



October 10, 2023

TEYCC, October 18th, 2023

Reallocating dormant section 37 funds within Ward 11

SUMMARY:

Ward 11 has a pressing need for funds for affordable housing.

For Ward developments approved under the Planning Act between 1988 and 2013, the City has, for many years, held s. 37 funds that were not used for the purposes identified in their respective zoning bylaws. In some cases, an intended purpose was achieved years ago without requiring the entire allocated sum. In other cases, the original purpose is no longer in Ward 11, did not proceed, or is impractical or inappropriate.

No community benefit is provided by holding s. 37 funds from these old bylaws in the City's bank account year after year while they lose much of their purchasing power.

In the last decade, s. 37 bylaws contained a provision authorizing reallocation of the funds if they are not used for the originally intended purpose within three years of the bylaw. This avoids waste by allowing precious public funds to be reallocated to current priorities. However, zoning bylaws from 2013 and earlier did not contain this provision. Amending them now will allow long-dormant funds to be put to use for climate smart affordable housing within Ward 11.

This motion directs staff to bring forward a City-initiated Zoning By-law Amendment to the first possible Toronto and East York Community Council meeting for a statutory public meeting to amend the zoning by-laws identified in Attachment 1 to the motion to reallocate dormant funds to climate smart affordable housing and TTC Station improvements within Ward 11, and to update the terms of the bylaws.

RECOMMENDATIONS:

1. City Council direct the Chief Planner and Executive Director, City Planning to bring forward at the earliest opportunity, City-initiated amendments to the zoning by-laws identified in Attachment 1 to this letter that:
 - a. reallocate the unspent section 37 funds in item number 2a, 6a and 7a in Attachment 1 to this letter for TTC Station Improvements within Ward 11, University-Rosedale

- b. reallocate the remaining unspent section 37 funds identified in Attachment 1 to this letter for climate smart affordable housing within Ward 11, University-Rosedale, and
- c. include in the amended bylaws the same reallocation authority as in other bylaws, i.e. to authorize reallocation of unspent funds at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in Ward 11, University-Rosedale.

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A handwritten signature in black ink, appearing to read "D Saxe". The signature is fluid and cursive, with the first letter "D" being large and stylized.

Councillor Dianne Saxe
Ward 11, University-Rosedale

Attachment 1: Ward 11 – Zoning By-laws with potentially stranded section 37 funds