

City Council**Notice of Motion**

MM24.12	ACTION			Ward:24
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88 Finch Avenue East - Minor Amendments to Draft Zoning By-law - by Councillor David Shiner, seconded by Councillor Cesar Palacio

** Notice of this Motion has been given.*

** This Motion is subject to referral to the North York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor David Shiner, seconded by Councillor Cesar Palacio, recommends that:

1. City Council adopt the following recommendations contained in the report (January 23, 2017) from the Chief Planner and Executive Director, City Planning:

1. City Council amend its decision on Item NY30.46 adopted on January 26 and 27, 2010 by deleting Parts 1, 3, 4a and 4b and replacing them with the following:

1. City Council amend Zoning By-law No. 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 1 to this report.

2. City Council authorizes the City Solicitor to introduce the necessary Bill to reflect Recommendation 1 above.

3. City Council determine that the revisions made to the proposed Zoning By-law are minor in nature and, pursuant to subsection 34(17) of the Planning Act, no further public notice is required in respect of the proposed zoning by-law.

Summary

This application was submitted in 2008 and proposes to convert the residential second floor of an existing two storey building located at 88 Finch Avenue East for additional professional medical office use. The ground floor is an existing professional medical office. Five existing parking spaces are located at the rear of the site.

A Final Report on this item, dated December 10, 2009, went to North York Community Council on January 12, 2010 and was adopted without amendment. City Council adopted Item NY30.46 on January 26 and 27, 2010 without amendments, as follows:

1. City Council amend Zoning By-law 7625 substantially in accordance with the draft

Zoning By-law Amendment attached as Attachment 8 to the report (December 10, 2009) from the Director, Community Planning, North York District.

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. City Council approve in principal the site plan as indicated on the drawing listed in Attachment 1, subject to the Notice of Approval Conditions listed in Attachment 9 to the report (December 10, 2009) from the Director, Community Planning, North York District.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:
 - a. obtain site plan approval from the Director, Community Planning, North York District and enter into a Site Plan Agreement under Section 41 of the Planning Act and Section 114 of the City of Toronto Act, 2006; and
 - b. convey to the City, for a nominal sum and free and clear of all encumbrances, a road widening measuring approximately 4.9 metres along the Finch Avenue East frontage.

The applicant has now obtained site plan approval and entered into a Site Plan Agreement. As part of site plan approval, the required 4.89 metre road widening along Finch Avenue East has been secured by the City.

Refinements have been made to the site plan drawings necessitating minor revisions to the Zoning By-law relating to gross floor area and permitted encroachments. Minor revisions to the Zoning By-law schedules are also required to include a new exception number.

The attached report from the Chief Planner and Executive Director, City Planning recommends approval of the revised draft Zoning By-law Amendment, shown as Attachment 1 to this report, which reflect the modified proposal, and that no further public notice be required pursuant to Section 34 (17) of the Planning Act given the minor nature of the revisions.

Background Information (City Council)

Member Motion MM24.12

(January 23, 2017) Report from the Chief Planner and Executive Director, City Planning Division on 88 Finch Avenue East - Minor Amendments to Draft Zoning By-law (<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-100531.pdf>)