
City Council

Notice of Motion

MM32.14	ACTION			Ward:5
---------	--------	--	--	--------

Advancing capital funds to Build Toronto to carry out property-related work on behalf of the City at the Westwood Theatre Lands - by Councillor Peter Milczyn, seconded by Councillor Sarah Doucette

** 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 Peter Milczyn, seconded by Councillor Sarah Doucette, recommends that:

1. City Council authorize the Chief Corporate Officer to advance approved capital funds to Build Toronto to enable Build Toronto to carry out, on the City's behalf, demolition, environmental testing or other property-related work that the City requires and requests of Build Toronto for the Westwood Theatre Lands and related Six Points Interchange work, with a scope satisfactory to the City, without requiring a purchase order or sole source form, and exempting Build Toronto from the City's purchasing policies, provided that all arrangements with Build Toronto shall be subject to:
 - a. an appropriate agreement on terms and conditions satisfactory to the Chief Corporate Officer in a form satisfactory to the City Solicitor;
 - b. the requirement that the City's Labour Trades Obligations policy shall apply to the contract;
 - c. the inclusion of a provision in the agreement requiring reimbursement by Build Toronto of amounts expended by the City, in the event that part or all of the property is subsequently transferred to Build Toronto, with the exception of amounts expended in respect of environmental and geotechnical investigation for the Six Points roadway;

- d. the requirement that the price paid by the City for property-related work shall not include any mark-up, administrative or management fee payable to Build Toronto by virtue of undertaking these services on behalf of the City of Toronto; and
- e. the requirement that Build Toronto utilizes an open, competitive bidding process.

Summary

The Westwood Theatre Lands property, comprising 7.9 ha of land and a deteriorating theatre building which urgently requires demolition, is currently owned by the City.

Detailed road design work on the property, referred to as the Six Points Interchange Reconfiguration, has commenced, led by the City's Engineering and Construction Services and Transportation Services. Once the road design work is complete, staff would recommend to Council that the Westwood property be transferred to Build Toronto.

In 2011, the Westwood lands at 3741 Bloor Street West and part of 925 Kipling Avenue were declared surplus to the City's needs and "turned over" to Build Toronto as an interim measure. This arrangement permits Build Toronto to undertake master planning work on the lands, and, subject to agreement, certain geotechnical and environmental site preparation works, in advance of Build Toronto owning the property.

Build Toronto has offered to procure the demolition of the Westwood Theatre building as well as materials abatement and removal, and to undertake geotechnical and environmental studies on the property on behalf of the City in support of the Six Points Interchange work, using open, competitive bidding processes.

Build Toronto is requesting the City to front end the costs for demolition and materials abatement and removal, and for the geotechnical and environmental studies.

Council's adoption of this Motion would enable the payment of funds approved for the Westwood Theatre Lands to Build Toronto without requiring a purchase order or sole source form, subject to agreement by the Chief Corporate Officer, in a form satisfactory to the City Solicitor. No mark-ups or management fees by Build Toronto would be permitted, and Build Toronto would have to follow an open, competitive bidding process. A proportional share of funds would be reimbursed by Build Toronto, excepting the City's share of the geotech/environmental investigation for the larger Six Points area beyond what Build Toronto requires for the Westwood Theatre lands (estimated at \$138,820).

(Submitted to City Council on April 3 and 4, 2013 as MM32.14)