

**City Council****Notice of Motion**

MM21.7	ACTION			Ward:43
--------	--------	--	--	---------

**Reallocation of Section 37 Funds - by Councillor Paul Ainslie, seconded by Councillor Michael Thompson**

*\* 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 Paul Ainslie, seconded by Councillor Michael Thompson, recommends that:

1. City Council request the Director, Community Planning, Scarborough District, to bring forward Zoning By-law amendments pertaining to 515-523 Markham Road, 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 in the vicinity of the Scarborough City Centre, including:
  - local park improvements;
  - local playgrounds;
  - local Toronto Community Housing playgrounds; and
  - community gardens;

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 Parts 1, 2 and 3 above.

## **Summary**

Section 37 funds were secured for a variety of purposes from the development at 515-523 Markham Road prior to the amalgamation of the City.

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 include local parks, local playgrounds, local library and local Toronto Community Housing playgrounds. A community consultation meeting will form part of the rezoning process.

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

Member Motion MM21.7