

MOTION WITHOUT NOTICE**2 Holiday Drive – Amendment to By-law No. 392-2008****Moved by: Councillor Holyday****Seconded by: Councillor Ford****SUMMARY:**

City Council on March 3 and 4, 2008, adopted Etobicoke York Community Council Item 14.31, headed “2 Holiday Drive – Rezoning Application – Final Report”, which recommended amendments to Chapters 320 and 324 of the Etobicoke Zoning Code to permit a redevelopment at 2 Holiday Drive for a residential condominium with 887 units contained in 4 towers of 24, 24, 21 and 19 storeys, connected by 5-storey buildings. On April 28, 2008, Council enacted By-law No. 392-2008 which implemented the approved amendments to the Etobicoke Zoning Code.

Technical amendments are required to By-law No. 392-2008, in order to ensure that building permits can be issued for the development approved by Council and for the temporary sales centre. The amendments primarily pertain to the Section 37 provisions within Section 14 of By-law No. 392-2008, and clarify the intent of these provisions.

RECOMMENDATIONS:

1. That City Council enact the attached by-law amending By-law No. 392-2008, a site specific amendment to Chapters 320 and 324 of the Etobicoke Zoning Code, for the lands located at 2 Holiday Drive.
2. That City Council, pursuant to Section 34(17) of the Planning Act, hereby determine that no further notice to the public is required of the amendments to By-law No. 392-2008 noted herein.

June 23, 2008

Attachment

According to Chapter 27, Council Procedures:

Fiscal Impact Statement provided	
Should have Fiscal Impact Statement prior to debate	*
Requires two-thirds to waive requirement if Council wishes to debate	
Is before Council for debate	(v)
Chair agrees that the Motion Recommendations are Urgent	(v)

* Deputy City Manager and Chief Financial Officer to advise.

Authority: Etobicoke York Community Council Item 14.31 as adopted by City of Toronto Council on March 3 and 4, 2008, and Motion M20.25, moved by Councillor Holyday, seconded by Councillor Ford, as adopted by City of Toronto Council on April 28 and 29, 2008.

Enacted by Council:

CITY OF TORONTO

BY-LAW No. - 2008

To amend By-law 392-2008, to amend Chapters 320 and 324 of the Etobicoke Zoning Code, with respect to lands municipally known as 2 Holiday Drive

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 4 (iv) of By-law 392-2008 is deleted and replaced with the following Section 4 (iv):
 - (iv) A temporary sales office for the purpose of marketing and sales of units related to the building shall be permitted and shall be exempt from all development standards listed in the By-law or Zoning Code and shall not be subject to the requirements of the agreement referred to in Section 14 (vi) herein.
2. Section 14 (i) (b) of By-law 392-2008 is deleted and replaced with the following Section 14 (i) (b):
 - (b) Provide sufficient security in a form and amount to the satisfaction of the City's Director of Development Engineering for the construction of a southbound auxiliary left turn lane at the north approach to the West Mall/ Holiday Drive intersection, with 15 metres of storage and a 30 metre taper.
3. Section 14 (i) (c) of By-law 392-2008 is deleted and replaced with the following Section 14 (i) (c):
 - (c) **Provide sufficient security in a form and amount to the satisfaction of the City's Director of Development Engineering for the construction of left turn storage lengths and transition tapers at the following intersections:**
 1. **70 metre storage with a 30 metre taper at the east approach to The West Mall/ Rathburn Road intersection.**
 2. **170 metre storage with a 30 metre taper at the north approach to The West Mall/ Burnhamthorpe Road intersection.**

3. 45 metre storage with a 30 metre taper at the west approach to The West Mall/ Burnhamthorpe Road intersection.
4. Section 14 (iv) of By-law 392-2008 is deleted and replaced with the following Section 14 (iv):
 - (iv) **The agreement referred to in (vi) herein shall provide that the owner of the lands provide signage and warning clauses in accordance with the requirements of the Toronto District School Board and Toronto District Catholic School Board.**
5. Section 14 (v) of By-law 392-2008 is deleted and replaced with the following Section 14 (v):
 - (v) **The agreement referred to in (vi) herein shall provide that the owner of the lands comply with requirements regarding building modifications and notification to prospective buyers regarding noise levels and noise mitigation measures, to the satisfaction of the Chief Planner and Executive Director, City Planning Division**
6. The last three paragraphs contained in Section 14 of By-law 392-2008 are deleted and replaced with the following Section 14 (vi):
 - (vi) **The owner of the lands enters into and registers on title to the land an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the facilities, services, and matters set forth in (i) to (v) herein, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor, prior to this By-law coming into force and effect.**
7. Section 15 of By-law 392-2008 is deleted.

ENACTED AND PASSED this ____ day of _____, A.D. 2008.

_____,
Deputy Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk