

City Council

Motion without Notice

MM31.42	ACTION			Ward:36
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Release of Section 37 funds from 2229-2245 Kingston Road for Streetscape Improvements at 2340 Kingston Road - by Councillor Gary Crawford, seconded by Councillor Mark Grimes

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Gary Crawford, seconded by Councillor Mark Grimes, recommends that:

1. City Council increase the approved 2017 Operating Budget for Non-Program by \$4,000 gross, \$0 net, fully funded by Section 37 funds obtained in the development at 2229-2245 Kingston Road (source account: XR3026-3700726), for the purpose of providing one time capital funding to Mural Routes for streetscape improvements in the form of a mural at 2340 Kingston Road (cost centre: NP2161), upon the execution of the Amending Section 37 Agreement for the subject development by the landowner consistent with the direction of Council at its meeting of May 3, 4 and 5, 2016.
2. City Council direct that, upon both the execution of the Amending Section 37 Agreement and the signing of an Undertaking by Mural Routes governing the use of the funds and the financial reporting requirements, the funds be forwarded to Mural Routes.

Summary

Mural Routes, which is a member based not for profit arts service organization dedicated to the development and promotion of public wall art, would like to replace an existing Mural that is beyond repair on the east side wall of Cliffside Pharmacy (2340 Kingston Road).

Section 37 funds in the amount of \$120,525 including accrued interest have been secured and received by the City in relation to the development at 2229-2245 Kingston Road (the "Site") for the purposes of playground improvements at Cliffside Public School and for local streetscape improvements, as contemplated by the Zoning By-law for the Site.

The intent of this Motion is to transfer \$4,000 of these Section 37 funds to Mural Routes for purpose of streetscape improvements in the form of a mural to be painted on a building located at 2340 Kingston Road and visible from Kingston Road. These Section 37 funds identified above for these purposes have not been spent and remain uncommitted in order to satisfy this

Motion.

At its meeting of May 3, 4 and 5, 2016, under Item MM18.13, City Council directed that the Section 37 Agreement for the development at the Site be amended to reallocate the original community benefits, which included school playground improvements, to provide also for streetscape improvement projects. The landowner has agreed to execute an Amending Section 37 Agreement to implement this Council direction, and has committed to signing this legal amending agreement in early to mid July 2017. The recommendation to release these Section 37 funds for the streetscape improvements includes a condition that the funds be released following the execution of the Amending Section 37 Agreement by the landowner.

Mural Routes will be required to sign an Undertaking governing the use of the funds and the financial reporting requirements prior to the funds being released from the City to Mural Routes.

This Motion is deemed urgent as the summer is the only possible opportunity for Mural Routes to create this new Mural. Waiting until September's Council meeting would not make sense.

Background Information (City Council)

Member Motion MM31.42