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**City Council**

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**Notice of Motion**

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| MM50.4 | ACTION |  |  | Ward: 27 |
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**Proposed Revised Precondition to introducing the Zoning By-law and Proposed Revision to the Zoning By-law – 32 Davenport Road and 12 to 22 McMurrich Street - by Councillor Rae, seconded by Councillor Carroll**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two thirds vote is required to waive referral.*

**Recommendations**

Councillor Rae, seconded by Councillor Carroll, recommends that:

1. City Council authorize the City Solicitor to introduce the zoning by-law for 32 Davenport Road and 12 to 22 McMurrich Street on the basis that the pre-condition relating to entering into a site plan agreement is satisfied by the issuance of notice of approval conditions and the posting of site plan security.
2. The zoning by-law be revised to provide that the height of the garage ramp roof/patio structure shall not exceed 7.5 metres.
3. City Council determine that the revision made to the proposed zoning by-law is 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**

City Council by adopting TE28.6 authorized the introduction of a zoning by-law relating to the development of a 28-storey residential building at 32 Davenport Road and 12 to 22 McMurrich Street, subject to a precondition which required the applicant to enter into a Site Plan Agreement. Although completion of the Site Plan Agreement is still underway, the notice of approval conditions with respect to site plan approval has been issued and the applicant has posted required security for site plan approval.

Subsequent to the public meeting relating to the zoning by-law, staff and the applicant propose to revise the height permission for the rear access to the development in order to enclose the garage ramp with a garage roof/patio area not to exceed 7.5 metres in height, which revision is minor in nature.

(Submitted to City Council on June 8 and 9, 2010 as MM50.4)