
City Council

Motion without Notice

MM52.28	ACTION			Ward: 28
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51-61 Front Street East and 6-16 Church Street – Amendment to Section 37 Contribution - by Councillor McConnell, seconded by Councillor Rae

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

Recommendations

Councillor McConnell, seconded by Councillor Rae, recommends that:

1. City Council authorize the City Solicitor to provide in the section 37 agreement with the owner that the City may require the provision of 90 square metres of seniors facility space on site, or alternatively the City may elect to require the payment of \$200,000.00 to the City for the provision of capital facilities to be used primarily by senior citizens residing in the St. Lawrence Neighbourhood for community activities, such election to be made by the City no later than February 28, 2011.

Summary

At its October 26 and 27, 2009 meeting (Item TE28.10), City Council directed the City Solicitor to attend the Ontario Municipal Board hearing in support of a settlement of appeals relating to proposed amendments to the Official Plan, Zoning By-law and a Site Plan Application for the 51-61 Front Street East and 6-16 Church Street. These amendments will permit the construction of a mixed use development consisting of commercial and residential uses in a 13-storey building at the southeast corner of Front Street East and Church Street, including the preservation of the heritage building at 6 Church Street.

One of the section 37 benefits to be secured by this approval is the provision of a minimum of 90 square metres of ground floor space for a period of 5 years for use as a seniors facility. In finalizing the terms of the section 37 agreement, staff have identified the need to provide for an alternative in the event that the costs involved in finishing and occupying the facility space will be excessive in relation to the 5 year term of the lease. The owner has agreed to give the City the option to require the payment of the cash value of the seniors space in the event that the City determines the cash payment of \$200,000.00 can be put to better use for facility space for seniors at an alternative location in the St. Lawrence Neighbourhood.

(Submitted to City Council on August 25 and 26, 2010 as MM52.28)