

City Council**Notice of Motion**

MM1.9	ACTION			Ward: 18
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5220-5254 Yonge Street, 78 Eglerslie Avenue, 32 Churchill Avenue and 55 Horsham Avenue - Technical Amendment to By-law 323-2017 - by Councillor John Filion, seconded by Councillor Kristyn Wong-Tam

** 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 John Filion, seconded by Kristyn Wong-Tam, recommends that:

1. City Council amend By-law 323-2017 by replacing Schedule 1 attached to the by-law with the revised schedule as shown in Attachment 1 to this Motion.
2. City Council direct the City Solicitor to bring forward a bill to the December 13, 2018 meeting of City Council to make the changes noted in Part 1 above to By-law 323-2017, as shown in Attachment 2 to this Motion.
3. City Council determine through the adoption of this Item that, pursuant to Section 34(17) of the Planning Act, no further notice is to be given in respect of the minor technical change to By-law 323-2017.

Summary

At its meeting held on March 28 and 29, 2017 City Council adopted, as amended, Item MM27.47 which amended Item NY17.45 to permit a mixed use development of the subject lands which will include office, commercial and residential uses, in exchange for the provision of certain facilities, services and community benefits. At its meeting on March 29, 2017 City Council enacted By-law 323-2017 to permit the proposed development.

It has come to the attention of the City Solicitor that Schedule 1 to By-law 323-2017 contains a minor technical error. Specifically, notwithstanding the clear intention of the staff report and the text of By-law 323-2017, the symbol "C1 TO RM6(247)" was omitted from Schedule 1 through inadvertence. Correction of this minor technical error will avoid any potential hardship to the applicant and is necessary given the fact that the by-law is already in force.

Background Information (City Council)

Member Motion MM1.9

Attachment 1 - Schedule 1 to Zoning By-law 323-2017 - Corrected
(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-122380.pdf>)
Attachment 2 - Draft By-law to Amend By-law 323-2017
(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-122385.pdf>)