

## City Council

### Notice of Motion

MM8.18	ACTION			Ward: 9
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**Authorization to Release Section 45(9) Funds to the Toronto District School Board for Improvements to the Shirley Street Junior Public School Playground - by Councillor Ana Bailão, seconded by Councillor Paula Fletcher**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral*

### Recommendations

Councillor Ana Bailão, seconded by Councillor Paula Fletcher, recommends that:

1. City Council increase the Approved 2019 Operating Budget for Non-Program (NP2161) by \$8,000 gross, \$0 net, fully funded by Section 45(9) community benefits related to a development at 1636 Dundas Street West (Source Account: XR3028-4500055) to fund the Toronto District School Board for the Shirley Street Junior Public School Playground Project.
2. City Council request City staff from the Management Services Branch of the Parks, Forestry and Recreation Division to participate in the preparation of the Community Access Agreement and request the City Solicitor to draw up the Agreement, in consultation with the Ward Councillor and Community Planning staff.
3. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the walkway improvements at Shirley Street Junior Public School, to the satisfaction of the City Solicitor.
4. City Council direct that the funds be forwarded to the Toronto District School Board once the Toronto District School Board has signed a Community Access Agreement with the City, governing the purpose of the funds, the financial reporting requirements, and addressing community access to the playground facilities satisfactory to the City Solicitor, and prepared in consultation with the General Manager, Parks Forestry and Recreation and the Ward Councillor.

### Summary

Section 45(9) funds have been secured and received in the development at 1636 Dundas Street West to be allocated to conduct a traffic study for the surrounding neighborhood with any remaining funds to be directed to local parks improvements. Transportation Services staff

advise that at the current moment a traffic study is not required.

This Motion seeks to contribute \$8,000 of these Section 45(9) funds to help Shirley Street Junior Public School meet their construction timelines and begin building a new playground. The current playground is too small and is inadequate for the needs of the students at the school and in the wider community.

In the absence of a City playground nearby, the Shirley Street Junior Public School grounds serve that purpose for the wider community. The Section 37 Implementation Guidelines (section 5.7) approved by Council in 2007 states:

"Cash contributions toward the capital improvement of school board playgrounds are eligible S.37 community benefits where the playground serves as a local park, where the public will continue to have reasonable access for the foreseeable future, and where there is no local City-owned parkland performing a similar function in the same community that could otherwise benefit from the cash contribution."

A Community Use Agreement will be executed between the City and the Toronto District School Board, drawn up in consultation with the Ward Councillor.

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

Member Motion MM8.18