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STAFF REPORT ACTION REQUIRED

1326 & 1328 Wilson Avenue - Official Plan and Zoning By-law Amendment Applications - Preliminary Report

Date:	April 22, 2016
То:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 9 – York Centre
Reference Number:	16 123717 NNY 09 OZ

SUMMARY

This application proposes to develop the site at 1326 and 1328 Wilson Avenue with a nine storey mixed use building containing 73 dwelling units with retail and medical offices on the 1st and 2nd floors. The proposal would have 107 vehicular and 67 bicycle parking spaces in a three level below grade garage.

This report provides preliminary information on the above-noted applications and seeks

Community Council's directions on further processing of the applications and on the community consultation process. As staff have identified some concerns with the subject lands and proposal described herein, the applicant will continue to be encouraged to create a development which addresses the issues outlined in this report.

A Final Report and Public Meeting under the *Planning Act* to consider this application will be scheduled once any additional required information is submitted by the applicant and any outstanding issues are resolved.



RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 1326 and 1328 Wilson Avenue together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In October of 2003 a Zoning Amendment application was submitted for the subject lands proposing to permit the construction of a 4-storey stacked townhouse development containing 24 units (File # 03-190131 NNY 09 OZ).

In support of the proposal, Site Plan Control and Official Plan Amendment applications were also filed in 2005 (File # 05-134813 NNY 09 SA & 05-134920 NNY 09 OZ respectively). Although a preliminary report was before Toronto City Council in January 2005, the proposed redevelopment became dormant and the above referenced applications were subsequently closed due to inactivity.

In May of 2002 the then owners of 1326 Wilson Avenue purchased the adjacent closed portion of right-of-way known as Sovereign Avenue from the City of Toronto.

Permits to demolish the two single family residential dwellings that existed on the respective properties were issued in August of 2004 and the buildings have since been demolished.

Pre-Application Consultation

Several pre-application consultation meetings were held with the applicant to review the site's unique ravine topography and to discuss urban design, transportation and ravine issues and ultimately what would be considered for a complete application submission. The applicant was also encouraged to consider the opportunity for consolidation of the two adjacent residential lots to the east of the subject site.

ISSUE BACKGROUND

Proposal

The application proposes to permit development of the property for a 9-storey, 32 metre high (including roof-top mechanical space), mixed use building fronting onto Wilson Avenue. The proposal would incorporate 1,811 m² of retail and professional medical office space on the 1st and 2nd floors. The residential component would be located from floors 3 to 9, and include 73 units and residential amenity space. The ground floor height is proposed to be 4.5 metres, the proposed second floor would have a height of 3.4 metres and the residential floors would have a typical residential floor to ceiling height of 3 metres. The proposed development would have a west sideyard setback of 0.8 metre, a south or frontyard setback of 1 metre, and an east sideyard setback of 0.6 metre. At the north, the proposed building would be setback from the rear property line 13 metres to the above grade wall of the first level parking garage. The distance from the rear property line to the wall of the habitable portion of the proposed building would be 19 metres.

The development proposes 4 residential 'studio" units, 36 one bedroom units, and 33 two bedroom units. Except for the smaller studio units which would have an average size of $38m^2$, the remainder of the residential units would have an average size of $70 m^2$. Each unit is proposed to have access to a balcony or outdoor terrace. The proposed residential component would have its own lobby area, an indoor amenity area on the first floor, and shared access to an outdoor terrace amenity area on the 8^{th} floor as well as outdoor to the rear of the proposed building. The indoor amenity area proposed is $82 m^2$ or $1.1 m^2$ per residential unit and the proposed terrace amenity area is $326 m^2$ or $4.5 m^2$ per residential unit.

The proposal would have a shared driveway access between the residential and commercial component to below grade parking and refuse pick up and loading area. Three levels of below grade parking are proposed to provide 107 parking spaces and 67 bicycle storage spaces. Of the 107 parking spaces, 11 are proposed for residential visitor parking and 34 for commercial and professional office use.

The site has a ravine feature and intermittent stream at the rear which unevenly meanders east to west. As staked the tree line and the natural feature line zigzags across the rear of the property and comes to the narrowest point on the subject lands at the east side (see Attachment 1: Site Plan). Although the proposed building attempts to conform to the natural feature line and to its required 10 metre setback, portions of the parking garage floors below grade as well as the proposed first floor would intrude to varying degrees into the required setback. The applicant is proposing a 3 to 6 metre setback from the building face to the limit of the natural feature.

The rear portion of the proposed building would have a depth of approximately 31 metres at the west side to 20 metres at the east side. From floors 4 to floors 9 the building would taper in width from a depth of approximately 31 metres at the west side to 7 metres at the east side of the property.

Although the tower portion of the proposed building is located close towards the Wilson Avenue frontage, a portion of the rear wall of the proposed building intrudes into the 45 degree angular plane line. The calculation of the 45 degree angular plane would be from the rear property line at-grade.

The development would have a total gross floor area (GFA) of 7,846 m² including the portion of the site that is beyond the 10 metre top of bank and a Floor Space Index (FSI) of 3.2, based on a total site area of 2,431 m². The proposal would represent a total lot coverage of 27%.

Site and Surrounding Area

The lands known municipally as 1326 and 1328 Wilson Avenue are located on the north side of Wilson Avenue, between Keele Street to the east and Jane Street to the west. Along this portion, Wilson Avenue has a planned right-of-way width of 36 metres. Combined, the subject lands have a frontage of 45 metres and a depth of 44 metres for an overall site area of 2,431 m² or 0.24 hectares. The subject lands are currently vacant as the two previously existing residential dwellings have been demolished.

This portion of Wilson Avenue slopes downward towards Jane Street and the Black Creek watershed to the west. The subject lands also contain a ravine feature along the north property line with an intermittent stream. This also creates a grade change towards the north property line and a drop of about 7 metres from the front of the property. The ravine feature at the rear is particular to the subject lands as the stream has been placed in a storm sewer and the ravine filled-in or altered both to the west and east of the lands. As a result of the ravine and open watercourse at the rear of the property, the lands are subject to regulation by the Toronto and Region Conservation Authority (TRCA) and the City's Urban Forestry Ravine and Natural Features Protection.

Land uses surrounding the subject lands include;

- North: The subject lands slope downward towards the north property line and a ravine feature with an intermittent stream. Directly north the lands slope upward into the rear yards of single family detached dwellings along Canton Avenue in a *Neighbourhoods* designation in the Official Plan.
- East: Immediately to the east are located two residential lots (1306 and 1308 Wilson Avenue) with a single family detached dwelling situated on each, and which also have an *Apartment Neighbourhoods* and *Natural Areas* designation in the Official Plan. Immediately thereafter at 1300 Wilson Avenue, is the site of a new City Emergency Medical Services ambulance service station which is presently under

construction, and which has a wholly *Natural Areas* designation in the Official Plan. Immediately adjacent is a pedestrian access/trail leading to Roding Park to the north and an 8-storey apartment building with at grade retail operated by Toronto Community Housing. Continuing east along Wilson Avenue on the north side is located Pierre Laporte Middle School and to the south the site of the recently completed Humber River Regional Hospital.

- South: To the south are located apartment buildings ranging in height from 7 to 8 storeys with at grade surface parking. Further south are single family detached residential dwellings and to the south-west a Mixed Use Area designated area containing a local neighbourhood commercial plaza.
- West: Immediately adjacent to the subject lands is a 5 storey apartment building with at grade parking at the rear accessed via Lexfield Avenue. West of Lexfield Avenue is a 1-storey commercial building after which are located semi-detached residential dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These polices support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS also contains policies related to promoting economic development and competitiveness which include providing opportunities for a diversified economic base. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Apartment Neighbourhoods* and the rear portion is designated *Natural Areas* in the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in the *Apartment Neighbourhoods* designation.

The proposal is also being considered under policy 4.2.2 which requires that development in *Apartment Neighbourhoods* contributes to the City's quality of life by:

- a) Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from and/or a stepping down of heights towards lower scale Neighbourhoods;
- b) Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods;
- c) Locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- d) Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) Providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

The lands at the northern portion of the subject site are designated *Parks and Open Space Areas – Natural Areas* by Map 16, Land Use Plan of the Official Plan. The Plan seeks to improve, preserve and enhance the Green Space System. Land designated *Natural Areas* is to be maintained primarily in a natural state while also allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features.

Proposed development in *Natural Areas* will also be required to be considered under policy 4.3.3 which requires that the lands will be maintained primarily in a natural state while providing for:

a) Compatible recreational, cultural; and educational uses and facilities that minimize adverse impacts on natural features and functions.

The proposal will also be considered under the Official Plan's Natural Environment policies (Section 3.4 of the Official Plan) which require that public and private citybuilding initiatives and changes to the built environment will be environmentally friendly, based on consideration of various policies such as:

a) Protecting and improving the health of the natural ecosystem;

- b) New development that includes stormwater management in accordance with best management practise;
- c) Studies will be required, when appropriate to assess a proposed development's impact on the natural environment and propose measures to reduce negative impacts on and where possible improve, the natural environment;
- d) Development will be set back from the following locations by at least 10 metres, or more if warranted by the severity of existing or potential hazards:
 - a) the top-of-bank of valleys, ravines and bluffs;
 - b) other locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property.
- e) Land below the top-of-bank or other hazard lands, may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements.

Although development is generally not permitted within the Natural Heritage system, where the underlying land use designation provides for development in or near the natural heritage system, development will:

- a) Recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and
- b) Minimize adverse impacts and when possible, restore and enhance the natural heritage system.

Given the location of the proposed development along a major east-west transit and arterial corridor it will be important to evaluate the proposed 9-storey mixed use development with the City's built form policies of the Official Plan as found in section 3.1.2.1. These policies help to guide and encourage development that improves the enjoyment and quality of the built environment by ensuring:

- 1. New development will be located and organized to fit with its existing and/or planned context and will help frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development;
- 2. New development will locate and organize vehicular parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;
- 3. New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and /or planned context, and will limit its impact on neighbouring streets, parks and open spaces;
- 4. New development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas;

- 5. New development will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians; and
- 6. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

This portion of Wilson Avenue is also identified as an *Avenues* area on Map 2 – Urban Structure. The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

An Avenue Study has not been completed for this section of Wilson Avenue. An Avenue segment study is not required because the land is designated Apartment Neighbourhoods.

As a major street, Wilson Avenue has a 36 metre right-of-way width and is also identified as a Transit Priority Segment on the Surface Transit Priority Network Map (5) in the City of Toronto Official Plan. Transit supportive development is encouraged along such corridors.

The Toronto Official Plan is available on the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure the provision of community benefits in return for an increase in height and/or density of a development. The City may require the applicant to enter into an agreement to secure these matters.

OPA 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhood, Neighbourhoods and Apartment Neighbourhoods policies to support Council's goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in Apartment Neighbourhoods. In December 2015 the City submitted OPA 320 to the Minister of Municipal Affairs and Housing for approval. While OPA 320 is City Council's adopted policy, it is not yet in force.

Avenues and Mid-rise Building Study

At its meeting on July 8, 2010, City Council adopted, with modifications, the recommendations as set out in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study".

The primary objective of the study is to encourage future intensification along *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings.

The study establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied. The Performance Standards are intended to be used as tools to implement the Official Plan's *Avenues* policies, retaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect and protect adjacent *Neighbourhoods* designations and appropriately integrate with neighbouring residential areas by avoiding impacts such as shadowing and overlook and loss of privacy.

Zoning

The subject site is subject to the former City of North York Zoning By-law # 7625 but is exempt from the new City-wide Zoning By-law # 569-2013.

Under the former City of North York Zoning By-law 7625, the site is zoned as RM5, Multiple-Family Dwellings Fifth density Zone. A variety of residential uses, including singe family dwellings, semi-detached dwellings, multiple attached dwellings and apartment houses are permitted within the RM5 zone. Apartment house buildings are required to have a minimum lot area of 835 square metres, a maximum coverage of 35% and a minimum lot frontage of 21 metres. Minimum side yard setbacks are required to be 7.5 metres at the front, one half the height of the building or 1/10 of the length of the building measured adjacent to the side yard concerned, whichever is greater, provided that no such side yard setback is less than 3.5 metres, and 7.5 metres at the rear. The maximum gross floor area is not permitted to exceed 100% of the lot area and the maximum building height is 11.5 metres.

Appropriate Zoning By-law standards will also be created to bring the subject lands and the proposed development into compliance with the standards of the City's harmonized by-law #569-2013.

Site Plan Control

A Site Plan Control Application for the proposal was submitted on March 4, 2016 (File # 16-123726 00 SA) and will be reviewed concurrently with this application.

Ravine Control

While the subject properties are not shown to be regulated within Toronto and Region Conservation Authority (TRCA) mapping, there is a watercourse and steep slopes at the rear of the subject lands. As the existing stream corridor is considered part of a remnant ravine and as per the text of Ontario Regulation 166/06, it meets the definition of being regulated. As a result, the subject lands are considered properties within a TRCA Staff report for action – Preliminary Report - 1326 & 1328 Wilson Avenue

Regulated Area of the Humber River watershed. In accordance with Ontario regulation 166/06, a permit is required from the TRCA prior to any development taking place.

The TRCA is also responsible for implementing the Natural Hazard polices and for providing advice to the City with regard to the Natural Heritage policies of the Ontario Provincial Policy Statement (PPS), 2014. The TRCA is the City of Toronto's partner in managing the natural environment.

The subject site is within the City of Toronto Ravine and Natural Feature Protection Bylaw area, or Chapter 658 of the Toronto Municipal Code. Both the City of Toronto Urban Forestry Department and the TRCA will be evaluating this proposal and have been circulated on this application for comment. In preliminary meetings with the applicant, TRCA and the City of Toronto Urban Forestry Department staked the boundary of the natural features on site. A 10m setback from the boundary of the natural features has been identified with the applicant. A permit will need to be obtained by the applicant for the required alteration of the land including any associated tree removals or injuries.

Reasons for the Application

The proposal to develop the site at 1326 and 1328 Wilson Avenue West with a nine storey mixed use building containing 73 dwelling units with retail and medical offices requires an amendment to the former City of North York Zoning By-law #7625. The amendment is required in order to implement site-specific development standards to regulate the proposed development for items such but not limited to: use, gross floor area, setbacks, height, density, angular plane, parking, and landscaping.

In addition, the proposed development also requires an amendment to the City's Official Plan, Natural Environment polices regarding the minimum 10 metre set-back required from top-of-bank of valleys, ravines or bluffs.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Plan of Survey;
- Architectural and Urban Design drawings;
- Shadow Studies and Mass Modelling drawings;
- Arborist Report, Tree Protection Plan and Landscape drawings;
- Civil Engineering, Grading Plan, Site Servicing drawings;
- Planning Rationale;
- Traffic Impact Study;
- Environmental Study;

- Flood and Erosion Hazard Assessment;
- Natural Heritage Impact Study;
- Geotechnical Study; and
- City of Toronto Green Standards Checklist.

A Notification of Complete Application was issued on March 17, 2016.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Compatibility with neighbouring uses, including building design, setbacks, on-site landscaping and streetscaping;
- Amount and location of indoor and outdoor amenity space on site;
- Appropriateness of the proposed setbacks from the rear lot line and to adjacent residential dwellings considering overview and impact on privacy of the adjacent residential dwellings to the north;
- Appropriateness of the proposed height, density and massing and compliance with the City's mid-rise buildings guidelines;
- Organization of the site and the relationship of the buildings to public streets, location of front entrances and open spaces;
- Adequate provision of vehicular and bicycle parking spaces;
- Assessment of appropriate community benefits under Section 37 of the *Planning Act*;
- Access to and the design of the underground parking and loading area;
- Assessing potential traffic impacts generated by the proposed building;
- The adjacency of the proposed development's design and setback to the ravine feature at the rear;
- Assessment of the applicability of the Official Plan's natural heritage policies to the site;
- Road widening requirement; and
- Review of the proposed site servicing, flooding concerns, overland flow route and stormwater management issues.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Ben DiRaimo, Planner, Community PlanningTel. No. (416) 395-7119Fax No. (416) 395-7155E-mail: bdiraimo@toronto.ca

SIGNATURE

Joe Nanos, Director Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan Attachment 2: South Elevation Attachment 3: North Elevation Attachment 4: East Elevation Attachment 5: West Elevation Attachment 6: Official Plan Attachment 7: Zoning By-law #569-2013 Attachment 8: Zoning By-law #7625 Attachment 9: Application Data Sheet



Attachment 1: Site Plan



Attachment 2: South Elevation

 $Fle\,\#$ 16 123717 NNY 09 02 & 16 123726 NNY 09 SA

1326-1328 Wilson Avenue

South Elevation Applicant's Submitted Drawing Not to Scale 03109/2016





North Elevation Applicant's Submitted Drawing Not to Scale 03109/2016

Attachment 3: North Elevation

Attachment 4: East Elevation



 ${\rm File}\,\#$ 16 123717 NNY 09 02 & 16 123726 NNY 09 SA

1326-1328 Wilson Avenue

East Elevation Applicant's Submitted Drawing Not to Scale 0310912016



Attachment 6: Official Plan



Not to Scale 03/08/2016

Mixed Use Areas



Attachment 7: Zoning By-law #569-2013

Extracted: 03/08/2016



Attachment 8: Zoning By-law #7625

Attachment 9: Application Data Sheet

Application Type	Official Plan	Official Plan Amendment & Rezoning		ng Application Number:			16 123717 NNY 09 OZ		
Details	OPA & Rezo	OPA & Rezoning, Standard		Application Date:		March 4, 2016			
Municipal Address:	1326 & 1328	1326 & 1328 WILSON AVENUE WEST							
Location Description:	PLAN 3633 LOTS 5 AND 6 SOUVEREIGN AVE RP 64R8000 PARTS 1 AND 2 **GRID N0903								
*									
Project Description:	Proposed nine storey mixed use building containing 73 dwelling units and 1,811square metres of retail and medical offices on the 1st and 2nd floors, with 3 below grade parking levels for 107 vehicular and 67 bicycle parking spaces. (Combined OPA/Rezoning & Site plan applications).								
Applicant:	Agent:		Architect:			Owner:			
1326 WILSON DEVELOPMENT INC. c/o Mike Wang 7100 Woodbine Avenue Markham ON L3R 5J2			AJ TREGEBOV 40 St. Clair Avenue East Toronto ON M4T 1M9			1326 WILSON DEVELOPMENT INC. c/o Mike Wang 7100 Woodbine Avenue, Markham ON L3R 5J2			
PLANNING CONTROLS									
Official Plan Designation:	Apartment N Natural Area	Apartment Neighbourhoods and Natural Areas		Site Specific Provision:		Ν			
Zoning:	RM5			Historical Status:		Ν			
Height Limit (m):	11.5		Site Plan Control Area:		Y	Y			
PROJECT INFORMATION				-	_				
Site Area (sq. m):		431	Height:	Storeys:	9				
Frontage (m):	5:	5		Metres:	3	1.7			
Depth (m):	44	4							
Total Ground Floor Area (sq. m)	64	645				Total			
Total Residential GFA (sq. m):	60	6035		Parking Spaces:		107			
Total Non-Residential GFA (sq.	m): 18	811		Loading D	locks	1			
Total GFA (sq. m):	78	846							
Lot Coverage Ratio (%):	20	6.5							
Floor Space Index:	3.	.23							
DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)									
Tenure Type:	Condo				Above G	Frade	Below Grade		
Rooms:	0	Residential GF	A (sq. m):		6035		0		
Bachelor:	4 Retail GFA (sq		ı. m):		410		0		
1 Bedroom:	36	Medical Office	GFA (sq. m):	1401		0		
2 Bedroom:	33	Industrial GFA	(sq. m):		0		0		
3 + Bedroom:	0	0 Institutional/Ot		her GFA (sq. m): 0			0		
Total Units:	73								
CONTACT: PLANNER NAME: Ben DiRaimo, Planner, Community Pla					ning				
TELEPH			(416) 395-7119; <u>bdiraimo@toronto.ca</u>						