TORONTO

STAFF REPORT
ACTION REQUIRED

Block 31 in the Railway Lands Update and Next Steps

Date:	November 21, 2013
To:	Executive Committee
From:	Deputy City Manager, Brenda Patterson
Wards:	20, Trinity Spadina
Reference Number:	

SUMMARY

City Council, at its meeting of November 27, 2012, adopted EX24.15 as amended, which authorized and directed the Deputy City Manager, Cluster "A" to assume management of development of Block 31 of the Railway Lands and the Adjacent Lands.. The report also recommended that the Deputy City Manager, Cluster "A" report back to Council to obtain the necessary authorization to enter into agreements between the City and the Toronto District School Board ("TDSB") and the Toronto Catholic District School Board ("TCDSB").

This report provides an update to Council regarding the progress of Block 31 and recommends that Council authorize the Deputy City Manager, Cluster "A" to enter the necessary agreements with the TDSB and the TCDSB.

RECOMMENDATIONS

1. City Council authorize the Deputy City Manager, Cluster "A" to enter into the following agreements on behalf of the City with the TDSB and the TCDSB, to be negotiated on terms and conditions satisfactory to the Deputy City Manager, Cluster "A" and in a form satisfactory to the City Solicitor:

    a. a Development Agreement that provides a framework for the Block 31 project which includes: the definition of the facilities to be built, the sizes of the facilities, the project schedule, roles and responsibilities of each of

the stakeholders and the steering committee that will oversee the project, cost sharing, money management, reporting and dispute resolution;
b. long-term leases with the TDSB and the TCDSB;
c. reciprocal agreements arising out of the joint development of Block 31 with the TDSB and the TCDSB; and
d. and such other agreements required to give effect to the agreements set out above including easement agreements, shared maintenance and management agreements.

DECISION HISTORY

At its meeting held on November 27th, 2012, City Council adopted as amended EX24.15 pursuant to which the Deputy City Manager, Cluster "A" was authorized and directed to assume management of Block 31 of the Rail Lands and the Adjacent Lands and develop a plan for the property.

http://www.toronto.ca/legdocs/mmis/2012/ex/bgrd/backgroundfile-51463.pdf

ISSUE BACKGROUND

Agreements signed by the City, the school boards and CN (succeeded by Concord Adex) in 1994 provided for development levy revenue to be collected from all development within the Railway Lands Central and West to finance the construction of a community centre and elementary schools for both the TDSB and the TCDSB. To date, over $60 million has been collected in levies.

The Development Levy Trust Agreement requires that the levies be expended in the construction of these facilities within a time frame of five (5) years, after building permits for a threshold amount of above-grade gross floor area, 683,000 m^2 (7,351,991 ft^2) is reached in the Railway Lands, after which the levies are to be returned to those who paid them. The threshold level of gross floor area may be reached in winter 2014 in which case, the funds will be required to be spent before winter 2019.

The stakeholders in the development of Block 31 signed an Umbrella Agreement dated October 21, 1994, setting out the framework for sharing the development process and the future multi-use facility on the site. The Umbrella Agreement contemplated that the City would be the landlord of the property and that the TDSB and TCDSB would hold perpetual leases at a nominal rent for their facilities. In addition, the City must enter into reciprocal agreements with the school boards for the maintenance and operation of the shared spaces.

As much of the Railway Lands is now built out, the new community is without local access to schools, childcare, and public recreational facilities. Furthermore, the undeveloped site remains a void in the quickly evolving local neighbourhood fabric. The

Block 31 project will consist of a TDSB and TCDSB elementary school, a City community centre and a child care facility.

The Railway Lands West Secondary Plan calls for the provision of affordable housing on Block 31 in addition to the other public uses. While development levies were collected on new development for the schools and community centre, no funds were collected for affordable housing. Given the very tight time constraints imposed on spending the funding collected for the public uses on Block 31 it is in the best interests of the city to proceed with the development as quickly as possible. This will involve the prioritizing future affordable rental housing funding on Block 36 north while foregoing the creation of affordable rental housing on Block 31.

It is expected that the site architect will be selected in January 2014 and work must begin immediately to design and develop the whole Block 31 site.

COMMENTS

In order to ensure that the City's obligations with respect to Block 31 are met in a timely fashion, it is essential that the development of Block 31 proceed from the design phase through to completion as soon as possible. In order for the City to enter into the agreements with the school boards it is recommended that Deputy City Manager, Cluster "A" be authorized to sign these agreements on behalf of the City.

A Request for Proposals will be issued shortly to select the architect of Block 31 and the City is coordinating the pre-development phase with the TDSB, TCDSB, City Children's Services and Parks, Forest & Recreation. Once the architect has been selected, an external, third party Project Manager will be hired to advance the development with the stakeholders.

CONTACT

Lorne Cappe
Affordable Housing Office
Tel. No. (416) 397-4252
E-mail: lcappe@toronto.ca

SIGNATURE

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Brenda Patterson
Deputy City Manager