
City Council

Motion without Notice

MM54.18	ACTION			Ward:10
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Authorization to Release Section 37 Funds to the Toronto District School Board towards Capital Improvements to the Playground at Faywood Public School - by Councillor James Pasternak, seconded by Councillor Ana Bailão

- * Notice of this Motion has not been given. A two-thirds vote is required to waive notice.*
- * This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*
- * This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor James Pasternak, seconded by Councillor Ana Bailão, recommends that:

1. City Council increase the approved 2014 Operating Budget for Non-Program by \$110,000 gross, \$0 net, fully funded by Section 37 community benefits obtained in the development at 545-555 Wilson Avenue, (source account XR3026-3700537), for the purpose of forwarding funds to the Toronto District School Board for the capital improvements to the school playgrounds at Faywood Arts-Based Curriculum (ABC) Public School, and more specifically, the construction of a fully accessible playground.
2. City Council direct that the funds be forwarded to the Toronto District School Board once the 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 improved facilities, drawn up in consultation with the Ward Councillor.
3. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the capital improvements to the grounds at Faywood ABC Public School, to the satisfaction of the City Solicitor.
4. City Council request the Director, Community Planning 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.

Summary

Section 37 funds have been secured and received in the development at 545- 555 Wilson Avenue for the purpose improving the existing recreational capital facilities in the Ward, in the amount of \$400,000 plus accrued interest. This Motion seeks to release Section 37 funds, in the amount of \$110,000 to the Toronto District School Board (TDSB) for the purposes of constructing a fully accessible playground at the Faywood Arts-Based Curriculum (ABC) Public School.

Faywood ABC School is located at 95 Faywood Boulevard and services the southern end of the Clanton Park area. It is a central spot to the southern portion of the community and its park is typically filled with children playing after school and on weekends. The Playground was last updated in July 2001. It was built to service the needs of the school and surrounding community at the time. Since then, the population in the area, including the number of children, has grown substantially as a result of infill building and new local developments. The playground has become outdated and is no longer sufficient to meet the needs of the neighbourhood residents and school.

The TDSB is proposing the construction of a new playground to be built in the Faywood ABC School yard which will service the needs of all the area residents and the students at the same time. This playground will be fully accessible to all residents, including those with accessibility limitations. Unlike other neighbourhood parks in the area, this proposed playground is designed to provide increased accessibility to its participants. This will be a unique park for the entire Clanton Park area as it will offer ground level elements and transfer platforms for use by those not physically abled and also includes many auditory stimulating components.

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 playgrounds at Faywood ABC Public School serve as a local park for the surrounding community. A Community Access Agreement will be signed between the Toronto District School Board and the City to ensure that reasonable public access to the playgrounds continues. The Agreement will also contain provisions governing the purpose of the funds as well as the financial reporting requirements.

This Motion is urgent as the construction of the accessible playground should be completed prior to September when the students will return to school.

(Submitted to City Council on July 8 and 9, 2014 at MM54.18)

Background Information (City Council)

Member Motion MM54.18