

Authority: Etobicoke York Community Council Item 14.31, as adopted by City of Toronto Council on March 3, 4 and 5, 2008, Motion M20.25, moved by Councillor Holyday, seconded by Councillor Ford, as adopted by City of Toronto Council on April 28 and 29, 2008, and Motion MM22.17, moved by Councillor Holyday, seconded by Councillor Ford, as adopted by City of Toronto Council on June 23 and 24, 2008

Enacted by Council: June 24, 2008

CITY OF TORONTO

BY-LAW No. 641-2008

To amend By-law No. 392-2008, to amend Chapters 320 and 324 of the Etobicoke Zoning Code, with respect to lands municipally known as 2 Holiday Drive.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 4 (iv) of By-law No. 392-2008 is deleted and replaced with the following Section 4 (iv):
 - (iv) A temporary sales office for the purpose of marketing and sales of units related to the building shall be permitted and shall be exempt from all development standards listed in the By-law or Zoning Code and shall not be subject to the requirements of the agreement referred to in Section 14 (vi) herein.
2. Section 14 (i) (b) of By-law No. 392-2008 is deleted and replaced with the following Section 14 (i) (b):
 - (b) Provide sufficient security in a form and amount to the satisfaction of the City's Director of Development Engineering for the construction of a southbound auxiliary left turn lane at the north approach to the West Mall/ Holiday Drive intersection, with 15 metres of storage and a 30 metre taper.
3. Section 14 (i) (c) of By-law No. 392-2008 is deleted and replaced with the following Section 14 (i) (c):
 - (c) Provide sufficient security in a form and amount to the satisfaction of the City's Director of Development Engineering for the construction of left turn storage lengths and transition tapers at the following intersections:
 1. 70 metre storage with a 30 metre taper at the east approach to The West Mall/ Rathburn Road intersection.

2. 170 metre storage with a 30 metre taper at the north approach to The West Mall/ Burnhamthorpe Road intersection.
3. 45 metre storage with a 30 metre taper at the west approach to The West Mall/ Burnhamthorpe Road intersection.
4. Section 14 (iv) of By-law No. 392-2008 is deleted and replaced with the following Section 14 (iv):
 - (iv) The agreement referred to in (vi) herein shall provide that the owner of the lands provide signage and warning clauses in accordance with the requirements of the Toronto District School Board and Toronto District Catholic School Board.
5. Section 14 (v) of By-law No. 392-2008 is deleted and replaced with the following Section 14 (v):
 - (v) The agreement referred to in (vi) herein shall provide that the owner of the lands comply with requirements regarding building modifications and notification to prospective buyers regarding noise levels and noise mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning Division
6. The last three paragraphs contained in Section 14 of By-law No. 392-2008 are deleted and replaced with the following Section 14 (vi):
 - (vi) The owner of the lands enters into and registers on title to the land an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the facilities, services, and matters set forth in (i) to (v) herein, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor, prior to this By-law coming into force and effect.
7. Section 15 of By-law No. 392-2008 is deleted.

ENACTED AND PASSED this 24th day of June, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)