

City Council

Motion without Notice

MM47.91	ACTION			Ward: 5
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**1821-1823 and 1831 Weston Road - Zoning By-law Amendment
Application - Updated Directions - by Councillor Frances Nunziata,
seconded by Councillor Ana Bailão**

** 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 Frances Nunziata, seconded by Councillor Ana Bailão, recommends that:

1. City Council authorize the City Solicitor to request a final order from the Ontario Land Tribunal approving the Zoning Bylaw Amendment provided she is satisfied that the necessary legal mechanisms are in place to ensure that such conditions listed under Part 3 of City Council's decision on Item CC39.11 dated February 2 and 3, 2022 are satisfied prior to the issuance of any building permit for the development.

Summary

The \$1,600,000.00 of community benefits secured in the settlement between the owner and the City is in jeopardy of being lost due to the transition away from Section 37 density bonusing into the new Community Benefits Charge regime. These community benefits are of the utmost importance to my constituents and the residents surrounding the development.

The recommendations in City Council's decision on Item CC39.11 dated February 2 and 3, 2022 were premised on the settlement of the appeal of the Zoning By-law Amendment application proceeding by way of an agreement with the owner pursuant to Section 37 of the Planning Act, which would secure certain matters, services and facilities as community benefits and legal conveniences to support the development.

Given the statutory timelines associated with the transition to the Community Benefits Charge regime, the recommendations in City Council's previous decision are being modified such that the community benefits and legal conveniences to support the development secured in the Section 37 Agreement are not lost.

Background Information (City Council)

Member Motion MM47.91