

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

MM43.29	ACTION			Ward:22
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**Authorization to Release Section 37 Funds to the Toronto District School Board for the Brown Public School Accessible Playground - by Councillor Josh Matlow, seconded by Councillor Joe Mihevc**

*\* 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 Joe Mihevc, recommends that:

1. City Council increase the Approved 2018 Operating Budget for Non-Program by \$350,000 gross, \$0 net, fully funded by Section 37 community benefits related to a development at 609 Avenue Road (Source Account: XR3026- 3700818) to provide one-time funding of \$350,000.00 to the Toronto District School Board for the Brown Public School Accessible Playground Project.
2. 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 improved facilities, drawn up in consultation with the Ward Councillor.
3. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the new playground at Brown Public School, to the satisfaction of the City Solicitor.
4. City Council request the Director, Community Planning, Toronto and East York District 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.

**Summary**

This Motion seeks to contribute \$350,000 through Section 37 funds, secured from a development at 609 Avenue Road, to help Brown Public School begin building a new, accessible playground.

In the absence of a City playground nearby, the Deer 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 and the community.

### **Background Information (City Council)**

Member Motion MM43.29