

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

MM21.2	ACTION			Ward:26
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**Release of Section 37 Funds from the Development at 1250 Eglinton Avenue East to the Toronto District School Board for the Go Green Cricket and Sports Field at Valley Park Middle School - by Councillor Jon Burnside, seconded by Councillor Josh Colle**

*\* 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 Jon Burnside, seconded by Councillor Josh Colle, recommends that:

1. City Council increase the approved 2016 Operating Budget for Non-Program by \$50,000.00 gross, \$0 net, (cost centre: NP2161) fully funded by Section 37 funds obtained in the development 1250 Eglinton Avenue East (source account: XR3026-3700019), for the purpose of providing one time capital funding to the Toronto District School Board in order to construct the Go Green Cricket and Sports Field at Valley Park Middle School.
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 Go Green Cricket and Sports Field at Valley Park Middle 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 Go Green Cricket and Sports Field project began in 2010 with a community goal to build a sustainable multi-sport cricket field on Valley Park Middle School site. The field is used by

community members and organizations to bring together families and youth from Flemington Park and Thorncliffe Park. With the completion of the project in June 2015, the youth-led program was able to expand from cricket to multi-sports. As an organization that focuses on providing free sports program for youth of all ages, they rely on support from government and local agencies. As a federally incorporated not-for-profit entity called Valley Park Community Association, it received funding from several agencies and sub-licensed the school field from Toronto District School Board to be used after hours.

Flemington Park and Thorncliffe Park lack accessible public park and space for youth engagement and community events. This makes the school field an important aspect of the students' and community members' healthy and active lifestyle. The Toronto District School Board field requires improvements to the cricket and multi-sport court to continue serving the community safely and effectively. The request for support of the project has come from the Go Green Cricket and Sports Field. If approved, the \$50,000 will contribute to the larger improvement and expansion project, which has received some funding and waiting on more funding (including the Federal Government).

The City of Toronto secured funds under Section 37 of the Planning Act with the owners of the development at 1250 Eglinton Avenue East, authorized by site-specific Zoning By-law 365-2007, enacted and passed by the Toronto City Council on April 24, 2007. The associated Section 37 Agreement provides that \$500,000 received be used toward the provision of community services and facilities to be spent in the immediate community. The only limitation on the use of the funds was a provision which stated that:

“priority for a period of three years after completion of the development should be given to funding initiatives in the Wynford community, either for parks and open space purposes or community services and facilities. After that time, if no acceptable project is identified, the funds are to be applied to community service improvements in the immediate surrounding communities, such as Don Mills and/or Flemington Park.”

The funds have been received by the City and a significant portion of the funds have been used in the Wynford Community. Given that the three year period has elapsed the remaining funds can be used in the broader community. This Motion proposes to provide a total of \$50,000 to the Toronto District School Board towards the cost of constructing the Go Green Cricket and Sports Field at Valley Park Middle 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."

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 MM21.2