

City Council**Notice of Motion**

MM32.28	ACTION			Ward:22
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Authorization to Release Section 37 Funds to Toronto District School Board for the Oriole Park Public School Accessible Playground - by Councillor Josh Matlow, seconded by Councillor Sarah Doucette

** 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 Josh Matlow, seconded by Councillor Sarah Doucette, recommends that:

1. City Council increase the Approved 2017 Operating Budget for Non-Program (NP2161) by \$350,000 gross, \$0 net, fully funded by Section 37 community benefits related to a development at 2221 Yonge Street (source account: XR3026-3700813) to fund the Toronto District School Board for the Oriole Park Public School Accessible Playground Project.
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 walkway improvements at Oriole Park 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

Section 37 funds have been secured and received in the development at 2221 Yonge Street to be allocated for community services and facilities in the vicinity of the Lands, with such community services and facilities to be determined by the Chief Planner and Executive Director, City Planning in consultation with the local Councillor.

This Motion seeks to contribute \$350,000 of these Section 37 funds, to help Oriole Park Public School meet their construction timelines and begin building a new, accessible playground. The current playground is too small and is inadequate for the special needs students at the school and in the wider community. The new equipment will allow children of all abilities to participate in recreational activities.

In the absence of a City playground nearby, the Oriole Park school grounds serve that purpose for the wider community. The Section 37 Implementation Guidelines (section 5.7) approved by Council in 2007 states:

"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 Use 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 MM32.28