

# TORONTO STAFF REPORT

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June 21, 2006

To: Economic Development and Parks Committee

From: Brenda Librecz, General Manager, Parks, Forestry and Recreation

Subject: Howard Talbot Park – Allocation of Section 37 Funds  
(Ward 26 - Don Valley West)

Purpose:

To report on the allocation of \$60,000.00 received under a Section 37 agreement.

Financial Implications and Impact Statement:

This report recommends amendment of the 2006 Parks, Forestry and Recreation Capital Budget by the addition of a net zero line item to receive the \$60,000.00 in Section 37 funds for improvements to Howard Talbot Park. This expenditure is projected for 2006 and authority is required to begin the park improvements.

Funding will be required to maintain the proposed improvements and the General Manager, Parks Forestry and Recreation will report with the 2007 Operating Budget submission on sources of funding and operating impacts of the parkland improvements.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) the Parks, Forestry and Recreation 2006 Capital Budget be amended to include a net zero line item for improvements to Howard Talbot Park to receive the \$60,000.00 in Section 37 funds;
- (2) that this report be forwarded to the Policy and Finance Committee for consideration; and

- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

On July 20, 21, and 22, 2004 City Council approved the Official Plan amendment and rezoning application for 1929 Bayview Avenue and recommended a cash contribution in the amount of \$300,000.00 for off-site community improvements. Since that time, a Section 37 agreement has been executed and City Planning has confirmed that as a result of this agreement, funds in the amount of \$300,000.00 have been received.

At its meeting on May 23, 24, and 25, 2006 Toronto City Council adopted the following motions regarding the allocation of these funds.

“NOW THEREFORE BE IT RESOLVED that \$240,000.00 of the Section 37 funds secured for Community Services and Facilities be made payable to the Toronto District School Board for their use in completing the redevelopment plans for the Northlea Public Elementary School, and request the City and Toronto District School Board enter into a community access agreement for public use of the facilities at no additional cost to the City or Public;

AND BE IT FURTHER RESOLVED THAT the General Manager, Parks, Forestry and Recreation be requested to report to the Economic Development and Parks Committee, for submission to Council at its meeting on June 27, 2006, on an appropriate allocation for the remaining \$60,000.00 of Section 37 funds, this report to include confirmation of the total project cost and the contributions from all of the parties involved.”

Section 37 of the Planning Act states that the City may, through a zoning by-law, approve increases in height and/or density beyond what the zoning by-law would otherwise permit, in return for facilities services, or matters (community benefits) as are set out in the by-law. It also states that the Official Plan must contain provisions authorizing the use of Section 37, and community benefits may be secured in an agreement that may be registered on title.

Comments:

In consultation with the local Councillor and parks staff, the Section 37 monies are to be allocated to the resurfacing of the tennis courts at Howard Talbot Park (Attachment 1). Parks staff confirm that the existing tennis courts are in need of resurfacing and it is intended that the improvements and the \$60,000.00 in Section 37 monies be included in the 2006 Capital Budget submission.

Conclusions:

The tennis court improvements at Howard Talbot Park have been confirmed as a community improvement need. \$60,000.00 in section 37 monies are to be allocated to the required improvements and will be included as part of the 2006 Capital Budget so that the required improvements can be initiated as soon as possible.

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Brenda Librecz  
General Manager, Parks, Forestry and Recreation

List of Attachments:

Attachment 1: Howard Talbot Park Site Plan

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**APPENDIX 'A'**

