



# Joe Cressy 周凱捷

City Councillor | Ward 20, Trinity-Spadina

September 2, 2015

Toronto and East York Community Council  
Committee Room 1, City Hall  
100 Queen St W  
Toronto ON M5H 2N2

Dear Chair and Members,

**Re: Direction to City Planning Staff to amend Section 37 Provisions for 328-340 Adelaide Street West respecting approximately 500 square feet of community space on site**

This Motion seeks to support the Toronto Arts Council and its objective of helping to contribute to the vitality of local neighborhoods while assisting arts groups with improved access to affordable space.

The Toronto Arts Council was to be conveyed approximately 500 square feet of community space within 328-340 Adelaide Street West, in addition to receiving up to \$100,000 to finish the space, as a provision of the Section 37 Agreement between the City and the Owner pursuant to a zoning by-law that the Ontario Municipal Board approved in 2011.

All parties have agreed that a \$100,000 cash payment to the Toronto Arts Council for capital improvements to existing Toronto Arts Council art spaces in Ward 20 would have a greater impact upon Toronto Arts Council than being conveyed approximately 500 square feet of space at this Adelaide Street location. The \$100,000 cash payment has been received by the City and an amendment to the Section 37 Agreement is necessary to allocate the use of these funds for capital improvements to other Toronto Arts Council spaces in Ward 20.

The Owner and Real Estate Services have negotiated a cash payment of \$235,000, which represents the estimated market value of the community space, and an amendment to the Section 37 Agreement is also necessary to re-direct this secured benefit to other community benefits within Ward 20, including community services and facilities.

The site specific Zoning By-law will need to be amended in order to revise the Section 37 provisions and provide authority for an amending Section 37 agreement with different community benefits. The amending Section 37 Agreement will be drawn up in consultation with the local Councillor, City Planning, Economic Development & Culture, Real Estate Services, Legal Services, the Owner and the Toronto Arts Council.

## RECOMMENDATIONS

The Toronto and East York Community Council recommends that:

1. City Council request the Director, Community Planning, Toronto and East York District, to bring forward a zoning by-law amendment to the November 2015 Toronto and East York Community Council meeting pertaining to 328-340 Adelaide Street West, to amend the Section 37 provisions of By-law 890-2011 (OMB) and authorize that:
  - a. a cash payment of \$100,000 be allocated to the Toronto Arts Council for the purpose of capital improvements to existing Toronto Arts Council space(s) in Ward 20; and
  - b. a cash payment of \$235,000 be issued to the City for the purpose of community services and facilities within Ward 20, in lieu of approximately 500 square feet of community space located on site being conveyed to Toronto Arts Council.
2. 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.
3. City Council request the City Solicitor to prepare an amending Section 37 agreement to secure the amended Section 37 community benefits resulting from Parts 1 and 2, above, and that the amending agreement be executed prior to introduction of the Bill in Council.

Sincerely,

Joe Cressy  
City Councillor  
Ward 20, Trinity-Spadina