

**City Council****Motion Without Notice**

MM18.30	ACTION			Ward:28
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**Authorization to Release Section 37 Funds for the Market Street Streetscape Improvement Project to the St. Lawrence Market Neighbourhood Business Improvement Area - by Councillor Pam McConnell, seconded by Councillor Gary Crawford**

*\* This Motion has been deemed urgent by the Chair.*

*\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Pam McConnell, seconded by Councillor Gary Crawford, recommends that:

1. City Council increase the approved 2016 Operating Budget for Non-Program by \$440,308.00 gross, \$0 net, fully funded by Section 37 funds received in the development of the lands now known as 22, 26, 38 and 42 The Esplanade and 1 and 5 Scott Street (formerly 40 The Esplanade) (source account XR3026-3700065) for local streetscape enhancement projects, in particular the Market Street Streetscape Improvement Project to the St. Lawrence Market Neighbourhood Business Improvement Area (cost centre: NP2161).
2. City Council direct that the funding of \$440,308.00 be forwarded to the St. Lawrence Market Neighbourhood Business Improvement Area upon signing by the St. Lawrence Market Neighbourhood Business Improvement Area of an Undertaking governing the use of the funds and the financial reporting requirements.

**Summary**

Road alterations and a flexible boulevard on Market Street, from Front St. to The Esplanade were approved by Council (Item TE12.72). This initiative has created Toronto's first 'flexible street' and is being primarily funded by the abutting property owners, Woodcliffe Properties. Market Street has been designed as a flush street with a variable sidewalk width which can move to accommodate parking in the winter and cafes in the summer. The street is a major hub for visitors and residents as it abuts the historic St. Lawrence Market and its will also be used for various special events.

The project was designed to proceed in two phases as the developer needed to proceed quickly due to its contractual obligations to its tenants (on the western portion) while the City, St. Lawrence Business Improvement Area and the St. Lawrence South Market agreed to proceed with the second phase (eastern portion) as part of the Esplanade reconstruction in Fall 2013

once funding was secured through Section 37 contributions.

During construction of the first phase in April 2013, the limit of excavation expanded much further east than originally anticipated due to all of the lateral work to the new manholes, leaving only a 3m strip on the east side to be constructed as part of Phase Two. Waiting until funding was secured for the east side would mean a significant amount of new road bed would be removed and reconstructed. It was determined that significant cost savings to the City could be achieved if work continued with the existing contractor. As Section 37 funding had not been finalized at that point, the St. Lawrence Market Neighbourhood Business Improvement Area agreed to advance the funds to complete the project with the understanding that it would be reimbursed at a later point. The Business Improvement Area entered into a contract with the contractor Clearway Construction Inc. and the work was completed in June 2013.

This Motion seeks approval to allocate funding from a Section 37 fund to the St. Lawrence Market Neighbourhood Business Improvement Area for the amount that was required to complete the streetscaping project.

This Motion is urgent as it relates to a significant financial contractual obligation to the Business Improvement Area that must be completed in order for it to repay the City for other capital cost sharing projects before the next meeting of City Council.

### **Background Information (City Council)**

Member Motion MM18.30