

City Council**Notice of Motion**

MM41.20	ACTION			Ward:41
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300 Silver Star Boulevard - Technical Amendment to By-law No. 443-2013 - by Councillor Chin Lee, seconded by Councillor Norman Kelly

** Notice of this Motion has been given.*

** This Motion is subject to a re-opening of Item SC22.28. A two-thirds vote is required to re-open that Item. If re-opened, the previous Council decision remains in force unless Council decides otherwise.*

Recommendations

Councillor Chin Lee, seconded by Councillor Norman Kelly, recommends that:

1. City Council amend By-law No. 443-2013 by removing the number 1639 from the list of Performance Standards in the body of the By-law listed under #1, "Schedule A" and replacing the Map at "Schedule 1" attached to the By-law with the revised "Schedule 1" attached to this Motion.
2. City Council direct the City Solicitor to bring forward to City Council's meeting of November 13 and 14, 2013 for enactment by Council, a by-law to make the changes to By-law No. 443-2013 noted in Recommendation 1 above.
3. City Council determine that, pursuant to Section 34(17) of the Planning Act, no further notice is to be given in respect of the changes to By-law No. 443-2013.

Summary

At its meeting held March 21, 2013, City Council adopted Scarborough Community Council Item 22.28 which recommended amendments to the former City of Scarborough Employment District Zoning By-law No. 24982 (Milliken Employment District), as amended, to permit a 4-storey building containing offices, retail stores, a 29- bed respite care/transitional care facility and recreational uses at 300 Silver Star Boulevard. Changes to the existing zoning were required with respect to uses and gross floor area as well as the parking requirement for the respite care facility.

It has come to City Planning's attention that an error was made in By-law No. 443-2013. The By-law as enacted erroneously lists Performance Standard 1639, which reflects a parking standard more onerous than that intended for the site. The intention was always for the site as whole to have 148 parking spaces, to be achieved by way of a specific parking standard for the respite care facility (Performance Standard 1648) and the application of the parent by-law

parking standard for the balance of the site. As such, By-law No. 443-2013 should be amended to remove the reference to Performance Standard 1639 from the body of the By-law, as well as Schedule "1" to the By-law. This will result in the achievement of the intended 148 parking spaces for the site. It is therefore appropriate that the technical amendments as set out in the Recommendations above be made to By-law No. 443-2013 without the need for any further public notice.

Requires Re-opening

Scarborough Community Council Item SC22.28 - City Council meeting on March 21, 2013 - only as it pertains to the performance standard.

(Submitted to City Council on November 13 and 14, 2013 as MM41.20)

Background Information (City Council)

Member Motion MM41.20

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-63506.pdf>

Map - 300 Silver Star Boulevard

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-63507.pdf>