

City Council

Motion without Notice

MM5.35	ACTION			Ward: 6
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Authorization to Release Section 37 Funds, from the Development at 2800 Keele Street to the Toronto Catholic District School Board towards Playground Improvements at St. Conrad Catholic School - by Councillor James Pasternak, seconded by Councillor Mike Colle

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor James Pasternak, seconded by Councillor Mike Colle, recommends that:

1. City Council increase the Approved 2019 Operating Budget for Non-Program by \$50,000.00 gross, \$0 net, (cost centre: NP2161), fully funded by Section 37 funds obtained in the development 2800 Keele Street, (source account: XR3026-3700676), for the purpose of providing one time capital funding to the Toronto Catholic District School Board for playground improvements at St. Conrad Catholic School located at 5 Exbury Road.
2. City Council direct that the \$50,000.00 be forwarded to the Toronto Catholic District School Board upon the signing of an Undertaking by the Toronto Catholic District School Board governing the use of the funds and the financial reporting requirements.

Summary

The area that encompasses St. Conrad Catholic School (5 Exbury Road) has a growing population and an increasing number of children and young families. The school and community require safe and new playgrounds facilities to meet the needs of the neighbourhood that has been neglected for a long time. The Toronto Catholic District School Board has identified a need for capital investments on the site, in the form of a renewed playground. This facility can continue to be used by community members to supplement their access to local outdoor play space outside of school hours.

The City of Toronto secured funds under Section 37 of the Planning Act with the owners of the development at 2800 Keele Street, authorized by site-specific Zoning By-law 110-2015 (OMB). The By-law and the associated Section 37 Agreement provides that certain funds shall be used for a variety of community benefits including funds to be used towards streetscape improvements along Keele Street and Victory Drive in the immediate vicinity of the proposed development. Both instruments also provide that in the event that some or all of the cash

contributions have not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the unused cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands. Three years have passed since the By-law came into full force and effect. Accordingly, this Motion proposes to redirect \$50,000 from the unused cash contribution for streetscape improvements to the Toronto District School Board towards the cost of the creating a new playground.

The Section 37 Implementation Guidelines (section 5.7) approved by Council in 2007

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."

The Toronto Catholic District School Board will sign an Undertaking governing the use of the funds and the financial reporting requirements prior to the funds being released from the City.

Background Information (City Council)

Member Motion MM5.35