

City Council**Motion without Notice**

MM41.15	ACTION			Ward: 11
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1500 Weston Road – Direction With Respect to Section 37 Benefits - by Councillor Nunziata, seconded by Councillor Hall

** This Motion has been deemed urgent by the Chair. Council has added this Motion to the agenda for debate.*

Recommendations

Councillor Nunziata, seconded by Councillor Hall, recommends that:

1. City Council direct the City Solicitor to request the Ontario Municipal Board, on the consent of the parties, to amend its Order issued September 3, 2009 in OMB Case No. PL060084, to revise the zoning by-law for the Habitat for Humanity project at 1500 Weston Road to delete the Section 37 requirements, and further direct and authorize the City Solicitor to release the Section 37 Agreement from title to the property.

Summary

At its meeting held on April 6, 2009 City Council adopted Etobicoke York Community Council Item EY25.51 which authorized settlement of a zoning by-law and site plan appeal to permit the construction of a 20 unit townhouse project by Habitat for Humanity at 1500 Weston Road. The zoning by-law amendment included a Section 37 benefit in the form of a \$12,500 payment to be made to the City prior to the issuance of the above grade Building Permit, such funds to be used at the discretion of the General Manager of Parks, Forestry and Recreation for tree planting and general landscape enhancement in the local area. The Section 37 benefit was secured through a Section 37 Agreement registered on title as Instrument No. AT2152672.

Habitat for Humanity, a non-profit housing organization, relies on donations and sales from their three ReStores to fund their projects. Habitat for Humanity has requested that the City of Toronto assist in limiting the costs for their project at 1500 Weston Road by relieving them of the requirement to pay the \$12,500.

(Submitted to City Council on October 26 and 27, 2009 at MM 41.15)

