

City Council**Notice of Motion**

MM39.13	ACTION			Ward: 9
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1171 Queen Street West Privately-owned Publicly Accessible Space - Section 37 - by Councillor Ana Bailão, seconded by Councillor Paula Fletcher

** 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 Ana Bailão, seconded by Councillor Paula Fletcher, recommends that:

1. City Council increase the 2022 Staff Recommended Operating Budget for Non-Program on a one-time basis, subsequent to its approval, by \$276,243.22 gross, \$0 net, fully funded by Section 37 (Planning Act Reserve Funds) community benefits from 1181 and 1187 Queen Street West (Source Account: XR3026-3701100) for transfer to Toronto Standard Condominium Corporation 2210 or the purpose of installing improvements to the privately owned, publicly accessible open space located at 1171 Queen Street West (Cost Centre: NP2161).

2. City Council authorize the Director, Community Planning, Toronto and East York District, to negotiate and sign a Construction Funding Agreement with Toronto Standard Condominium Corporation 2210 for the improvements to the privately owned, publicly accessible open space referred to in Recommendation 1 above, in consultation with the Ward Councillor, on terms and conditions satisfactory to the Director, Community Planning, Toronto and East York, and in a form satisfactory to the City Solicitor, including the following requirements:

a. Toronto Standard Condominium Corporation 2210 shall construct the improvements to the privately owned, publicly accessible open space in accordance with the City's construction standards and with detailed plans and cost estimates approved in advance by the Director, Community Planning, Toronto and East York District;

b. Toronto Standard Condominium Corporation 2210 shall comply with all relevant City policies as applicable, including the City's Fair Wage Policy, the Labour Trades Construction Obligations in the Construction Industry, and the Declaration of Compliance with Anti-Harassment/Discrimination Legislation Policy in constructing the improvements to the privately owned, publicly accessible open space;

c. an amount of up to \$276,243.22 shall be forwarded to Toronto Standard Condominium

Corporation 2210 directly, in accordance with an agreed to payment schedule, with each payment to be reviewed and approved by the Director, Community Planning, Toronto and East York District upon Toronto Standard Condominium Corporation 2210 providing documentation of the costs of the improvements to the privately owned, publicly accessible open space; and

d. any cost overruns shall be the responsibility of Toronto Standard Condominium Corporation 2210, and not of the City or Toronto; in the event that the costs of the improvements to the privately owned, publicly accessible open space are less than \$276,243.22, Toronto Standard Condominium Corporation 2210 the remainder of the funds will be allocated by the City towards public art improvements to Lisgar Park or other purpose identified in the Official Plan.

3. City Council authorize and direct City Officials to take such action as is necessary to implement City Council's decision.

Summary

This Motion seeks authority to release up to \$275,000 in Section 37 funds to Toronto Standard Condominium Corporation 2210, the condominium corporation governing the Bohemian Embassy Flats & Lofts at 1171 Queen Street West, for improvements within the integrated privately-owned publicly accessible space that connects and serves the Queen Street West, Lisgar Street and Sudbury Street triangle neighbourhood.

These funds were secured through a Section 37 contribution from the adjacent development at 1181 Queen Street West at the southeast corner of Queen Street West and Sudbury Street, which included \$275,000 specifically identified to be directed towards improvements to the privately-owned publicly accessible space through provision of a playground or public art. These funds have been received by the City.

The privately owned, publicly accessible open space is an essential space within the neighbourhood providing pedestrian connectivity through the block and to the surrounding streets, trees and landscaping, and places to sit, gather and showcase arts and creativity. The integrated design of the privately owned, publicly accessible open space's mews, courtyards and passageways were developed through community input and participation in the planning and Ontario Municipal Board settlement processes around the redevelopment of the lands, and is secured in the site plan agreements for these developments.

Toronto Standard Condominium Corporation 2210 is currently investigating improvements to the privately owned, publicly accessible open space to better take advantages of its opportunities and resolve issues that its decade of use has revealed, such as the need to address dog waste, provide inviting areas for people to congregate, dine, play and exercise, improve lighting and for public art. Toronto Standard Condominium Corporation 2210 would raise and invest additional funds to pay for the improvements, should the cost exceed the \$275,000, and will be responsible for their design, construction and maintenance.

Design of the privately owned, publicly accessible open space improvements will be reviewed and determined to be satisfactory by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor. If approved by City Council, the City would reimburse the condominium corporation for costs actually incurred in the construction, to an upper limit of \$275,000.

Background Information (City Council)

Member Motion MM39.13