

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

MM35.18	ACTION			Ward:32
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**14 Trent Avenue - Request for Zoning By-law Amendment to Reallocate Section 37 Funds Received from the Development - by Councillor Mary-Margaret McMahon, seconded by Councillor Lucy Troisi**

*\* 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 Mary-Margaret McMahon, seconded by Councillor Lucy Troisi, 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 14 Trent Avenue, to amend the Section 37 provisions of By-law 123-2016 to authorize that:

a. cash payment of \$400,000 (plus indexing and any accrued interest) be allocated to Transportation Services, Public Realm Unit and to the Laneway Project for improvements to the public realm and laneways in the area near Trent Avenue, Kelvin Avenue and Luttrell Avenue.

2. City Council direct 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 amending the respective Section 37 agreement to secure the amended Section 37 community benefits resulting from Parts 1 and 2 above.

**Summary**

For the lands known municipally as 14 Trent Avenue, approved in 2016 for redevelopment, the City secured \$400,000 in Section 37 funds for various public benefits including: park improvements in the area near Trent Avenue, Kelvin Avenue and Luttrell Avenue; and towards public realm improvements at Main Square Community Recreation Centre and in the vicinity of the intersection of Main Street and Danforth Avenue. The funds were secured by a Section 37 Agreement registered on title, between the City and Birchmount Co-Operative Development Corporation.

A payment of \$408,816.12 has been received and remains unspent. It has been determined that funds cannot be utilized for the specified purposes. Councillor McMahon worked with Parks staff to try to find suitable lands for park space in the neighbourhood consisting of Trent Avenue, Kelvin Avenue and Luttrell Avenue. There were no available lands sufficient for park use. Because of this, Councillor McMahon has worked with the community to find alternatives, which include improving both the public realm and laneways. There is an urgent need to utilize the funds for such improvements, which are currently unfunded, but could be financed in part by utilizing the balance from the funds not needed for the original intent set out in the site specific zoning by-law and 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 public realm and laneway improvements in the area near Trent Avenue, Kelvin Avenue and Luttrell Avenue.

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

Member Motion MM35.18

(<http://www.toronto.ca/legdocs/mmis/2017/mm/bgrd/backgroundfile-109586.pdf>)