

**City Council****Motion without Notice**

MM9.56	ACTION			Ward: 9
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**Authorization to Release Section 45(9) Funds from the Development at 861-863 St. Clair Avenue West to the Toronto District School Board for the Rawlinson Community School Outdoor Area Restoration Project - by Councillor Ana Bailão, seconded by Councillor Paula Fletcher**

*\* 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 Ana Bailão, seconded by Councillor Paula Fletcher, recommends that:

1. Council approve the release to the Toronto District School Board (NP2161) of \$0.155 million of Section 45 funds from the development at 861 St. Clair Avenue West for the Rawlinson Outdoor Area Restoration Project to improve the green space for school and community use, such payment to be made upon the receipt of this Section 45 agreement payment by the City.
2. 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 City Council request the City Solicitor to draw up the Agreement for a term of 10 years, 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 outdoor improvements at Rawlinson Community 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 45(9) Planning Act funds have been secured from the development at 861-863 St. Clair Avenue West to be allocated for local community projects including parks, recreation facilities,

and streetscape and open space improvements, to be determined in consultation with the Ward Councillor and the Chief Planner and Executive Director, City Planning.

This Motion seeks to contribute \$155,000 of these Section 45(9) funds, to assist the Rawlinson Community School with their outdoor area restoration project. This contribution will be added to the \$25,000 that the school community has fundraised to date.

In the absence of a City playground within a 1.4 kilometre radius, the Rawlinson Community School grounds serve that purpose for the wider community and are heavily used. The grounds are also in very poor condition and in desperate need of repair. 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 Section 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 Ward Councillor.

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

Member Motion MM9.56