

City Council**Notice of Motion**

MM32.17	ACTION			Ward:22
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Authorization to Release Section 37 Funds to the Toronto District School Board towards Capital Improvements to the Playground at Maurice Cody Junior Public School - by Councillor Josh Matlow, seconded by Councillor John Parker

** 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 Josh Matlow, seconded by Councillor John Parker, recommends that:

1. City Council increase the approved 2013 Operating Budget for Non-Program by \$300,000 gross, \$0 net, fully funded by Section 37 community benefits obtained in the developments as follows:
 - a. \$270,052.75 from 35, 137 and 147 Merton Street, (source account XR 3026-3700236); and
 - b. \$29,947.25 from 150 Roehampton Avenue (source account XR3026-3700023);for the purpose of forwarding funds to the Toronto District School Board for capital improvements to the school playgrounds at Maurice Cody Junior Public School, and more specifically, a new synthetic turf playing field of approximately 2,130 m² in size.
2. City Council direct that the funds be forwarded to the Toronto District School Board once the Toronto District School Board has signed:
 - a. an Undertaking governing the purpose of the funds and the financial reporting requirements; and
 - b. a Community Access Agreement with the City, addressing community access to the improved playing field, drawn up in consultation with the Ward Councillor and the local community.
3. City Council request the Director, Community Planning, Toronto East York District, to participate in the community consultation for, and preparation of, the Community

Access Agreement.

4. City Council request the City Solicitor to draw up the Community Access Agreement, in consultation with the Ward Councillor and Community Planning staff.

Summary

Section 37 funds have been secured and received in the development at 35, 137, 147 Merton Street for the purpose of community services and facilities, in the amount of \$300,000 plus accrued interest. Some funds have been spent, leaving a balance of \$270,052.75. Section 37 funds have also been secured in the development at 150 Roehampton Avenue in the amount of \$287,000 plus accrued interest for the purpose of improving community services and facilities in the neighbourhood. The unspent balance is \$174,117.35.

This Motion seeks to support a community organization, composed of local parents and neighbourhood residents, in raising funds for a "Dirt to Turf" project at Maurice Cody Junior Public School. The Toronto District School Board (TDSB) is not providing any capital funds, but is providing technical support. As the project name implies, the objective is to cover the playing field (2,130 m²) with synthetic turf at a cost ranging from \$444,700 to \$507,950, with possible additional optional items at additional cost. This Motion proposes to provide a total of \$300,000 to the Toronto District School Board towards the cost of the synthetic turf. All of the available funds from the Merton Street development will be used, with the balance from the 150 Roehampton development.

The Section 37 Implementation Guidelines approved by Council in 2007 state the following (section 5.7):

"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."

The playground does and will continue to serve the local community as a local park. The Undertaking to be signed by the TDSB will continue provisions governing the purpose of the funds as well as the financial reporting requirements. A separate Community Access Agreement will be executed between the City and the TDSB, drawn up in consultation with the local Councillor and the community.

(Submitted to City Council on April 3 and 4, 2013 as MM32.17)

Background Information (City Council)

Member Motion MM32.17