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A subsidiary corporation of the TDSB



Oct. 4, 2019

Transmittal No. 2020 – 79
(Public)

Crescent Town – Massey Square Bridge Reconstruction – Maintenance Agreement

To: Robin Pilkey, Chair

This communication is to inform you of a recent decision made by the TLC Board at its meeting of September 26, 2019 with respect to the report entitled *Crescent Town – Massey Square Bridge Reconstruction – Maintenance Agreement*. The recommendations outlined in the report (attached herein) were approved by the TLC Board and are being forwarded to the TDSB Board for approval.

On behalf of the Board of Directors of the Toronto Lands Corporation, approval of the above noted reported is requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Crombie', written in a cursive style.

David Crombie
Chair, TLC

cc. D. Sage, Executive Officer, TLC
cc. J. Malloy, Director of Education, TDSB
cc. C. Jackson, Associate Director, Business Operations and Service Excellence, TDSB
cc. S. Shaw, Executive Officer, Facility Services and Planning, TDSB

TORONTO LANDS CORPORATION
Crescent Town – Massey Square Bridge Reconstruction – Maintenance Agreement

To: Chair and Members of the Toronto Lands Corporation

Date: September 26, 2019

Recommendation:

It is recommended that:

1. TDSB grant authority to Toronto Lands Corporation (TLC):
 - to enter into a Bridge Maintenance Agreement with 7-9-11 Crescent Place Limited on the terms and conditions as specified herein; and,
 - to execute all agreements and documentation as required to give effect thereto in a form and content satisfactory to TLC's legal counsel; and
2. That the TLC Report be forward to TDSB for approval.

Rationale

The Massey Square Bridge situated in the residential complex known as Crescent Town, in the area of Danforth Avenue and Victoria Park Avenue, was a pedestrian bridge used primarily for student crossing from the residential complex to the TDSB Crescent Public School. The bridge was in need of repair and collapsed late in 2018.

Since that time, 7-9-11 Crescent Place Limited (the property owners) and the TDSB design and construction department took time to determine the best reconstruction model of a new bridge along with obtaining all necessary internal approvals and agreements to proceed. The support beams/posts and portions of the bridge were located on both 7-9-11 Limited and TDSB property as it spanned high above and crossed the Massey Square street connecting the two facilities (school and residential complex). The division of ownership of the pedestrian bridge as determined by engineering drawings provide for forty-six per cent (46%) TDSB and fifty-four (54%) for 7-9-11 Crescent Limited.

Technically, it was determined that one single span prefabricated bridge would be the best reconstruction plan. Pinedale properties (property manager for 7-9-11 Crescent Place Limited) and TDSB prepared a proposal to market to obtain and select the project manager, Synergy Partners. Macdero Construction was selected for bridge (concrete posts/support beams) reconstruction and installation of the single span bridge, a sub-contractor is used to build and deliver the prefabricated bridge. During this technical decision making process, contractual agreements were drafted, reviewed and executed by all parties. A building permit has now been obtained from the City of Toronto. The new bridge estimated timeline for completion is December 20, 2019. As updates are provided through the project manager, communication will be forwarded to the school. In the interim, students must cross within the complex on the existing Massey Square roadway. For student safety, there will be a crossing guard on-site until the bridge is operational. The City of Toronto is installing pavement markings and stop signs to clearly identify the alternative route for safe crossing for the students for school commencement.

Context

In order to ensure that the Massey Square pedestrian bridge will remain in good condition to serve its student community for years to come, it is imperative that a maintenance and repair agreement be entered into with both the TDSB and 7-9-11 Crescent Place Limited as together each own a portion of the bridge.

Highlights of Terms and Conditions

TLC has entered into negotiations with 7-9-11 Crescent Place Limited and now recommends settlement on the terms and conditions of an agreement as described herein:

- The Agreement is effective September 1, 2019, for an initial term of ten (10) years;
- The Agreement shall automatically renew for successive one (1) year terms, unless a party terminates by providing advance 180 days' notice;
- At least once every (4) four years, or at such other times as a licensed professional engineer recommends, an inspection and maintenance report will be prepared;
- Costs associated with repair and maintenance will be shared in accordance with the division of ownership which is 46% TDSB and 54% 7-9-11 Crescent Place Limited; or if any repair is specific to the portion owned entirely within one of the property owners' property, then that owner is totally responsible for the expenditure and completion of work within a timely manner to the satisfaction of the engineer.

The negotiated terms and conditions are considered fair and reasonable and have focused on the long term safety of the student community accessing the Crescent Town School.

In support of this project, TLC staff asked Macdero construction staff, that upon project completion, if they would co-ordinate with the principal of the school and meet with students from Crescent school and discuss the bridge construction project to provide an educational and learning component to the students. They were happy to do so along with donating a few construction hats and seeking student drawings of the new bridge. This small initiative will add to the positive outcome to this overall project that has impacted on this community.

Routing

TLC Board: 26 September 2019
TDSB Board: October 2019 Cycle

From

Daryl Sage, Executive Officer, Toronto Lands Corporation, at dsage.tlc@tdsb.on.ca or at 416-393-0575

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