SUMMARY

At its meeting of July 12, 2011 City Council directed staff to bring forward a report and Zoning By-law amendment to the North York Community Council meeting of September 12, 2011 for the lands known in 2004 as 25 Buchan Court. The report recommends a Zoning By-law amendment that redirects some of the Section 37 funds for improvements to Cloverdale Park and Dallington Ravine to Lescon Park. The report also recommends that the Section 37 agreement be amended to reflect this change.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625 for the lands known in 2004 as 25 Buchan Court substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council authorize the City Solicitor to amend the Section 37 Agreement dated February 16, 2007 applying to the lands at 25 Buchan Court to:

   a. Amend Section 3.1 entitled ‘Contributions to Park Improvements’ to permit that $45,827.50 be used by the City for the redevelopment of Clovercrest Park and that $44,172.50 be used by the City for improvements to Lescon Park;

   b. Replace Section 4.1 entitled ‘Contributions for Lighting and Walking Trail’ with ‘Contributions to Park Improvement’ and identify that $15,000 may be used by the City toward improvements to Lescon Park.

Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY
In 2004 the Ontario Municipal Board approved Official Plan and Zoning By-law amendments and a Section 37 Agreement for the lands at 25 Buchan Court which permits the development of two apartment buildings and 41 townhouses. The Zoning By-law provided for community benefits which included $90,000 for upgrades to Clovercrest Park and $15,000 for lighting on the Dallington Ravine walkway. This provision is also included in a Section 37 agreement registered on the lands.

COMMENTS
At its meeting of July 12, 2011 City Council directed staff to bring forward a report and Zoning By-law amendment for the lands at 25 Buchan Court. The motion provides that $44,172.50 of the $90,000 allocated for improvements to Clovercrest Park be directed to improvements to Lescon Park. The motion also provides that $15,000 that is unspent on lighting in the Dallington Ravine be directed to Lescon Park.

The improvements to Clovercrest Park are now complete and there is $44,172.50 of the Section 37 funds remaining. The $15,000 amount for lighting in the Dallington Ravine has not been spent as it is not sufficient to fulfill its intended purpose and therefore this amount is also now available. It is proposed that the two amounts totalling $59,172.50 be spent on Lescon Park located a few blocks to the north within the same neighbourhood as the subject development site. The $59,172.50 would be used to construct a pathway within Lescon Park to make the playground accessible for persons with assistive mobility devices and strollers and for enhanced play equipment.
The By-law attached as Attachment 1 to this report gives effect to this change. In addition, the Section 37 Agreement is to be amended as set out in Recommendation No. 3 of this report to reflect this change.

CONTACT
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SIGNATURE

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Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment
Attachment 1: Draft Zoning By-law Amendment

Authority: adopted by City of Toronto Council on ~, 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~2011

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known, in 2004, as 25 Buchan Court

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Subsection 64.20-A (158) RM6(158) (w)(i) of former City of North York Zoning By-law No. 32-2007 is amended by deleting the amount of $90,000 and substituting $45,827.50 for the redevelopment of Clovercrest Park including Park maintenance and new play equipment and adding that $44,172.50 is be used by the City for improvements to Lescon Park.

2. Subsection 64.20(158) RM6(158)(w)(ii) of former City of North York Zoning By-law No. 32-2007 is amended by replacing “for new lighting on the walking trail on the east side of Dallington Ravine” with “for improvements to Lescon Park.”

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,                  ULLI S. WATKISS,
Mayor                     City Clerk

(Corporate Seal)