

NOTICE OF MOTION**1500 Weston Road – Zoning and Site Plan Appeals - Directions****Moved by:** Councillor Nunziata _____**Seconded by:** Councillor _____**SUMMARY:**

City Council at its meeting on July 25, 26 and 27, 2006, adopted, as amended, Clause 40 of Report 6 of Etobicoke York Community Council, thereby endorsing the Principles of Settlement set out in that report. Based on those Principles of Settlement, the City Solicitor and Planning staff settled at the Ontario Municipal Board the zoning by-law and site plan appeals for a proposed stacked townhouse development at 1500 Weston Road. The Board's order on both the zoning appeal and the site plan approval appeal were withheld by the Board pending the entering into of a Section 37 Agreement and the satisfaction of the conditions of site plan approval. The Board's order has never been issued since the agreement has not been entered into and the site plan conditions have not been satisfied.

On October 31, 2008, the new owner of the lands, Habitat for Humanity, filed a Site Plan Application showing a new concept and development proposal for the site. Community Planning staff generally support this revised proposal, and will need to present new information to the OMB, to seek modifications to the approval conditions, and implementing zoning by-law, as originally set out by the Board. An appearance before the OMB is being sought for the later part of May, 2009 to settle the revisions to the development and therefore this is a time sensitive matter.

RECOMMENDATIONS:

That City Council authorize the City Solicitor, and appropriate City staff to, to attend the Ontario Municipal Board hearing in support of the new Site Plan Application, and revised Zoning By-law Amendment, filed by Habitat for Humanity, subject to the form and content of the zoning by-law amendment, the conditions of site plan approval and the timing for the issuance of the OMB order all being to the satisfaction of the Director of Community Planning, Etobicoke York District.

March 26, 2009