

## Birchcliff Quarry Lands Study – Status Report

<b>Date:</b>	December 12, 2008
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward No. 36 – Scarborough Southwest
<b>Reference Number:</b>	pg03 180350 ESC 36 TM

### SUMMARY

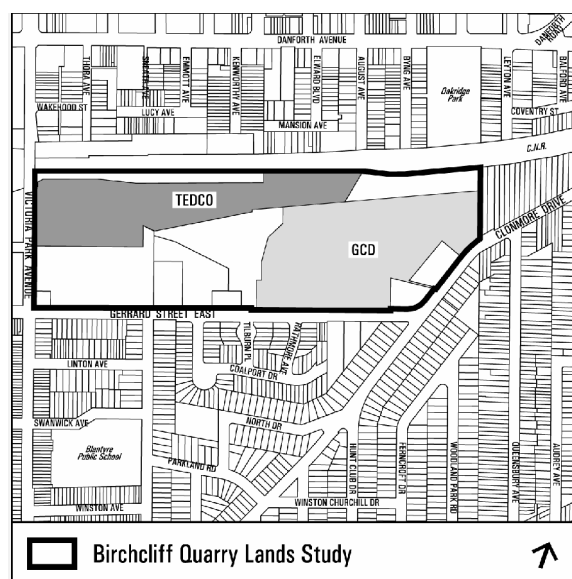
This report advises on the status of the Birchcliff Quarry Lands Study, a framework recently negotiated with one of the major landowners in the study area, GCD Trustee Ltd. (the Conservatory Group), to work co-operatively toward conclusion of the study by mid-2009, and GCD's appeals currently before the Ontario Municipal Board.

### Financial Impact

There are no financial implications.

### DECISION HISTORY

On October 7, 2008, Scarborough Community Council considered a Request for Direction report dated October 1, 2008 from the Director, Community Planning, Scarborough District. The report addressed appeals by GCD of its zoning and site plan applications within the Quarry Lands, for which an Ontario Municipal Board hearing had been scheduled to commence on November 24, 2008. City Council directed the City Solicitor to oppose GCD's applications at that hearing. Planning staff were also directed to submit a final report on the Birchcliff Quarry Lands Study, with recommendations on Official Plan and zoning amendments for its implementation, to the first meeting of Planning and Growth



Management Committee in 2009.

## **ISSUE BACKGROUND**

GCD's rezoning application before the OMB seeks to eliminate existing minimum apartment unit floor area requirements for two of its four permitted apartment buildings at the northwest corner of Gerrard St. East and Clonmore Drive. The application further proposes that new maximum size limits be introduced on 25% of the apartments. (All other zoning provisions, established some 40 years ago, are proposed to remain unchanged.)

The site plan appeal relates to the first building proposed for construction (i.e. the westerly of two buildings fronting onto Gerrard Street East). The building would consist of 369 apartment units in two 24-storey point towers joined by a 4 storey podium.

The Birchcliff Quarry Lands Study was initiated to establish a comprehensive planning and design framework to create a new neighbourhood on the larger Quarry Lands. The objective has been to develop a land use and development approach, including built forms and densities, that would be both compatible and well-integrated with the surrounding urban fabric, consistent with planning policies and objectives now expressed in the Toronto Official Plan and related provincial policies.

Since May of this year, GCD has been participating in 'without prejudice' discussions with City staff and the Toronto Economic Development Corporation (TEDCO) to explore whether some consensus on a future vision for the Quarry Lands could be achieved. Notwithstanding these discussions, GCD's appeals before the OMB have continued in place, with the hearing scheduled to have commenced on November 24, 2008.

## **COMMENTS**

Over the last few months, planning consultants for GCD and TEDCO have been working together to develop possible approaches to future Quarry Lands development as a basis for further discussion with the City and the community. In an effort to keep such discussions proceeding, GCD, in a meeting with City staff and TEDCO on November 14, 2008, proposed a 'stand-still' arrangement between itself and the City under clear terms and within a specific time framework.

The arrangement is based on 'without prejudice' planning discussions progressing in good faith, during which the parties remain in a 'holding' position. GCD would be prepared to stand down the November 24, 2008 hearing commencement until mid-2009. Similarly, City Planning would not finalize the Birchcliff Quarry Lands Study or take steps toward its implementation through any official plan or zoning by-law amendments during the same period. Should the parties reach an impasse over the course of the agreement, each retains full recourse to initiate and defend appropriate planning actions under the Planning Act and before the OMB.

The City Solicitor and solicitor for GCD on November 20, 2008 concluded Minutes of Settlement to give effect to this stand-still arrangement, and apprised the OMB

accordingly. As a result, the hearing commencing on November 24, 2008 was adjourned by the Board until advised further by the parties.

The City, GCD and TEDCO, with community input from the City's established Quarry Lands Study Working Group, will now be meeting frequently in discussions aimed at achieving a comprehensive land use development concept for the Birchcliff Quarry Lands by mid-March 2009. Planning staff will report to the Apr. 14, 2009 meeting of the Planning and Growth Management Committee to outline the draft concept plan. A further report containing final conclusions from the Quarry Lands Study and proposals for its implementation (i.e. scheduling of statutory meetings, further reporting, etc.) would then be presented to the Committee in June 2009.

## **CONCLUSIONS**

Given the lengthy and complex history of the Quarry Lands, achievement of this 'stand-still' agreement to defer the scheduled OMB hearing on GCD's appeals is encouraging, and demonstrates a willingness among the parties to work together with the community to bring the Birchcliff Quarry Lands Study to a satisfactory conclusion for all concerned.

The timelines leading to conclusion of the Quarry Study by mid-2009, while aggressive, are achievable with sufficient opportunities throughout to engage and consult with the larger community. Planning staff are now liaising with the Ward Councillor and adjacent Councillor regarding resident participation in this work, and with GCD's consultants as to a detailed schedule of meetings.

## **CONTACT**

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## **SIGNATURE**

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Gary Wright, Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

Attachment 1: Toronto Official Plan

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