

**15 Martha Eaton Way – Zoning By-law Amendment
Application - Preliminary Report**

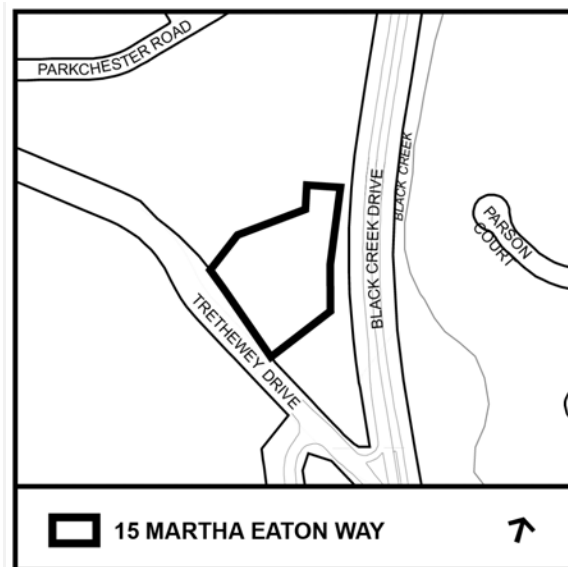
Date:	March 13, 2018
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 12 – York South-Weston
Reference Number:	17 278888 WET 12 OZ

SUMMARY

This application proposes to amend former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013 to permit an 8-storey (28.45 m including mechanical penthouse) residential infill building with 155 rental dwelling units while retaining the existing 23-storey 364 unit rental apartment building. The proposal seeks to utilise the existing below grade resident parking spaces, with 13 spaces being lost to facilitate the development, which would result in a total below grade resident parking provision of 417 spaces. An additional 5 surface visitor parking spaces would be added to the existing roadway loop in front of the existing building, bringing the total surface parking to 51 spaces. In addition, 179 bicycle parking spaces would be created.

The proposed building has an overall gross floor area of 13,345 m², including indoor amenity space and outdoor rooftop amenity space. The proposed building would be situated in an area that currently contains passive outdoor space, an outdoor pool and a small playground.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.



A community consultation meeting to be scheduled by staff in consultation with the Ward Councillor is intended to be held in the second quarter of 2018. In a non-election year, a Final Report and statutory public meeting under the *Planning Act* to consider this application would be targeted for the fourth quarter of 2018 (this target assumes the applicant would provide all required information in a timely manner). However, it is anticipated that the statutory public meeting under the *Planning Act* will be held in the first quarter of 2019, once Etobicoke York Community Council reconvenes following the election.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 15 Martha Eaton Way 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

The existing development was approved as a three building apartment complex by the former City of North York Council on September 8, 1970 by way of site-specific Zoning By-law No. 23386 to the former City of North York Zoning By-law No. 7625.

Zoning By-law No. 23386 rezoned the entire development from 'One Family Detached Fourth Density Zone' ('R4') to the current RM6 zone, permitting the construction of three apartment buildings. The three apartment building sites have since been severed into separate parcels.

Zoning By-law No. 30883, repealed Zoning By-law No. 23386 in 1989 increasing the permitted number of units, and rezoned the southern portion of the site from RM6 to C2. The permitted lot coverage was increased by Zoning By-law No. 30883, which was then amended by Zoning By-law No. 31219 outlining yard and building setbacks for the three apartment buildings.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant in January 2017, to discuss complete application submission requirements and to identify issues with the proposal. One of the key issues identified was the sites' location within the 'Ravine and

Natural Feature Protection By-law' area and Toronto and Region Conservation Authority (TRCA) Regulation Limit. A subsequent meeting was arranged on February 14, 2017 with TRCA and Toronto Urban Forestry staff where it was confirmed that there would be no requirement for an EIS given the existing urbanized context of the site. Additional comments related to the building height and mass and its relationship to the existing buildings on the lands.

ISSUE BACKGROUND

Proposal

The existing development on site comprises one of three, 23-storey 'tower in the park' style apartment buildings, which by their nature, are surrounded by landscaped open space. In this context, the proposal is to construct a fourth, mid-rise building.

The proposed 8-storey, 155 unit rental housing building would have a height of 23.5 m (28.5 m including mechanical penthouse) and a total gross floor area of approximately 13,345 m². The combined gross floor area of the existing and proposed building is approximately 52,629 m², resulting in a total FSI of 3.45 times the area of the lot.

The proposed building would be accessed directly from Tretheway Drive via the existing private driveway (See Attachment 1: Site Plan). A total of 468 parking spaces are proposed for the site. The proposal seeks to utilise the existing below grade resident parking spaces, with 13 spaces being lost to facilitate the development, resulting in a total below grade resident parking provision of 417 spaces. An additional 5 surface visitor parking spaces would be added to the existing roadway loop in front of the existing building, bringing the surface parking total to 51 spaces. A loading bay would be situated on the northwest corner of the proposed building and accessed from the existing driveway. There is currently no provision for bicycle parking at the site, however 179 bicycle parking spaces are proposed as part of the new development.

The proposal would provide a total of 155 units including: 51 one bedroom units (33%); 92 two bedroom units (59%); and 12 three bedroom units (8%). Combined with the existing 364 rental units on site at 15 Martha Eaton Way, this would result in a total of 519 units.

The applicant proposes 353.8 m² indoor amenity space in the proposed building bringing the total for the whole of the site to 762.1 m². The proposed building is to be located on an area of the site that currently contains passive outdoor amenity space, an outdoor pool and a small playground, resulting in a loss of 224.9 m² of outdoor amenity space. The remaining 650.3 m² of outdoor amenity space would be reconfigured for shared use by both the existing and proposed buildings.

Site and Surrounding Area

The site is located 250 m northwest of the Trethewey Drive and Black Creek Drive intersection and comprises an irregular shaped lot with a total area of approximately 15,234 m². The site has a frontage of approximately 92.7 m along Trethewey Drive, with

a depth of 170 m along the northern border fronting Martha Eaton Way and a depth of 83.3 m along the southern boundary which abuts a commercial plaza at 500-510 Trethewey Drive.

The existing building on site is a 23-storey apartment building and forms part of a complex of three similar 'Y'- shaped' buildings constructed in the late 1970's. The existing building contains 364 rental dwelling units and is set back approximately 42 m from Trethewey Drive (see Attachment 2: Context Plan). The site is accessed via a private driveway off Trethewey Drive, which leads to the main pedestrian entrance and vehicular pick-up / drop-off area on the northwest corner of the building. Beyond the entrance, to the north, the access path leads to the surface visitor parking area at the rear of the building and an underground parking garage accessed by a ramp. Garbage and loading areas are also located to the rear of the existing apartment building, adjacent to the parking area.

Between the building and Trethewey Drive is a landscaped open space, containing an outdoor swimming pool, small play area and pedestrian walkways. Within this space there is a small stand of trees alongside a landscaped berm with a shrubbery. The surrounding land uses are as follows:

North: To the north are the two similar 23-storey apartment buildings (10 and 25 Martha Eaton Way) which formed part of the original apartment complex constructed in the late 1970's, though are now under separate ownership.

South: To the south is 500-510 Trethewey Drive, a one-storey retail plaza with surface parking containing a variety of retail, restaurant and service commercial uses.

East: To the east is the Black Creek valley which contains Black Creek Drive and a large naturalised area that includes Trethewey Park East and the Westview Greenbelt.

West: To the west is the Weston Road/Junction Employment District, comprising a mix of primarily light industrial and commercial uses.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;

- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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 property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in the Official Plan. Section 4.2 of the Official Plan contains the policies in relation to *Apartment Neighbourhoods*. Within Policy 4.2.1, it outlines that *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.

Policy 4.2.2 outlines the development criteria within *Apartment Neighbourhoods*, including the location and massing of new buildings, which should provide a transition between areas of different development intensity and scale, with adequate setbacks, and having minimal shadow impacts on properties in adjacent lower-scale *Neighbourhoods*. The Policy further outlines that new buildings should 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. There should be sufficient off-street motor vehicle and bicycle parking for residents and visitors as well as the provision of appropriate indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Policy 4.3.3 specifies that significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, the Policy does highlight that compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilised space to accommodate both developments. Infill development must meet the development criteria outlined in Policy 4.2.2 in addition to providing adequate levels of residential amenity and providing existing residents with access to community benefits. Any infill development is required to maintain adequate sunlight, privacy and landscaped open space and preserve or replace important landscape features or on-site recreational features. Adequate parking and loading should be provided and consolidated with the existing development.

The development criteria identified in the *Apartment Neighbourhoods* policies are supplemented by additional development criteria in the Official Plan's Built Form policies. These policies in Section 3.1.2 of the Plan provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area.

Policies 3.1.2.1 - 3.1.2.3 of the Official Plan identify that among other things, new development will:

- Generally locate buildings parallel to the street with a consistent front yard setback. On a corner site, the development should be located along both adjacent street frontages;
- Locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;

- Provide underground parking where appropriate;
- Limit surface parking between the front face of a building and the public street or sidewalk;
- Mass new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; and
- Create appropriate transitions in scale to neighbouring existing and/or planned buildings.

Section 2.3.1 of the Official Plan 'Healthy Neighbourhoods' outlines that neighbourhoods are physically stable areas that will see little physical change. This is further reinforced by Policy 2.3.1.2 which states that *Apartment Neighbourhoods* should be consistent with this objective for stability by respecting and reinforcing the existing physical character of buildings, streetscapes and open space patterns in these areas. The need to enhance community and neighbourhood amenities is also highlighted within Policy 2.3.1.6.

Section 3.1.1 of the Official Plan contains Public Realm policies that recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible. Policy 3.1.1.14 outlines that new streets should be public streets and used to provide connections with adjacent neighbourhoods while dividing larger sites into smaller development blocks.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy 3.2.1.5 states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development will secure:

- The existing rental housing units which have affordable rents and mid-range rents; and
- Any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of the Plan, without pass-through of such costs in the rents to tenants

Compliance with other relevant policies of the Official Plan including the environment and transportation policies will also be addressed. The Official Plan is available at: http://www.toronto.ca/planning/official_plan/introduction/htm.

Official Plan Amendment No. 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow

limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. The OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found at the following link: www.toronto.ca/OPreview/neighbourhoods.

Zoning

The site is zoned Multiple Family Dwellings Sixth Density Zone ('RM6') by former City of North York Zoning By-law No. 7625, as amended and is subject to site-specific By-law No. 23386, By-law No. 27648, and By-law No. 31619. By-law No. 30883 repealed both By-law No. 23386 and By-law No. 27648, permitting a maximum of 1,001 apartment house dwellings on the wider RM6 area, which includes the two adjacent apartment buildings. Furthermore, the By-law also requires landscaping equal to 80% of the lot area, lot coverage to a maximum of 8.2%; a maximum height of 23 m, and a maximum combined gross floor area of 11,750 m².

The site is zoned Residential Apartment Commercial ('RAC' (f30.0; a1375) (x178)) under City of Toronto Zoning By-law No. 569-2013, as amended (see Attachment 7: Zoning). Under this zoning, apartment buildings are a permitted use. The site is subject to By-law Exception RAC 178 whereby it is governed by the prevailing former City of North York Site Specific By-law No. 30883.

Site Plan Control

The proposed development is subject to Site Plan Control; however an application in this regard has yet to be submitted.

Mid-Rise Building Design Guidelines

Section 3 of the Mid-Rise Building Design Guidelines provides a series of Performance Standards that are intended to guide the design of mid-rise buildings along Avenues. Where appropriate, the Mid-Rise Building Performance Standards will be considered in the review of the proposal.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver

tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing Up Draft Urban Design Guidelines will be considered in the review of this proposal.

TRCA and Ravine Control

The site is subject to the Toronto and Region Conservation Authority (TRCA) regulation limit and the City's Ravine and Natural Feature Protection By-law. City staff will coordinate the application review with staff from the TRCA.

Tree Preservation

There are 165 trees on and within 12 m of the subject site. The applicant has submitted an Arborist Report, which is currently under review by Parks, Forestry and Recreation staff.

Reasons for the Application

An amendment to City-Wide By-law No. 569-2013, as amended, and the former City of North York Zoning By-law No. 7625, as amended, is required to permit the proposed increase in permitted height and density, lot coverage, amenity space provision, and revise other development standards as necessary to reflect the development proposal. Through the review of the application, staff may identify additional areas of non-compliance.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Draft Zoning By-law Amendments (City-Wide Zoning By-law No. 569-2013 and former City of North York Zoning By-law No. 7625);
- Computer-Generated Building Mass Model;
- Planning Rationale Report, including Sun/Shadow Study, Community Services and Facilities Study and Housing Issues Report;
- Public Consultation Strategy;
- Toronto Green Standard Template and Checklist;
- Pedestrian Level Wind Assessment;
- Transportation Impact Study;
- Geotechnical Investigation;
- Hydrogeological Assessment;
- Functional Servicing and Stormwater Management Report;
- Tree Inventory and Preservation Plan (Arborist Report);
- Boundary and Topographical Plan of Survey;
- Architectural Plans (including Context Plan, Underground Garage Plans, Site and Building Elevations, Site Plan, Roof Plan, Floor Plans and Site and Building Sections Grading and Servicing Plan); and
- Landscape Plan.

A Notification of Complete Application was issued on January 22, 2018.

Issues to be Resolved

City Planning staff have identified, on a preliminary basis, the following issues to be resolved. In addition to the issues summarized below, additional matters may be identified through the review of the application, agency comments and the community consultation process:

1. Consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe;
2. Conformity with all applicable Official Plan policies, including in particular the *Apartment Neighbourhoods* Development Criteria and Built Form policies in Chapter 3;
3. Appropriateness of the proposed 8-storey building within the context of the existing buildings on site and in the surrounding area;
4. The appropriateness of the proposed height and massing of the proposed building;
5. Appropriateness of the increase in site density and lot coverage;
6. The location of the proposed building;
7. The layout and orientation of the proposed building;
8. The reduction in landscaped open space;
9. The separation distance between existing and proposed buildings;
10. The length of the proposed building;
11. Shadow impacts, particularly on existing and proposed outdoor amenity space;
12. Consideration of the Mid-Rise Building Design Guidelines Performance Standards and the Growing Up Guidelines;
13. Appropriate transition in scale to neighbouring lands including setbacks, stepbacks and angular planes;
14. Adequacy of existing infrastructure to support the proposed development and identification of any required improvements;
15. Transportation impacts arising from the proposed residential density;
16. Proposed mix of units and provision of family-sized units;
17. Amenity space provision for the existing and proposed residents and the replacement of the swimming pool;
18. Location and treatment of the existing outdoor waste storage and its relation to the proposed enclosed waste management space in the new building.
19. Rental housing issues including identifying and securing needed improvements to the existing rental building and its lands;
20. Compliance with the Tier 1 performance measures of the Toronto Green Standard;
21. Mitigation of potential wind conditions created by the proposed development;
22. Provision and location of vehicular parking, loading and bicycle parking; and
23. Should the application be recommended for approval, identification of appropriate community benefits under Section 37 of the *Planning Act* as a result of the proposed increase in density of the proposal.

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.

CONTACT

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SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Context Plan

Attachment 3: East Elevation

Attachment 4: West Elevation

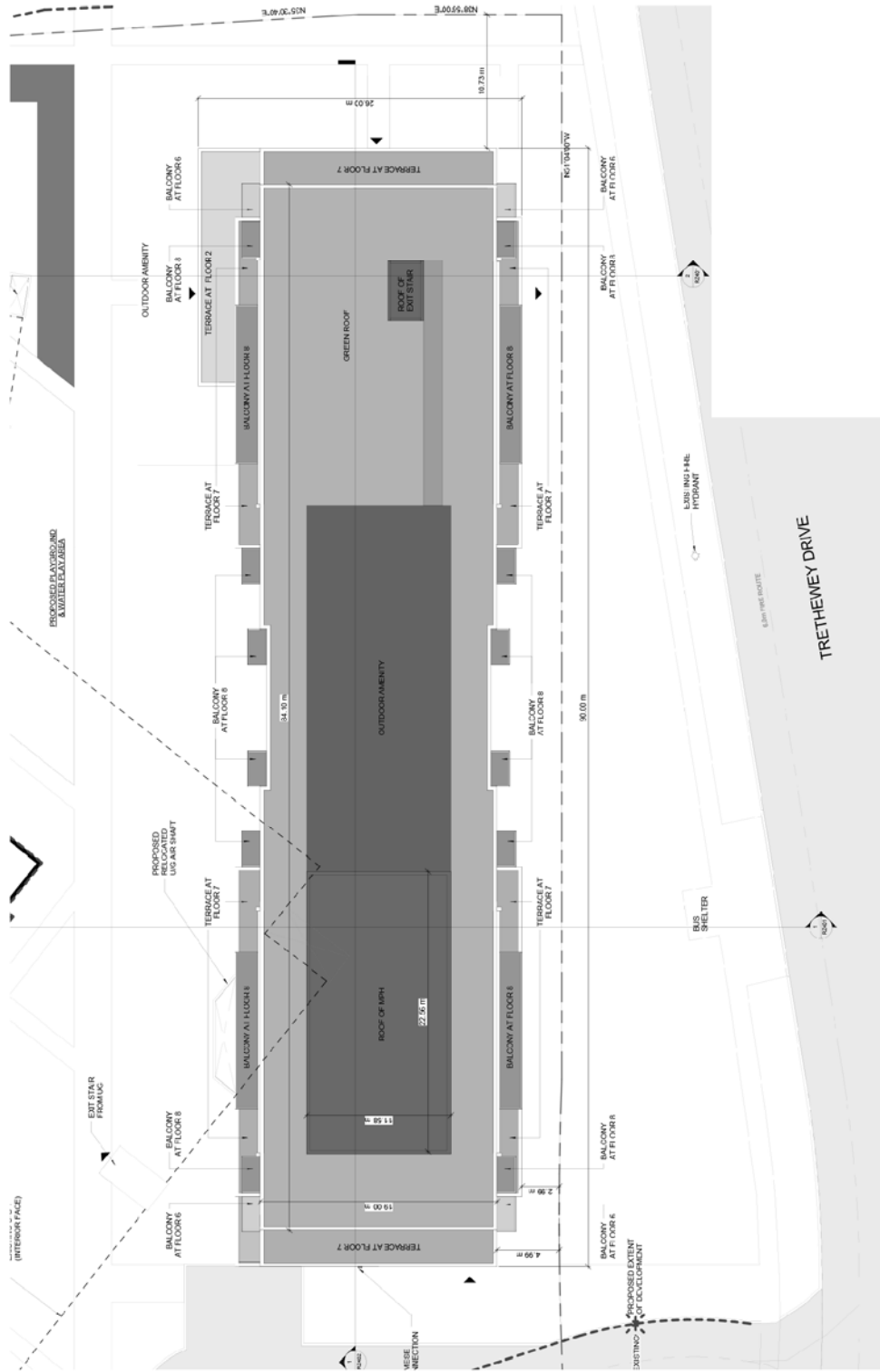
Attachment 5: North Elevation

Attachment 6: South Elevation

Attachment 7: Zoning

Attachment 8: Application Data Sheet

Attachment 1: Site Plan



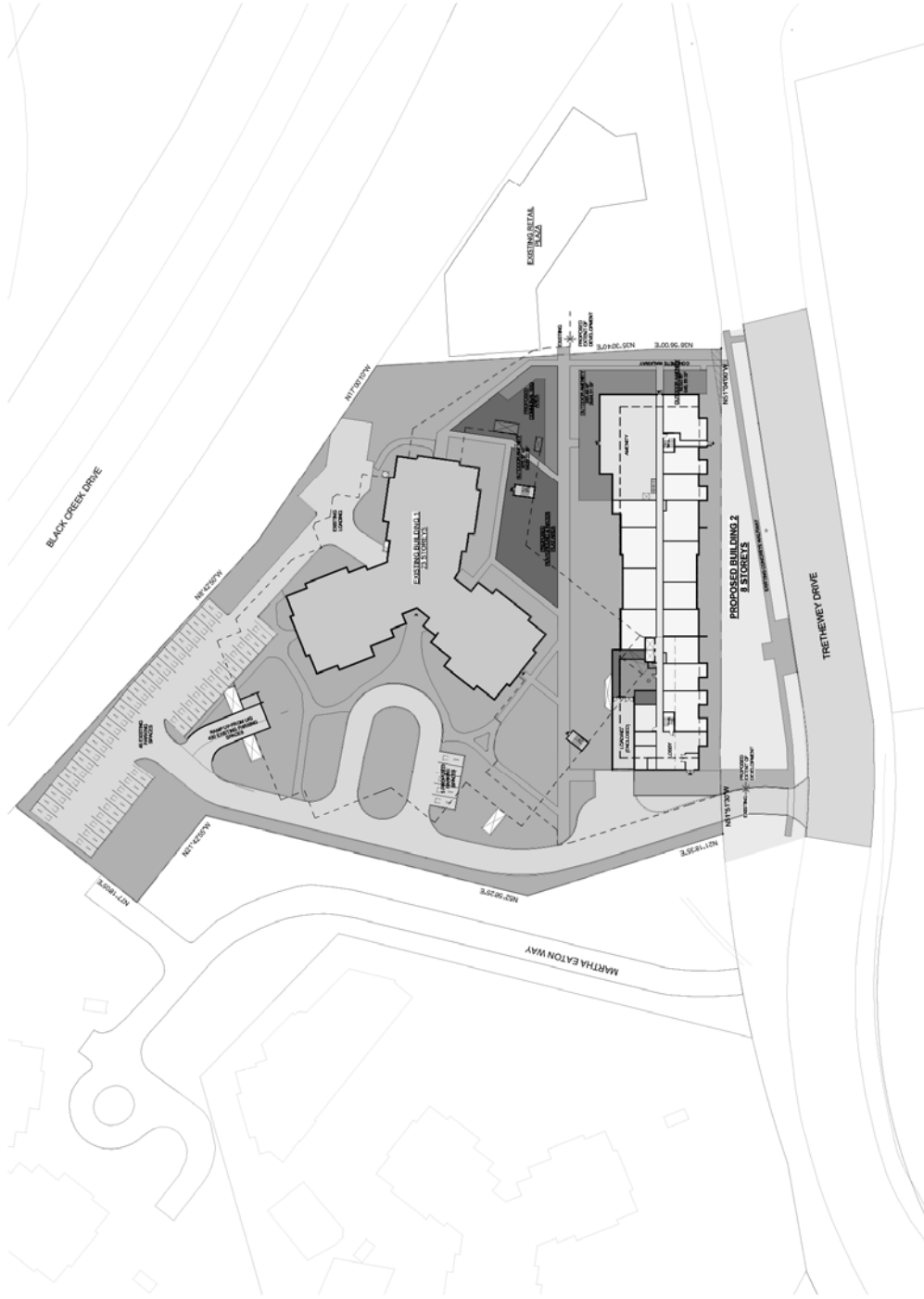
15 Martha Eaton Way

Site Plan
Applicant's Submitted Drawing

File # 17 278888 WET 12 0Z

Not to Scale
02/06/2018

Attachment 2: Context Plan



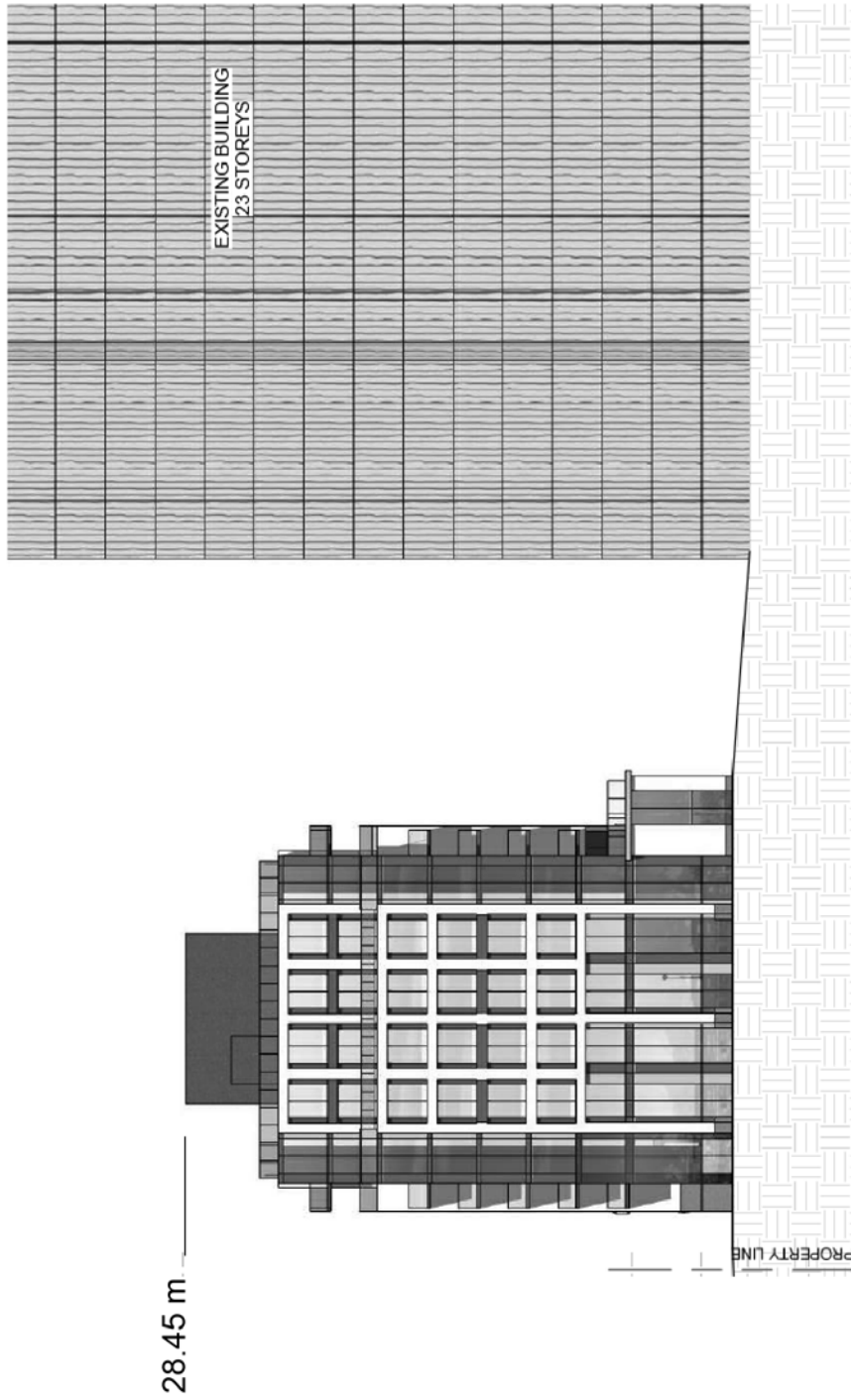
15 Martha Eaton Way

File # 17 278888 WET 12.0Z

Context Plan
Applicant's Submitted Drawing
Not to Scale
02/06/2018



Attachment 3: East Elevation



15 Martha Eaton Way

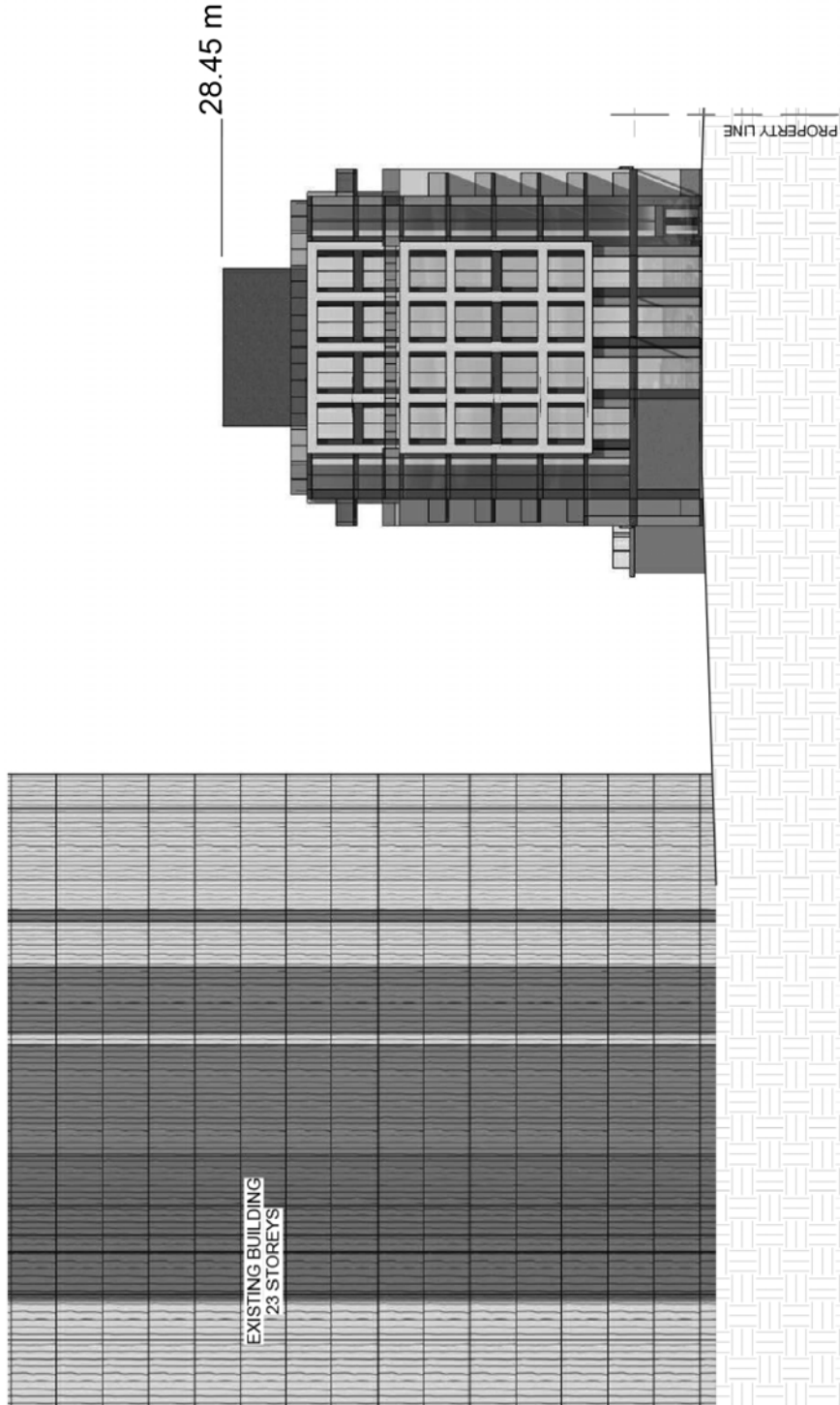
File # 17 278888 WET 12 0Z

East Elevation

Applicant's Submitted Drawing

Not to Scale
02/06/2018

Attachment 4: West Elevation



15 Martha Eaton Way

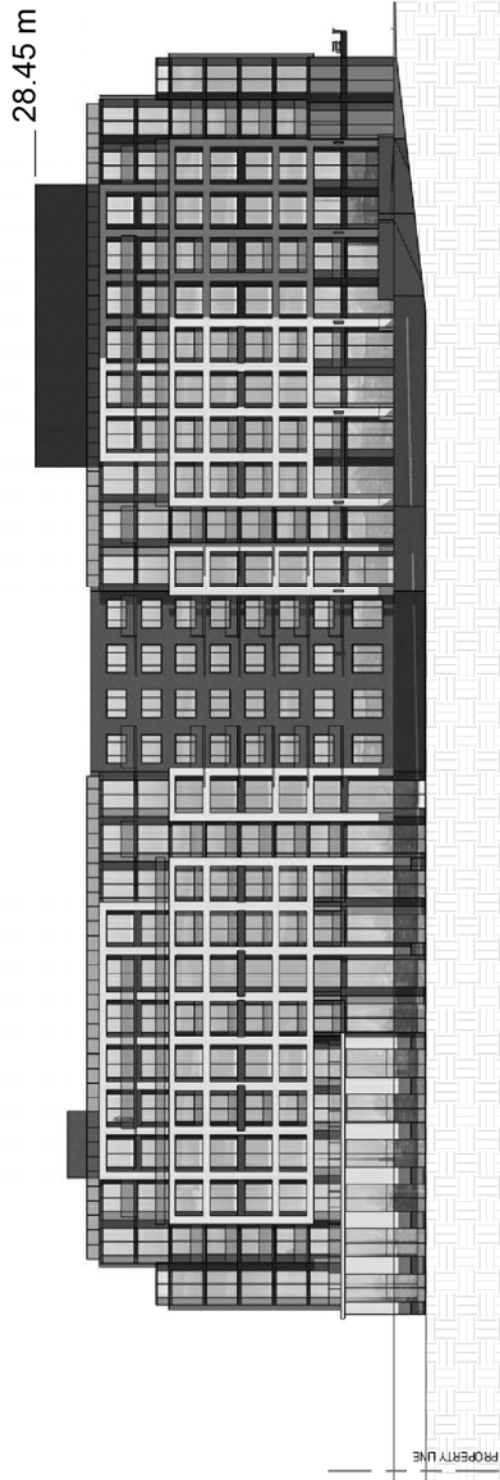
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West Elevation

Applicant's Submitted Drawing

Not to Scale
02/06/2018

Attachment 5: North Elevation



North Elevation

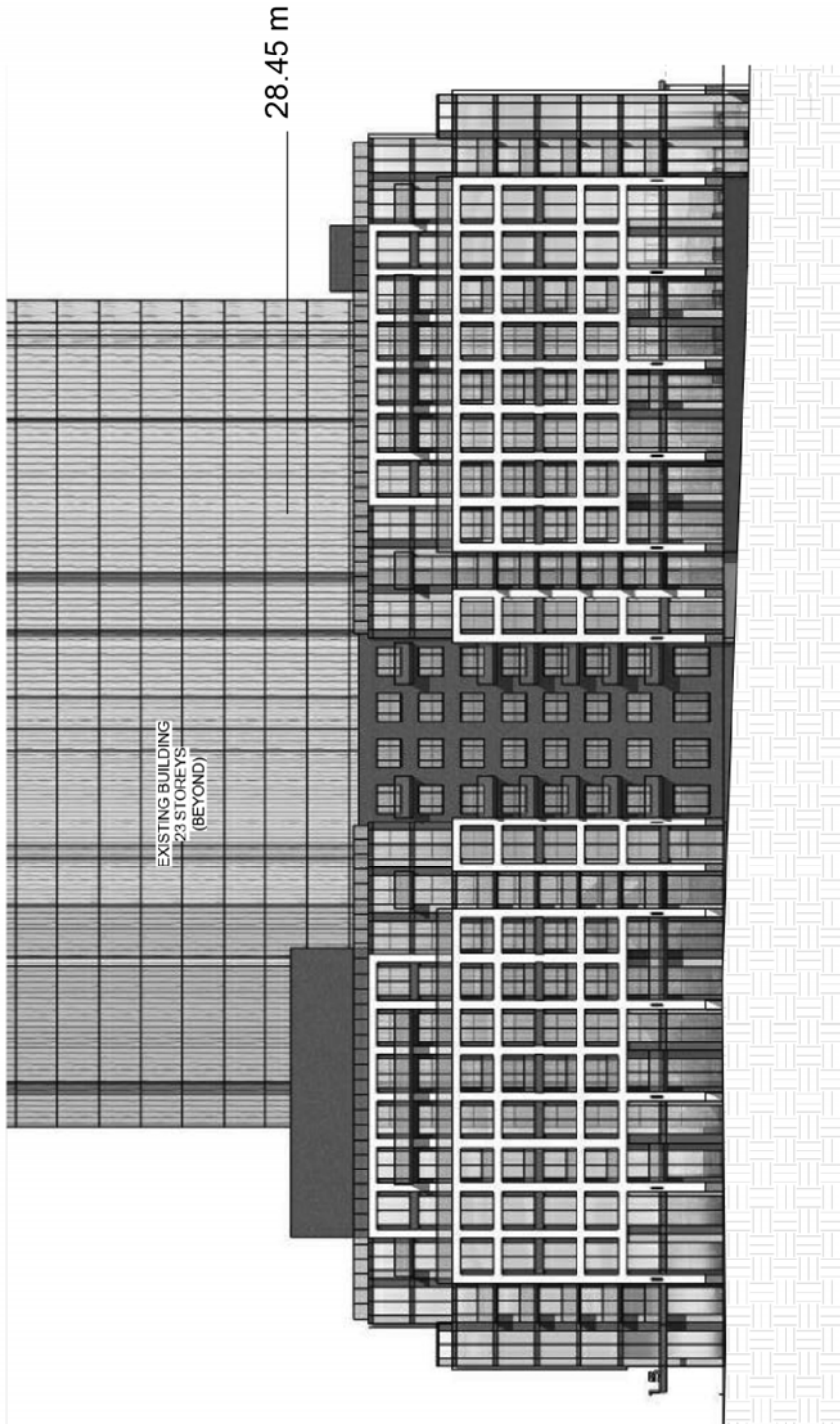
Applicant's Submitted Drawing

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15 Martha Eaton Way

File # 17 278888 WET 12 0Z

Attachment 6: South Elevation



South Elevation

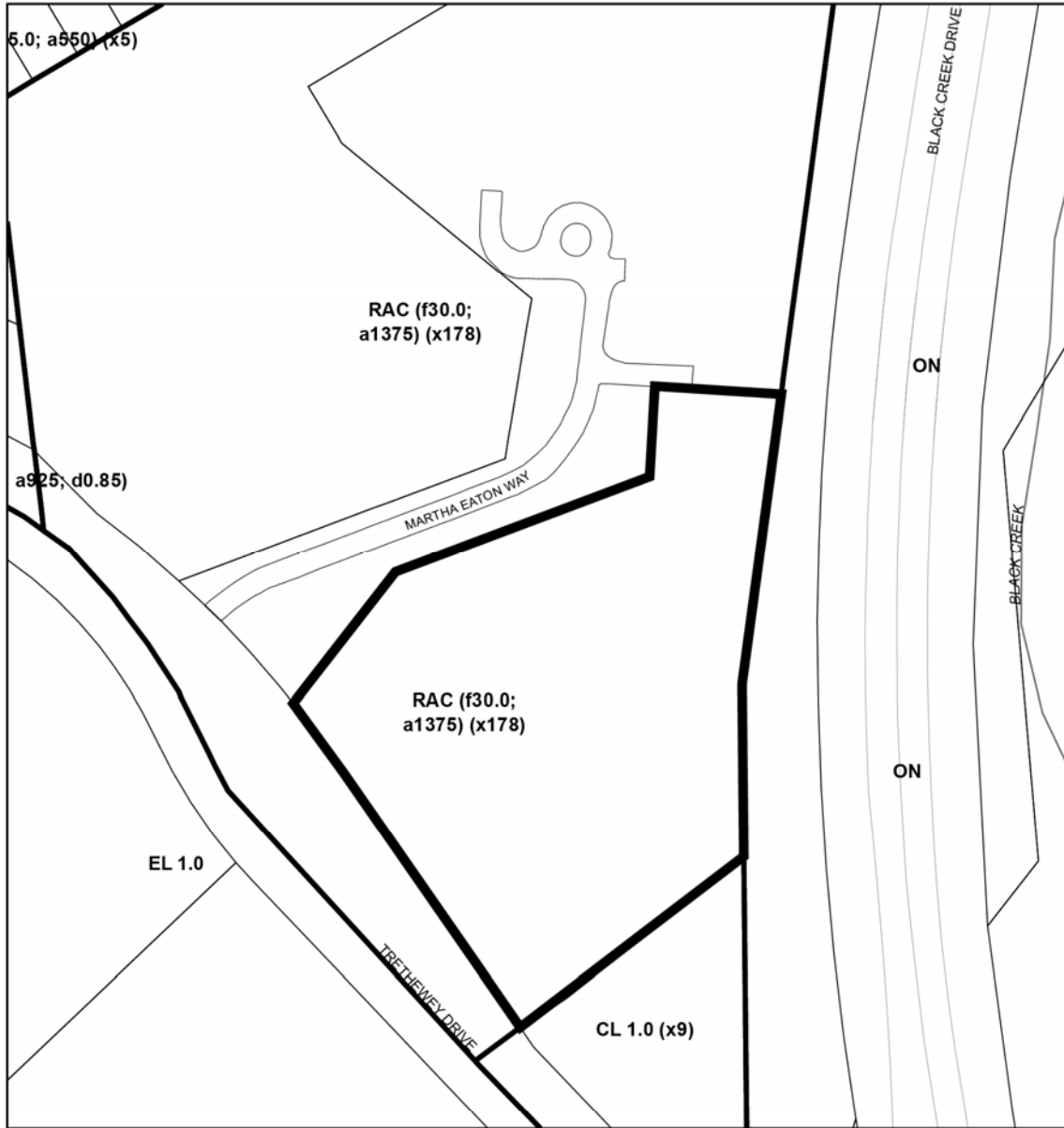
Applicant's Submitted Drawing

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02/06/2018

15 Martha Eaton Way

File # 17 278888 WET 12 0Z

Attachment 7: Zoning



Zoning By-Law No. 569-2013

15 Martha Eaton Way

File # 17 278888 WET 12 02

Location of Application

- | | |
|---|---------------------------------------|
| RD Residential Detached | CL Commercial Local |
| RM Residential Multiple | EL Employment Light Industrial |
| RAC Residential Apartment Commercial | ON Open Space Natural |

Not to Scale
 Extracted: 02/06/2018

Attachment 8: Application Data Sheet

Application Type:	Rezoning	Application Number:	17 278888 WET 12 OZ
Details:	Rezoning, Standard	Application Date:	December 22, 2017

Municipal Address: 15 MARTHA EATON WAY
 Location Description: CON 4 WY PT LOT 3 66R15901 PARTS 1 & 4 **GRID W1203
 Project Description: Proposed infill development of an 8-storey apartment building with 155 new rental residential dwelling units while retaining the existing 23-storey apartment building.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELD INC 3 CHURCH STREET, SUITE 200, M5E 1M2		TURNER FLEISCHER ARCHITECTS 67 LESMILL ROAD	6965083 CANADA INC 15 MARTHA EATON WAY, M6M 5B5

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	Yes
Zoning:	RM6 (N.York By-law No. 7625) RAC (By-law No. 569 – 2013)	Historical Status:	No
Height Limit (m):	23	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	15,234.2	Height:	Storeys:	8
Frontage (m):	92.7		Metres:	28.45 (incl. Mech.PH)
Depth (m):	170.1			
Total Ground Floor Area (sq. m):	3,705			Total
Total Residential GFA (sq. m):	52,628.7		Parking Spaces:	468
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	52,628.7			
Lot Coverage Ratio (%):	0.24			
Floor Space Index:	3.45			

DWELLING UNITS (proposed new building) FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	52,628.7
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	51 (33%)	Office GFA (sq. m):	0
2 Bedroom:	92 (59%)	Industrial GFA (sq. m):	0
3 + Bedroom:	12 (8%)	Institutional/Other GFA (sq. m):	0
Additional Units Total:	155		
Total Units + Existing:	519		

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	TELEPHONE:	(416) 394-8245	

