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**City Council****Notice of Motion**

<b>MM27.10</b>	<b>ACTION</b>			Ward: All
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**5365 Dundas Street West - Technical Amendment to By-law 1268-2018 - by Councillor Mark Grimes, seconded by Councillor Stephen Holyday**

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

*\* This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Mark Grimes, seconded by Councillor Stephen Holyday, recommends that:

1. City Council amend By-law 1268-2018, by replacing Sections 15(a) and 15(b) of the By-law with the revised Sections 15(a) and 15(b) attached to this Motion, to remove the incorrect references to section 9 and 10 of By-law 1268-2018, which do not address parking calculations.
2. City Council determine that the revision is minor, technical in nature, and reflective of the original proposal and plans considered by City Council, and, pursuant to subsection 34(17) of the Planning Act, no further public notice is required in respect of the proposed amendment to the Zoning By-law.

**Summary**

At its meeting held on July 23, 24, 25, 26, 27 and 30, 2018, City Council adopted as amended, Etobicoke York Community Council Item 2018.EY32.3, which recommended amendments to the former City of Etobicoke Zoning Code, as amended by Zoning By-law 1088-2002 (the Etobicoke Centre Secondary Plan) and Site Specific Zoning By-law 735-2014 (OMB) for the Phase 2 and 3 lands to permit a mixed-use development at 5365 Dundas Street West. By-law 1268-2018 was enacted and passed on July 27, 2018 to permit the development.

It has come to the attention of City staff that sections 15(a) and 15(b) of By-law 1268-2018 should be revised to address an error. Specifically, sections 15(a) and 15(b) of By-law 1268-2018 refer to parking calculations in sections 9 and 10 of the By-law; however, sections 9 and 10 of the By-law do not address parking calculations. Parking calculations are addressed in sections 11 and 12 of By-law 1268-2018. City staff recommend that sections 15(a) and 15(b) of By-law 1268-2018 be amended to remove the incorrect references to section 9 and 10. This change is minor, technical in nature, and reflective of the original proposal and plans considered by City Council. It is therefore appropriate that this technical amendment be made to By-law 1268-2018 without the need for any further public notice. This is an urgent matter as

the By-law has already been enacted, and the applicant has submitted an application to lift the Holding provision (“H”) from the Phase 3 lands.

**Background Information (City Council)**

Member Motion MM27.10

Attachment 1 - Revised Sections 15(a) and 15(b) of By-law 1268-2018

<http://www.toronto.ca/legdocs/mmis/2020/mm/bgrd/backgroundfile-159341.pdf>