

Request for an exemption from the former Borough of East York By-law No. 111-92: To permit encroaching stairs, railings and landings at 211 Laird Drive

Date:	February 10, 2010
To:	North York Community Council
From:	Director, Transportation Services Division, North York District
Wards:	Ward 26 Don Valley West
Reference Number:	<i>ny10027</i>

SUMMARY

This staff report is about a matter 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 the former Borough of East York Municipal Code to permit the construction and maintenance of encroaching stairs, railings and landings, fronting 211 Laird 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.

RECOMMENDATIONS

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

1. Deny the appeal to construct and maintain encroaching stairs, railings and landings, fronting 211 Laird Drive, as they are not permitted encroachments under former Borough of East York. By-law No. 111-92.

FINANCIAL IMPACT

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

DECISION HISTORY

Through the site plan application process, the construction and maintenance of four (4) encroaching sets of stairs with metal railings and concrete slab landings are proposed within the public right-of-way, fronting 211 Laird Drive. The proposed footing depths for the stairs is 1.7 metres below grade. The maximum projection into the right-of-way is 2.3 metres and the minimum setback from the rear edge of the municipal sidewalk is 3.8 metres. Due to the location of two sets of stairs, the relocation of a gas main will be necessary.

The subject site is located at the southeast corner of Laird Drive and Vanderhoof Avenue. The existing two-storey building is currently vacant. Certain portions of the existing building are considered to be heritage elements and, as such, sections of the building fronting Laird Drive and Vanderhoof Avenue will be retained. The rest of the building will be modified and/or demolished.

The proposed encroachments are required to facilitate pedestrian/occupant access to the portion of the building fronting Laird Drive, which is to be retained due to its heritage designation.

COMMENTS

Former Borough of East York By-law No. 111-92 only makes provision for the administrative approval of three types of encroachments within the public right of way: fences, hedges and landscaping walls. Given that the proposed encroachments do not fall into one of these categories, staff do not have the authority to approve them.

Accordingly, Council's approval of these encroachments is required before the developer will be issued the necessary building permits to proceed with this project as proposed. Upon completion of this construction, the developer will be required to enter into an encroachment agreement with the City of Toronto to maintain these encroaching structural elements.

CONTACT

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SIGNATURE

Myles Currie, B.A.
Director

ATTACHMENTS

- Attachment 1: Site Plan of proposed encroachments (*ny10027_siteplan*)
- Attachment 2: Drawing of extent of proposed encroachments (*ny10027_drawing1*)
- Attachment 3: Drawing of extent of proposed encroachments (*ny10027_drawing2*)