

## City Council

### Notice of Motion

MM12.10	ACTION			Ward:21
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**Authorization to Release Section 45(9) Funds from 836 St. Clair Avenue West to the Toronto District School Board for a Community Garden at McMurrich Junior Public School - by Councillor Joe Mihevc, seconded by Councillor John Filion**

*\* 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 Joe Mihevc, seconded by Councillor John Filion, recommends that:

1. City Council increase the 2016 Operating Budget for Non-Program subsequent to the adoption of this budget by \$10,000.00 gross, \$0 net, (cost centre: NP2161) fully funded by Section 45 funds obtained in the development at 836 St. Clair Avenue West (source account: 220096), for the purpose of providing one time capital funding to the Toronto District School Board for the creation of a community garden with art at McMurrich Junior Public School located at 115 Winona Drive.
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 creation of a community garden with art at McMurrich 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 community garden for a minimum of 5 years.

#### Summary

McMurrich Junior Public School is located in the St. Clair West community. The school, its

School Advisory Council and parent community, initiated the planning for a garden that would provide opportunity to expose and educate their children about agriculture, food security and the City's natural ecosystem. The benefits of the garden and the students' work will extend beyond the school perimeter to expand our urban green assets and support species at risk. The addition of art will engage the broader community and attract its members to visit and enjoy the garden.

Funds in the amount of \$110,000 have been secured and received as a condition of approval of a minor variance (Section 45) application in relation to a development at 836 St. Clair Avenue West (Committee of Adjustment file A0359/15TEY) for improvements to local school playgrounds provided that:

- a. there is an agreement in place between the School and the Toronto District School Board to ensure that there is community access for a minimum of 5 years; and
- b. the funds will be forwarded to the Toronto District School Board once the School Board has entered into 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, to the satisfaction of the City Solicitor, prepared in consultation with the General Manager, Parks Forestry and Recreation and the Ward Councillor.

This Motion seeks Council authority to release \$10,000 of Section 45 funds received from the development at 836 St. Clair Avenue West to the Toronto District School Board for the purpose of funding the creation of a community garden accented with art at McMurrich Junior Public School located at 115 Winona Drive.

A Community Access Agreement to be signed by the Toronto District School Board will contain provisions governing the purpose of the funds, the financial reporting requirements, and access to the community garden at the school. The Community Access Agreement will be executed between the City and the Board, drawn up in consultation with the local Councillor.

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

Member Motion MM12.10

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-88609.pdf>