

City Council

Motion without Notice

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| MM41.34 | ACTION | | | Ward:15 |
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Reallocation of Section 37 Funds from 1603 Eglinton Avenue West for Public Realm Improvements in the Vicinity of Eglinton Avenue and Oakwood Avenue - by Councillor Josh Colle, seconded by Councillor Joe Mihevc

** 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 Josh Colle, seconded by Councillor Joe Mihevc, recommends that:

1. City Council request the Director, Community Planning, North York District, to bring forward a zoning by-law amendment to the North York Community Council pertaining to 1603 Eglinton Avenue West, to amend the Section 37 provisions of By-law No. 998-2011 (OMB) in order to reallocate the funds previously secured but no longer needed for the original purposes.
2. City Council request the Director, Community Planning, North York District, in consultation with the local Councillor and 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 development, including, but not limited to:
 - a. Local park improvements;
 - b. Streetscape improvements;
 - c. Public library improvements; and
 - d. Public art;

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.

Summary

For the lands known municipally as 1603 Eglinton Avenue West, approved in 2014 for redevelopment, the City secured \$384,345.00 in Section 37 funds in order to provide a monthly transit pass at no cost to the tenant for each residential tenancy for a period of 12 months. The funds were secured by a Section 37 Agreement registered on title, between the City and Empire Communities Inc.

A payment of \$384,345.00 has been received and remains unspent. It has been determined that due to delays in the construction of the project, and the introduction of PRESTO transit payment cards, and the completion of the Oakwood LRT Station by 2021, the Toronto Transit Commission monthly pass is no longer necessary to encourage transit ridership. There are various local public realm improvement projects that need additional funding or are currently unfunded, but could be financed in part utilizing the balance of the Section 37 funds.

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 Improvements in the Vicinity of Eglinton Avenue and Oakwood Avenue including local park improvements; streetscape improvements; public library improvements; and public art. The developer of the property has been consulted and agrees that the funds should be utilized for lasting community benefits in the area.

Background Information (City Council)

Member Motion MM41.xx