

Child Care Development Guideline



TORONTO CHILDREN'S SERVICES

City of Toronto

September 2016

1. Introduction

The intent of this document is to act as a reference/guideline for developers entering into Section 37 Agreements and other Development Agreements with the City of Toronto. It is meant to be used by City Officials in Planning and other Divisions to customize agreements as well as to define parameters for future lease agreements and identify desirable security of tenure with developers that are considering Child Care spaces within their projects.

This working document will assist developers and planners to achieve licensable Child Care Centres within future developments.

2. General Terms

The developer shall design, construct, finish and equip a Child Care Facility sufficient to accommodate a minimum of 62 children (may fluctuate based on the size of the site) aged 0 to 4 years. The exact size of the Child Care Facility will be determined by the City (Service System Planning & Policy Development Unit of the City of Toronto's Children's Services Division) once a specific site has been determined by the developer. The developer shall provide consultant reports regarding wind, sun/shade, noise, air quality and soil quality conditions.

The developer will provide architectural services for drawings necessary for Toronto Public Health and Ministry of Education approvals. These approvals are required for building permit issuance.

The Child Care Facility must meet criteria within the Child Care and Early Years Act 2014; CAN/CSA-Z614-03 Children's Play Spaces and Equipment or equivalent, Annex H; the Toronto Child Care Design & Technical Guideline R1 2016,, the Toronto Accessibility Guidelines, the Toronto Green Development Standards – Tier 1 and 2; Children's Services Early Learning & Child Assessment for Quality Improvement, 2014 (AQI); all provincial codes and municipal planning, zoning and by-law criteria.

3. Identifying the Child Care Operator

A child care operator will be chosen through an Expression of Interest (EOI) process undertaken by the Children's Services Division. The operator must be approved by the City as a child care operator that meets the City of Toronto requirements for not for profit status. The City and the Developer (if the developer so wishes), will both participate in the EOI process to choose a satisfactory operator.

4. Facilities Design

The child care centres shall be designed as per the Child Care Early Years Act (CCEYA) 2014. At the time of site plan application, the approved plans must show:

Interior Space

- licensable playrooms of a minimum 2.8 m² (30 ft²) per child (unobstructed play space)
- provide washrooms and change areas for each age grouping as per Ontario Building Code
- provide ancillary spaces: office, laundry, toy wash station, kitchen, stroller storage, meeting room, janitor room, mechanical/electrical room, telecommunication room, gross motor area, universal washrooms, staff room, staff washroom, parent resource space, centre storage etc.
- the child care centre should be built preferably all at grade, however, preschoolers can be located on the second floor
- if the child care is located on two floors, then a dedicated elevator and interior staircase must be included
- elevator must be large enough to handle a full length stretcher, and/or a triple stroller and attendant/staff
- provide fully functional kitchen to meet Toronto Public Health Regulations; commercial dishwasher with heat booster, triple sink, hand wash sink, residential stove and range hood, grease interceptor, pantry, storage, work surfaces, appliances, warming services for catered foods
- provide security features that allow the Child Care Facility to operate autonomously within a multi-use facility: video intercom/remote door release system, card reader/keypad access system, motion detection equipment etc
- provide ventilated space and equipment for recycling and waste disposal to comply with the 'City of Toronto's Requirement for Garbage, Recycling & Organics Collection Services for New Developments & Redevelopment'

Exterior Space

- the facility should feature its own front entrance from the street
- provide safe access to the Child Care Facility for children, parents, staff and pedestrian
- provide vehicular drop-off and pick-up location of children; to accommodate up to a minimum of 4 vehicles
- provide a minimum of 4 dedicated parking spaces or as stipulated by the Toronto Zoning By-Law. The parking space should be located close by, or adjacent to the child care facility
- provide a licensable outdoor playground for each age group that is adjacent to interior play room space; minimum of 5.6 m² (60 ft²) unobstructed play space, minimum 1.2 meter (4 feet) high perimeter fence plus lockable gate, barriers dividing age grouping, toy and equipment vandal proof storage at minimum 9.3 m² (100 ft²)
- provide a variety of play elements appropriate to age groupings: sand play, water play,

- naturalized setting, play structures, tricycle pathways
- provide 25% shade of the play space during regular centre hours: trees, shade structures, shade sails etc
- provide all year round weather protected outdoor space in the playground; canopy, roof structures etc
- provide playground protected from wind and noise based on statistics applicable to children. Acceptable levels of air quality and soil conditions must be met.

5. Developer Financial Obligations

The developer shall provide cash contributions subject to cost of living index increases for the following expenses:

Equipment Cost

- The developer is to provide funds required to fully equip the Child Care Facility in accordance with provincial and municipal standard based on an inventory list provided by Children's Services and finalized by the future child care operator chosen through the Expression of Interest (EOI) process. Major appliances could be included in the contractor's scope of work.

Replacement Reserve Fund

- The developer is to provide a one-time contribution towards a replacement reserve fund for the Child Care Facility to replace appliances and large equipment due to wear and tear. Amount established for the replacement reserve fund will be negotiated at the time of the terms and conditions of each Section 37 Agreement.

Start-Up Operating Costs

- The developer is to provide a one-time cash contribution for the defrayment of operational deficits incurred during the first year of operation. The amount will be dependent on the licensed capacity of the program.

6. Lease

- The operator and the developer shall enter into a lease for three 25 year terms, and one 24 year term. The term will be 99 years inclusive of 3 consecutive terms with no termination allowed unless the General Manager of Children's Services, the lessor and the lessee agree. The lease shall ensure that the Child Care Facility is free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs, repair and maintenance costs, property damage, liability insurance, realty taxes and local improvement charges.

- In the event that the facility is no longer required for licensed child care purposes, the lease shall acknowledge the City's right to establish another non-profit community service use in the premises. If a child care operator terminates their lease with the Developer/Landlord, the City will be responsible to replace the operator via Expression of Interest process.

7. Financial Security

The developer shall provide financial security to the City Planning Dept. prior to the issuance of a building permit for the construction of the Child Care Facility in order to guarantee the satisfactory performance and completion of work in respect of design, construction and provision to the City.

The Financial Security shall be in a form of a Letter of Credit (s) and the initial amount of the Letter of Credit shall be sufficient to guarantee 120% of the estimated cost of the design, construction and provision of the Child Care Facility.

The Financial Security shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto from the date the proposed Zoning By-law comes into force.