

## City Council

### Notice of Motion

MM13.7	ACTION			Ward: 9
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**Authorization to Amend Section 37 Agreement on Timing of Obligations in Response to Committee of Adjustment Application Regarding 1141 Bloor Street West, 980 Dufferin Street, 90 Croatia Street - by Councillor Alejandra Bravo, seconded by Councillor Paula Fletcher**

*\* 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 Alejandra Bravo, seconded by Councillor Paula Fletcher, recommends that:

1. If the Committee of Adjustment approves the Variance Application A0313/23TEY for the property municipally known 1141 Bloor Street West, 980 Dufferin Street and 90 Croatia Street, City Council require the Owner to enter into an Amending Section 37 Agreement, pursuant to Section 37 of the Planning Act (as it read the day before the date Section 1 of Schedule 17 of the COVID-19 Economic Recovery Act, 2020 came into force), to make amendments to the existing Section 37 Agreement registered on title to the lands as Instrument AT5850352 to implement the Committee's decision in a manner, content and form satisfactory, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

### Summary

In 2021, an Official Plan Amendment and Zoning By-law Amendment was approved by the Ontario Land Tribunal to permit a mixed-use development of the former Toronto District School Board lands located at 90 Croatia Street, 980 Dufferin Street, and 1141 Bloor Street West. The approved redevelopment includes affordable and new market housing, retail, a new daycare, community space, a new park, a new public street, and conservation of heritage at 980 Dufferin Street. The timing of the conveyance of the new park and new public street was secured in the applicable zoning by-law and Section 37 agreement.

The Owner of the aforementioned lands has submitted an application to the Committee of Adjustment for variances to modify the timing of the conveyance of the new park and new public street. Council approval is required to amend the Section 37 agreement should the variances be approved by the Committee of Adjustment. This motion will provide staff if the authority to amend the existing Section 37 agreement to reflect the revised timing and ensure the agreement is consistent with the variances, and any other necessary amendments that may be required to implement these changes.

In a report to the Committee of Adjustment, attached as Attachment “1”, Planning staff have recommended the Committee of Adjustment impose conditions imposing additional financial securities for the conveyances of the park and the street to ensure that the City’s interest will be protected through the process, and requiring the owner to enter into an amending Section 37 agreement and to register the amended agreement on the subject lands. The Owner has agreed to these conditions. Nothing in this motion will fetter the consideration of variance application by the Committee of Adjustment.

**Background Information (City Council)**

Member Motion MM13.7

Attachment 1 - Community Planning, Toronto and East York District Staff Report on November 29,2023

(<https://www.toronto.ca/legdocs/mmis/2023/mm/bgrd/backgroundfile-241490.pdf>)