

## City Council

### Notice of Motion

MM34.7	ACTION			Ward: 13
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**Authority to Enter into a Construction Project Agreement and Transfer Funds for Breadalbane Streetscape Improvements - by Councillor Kristyn Wong-Tam, seconded by Councillor Mike Layton**

*\* 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 Kristyn Wong-Tam, seconded by Councillor Mike Layton, recommends that:

1. City Council authorize the City of Toronto to enter into, and the General Manager, Parks, Forestry and Recreation to execute on behalf of the City, a Construction Project Agreement with Lanterra Development (Bay Wellesley) Limited for streetscape improvements on Breadalbane Street up to the eastern and western limits of the currently-under-construction Dr. Lillian McGregor Park, on terms and conditions satisfactory to the General Manager, Parks, Forestry and Recreation, the General Manager, Transportation Services and the City Solicitor, and in accordance with City policies applicable to capital projects.
2. City Council authorize the City of Toronto to enter into, and the General Manager, Parks, Forestry and Recreation to execute on behalf of the City, any other ancillary agreements necessary to complete the design and construction of the streetscape improvements, on terms and conditions satisfactory to the General Manager, Parks, Forestry and Recreation, the General Manager, Transportation Services, and the City Solicitor.
3. City Council amend the Approved 2021-2030 Capital Budget and Plan for Transportation Services to create a new capital project known as Breadalbane Street Improvements (CTP421-04), with a project cost \$0.750 million and cash flow commitments of \$0.250 million in 2021 and \$0.500 million in 2022, fully funded from the Section 37 community benefit obtained from the development at 951 - 971 Bay Street and 36 Wellesley Street West (Source Account: XR3026-3700644) for the purpose of streetscape improvements on Breadalbane Street.
4. City Council authorize the General Manager, Transportation Services to transfer to Lanterra Development (Bay Wellesley) Limited up to \$0.750 million from the Approved 2021-2030 Capital Budget and Plan for Transportation Services from the Breadalbane Street Improvements capital project, subject to the City of Toronto entering into a Construction Project Agreement with Lanterra Development (Bay Wellesley) Limited, to fund the City's agreed cash portion for the development of the Streetscape Improvements.

## Summary

This Motion seeks authority to enter into a Construction Project Agreement with the Developer, with Lanterra Development (Bay Wellesley) Limited (the "Owner"), and for the authority to transfer Section 37 funds up to \$0.750 million from the 951 - 971 Bay Street and 36 Wellesley Street West development for the construction of a portion of Breadalbane Street at Dr. Lillian McGregor Park.

The executed Section 37 Agreement between the City and Lanterra Development (Bay Wellesley) Limited dated August 27, 2014, for their development at 11 Wellesley Street, details the obligations for Lanterra to design, construct and project-manage the delivery of the new City park (Dr. Lillian McGregor Park) that will be located on the north side of Breadalbane Street between Yonge and Bay Streets.

Proposed streetscape enhancements on Breadalbane Street will improve the overall public realm by visually connecting the two public parks (Dr. Lillian McGregor Park and Opera Place Park) on the street, and by potentially calming traffic and reducing vehicular speeds. Increased infiltration of rain and snow melt through the road surface and using permeable pavers on Breadalbane Street will help in achieving City green development and sustainability guidelines and objectives.

Opportunities exist to realize efficiencies in delivering the streetscape improvements by having Lanterra manage and design the improvements in conjunction with their park delivery obligations. Completing the streetscape enhancements in coordination with the park construction will also help to reduce the duration of construction activity in the community.

\$3,706,372.69 for parkland acquisition, park construction and/or local streetscape improvements was received through the executed Section 37 Agreement for the development located at 951-971 Bay Street and 36 Wellesley Street West. The proposed Breadalbane Street streetscape enhancements meets the parameters and is eligible to receive funds from this contribution.

City Council authority is now required to authorize the appropriate City staff to enter into the Construction Project Agreement with Lanterra to commence and complete the construction of the streetscape enhancements.

City staff will be involved in establishing the final scope of the work, providing appropriate standards and details, and in approvals and acceptance of the work.

This Motion is required at this time as a Construction Project Agreement with Lanterra and the authority to transfer funds is required to be entered into while Lanterra is actively working in the area. Construction of Dr. Lillian McGregor Park is currently underway having begun early in 2021 and is expected to be substantially complete by the summer of 2021.

Any additional funding requirements for this project as a result of the tendering process will be included in future budget processes for consideration and authority from City Council would be requested to increase the project costs and the transfer of funds to the Owner.

Operating impacts related to the park development will be submitted for consideration through the 2022 Budget process.

**Background Information (City Council)**

Member Motion MM34.7