

City Council**Motion without Notice**

MM31.43	ACTION			Ward:27
---------	--------	--	--	---------

Allocation of Section 37 Funds from the Development at 454-456 Yonge St. for Streetscape Improvements and Other Matters Relating to the Development of the New Provincial Courthouse at 11-33 Centre Ave. and 80 Chestnut St. - by Councillor Kristyn Wong-Tam, seconded by Councillor Mary-Margaret McMahon

** 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 Kristyn Wong-Tam, seconded by Councillor Mary-Margaret McMahon, recommends that:

1. City Council authorize a maximum commitment of \$2,500,000.00 (includes a five year escalation as well as HST and One-time Paver Maintenance Fee) by the City toward streetscape improvements proposed to be co-ordinated by and the responsibility of Infrastructure Ontario in the context of the development of the new provincial courthouse at 11 and 33 Centre Avenue and 80 Chestnut Street as external infrastructure improvements, which commitment will be fully funded by the allocation of Section 37 funds by the Chief Planner and Executive Director, City Planning, from the development of 454 and 456 Yonge Street (source account XR3026-3700672).
2. City Council authorize and direct the General Manager of Transportation Services to include \$2,500,000.00 (fully funded by Section 37 funds from the development at 454 and 456 Yonge Street - source account XR3026-3700672) to be considered as part of the 2018-2027 Capital Budget and Plan Budget process (expected completion of the external infrastructure improvements 2021).
3. City Council authorize the Chief Planner and Executive Director, City Planning, in consultation with the City Solicitor, to negotiate, enter into and execute on behalf of the City, necessary agreements, including a cost contribution agreement with Infrastructure Ontario providing for payment set out in Recommendation 1 to the successful proponent Project Co., selected by Infrastructure Ontario and undertaking the construction of the new provincial courthouse associated with 11 and 33 Centre Avenue and 80 Chestnut Street, upon substantial completion of the external infrastructure works in accordance with approved plans and drawings and acceptance by the City, all on terms to be set out in such agreement(s).

4. City Council authorize the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the City Solicitor, to negotiate, enter into and execute such municipal infrastructure agreement(s) as may be required with the successful proponent Project Co., to provide for and financially secure the external infrastructure works contemplated to be undertaken at the time of development of 11 and 33 Centre Avenue and 80 Chestnut Street and including:

- a. construction of the improvements in accordance with the City's construction standards and with detailed plans and drawings approved by the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services; and
- b. compliance with all relevant City policies as applicable, including the City's Fair Wage Policy, the Labour Trades Construction Obligations in the Construction Industry Policy, and the Declaration of Compliance with the Anti-Harassment/Discrimination Legislation Policy, as applicable.

Summary

A Zoning By-law Amendment application was approved by City Council at its July 12, 13, 14 and 15, 2016 meeting (Item TE17.12) to permit the new Toronto Courthouse at 11 and 33 Centre Avenue and 80 Chestnut Street, located on the north side of Armoury Street, between Centre Avenue and Chestnut Street, immediately northwest of Toronto City Hall. The implementing zoning by-laws are in full force and effect.

As part of the approval of the Zoning By-law Amendment application, Council directed Infrastructure Ontario and the Ministry of the Attorney General to design a public realm and streetscape improvement plan for the City boulevards fronting the lands subject to the Zoning By-law Amendment on both sides of Centre Avenue and Chestnut Street south to Armoury Street and north to Dundas Street, in consultation with and to the satisfaction of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, as well as the local Councillor. The design plan was to be informed by the recommendations of the Truth and Reconciliation Commissioner of Canada: Calls to Action and in consultation with the Heritage Working Group.

Further to the direction from City Council for streetscape improvements in the immediate area, Toronto and East York Community Council at its meeting of January 17, 2017 approved the Road Alteration recommendations in the December 12, 2016 report from the Acting Director, Transportation Services (Item TE21.49), to narrow Centre Avenue and Chestnut Street as shown on Figure 1 attached to that report. These modifications allowed sidewalks to be widened and provide additional space for street trees and additional opportunities for Truth and Reconciliation, among other streetscape elements.

Through the conceptual design process with Infrastructure Ontario for the extended public realm, City staff, in consultation with the local Councillor, Infrastructure Ontario agreed to undertake all of the streetscape improvements contemplated as part of the works being undertaken in the context of the new provincial courthouse project. Given that the extended public realm goes well beyond the extent of the new Toronto Courthouse site, it would be appropriate for the City to enter in to a cost share arrangement with Infrastructure Ontario for the construction of portions of the extended public realm with the funds coming from previously secured Section 37 funds allocated for streetscape improvements in Ward 27. The

purpose of this Motion is to allocate a maximum amount of \$2,500,000.00 from the Section 37 funds previously secured through the development approval of 454-456 Yonge Street toward streetscape improvements proposed in the context of the development of the new provincial courthouse at 11 and 33 Avenue and 80 Chestnut Street as external infrastructure improvements. A cost estimate for the extended public realm work will be provided when the detailed site plan submission is made to the City in early 2018.

Staff is also seeking authorization to enter into associated agreements, including an Extended Public Realm Contribution Agreement as well as a Municipal Infrastructure Agreement as part of the site plan approval for the extended public realm work.

Background Information (City Council)

Member Motion MM31.43