

City Council

Notice of Motion

MM31.13	ACTION			Ward:27
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Authorization to Release Section 45(9) Funds, from the Development at 365-375 Church Street, to the Toronto District School Board towards Playground Improvements at Church Street Public School - by Councillor Kristyn Wong-Tam, seconded by Councillor Joe Cressy

** 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 Kristyn Wong-Tam, seconded by Councillor Joe Cressy, recommends that:

1. City Council increase the Approved 2017 Operating Budget for Non-Program by \$200,000 gross, \$0 net (Cost Centre NP2161), fully funded by Section 45(9) community benefits obtained in the development at 365 - 375 Church Street, (Source Account: XR3028-4500158), for the purpose of forwarding funds to the Toronto District School Board for the capital improvements to the school playgrounds at Church Street Public School.
2. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the capital improvements to playgrounds at Church Street Public School, to the satisfaction of the City Solicitor.
3. City Council request City staff from the Management Services Branch of the Parks, Forestry and Recreation Division to participate in the preparation of the amending Community Access Agreement and request the City Solicitor to draw up the 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 the 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

83 Alexander Street, the Church Street Public School, is a significant green space and children's education facility. The Toronto District School Board has identified a need for capital investments on the site, including significant restoration and upgrades to the playground

and new artificial turf for the open green space. The cost of these improvements to the turf is evaluated at approximately \$1,111,000.00.

Of the original \$1,200,000 in Section 45(9) funds secured and received for various purposes from the development approved at 365-375 Church Street, approximately \$967,413 remains uncommitted. The Section 37 agreement specifies that one of the purposes of these funds is community and park improvements.

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."

Capital improvements to the Church Street Public School's open green space would comply with the Section 37 agreement and the Council approved Guidelines.

Prior to receiving the funds, the Toronto District School Board will be required to sign a Community Access Agreement which will contain provisions governing the purpose of the funds, the financial reporting requirements, and access to the playground 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 MM31.13