

**City Council****Motion without Notice**

MM44.79	ACTION			Ward:19, 20
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**450 and 470 Lake Shore Boulevard - Release of Section 37 Funds from the Development for Streetscape Improvements on Bathurst Street - by Councillor Mike Layton, seconded by Councillor Joe Cressy**

*\* 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 Mike Layton, seconded by Councillor Joe Cressy, recommends that:

1. City Council increase the approved 2018– 2027 Capital Budget and Plan for Transportation Services on a one-time basis by approving total project costs of \$579,558.47 gross, \$0 net, and cash flows commitments of \$300,000 in 2018, and \$279,558.47 in 2019 for the Neighbourhood Improvements Program (CTP418 Bathurst Street at Fort York Boulevard Streetscape Improvements) for design, project management and related costs to implement streetscape improvements on Bathurst Street from Fort York Boulevard to a point about 30 metres south of Housey Street, fully funded by Section 37 community benefits obtained from the following developments:

- a. 50 and 470 Lake Shore Boulevard West, secured for Bathurst Street and Fort York Boulevard intersection improvements, in the amount of \$280,626.27 (Source Account XR3026-3700296); and
- b. 20, part of 22, 22A and 24 Bathurst Street, secured for construction of Fort York Boulevard, in the amount of \$313,274.02 (Source Account XR3026-3700421).

2. City Council authorize the General Manager, Transportation Services, to negotiate, enter into and execute an agreement, or separate agreements, with either, each or all of WSP Canada Group Limited and/or its design consultants and/or construction contractors as the case may be, to design and project manage streetscape improvements on Bathurst Street from Fort York Boulevard to a point about 30 metres south of Housey Street, on terms and conditions satisfactory to the General Manager, Transportation Services, and in a form satisfactory to the City Solicitor, including the following:

- a. in designing the streetscape improvements any party identified by the General Manager, Transportation Services to be consulted shall be consulted;

b. the improvements shall be constructed in accordance with the City's construction standards and with detailed plans approved by the General Manager, Transportation Services;

c. 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 Anti-Harassment/Discrimination Legislation Policy, if applicable, shall be complied with in the design and construction of the streetscape improvements; and

d. the negotiated fees and costs for all Agreements to design and construct the streetscape improvements shall be fair and reasonable in the opinion of the General Manager, Transportation Services, based on the work involved to implement the improvements and costs for similar work completed in the past. The total cost to design and project manage all of the work shall be agreed upon, but shall not exceed \$579,558.47 inclusive of HST.

## **Summary**

This Motion recommends the release of a total of \$579,558.47 in funds secured by the City through Section 37 Agreements for Bathurst Street intersection in Ward 20 as identified below. The amounts recommended to be budgeted include, where applicable, interest accrued while on deposit with the City.

The redevelopment of the two properties (511 Bremner Boulevard (Block 37) and 500 Lake Shore Boulevard West) located opposite each other on the east side of Bathurst Street, north and south of Housey Street, respectfully, provides an opportunity to improve road safety and enhance the public realm in this area. The improvements will include the redesign of the intersection of Bathurst Street and Housey Street and the installation of traffic signals to provide a signalized crossing for pedestrians and cyclists using the Bentway and realignment of the sidewalks and boulevard areas on both sides of Bathurst Street to better serve pedestrians, local residents and adjacent retail.

The Bentway, a 1.75km continuous public space located underneath the Gardiner Expressway from Strachan Avenue to Spadina Avenue. will link Garrison Common, Fort York Visitors Centre, June Callwood Park and Fort York to the west of Bathurst with the Toronto Public Library and Canoe Park on the west side. It offers year-round activities and events, including gardens, a skate trail, recreational amenities, public markets, public art, special exhibitions, festivals, theatre and musical performances, as well as a pedestrian and cycling trail and more. The alignment of the Bentway leads pedestrians and cyclists approaching from either direction to Bathurst Street at Housey Street. Traffic signals are required at this location for the safety of pedestrians, cyclists and motor vehicles.

The sidewalk and boulevard improvements will resolve existing grade differences between the roadway and sidewalks. In the 1990s this section of Bathurst Street was proposed to be reconstructed and the grade raised significantly and adjacent developments were designed accordingly. That proposed profile has since been abandoned leaving a substantial vertical difference between the level of the new elevated sidewalks and the existing roadway. This misalignment makes access difficult for pedestrians and cyclists, particularly pedestrians with mobility constraints, strollers, shopping buggies or other devices. The retail space is also difficult to access.

The area has become more densely populated and, in addition to local residents, with the rapid and continuing success of the Bentway as well as the Fort York Visitors Centre and Garrison Common is now attracting an increasing number of visitors.

Concord Adex Inc, the developer of both projects (511 Bremner Boulevard (Block 37) and 500 Lake Shore Boulevard West) has engaged WSP Canada Group Limited (WSP), a large multidisciplinary engineering firm to oversee the design and construction of its project. WSP has the capacity to perform all of the design and administrative work required and to manage construction of the proposed improvements on Bathurst Street WSP would also be responsible for coordinated all construction activities to minimize disruption to pedestrians, cyclists, motorists and ensure timely integration with the development projects. Working in partnership with the ongoing development projects would accelerate implementation of road safety and other public infrastructure improvements

To facilitate completion of the design and/or construction of the proposed improvements in an expeditious and cost effective manner this Motion recommends that City staff be authorized to negotiate, enter into and execute an agreement, or agreements, with WSP to undertake the required design and project management activities. The alternative approach, which would require City staff to prepare and issue separate tender documents for the design and construction of the streetscape improvements, would increase costs to the City for administration, incur additional mobilization costs if a new contractor was successful, delay implementation of the proposed improvements likely for several years and create additional disruption for all road users.

All agreements will be subject to establishing a fair and reasonable price based on estimated quantities and unit prices for similar work and compliance with City standards and policies, including but not limited to the Fair Wage Policy. The improvements to be initiated in 2018 can be funded through Section 37 contributions for the local area.

This Motion is urgent in order to coordinate and align design and construction of the proposed public improvements with the ongoing construction of the abutting developments.

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

Member Motion MM44.79