

**City Council****Notice of Motion**

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| <b>MM20.27</b> | <b>ACTION</b> |  |  | Ward:23 |
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**Release of Section 45(9) Funds from the Development at 4726-4728 Yonge Street to the Toronto District School Board for Playground Improvements at Yorkview Public School - by Councillor John Filion, seconded by Councillor Joe Mihevc**

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

1. City Council increase the approved 2016 Operating Budget for Non-Program by \$20,000.00 gross, \$0 net, (cost centre: NP2161) fully funded by Section 45 funds obtained in the development 4726-4728 Yonge Street, 9-31 Bogert Avenue and 2-28 Poyntz Avenue (source account: XR3028-4500139), for the purpose of providing one time capital funding to the Toronto District School Board for playground improvements at Yorkview Public School located at 130 Yorkview Drive.
2. City Council request City staff from the Management Services Branch of Parks, Forestry and Recreation 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 capital improvements to the playgrounds at Yorkview 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 playground facilities satisfactory to the City Solicitor, and prepared in consultation with the General Manager, Parks Forestry and Recreation and the Ward Councillor.

**Summary**

The playground at Yorkview Public School has been closed since May 2015. The school, its School Advisory Committee and parent community have raised funds to provide a new play

structure. In March 2016, the Play Structure Committee, in the final stages of planning the play structure, met with the local Councillor. They had raised all they could but identified a short fall in funding for a small naturalized play area. The school is located in a community with a deficit of open parkland for its members to gather. This playground improvement will provide a safe place for students and community members alike.

Funds in the amount of \$270,000 have been secured and received as a condition of approval of a minor variance (Section 45) application in relation to a development at 4726-4728 Yonge Street, 9-31 Bogert Avenue and 2-28 Poyntz Avenue (Committee of Adjustment file A615/13NY). The funds were secured "to be used for appropriate community benefits". This Motion proposes to provide a total of \$20,000 to the Toronto District School Board towards the cost of improvements to the playground at Yorkview Public School.

Council approved Implementation Guidelines for Section 37 provide state 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.

Currently, the playground and surrounding play facilities at Yorkview Public School are used after hours by community members. The local City-owned parkland nearby has already been improved in recent years through Section 37 funding, and this facility can continue to be used by community members to supplement their access to local outdoor play space.

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 playgrounds at the school. The 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 MM20.27