



Councillor Paul W. Ainslie
 City of Toronto Councillor
 Ward 24 Scarborough-Guildwood

Chair, General Government and Licensing Committee
 Chair, Board of Management of the Toronto Zoo



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Date: October 4, 2021

To: General Government and Licencing Committee Members

Re: Tracking through Open Data Section 37 and Section 45 Community Benefits – Open 37

Recommendation:

1. City Council request the Chief Planner and Executive Director, City Planning and the Chief Financial Officer and Treasurer, in coordination with the Chief Technology Officer, to release historic, commencing from January 1, 2006, and current Section 37 and Section 45 Agreement information on the City of Toronto's Open Data portal, to be updated on quarterly basis, including:
 - a. Individual agreement details by date, location, ward, type, and amount;
 - b. Community Benefit Expenditures and their status; and
 - c. Balances and Interest Earned on all Section 37 and Section 45 Reserve Funds.

2. City Council request the Chief Planner and Executive Director, City Planning and the Chief Financial Officer and Treasurer, in coordination with the Chief Technology Officer, to report to the November 30, 2021 General Government and Licensing Committee meeting on a plan for providing Section 37 agreement information, including individual agreement details and status, on the City of Toronto's Open Data portal as described in Recommendation 1 above.

Background:

As explained on the City of Toronto Website: *Section 37 of the Planning Act authorizes municipalities to grant increases in permitted height and/or density through the zoning by-law in exchange for community benefits.* There is however no tangible mechanism in place for the public to track the delivery or arrangements. The only information available is a PDF document. Implementing the information onto the City's Open Data Portal would provide a clear path of information.

Providing the public with the tools to soundly track community benefits makes sense. The Toronto Open Data Portal is the vehicle the city has chosen to utilize to provide information to residents in a tangible format for easy access. Community benefits invest in local parks, affordable housing units, cash in lieu, community projects and Toronto Community Housing upgrades and repairs and more.

The Section 37 Implementation Guidelines do not address making the Community Benefits Arrangements accessible to the public in a clear open manner, providing individuals a means to track delivery of the benefit in the form prescribed in the agreement. Although the July 2021 report on Planning Act (Section 37 and Section 45) Reserve Funds Statement, 2019 provided a financial statement of the Planning Act reserve funds for the 2019 fiscal year, Its intention was not to provide residents with a means to track the details and delivery of a community benefit to their community.

An example would be the City of Los Angeles' tracking system: <https://affordablehousing.mejiaforcontroller.com>.

Sincerely,

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