

City Council

MM31.25	ACTION			Ward:20
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Amendment to Zoning By-law for Reallocation of Section 37 Funds Received from the Development at 180-188 University Avenue and 192 and 194 Adelaide Street West - by Councillor Mike Layton, seconded by Councillor Joe Cressy

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Mike Layton, seconded by Councillor Joe Cressy, 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 Toronto and East York Community Council pertaining to 180-188 University Avenue and 192 and 194 Adelaide Street West, to amend the Section 37 provisions of By-law 469-2006 and authorize that:
 - a. a cash payment of \$50,000 (plus accrued interest) be allocated to local community services and facilities.
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 agreements to secure the amended Section 37 community benefits resulting from Parts 1 and 2 above.

Summary

Section 37 funds were secured for a variety of purposes from the development at 180-188 University Avenue and 192 and 194 Adelaide Street West in 2006.

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 associated Section 37 agreement. Currently, there remain outstanding balances which have accrued interest in the Section 37 Planning Act Reserve Fund. In particular paragraph 1(m) (iv) of By-law 469-2006 states that there be secured a contribution of \$50,000 payable to the City of Toronto upon the Zoning By-law coming into full force and effect, for the purposes of a heritage study for University Avenue. The remaining balance is no longer be needed for the original purposes.

There are various local capital improvement projects, important for the continued improvement of the facilities and services important for the local community, that need additional funding or are currently unfunded, but could be completed utilizing the residual balances sitting unused from the decade old Section 37 agreement.

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 local community services and facilities.

This Motion is urgent due to the time-sensitive nature of needed improvements in the community, and the time needed to complete the Zoning By-law Amendment process.

Background Information (City Council)

Member Motion MM31.25