

City Council**Notice of Motion**

MM8.29	ACTION			Ward: 6
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Authorization to Release Section 37 Funds to the Toronto District School Board for the Dublin Heights Elementary and Middle School Accessible Playground - by Councillor James Pasternak, seconded by Councillor Mike Colle

** 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 James Pasternak, seconded by Councillor Mike Colle, recommends that:

1. City Council increase the Approved 2019 Operating Budget for Non-Program (NP2161) by \$110,000 gross, \$0 net, fully funded by Section 37 community benefits related to a development at 9 Tippett Road and 525 Wilson Avenue (Source Account: XR3026-3700923) to fund the Toronto District School Board for the Dublin Heights Elementary and Middle School Accessible Playground Project.
2. City Council request 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 Dublin Heights Elementary and Middle 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 37 funds have been secured and received in the development at 9 Tippett Road and 525 Wilson Avenue to be allocated for a range of community services and facilities, including

funds to secure capital improvements to City assets or community facilities, in the vicinity of the Lands.

This Motion seeks to contribute \$110,000 of these Section 37 funds to help Dublin Heights Elementary and Middle School meet their construction timelines and begin building a new, accessible playground. The current playground is too small and is inadequate for the special needs students at the school and in the wider community. The new equipment will allow children of all abilities to participate in recreational activities.

In the absence of a City playground nearby, the Dublin Heights school grounds will 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 local Councillor.

Background Information (City Council)

Member Motion MM8.29