



STAFF REPORT ACTION REQUIRED

Supplementary Report – Allocation of Section 37 and 45 Funds for Streetscape Enhancements in Wards 27 and 28 (Item EX20.9)

Date:	May 28, 2012
To:	City Council
From:	Acting Chief Planner and Executive Director, City Planning Division, Acting General Manager, Transportation Services
Ward(s):	Ward 27 Toronto Centre-Rosedale Ward 28 Toronto Centre-Rosedale
Reference Number:	P:\2012\ClusterB\TRA\TIM\cc12017

SUMMARY

This report responds to a request by Executive Committee to report directly to City Council on the funding requirements for Sherbourne Streetscape Enhancements and for the Front Street Promenade so that the relevant Section 37 and 45 funds are apportioned appropriately between these two projects. The recommendations in this report supersede those in the previous report from the Acting Chief Planner and Executive Director, City Planning and Acting General Manager, Transportation Services dated April 12, 2012 that was considered by Budget Committee (BU24.1) and Executive Committee (EX20.9)

In the previous report, it was recommended that \$585,808.02 in Section 37 and 45 funds be allocated entirely to the streetscape enhancements that will be included as part of the construction of the Sherbourne Street Bikeway Facility Project in 2012. Based on more detailed construction cost estimates that have recently been completed, the cost of these streetscape enhancements has been reduced from \$585,808.02 to \$402,985.00. The difference of \$182,823.02 is to be redirected to the Pan Am Games Pedestrian Promenade Plan for Front Street East. City Planning staff have identified additional Section 37 (zoning amendment approvals) and Section 45 (minor variance approvals) funding for the Front Street Promenade which, when combined with the \$182,823.02, total \$1,295,736.04. This total is sufficient to implement the Pan Am Games Pedestrian Promenade Plan for Front Street East which will be delivered in 2013.

This report seeks authorization to increase the 2012 approved Capital Budget of Transportation Services in the amount of \$402,985.00 to be applied to Neighbourhood Improvements: Sherbourne

Street Streetscape Enhancements. The funds for the Pan Am Games Pedestrian Promenade Plan totalling \$1,295,736.04 will be addressed through the 2013 Capital Budget process.

RECOMMENDATIONS

The Acting Chief Planner and Executive Director, City Planning, and the Acting General Manager, Transportation Services recommend that:

1. City Council amend the 2012 Approved Capital Budget for Transportation Services with the addition of a new project, Neighbourhood Improvements: Sherbourne Street Streetscape Enhancements in the amount of \$402,985.00, with funding provided from Section 45 community benefits associated with the approved developments at 770 Bay Street in the amount of \$105,524.97 (Account #XR3026-4500031), 101 Sherbourne Street in the amount of \$161,940.84 (Account #XR3026-4500044); and 275 King Street East in the amount of \$135,519.19 (Account #XR3026-4500084), for a \$0 net impact.

FINANCIAL IMPACT

The 2012 Approved Capital Budget for the rehabilitation of Sherbourne Street from King Street East to Gerrard Street East, in conjunction with the implementation of the Sherbourne Street Bikeway Facility project, does not include any streetscaping enhancements. This report recommends that the 2012 Capital Budget for Transportation Services be increased by a total of \$402,985.00 gross, \$0 net, in order to include and fund streetscaping enhancements with this project. Funding will be provided from the Section 45 community benefits received by the City from previously approved developments, as outlined in Attachment 1. This funding, which was designated for general streetscape projects, will be directed to this new project, "Neighbourhood Improvements: Sherbourne Street Streetscape Enhancements" for streetscaping work along Sherbourne Street from King Street East to Gerrard Street East.

The rehabilitation of Front Street East from Jarvis Street to Parliament Street, in conjunction with the implementation of the Pan Am Games Pedestrian Promenade Plan, will take place in 2013. This report identifies a total of \$1,295,736.04 available for this project in the 2013 Capital Budget for Transportation Services. The funding would be provided from the Section 37 and 45 community benefits received by the City from previously approved developments. This funding, which was designated for general streetscape projects, will be directed to this new project, "Pan Am Games Pedestrian Promenade Plan" for streetscaping work along Front Street East, from Jarvis Street to Parliament Street. The additional streetscape funding requirements will be included in the Transportation Services 2013-2022 Capital Plan for consideration as part of the 2013 Capital Budget process.

There will be no impact on the 2012 Operating Budget resulting from adoption of the recommendation of this report. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

The Budget Committee, at its meeting of April 27, 2012, dealt with a report titled "Amendments to 2012 Capital Budget to Apply Section 45 Funds for Sherbourne Street Streetscape Enhancements in Wards 27 and 28" (Item BU 24.1). The report recommended that a total of \$585,808.02 from existing Section 45 contributions in Ward 28 be directed to a new project, Neighbourhood Improvements: Sherbourne Street Streetscape Enhancements. The Committee requested that the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services report directly to the May 14, 2012 Executive Committee meeting on the funding requirements of both the Sherbourne Streetscape Enhancements and the Front Street Promenade so that Section 37 and Section 45 funds are apportioned appropriately.

The detailed construction cost estimates that were required for that requested report were not available in time to submit the report to Executive Committee for its meeting on May 14, 2012. Accordingly, the Executive Committee has submitted the item to Council without recommendation and requested the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services to, instead, report directly to Council on this matter.

ISSUE BACKGROUND

City Council at its meeting of July 12, 13 and 14, 2011 directed staff to proceed with the detailed design and consultation process for developing separated bicycle lanes on Sherbourne Street with the goal of implementing them in 2012 in conjunction with the planned capital work on Sherbourne Street (PW5.1). The original project scope did not include streetscape enhancements, however, Transportation Services staff have subsequently developed specific boulevard improvements which are eligible for the Section 37 and 45 funds generated from projects in Wards 27 and 28.

On a separate matter, Toronto and East York Community Council, at its meeting of August 17, 2010, requested that staff report on the development of Pan Am Games Promenades, including Front Street from Cherry Street to Bathurst Street to connect the Pan Am Games athletes' village and training centre to Pan Am Games facilities in the downtown and Railway Lands (TE36.128). As a result, staff have developed a streetscaping plan in consultation with other Divisions, agencies, the local BIA and Ward Councillors which takes advantage of the proposed resurfacing work scheduled for Front St. East. These enhancements include improved sidewalks, new planting areas, public art enhancements, local BIA improvements and the installation of pedestrian scale lighting in accordance with the Heritage Lighting Plan which was commissioned by Heritage Preservation Services in 2011. This work is scheduled for completion in advance of the Pan Am/Parapan Games in 2015 and will connect the athlete's village/training centre to the downtown.

Section 37 of the *Planning Act* allows a municipality to grant increased density and/or height in a zoning by-law in return for community benefits provided by the owner, which can be secured in an agreement registered on title. In accordance with Official Plan policy, community benefits can be secured and provided either as capital facilities (e.g. daycare facility, public art, road improvements, etc.) or as cash towards specific capital facilities. Under the same principles, community benefits may also be obtained through conditions of approval imposed by the Committee of Adjustment on minor variances for increased height and/or density, in accordance with Section 45 of the *Planning Act*.

All of the Sections 37 and 45 funds referred to in this report have been received, and City Planning staff advise that the proposed purposes of the funds as set out in the recommendation of this Report and Attachment 1 are in compliance with the respective agreements and Committee of Adjustment decisions and are in accordance with Council approved guidelines and protocols.

COMMENTS

Sherbourne Street

The capital budget for the Sherbourne Street Rehabilitation and Bikeway Facility Project does not have sufficient funds to include streetscape enhancements. Possible streetscape enhancements were developed, nevertheless, and it was determined that these enhancements could be funded by available Section 37 and 45 funds in the amount of \$585,808.02, as recommended in the staff report to Budget Committee (BU 24.1). The estimated cost of these streetscape enhancements has been revised following receipt of more detailed designs and a small reduction in scope. As a result, the streetscape enhancements are now budgeted at \$402,985.00 to be undertaken in 2012 in conjunction with the rehabilitation of Sherbourne Street from King Street East to Gerrard Street East and the implementation of the Sherbourne Street Bikeway Facility. The streetscape enhancements include the addition of unit pavers, street tree grates, continuous tree trenches, permeable concrete boulevards and lay-bys (see Attachment 2: Proposed Sherbourne Streetscape Enhancements – Types and Timing).

It has been deemed appropriate to dedicate available Section 45 funds secured from developments in Wards 27 and 28 for this purpose, given that Sherbourne Street forms the boundary between these two wards north of Queen Street East.

Front Street East

Proposed streetscape enhancements along Front Street East in conjunction with the rehabilitation of Front Street East and the proposed Pan Am Games Pedestrian Promenade Plan between Jarvis Street and Parliament Street include medians, unit pavers, sidewalk bump-outs, heritage lighting, and continuous tree trenches. The proposed Pan Am Games Pedestrian Promenade Plan was developed by Transportation Services staff in consultation with other Divisions as well as representatives of the BIA and Toronto Hydro. The rehabilitation of Front Street East does not currently have sufficient resources available to allocate to these additional streetscape improvements. Section 37 and 45 funds in the amount of \$1,295,736.04 have been secured from developments in Ward 28.

It has been deemed appropriate to dedicate these available Section 37 and 45 funds towards this project, given the desire to achieve additional public realm improvements, as outlined in the Pan Am Games Pedestrian Promenade Plan. The additional streetscape funding requirements will be included in the Transportation Services 2013-2022 Capital Plan for consideration with the 2013 Capital Budget process. This project is scheduled for construction in 2013.

CONTACTS

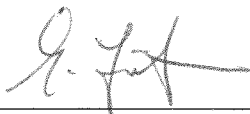
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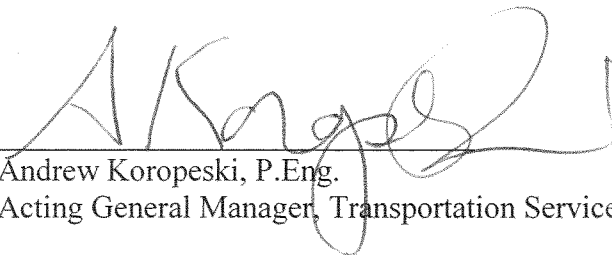
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SIGNATURES



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ATTACHMENTS

- Attachment 1 – Allocation of Section 45 Funds in Wards 27 and 28
- Attachment 2 – Proposed Sherbourne Streetscape Enhancements - Types and Timing

Attachment 1 – Allocation of Section 45 Funds in Wards 27 and 28

Transfer Recipient	Ward	Community Benefit Project	Contributing Development	Contribution Amount	Planning Act Reserve Fund Account #	Funding flow-through
Transportation Services	27	Sherbourne Street Streetscape Enhancement Project	770 Bay Street ('Lumiere' Condominium)	\$105,524.97	XR3026-4500031	Transportation Services
Transportation Services	28	Sherbourne Street Streetscape Enhancement Project	101-115 Sherbourne Street ('The Modern' Condominium)	\$161,940.84	XR3026-4500044	Transportation Services
Transportation Services	28	Sherbourne Street Streetscape Enhancement Project	275 King Street East	\$135,519.19	XR3026-4500084	Transportation Services
TOTAL				\$ 402,985.00		

770 Bay Street ('Lumiere' Condominium)

A Section 45 contribution of \$105,524.97 was secured for this project that was allocated to local off-site streetscape improvements. Given that this project is in Ward 27, it is reasonable to dedicate this funding to the Sherbourne Street Streetscape Enhancement Project, an important project directly on the boundary of Wards 27 and 28.

101-115 Sherbourne Street ('The Modern' Condominium)

A total of \$161,940.84 is available from a Section 45 contribution for this project that was allocated to rebuild sidewalks along the east and west sides of Sherbourne Street between Queen Street East and Richmond Street East. These works will be completed as part of the Sherbourne Street Streetscape Enhancement Project.

275 King Street East ('East Lofts' Condominium)

The Section 45 contribution of \$175,616.88 for this project was directed to 'local streetscape and/or parkland improvements'. Part of the funding for this project (\$135,519.19) will be directed to the Sherbourne Street Streetscape Enhancement Project, with the remaining portion (\$40,097.69) directed to the Pan Am Games Pedestrian Promenade Plan for Front Street East. These are logical destinations for this funding, as it is located two blocks from Sherbourne Street and one block from Front Street East.

Attachment 2 – Proposed Sherbourne Streetscape Enhancements – Types and Timing

Section of Sherbourne 2012	Existing Streetscape	Proposed Streetscape	Estimated Cost	Funding from Developments – Section 45	Funding from Public Realm
Front to King	<ul style="list-style-type: none"> None – asphalt boulevard beside concrete sidewalk 	<ul style="list-style-type: none"> Replace with concrete boulevard 2 rows of unit pavers 	<ul style="list-style-type: none"> \$402,985.00 	<ul style="list-style-type: none"> Source: 770 Bay Street (Lumiere) – local off-site streetscape improvements 	<ul style="list-style-type: none"> Available in 2012, exact amount to be determined
King to Adelaide	<ul style="list-style-type: none"> Concrete tree pits 2 to 6 rows of unit pavers 	<ul style="list-style-type: none"> Replace concrete tree pit covers with cast-iron tree grates 		<ul style="list-style-type: none"> Source: 101 Sherbourne (The Modern) – Sherbourne streetscape from Richmond to Queen. 	<ul style="list-style-type: none"> Removal of existing asphalt boulevard from Dundas to Gerrard and installation of permeable concrete pavers with openings for new and existing trees
Adelaide to Richmond	<ul style="list-style-type: none"> Concrete tree pits 2 rows of unit pavers 	<ul style="list-style-type: none"> Replace concrete tree pit covers with cast-iron tree grates 		<ul style="list-style-type: none"> Source: 275 King St E (East Lofts) – local streetscape or park improvements 	<ul style="list-style-type: none"> Replace existing precast concrete tree covers with retrofit cast-iron tree grates
Richmond to Queen	<ul style="list-style-type: none"> Development site to the east side Asphalt boulevard to the west side and north of development site 	<ul style="list-style-type: none"> 1.8 m wide continuous tree trench 2 rows of unit pavers in between Developer to construct in front of 101 Sherbourne; fund streetscape for whole block 			
Queen to Shuter	<ul style="list-style-type: none"> Asphalt or concrete boulevard 	<ul style="list-style-type: none"> Replace asphalt with concrete 2 rows of unit pavers Lay-by in front of 149/155 Sherbourne 			
Shuter to Dundas	<ul style="list-style-type: none"> None - concrete boulevard 	<ul style="list-style-type: none"> 2 rows of unit pavers 			
Dundas to Gerrard	<ul style="list-style-type: none"> None – asphalt boulevard and trees with concrete covers or none 	<ul style="list-style-type: none"> Permeable concrete boulevard Additional trees where feasible 2 rows of unit pavers Lay-by in front of 251 Sherbourne Lay-by in front of 280/300 Sherbourne 			