

## City Council

### Notice of Motion

MM9.11	ACTION			Ward:38
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**Zoning By-law Amendment for Reallocation of Section 37 Funds, from Various Developments, for Capital Improvements in Ward 38 - by Councillor Glenn De Baeremaeker, seconded by Councillor Josh Matlow**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.*

### Recommendations

Councillor Glenn De Baeremaeker, seconded by Councillor Josh Matlow, recommends that:

1. City Council request the Director, Community Planning, Scarborough District, to bring forward zoning by-law amendments to the Scarborough Community Council pertaining to 1, 8, 10 and 18 Lee Centre Drive, 83 Borough Drive, and 50 and 60 Brian Harrison Way (Borough Drive) to amend the Section 37 provisions to authorize additional capital improvements with respect to the funds previously secured but no longer needed for the original purposes.
2. City Council request the Director, Community Planning, Scarborough District, in consultation with other affected Divisions and program staff, to consider the allocation of uncommitted funds pertaining to the Section 37 provisions for additional community benefits which will benefit the community in the vicinity of the developments, including:
  - a. local park and community facilities improvements;
  - b. Scarborough Civic Centre streetscape improvements;
  - c. public library improvements;
  - d. community gardens;
  - e. pedestrian and cycling facilities; and
  - f. animal shelters.

with the intent to recommend any amendments to the by-laws to reflect current community needs and to co-ordinate these community benefits effectively with the community benefits that

have been secured through other Section 37 Agreements which affect the local area.

3. City Council direct that a community meeting be held in the affected area and that notice for the statutory public meeting under the Planning Act be given according to the regulations under the Planning Act.

4. City Council request the City Solicitor to prepare agreements amending the respective Section 37 agreements to secure the amended Section 37 community benefits resulting from Recommendations 1, 2 and 3 above, and that the amending agreement be executed prior to introduction of the Bill in Council.

### **Summary**

Section 37 funds were secured for a variety of purposes from the following developments prior to, and subsequent to amalgamation of the City: 1, 8, 10 and 18 Lee Centre Drive; 83 Borough Drive; and 50 and 60 Brian Harrison Way (Borough Drive).

All funds have been received and a portion of the funds from those developments have been spent for the purposes as stated in the zoning by-law and Section 37 agreements. Currently, there remain outstanding balances which have accrued interest in the Section 37 Planning Act Reserve Fund. The remaining balances may no longer be needed for the original purposes. There are various local capital improvement projects that need additional funding or are currently unfunded, but could be completed utilizing the residual balances sitting unused from decades old Section 37 agreements.

This Motion recommends that the Section 37 provisions of the site-specific zoning by-laws be amended to specify that any of the secured and uncommitted funds may be used for various capital improvements including improvements to the streetscape of the Scarborough Civic Centre, local parks, local playgrounds, local library and local animal shelters. A Community Consultation Meeting will form part of the rezoning process.

### **Background Information (City Council)**

Member Motion MM9.11