodging House' found in the former City of North York Zoning Bylaw No. 7625 substantially in accordance with the draft zoning by-law identified as Attachment No. 1 to the report (December 16, 2008) from the Chief Planner and Executive Director, City Planning Division.
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.

### **Committee Decision Advice and Other Information**

The North York Community Council held a statutory public meeting on January 9, 2009, and notice was given in accordance with the Planning Act.

A staff presentation was made by Joe D'Abramo, Acting Director, Zoning By-law and Environmental Planning, City Planning Division.

### **Origin**

(December 16, 2008) Report from Chief Planner and Executive Director, City Planning

### **Summary**

The current zoning bylaw definition for 'Boarding Lodging House' includes the term 'for gain'. The Municipal Licensing and Standards Division advises that the phrase "for gain" in the by-law definition does create some difficulty in prosecuting illegal rooming houses. This report recommends amending the definition of 'Boarding or Lodging House'.

### **Background Information (Committee)**

Staff Report & Attachment 1 - Definition of Boarding or Lodging House

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17854.pdf>)

Letter from City Clerk - North York Community Council Decision

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17821.pdf>)

Letter from City Clerk - Recommendations to City Council

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17823.pdf>)



Letter from City Clerk - Planning & Growth Management Committee Decision

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17822.pdf>)

Staff Report to Planning & Growth Management Committee

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17825.pdf>)

Letter from City Clerk - North York Community Council Decision

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17826.pdf>)

Staff Report to North York Community Council

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17827.pdf>)

### **Communications (Committee)**

(January 11, 2009) e-mail from A. A. (Sandy) Robertson, President, Bayview Cummer Neighbourhood Association (NY.New.NY22.35.1)

### **Speakers (Committee)**

Evan Leibovitch, President, Village at York Residents' Association

Alasdair Robertson, Past President, Bayview Cummer Neighbourhood Association

NY22.36	Adopted on Consent			Ward: 15
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## **Appeal of Committee of Adjustment Decision and Staff Representation at the Ontario Municipal Board - 10 Staynor Avenue**

### **City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council authorize the City Solicitor and appropriate Planning Staff to attend the Ontario Municipal Board hearing to uphold the decision of the Committee of Adjustment.

### **Committee Recommendations**

North York Community Council recommends that:

1. City Council authorize the City Solicitor and appropriate Planning Staff to attend the Ontario Municipal Board hearing to uphold the decision of the Committee of Adjustment.

### **Origin**

(January 7, 2009) Member Motion from Councillor Moscoe

### **Summary**

An application to the Committee of Adjustment, North York Panel for the construction of a new two-storey detached dwelling was refused on December 17, 2008 (file number A0278/08NY).

The variances requested were for lot coverage, front yard setback, side yard setbacks, dwelling length, dwelling height, finished first floor height and front yard hard surface area.

The decision has been appealed by the applicant.

Planning staff recommended refusal of the applications.

The Councillor is requesting that Legal and Planning Staff attend the Ontario Municipal Board hearing to defend the Committee of Adjustment decision.

### **Background Information (Committee)**

Member Motion - 10 Staynor Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18255.pdf>)

Staff Report to the Committee of Adjustment - 10 Staynor Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18258.pdf>)

Minutes - Committee of Adjustment - 10 Staynor Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18256.pdf>)

Notice of Decision - Committee of Adjustment - 10 Staynor Avenue

(<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18257.pdf>)

NY22.37	Adopted on Consent			Ward: 25
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### **Appeal of Committee of Adjustment Decision & Legal & Planning Staff's Attendance at the Ontario Municipal Board - 1 St. Edmund's Drive, A0715/08NY**

#### **City Council Decision**

City Council on January 27 and 28, 2009, adopted the following:

1. City Council authorize the City Solicitor and City Planning Staff to attend the Ontario Municipal Board hearing to uphold the decision of the Committee of Adjustment.

#### **Committee Recommendations**

North York Community Council recommends that:

1. City Council authorize the City Solicitor and City Planning Staff to attend the Ontario Municipal Board hearing to uphold the decision of the Committee of Adjustment.

#### **Origin**

(January 13, 2009) Member Motion from Councillor Jenkins

#### **Summary**

This motion seeks council approval to send Legal and Planning staff to the OMB to uphold the

refusal recommendation of Planning staff and the refusal decision of the Committee of Adjustment - North Panel.

An application to the Committee of Adjustment, North York Panel, to permit the construction of a two-storey addition to an existing three-car garage and a second storey above which would include a games room on the second floor, a bathroom and a walk-in closet on the main level, was refused by the Committee of December 17, 2008.

The owner (through his architect) sought variances for: 1) GFA of the detached garage equal to 11 % of the lot area whereas a maximum GFA of an accessory structure equal to 5% of the lot area is permitted; 2) Existing and proposed rear yard setback of the detached garage of 2.04 m whereas a minimum setback of 3 m is required (This variance was found not required at the hearing); 3) existing and proposed north side yard setback of the detached garage of 1.4 m whereas a minimum setback of 3 m is required; 4) proposed garage is two-storey whereas a garage is required to be one-storey; 5) proposed garage height of 7.49 m whereas a maximum garage height of 4 m is permitted.

This proposal requires variances that are not respecting development in established Neighbourhoods with respect to heights, massing and dwelling type of nearby properties and prevailing patterns of rear and side yard setbacks as stated in the Official Plan, Chapter 4.1 Neighbourhoods, S5 c) and f).

With the extraordinary amount of second floor space in the garage, there is nothing that would prevent the applicant from using this as a second dwelling on one residential lot, contrary to the intent of the Zoning By-law. This application does not meet the four tests for a minor variance.

Planning staff did not support the application.

The applicant has appealed the refusal decision to the Ontario Municipal Board. No hearing date has been scheduled.

As the Councillor representing this community, I request Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board Hearing to uphold the decision of the Committee of Adjustment.

### **Background Information (Committee)**

Member Motion - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18249.pdf>

Staff Report to Committee of Adjustment - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18250.pdf>

Notice of Hearing - Committee of Adjustment - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18251.pdf>

Notice of Decision - Committee of Adjustment - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18252.pdf>

Site Plan - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18253.pdf>

Garage Plan - 1 St. Edmund's Drive

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18254.pdf>

NY22.39	Adopted on Consent			Ward: 16
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## Payment in Lieu of Parking - 2015 Avenue Road

### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 24 parking spaces, subject to payment-in-lieu of parking for 5 parking spaces at \$2,500.00 per parking space.

### Committee Recommendations

North York Community Council recommends that:

1. City Council exempt the applicant from the former City of North York Zoning By-law 7625 requirement of 24 parking spaces, subject to payment-in-lieu of parking for 5 parking spaces at \$2,500.00 per parking space.

### Origin

(January 13, 2009) Member Motion from Councillor Stintz

### Summary

On December 17, 2008, the Committee of Adjustment approved a parking deficiency as part of Minor Variance Application A0685/08NY, which requires an agreement with the applicant that must be approved by Council.

In accordance with Zoning By-law 7625, a total of 25 on-site parking spaces are required for the proposed uses.

Four (4) spaces can be provided on-site, a parking deficiency of 20 spaces.

The subject property operated as a retail store as its previous use and required a total of 17 spaces.

A parking study has been submitted, and is attached, indicating that 7 spaces should be provided.

Four (4) parking spaces can be accommodated on-site and 3 spaces have been leased in an adjoining property.

It is therefore recommended that payment-in-lieu of parking be waived provided the applicant can demonstrate that the spaces have been leased. Failing to demonstrate that three spaces have been leased will result in the payment of 3 parking spaces.

### Background Information (Committee)

Member Motion - Payment in Lieu of Parking - 2015 Avenue Rd  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18263.pdf>  
 Parking Study for 2015 Avenue Road  
<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18333.pdf>

NY22.40	Adopted			Ward: 23
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### Ontario Municipal Board hearing - Committee of Adjustment Application - 182 & 184 Norton Avenue

#### City Council Decision

City Council on January 27 and 28, 2009, adopted the following:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and attend the Ontario Municipal Board Hearing to oppose the severance and minor variance applications.

#### Committee Recommendations

North York Community Council recommends that:

1. City Council authorize the City Solicitor to retain outside Planning Consultants and attend the Ontario Municipal Board Hearing to oppose the severance and minor variance applications.

#### Origin

(December 18, 2008) Member Motion from Councillor Filion

#### Summary

Fatemeh Fazaeli, Anoushiravan Ghamsari and Elena Sorokova, the owners of 182 and 184 Norton Avenue, submitted an application to the North York District Committee of Adjustment to combine and sever both lots into three parcels in order to create three new residential building lots fronting onto the west side of Longmore Street. Both existing dwellings would be demolished and three new two-storey dwellings are proposed for each new lot.

The variances requested dealt with lot area, side yard setbacks, lot coverage, height and finished first floor elevation.

The Committee of Adjustment for the City of Toronto (North District) approved the applications subject to Forestry conditions at the December 3, 2008 meeting.

Planning staff was in support of the applications, subject to modifications with respect to the

proposed lot coverage and finished first floor elevation.

An area resident has appealed the decisions of the Committee of Adjustment to the Ontario Municipal Board.

The Ontario Municipal Board has not yet set a date for the hearing.

The Councillor is requesting representation at the Ontario Municipal Board hearing.

### **Background Information (Committee)**

Member Motion - 182 & 184 Norton Avenue

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18260.pdf>

Staff Report to the Committee of Adjustment - 182 & 184 Norton Avenue

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18261.pdf>

Communication (December 5, 2008) addressed to Mayor Miller, from Hue Sun Chan, submitted to the North York Community Council by Councillor Filion

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-18278.pdf>

*Submitted Tuesday, January 13, 2009*

*Councillor John Parker, Chair, North York Community Council*