

## City Council

### Notice of Motion

MM36.12	ACTION			Ward:27
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### **Encroachment over Public Lane - 984, 990 and 1000 Bay Street - by Councillor Kristyn Wong-Tam, seconded by Councillor Mike Layton**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to a re-opening of MM30.29. A two thirds vote is required to re-open this Item.*

*\* If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

### **Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Mike Layton, recommends that:

1. City Council permit the encroachment of balconies at the north-east corner of the Existing Public Lane as generally set out in the attached sketch provided that the owner of the Subject Lands enters into an encroachment agreement satisfactory to the City.
2. City Council authorize City staff to take all necessary action so as to give effect to this Motion.

### **Summary**

At its meeting of February 20 and 21, 2013, City Council approved the proposed development at 984, 990 and 1000 Bay Street ("Subject Lands"). City Council also permitted the encroachment of balconies into a portion of the public lane that runs in a north-south direction on the west side of the Subject Lands ("Existing Public Lane") that is to be widened pursuant to a conveyance of land by the owner ("Widened Public Lane"). Permission was also granted by City Council to allow the encroachment of balconies on land to be conveyed to the City which is referred to as a triangular corner splay (a space notched out of the proposed building to permit the more efficient turning movements of trucks)

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56322.pdf>

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Since that Council meeting, City staff has been advised that there are also encroachments of balconies on the Existing Public Lane. There are corners of some west-facing balconies that encroach in a westerly direction over the Existing Public Lane at its northern terminus. These encroachments are small - 0.1m 2 to 1.1m2 per balcony depending on floor level.

The purpose of this Motion is to permit the encroachments as shown in the attached sketch into

the air space above the Existing Public Lane at the north-east corner thereof.

**REQUIRES RE-OPENING:**

Member Motion MM30.29, headed "OMB Hearing – 984, 990 and 1000 Bay Street Rezoning and Site Plan", adopted by City Council on February 20 and 21, 2013, only as it relates to an encroachment over a public lane.

(Submitted to City Council on June 11 and 12, 2013 as MM36.12)

**Background Information (City Council)**

Member Motion MM36.12

Attachment to Member Motion MM36.12 - Sketch

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-59202.pdf>)