

City Council

Notice of Motion

MM47.49	ACTION			Ward: 11
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Authorization to Release Section 37 Funds to Toronto District School Board for Palmerston Avenue Junior Public School Yard Revitalization - by Councillor Mike Layton, 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 Mike Layton, seconded by Councillor Joe Mihevc, recommends that:

1. City Council increase the 2022 Approved Operating Budget for Non-Program by \$124,475 gross, \$0 net, (Cost Centre: NP2161) for the purpose of providing one time capital funding to the Toronto District School Board for playground improvements at Palmerston Avenue Junior Public School, subject to the Toronto District School Board entering into an acceptable Community Access Agreement with the City, fully funded by Section 37 funds obtained from the following development:
 - a. 500 Dupont Street, secured for parkland improvements in the neighbourhood (Source Account: 220096), in the amount of \$107,756; and
 - b. 275 Albany Avenue and 420 Dupont Street, secured in the amount of \$16,718 (Source Account: XR3026-3701051).
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, in consultation with the Ward Councillor and Community Planning staff, provided acceptable terms can be agreed upon.
3. City Council authorize the execution of a Community Access Agreement with the Toronto District School Board for the capital improvements to the playgrounds at Palmerston Public School, for a term of 15 years and on such other terms and conditions satisfactory to the General Manager, Parks, Forestry and Recreation, and in a form satisfactory to 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 an acceptable Community Access Agreement with the City governing the purpose of the funds, the financial reporting requirements and addressing community access to the playground facilities.

5. City Council direct that if a mutually acceptable Community Access Agreement cannot be agreed upon that the funds will not be transferred to the Toronto District School Board and shall be made available for other community facilities.

Summary

This Motion seeks to contribute by \$124,475 of Section 37 funds, to fund the Toronto District School Board for the Palmerston Avenue Junior Public School Yard Revitalization.

In the absence of a City park in the vicinity, the Palmerston Avenue Junior Public School grounds serve that purpose for the wider community. The Section 37 Implementation Guidelines (section 5.7) approved by Council 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.

Section 37 and Section 45 funds have been secured and received from various developments in the vicinity of the School for parkland improvements and/or may be redirected to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the City of Toronto Official Plan and will benefit the community in the vicinity of the lands.

The Community Access Agreement to be signed by the Toronto District School Board will contain provisions governing the purpose of the funds, the financial reporting requirements, and access to the revitalized grounds at Palmerston Avenue Junior Public 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 MM47.49