

City Council

Notice of Motion

MM31.23	ACTION			Ward:27
---------	--------	--	--	---------

Authorization to Release Section 45(9) Funds, from the Development at 365-375 Church Street, to the Toronto District School Board towards Streetscape Improvements at Church Street Junior Public School - by Councillor Kristyn Wong-Tam, seconded by Councillor Shelley Carroll

** 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 Shelley Carroll, recommends that:

1. City Council increase the approved 2017 Operating Budget for Non-Program by \$550,000.00 gross, \$0 net (Cost Centre: NP2161) on a one time basis, 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 capital improvements by the Toronto District School Board in 2017/2018 for streetscape improvements including retaining wall restoration work and the fabrication and installation of a decorative fence along the east side of Church Street on the Church Street Junior Public School lands located at 83 Alexander Street.
2. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the capital improvements at Church Street Junior Public School for a term of twenty years, and otherwise on terms and conditions satisfactory to the City Solicitor.
3. 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, Community Planning staff and Transportation Services 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 Junior 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 to the property's retaining wall and fence along the east side of the Church Street right-of-way. As part of this work, there is an opportunity to invest in the public realm to improve upon the base condition and create a dynamic experience in the public realm. The cost of the improved public realm is evaluated at approximately \$650,000.00.

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 Committee of Adjustment approved the 365-375 Church Street development subject to a condition requiring the developer to provide the Section 45(9) funds to the City for the provision of a number of community improvements, including local streetscape improvements.

The intent of this Motion is to transfer \$550,000 of the Section 45(9) funds from the development described above to the Toronto District School Board for local streetscape improvements along the east side of Church Street consisting of retaining wall restoration work and the fabrication and installation of a decorative fence entirely on Toronto District School Board lands.

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 MM31.23