

City Council

Notice of Motion

MM19.17	ACTION			Ward:20
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Authorization to Release Section 37 Funds, from 328-340 Adelaide Street West, to the Toronto District School Board towards Playground Improvements at Ogden Junior Public School - by Councillor Joe Cressy, seconded by Councillor Mike Layton

** 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 Cressy, seconded by Councillor Mike Layton, recommends that:

1. City Council increase the approved 2016 Operating Budget for Non-Program by \$100,000 gross, \$0 net (cost centre NP2161), fully funded by Section 37 community benefits obtained in the development at 328, 330, 332, 334, 336, 338 and 340 Adelaide Street West, (source account XR3026-3700391), for the purpose of forwarding funds to the Toronto District School Board for the capital improvements to the school playgrounds at Ogden Junior Public School.
2. City Council authorize the Director of Strategic Initiatives, Policy and Analysis, City Planning to execute an amending Community Access Agreement between the City and the Toronto District School Board for the capital improvements to playgrounds at Ogden Junior Public School, to the satisfaction of the City Solicitor.
3. City Council request staff from Parks, Forestry and Recreation Management Services to participate in the preparation of the amending Community Access Agreement and request the City Solicitor to draw up the Amended Agreement, in consultation with the Ward Councillor and Community Planning staff.
4. City Council direct that the funds be forwarded to the Toronto District School Board once the Toronto District School Board has signed an amended 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.

Summary

This Motion seeks Council authority to release \$100,000 of Section 37 funds received from the development at 328, 330, 332, 334, 336, 338 and 340 Adelaide Street West to the Toronto

District School Board for the purpose of funding playground ground improvements at Ogden Junior Public School located at 33 Phoebe Street. The funds will go towards Phase 2 of the playground and field improvements. Phase 1 of the improvements, to which \$100,000 in Section 37 funds was contributed, focused largely on improvements to the playground itself, and is subject to a completed community access agreement. Phase 2 will see improvements to the playing field, adjacent to the playground. This funding is needed to replace a previous secured allocation for the school playground of \$100,000 which will no longer be received as it is uncertain that the contributing development will be proceeding.

Section 37 funds in the amount of \$1,500,000 have been secured by an Order of the Ontario Municipal Board dated June 3, 2011 that approves a site-specific Zoning By-law 890-2011 (OMB) for lands at 328, 330, 332, 334, 336, 338 and 340 Adelaide Street West. The funds were secured for a range of capital improvements and public benefits including local parks. A total of approximately \$549,459 remains unspent and can be utilized for the identified capital facilities/community benefits.

Council approved Implementation Guidelines for Section 37 provide states that:

"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."

In the absence of a City playground nearby, the Ogden Junior Public School playground serves that purpose for the wider community with the play facilities and field currently being used after hours by community members.

An amended Community Access Agreement to be signed by the Toronto District School Board will contain provisions governing the purpose of the additional funds, the financial reporting requirements, and access to the field at the school. The amended Community Access 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 MM19.17