

16 York St - Request for Direction Report

Date:	May 20, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina, Ward 28- Toronto Centre Rosedale
Reference Number:	08 100769 STE 20 OZ

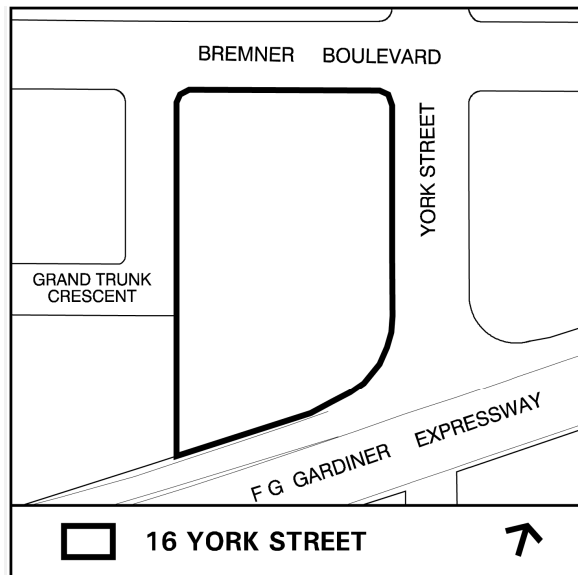
SUMMARY

The purpose of this report is to seek Council authorization to amend the Section 16 Agreement for 16 York Street to delete the requirement for a \$500,000 payment to the City for Bremner Boulevard reconstruction, and replace with a requirement that the owner reconstruct Bremner Boulevard between York Street and Lake Shore Boulevard West, and that \$350,000 for Railway Lands streetscaping be reallocated to this project.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the appropriate City officials to amend the Section 16 Agreement for 16 York Street as follows:
 - a) Deleting the requirement for a \$500,000 payment to the City for Bremner Boulevard streetscaping, and replace with a requirement that the owner reconstruct Bremner Boulevard at no cost to the City, to the City's specifications, from York Street to Lake Shore Boulevard West.
 - b) Requiring that the owner provide a



- letter of credit in a form satisfactory to the Executive Director of Technical Services as security to cover the cost of such reconstruction, upon execution of the agreement, with such letter of credit to be in an amount of \$850,000;
- c) Providing for the refund of the \$500,000 Section 16 funds previously paid by the owner for Bremner Boulevard streetscaping, upon execution of the amending agreement and provision to the City of the letter of credit;
 - d) Reducing the amount of Section 16 funds required for Railway Lands Streetscaping from \$500,000 to \$150,000 and requiring the owner to incorporate streetscaping improvements in the reconstruction of Bremner Boulevard such that the total value of the reconstruction is approximately \$850,000; and
 - e) Requiring the owner of 16 York Street to contribute any remaining amount to streetscape improvements in the Railway Lands including the Simcoe Street Pedestrian Promenade, if the Bremner Boulevard reconstruction work can be completed for less than \$850,000.
2. The owner enter into an appropriate agreement for the reconstruction of the road to the satisfaction of the Executive Director of Technical Services.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

City Council, on June 27, 28 and 29, 2006, adopted the Union Station District Plan, dated May, 2006. One of the recommendations was that the design concept for Union Plaza should be implemented in conjunction with development applications already under consideration. See:

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060627/pof5rpt/cl013.pdf>

City Council on December 11, 12 and 13, 2007, directed Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, to ensure that Section 37 community benefit funds derived from development of sites within Union Station District and benefiting from their proximity to an improved Station be designated to assist in covering costs of pedestrian and bicycle amenities and other public improvements arising from the Station revitalization. See:

<http://www.toronto.ca/legdocs/mmis/2007/cc/bgrd/ex15.2a.pdf>

In 2009, Council approved an Official Plan Amendment and rezoning application for a 31-storey office building, a 65-storey residential condominium building and a 55-storey residential condominium building with retail and PATH space on the lands known municipally as 16 York Street. One of the recommendations, as approved by City Council at its meeting held on April 29 and 30, 2009, required the applicant to enter into an agreement to secure a range of facilities and services. On April 30, 2009, the applicant entered into an agreement pursuant to section 16 of the *City of Toronto Act, 1971*, S.O.

1971, c. 130, as amended by Section 11(2) of the *City of Toronto Act, 1973*, S.O. 1973, c. 213, to secure contributions from the Owner to the City and other related matters respecting the proposed development at 16 York Street. See: <http://www.toronto.ca/legdocs/mmis/2009/te/bgrd/backgroundfile-20290.pdf>

The reconstruction of Bremner Boulevard between York Street and Lake Shore Boulevard West was one of facilities and services secured in the Section 16 Agreement. The \$500,000 for the reconstruction for Bremner Boulevard was paid prior to the Bills being introduced at Council. Funds were also secured in the Section 16 Agreement for other improvements, including Railway Lands streetscaping. A portion of these funds are to be paid prior to the issuance of the first above-grade building permit for Phase 1.

ISSUE BACKGROUND

Union Plaza comprises the publicly accessible exterior areas east of York Street, north of Lake Shore Boulevard West, south of the railway/Union Station and the west side of the Air Canada Centre. The design of Union Plaza including Bremner Boulevard east of York Street is shown in Attachment 1. The design concept includes decorative brick pavers and small leafs on the roadway and sidewalks. Parts of the Union Plaza design concept have been implemented through streetscaping, from the building face to the curb, in conjunction with development approvals for the Air Canada Centre (40 Bay Street), Maple Leaf Square (15 York Street) and 25 York Street. The developer of 15 and 16 York Street, as part of the approvals of 16 York Street, was required to provide the funding to complete the Union Plaza design concept on Bremner Boulevard between York Street and Lake Shore Boulevard West. Prior to the introduction of Bills to Council, \$500,000 was paid for the reconstruction of Bremner Boulevard.

The buildings at the Air Canada Centre (40 Bay Street) and 25 York Street have been completed and are now occupied. Maple Leaf Square (15 York Street) has been completed and occupancy of the residential and commercial units began in April 2010. In order for the Bremner Boulevard portion of Union Plaza to be completed by summer 2010, it is necessary to revise the Section 16 Agreement conditions for the developer to complete the work.

The preliminary cost estimate for the work was \$500,000. There is now a detailed cost estimate and detailed drawings. The cost of the work is estimated at \$850,000. The additional \$350,000 of the reconstruction costs are intended to be secured from other funds in the Section 16 Agreement secured for streetscaping improvements in the Railway Lands. The owner will enter into an appropriate agreement and will provide a letter of credit to ensure the construction of the road to the satisfaction of the Executive Director of Technical Services. When the amending agreement is executed and the letter of credit is provided, the City will refund the \$500,000 to the developer. If the work can be completed for less than \$850,000, the owner of 16 York Street will be required to contribute the remaining amount to streetscape improvements in the Railway Lands including the Simcoe Street Pedestrian Promenade Plan.

The Bremner Boulevard roadway work is expected to be completed in July or August 2010. This would permit the grand opening of Union Plaza concurrent with the Maple Leaf hockey season launch in September 2010.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Union Square Design (including Bremner Boulevard east of York Street)

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