

City Council**Motion without Notice**

MM45.26	ACTION			Ward:32
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303 Kingston Road - Technical Amendment to By-law No. 1019-2013 - by Councillor Mary-Margaret McMahon, seconded by Councillor Josh Colle

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Mary-Margaret McMahon, seconded by Councillor Josh Colle, recommends that:

1. City Council amend By-law No. 1019-2013 by replacing the word "height" in Section 1.(b)(7) with the word "length".
2. City Council direct the City Solicitor to bring forward to Council's meeting of December 16 and 17, 2013 for enactment by Council, a by-law to make the changes noted in Recommendation 1 to By-law No. 1019-2013.
3. City Council determine through the adoption of this recommendation 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. 1019-2013.

Summary

At its meeting held on July 16, 17, 18 and 19, 2013, City Council adopted Toronto and East York Community Council Item TE25.17 which recommended amendments to the former City of Toronto Zoning By-Law 438-86 to permit the redevelopment of 303 Kingston Road with a six-storey plus mezzanine mixed-use building with 47 residential units, 5 commercial units and underground parking. City Council enacted By-law No. 1019-2013 at its meeting on July 16, 17, 18 and 19, 2013 to permit the development.

It has come to City Planning's attention that there was a minor error in By-law No. 1019-2013 that needs to be corrected. In the abovementioned By-Law, Section 1.(b)(7), which establishes the performance standards for the size of loading space required on the site, the word height was used instead of the word length. That is the only error in the By-law that needs to be corrected. It is therefore appropriate that the technical amendment as set out in the Recommendations be made to By-law No. 1019-2013 without the need for any further public notice.

This is an urgent matter since the by-law was enacted approximately five months ago and further delay may cause hardship to the applicant.

(Submitted to City Council on December 16 and 17, 2013 as MM45.26)

Background Information (City Council)

Member Motion MM45.