NOTICE OF MOTION

4675 Steeles Avenue East - Authority to Accept Lands Outside of the Harmonized Peer Review Process at 3445 Kennedy Road

Moved by: Councillor De Baeremaeker
Seconded by: Councillor Palacio

SUMMARY:

The purpose of this Motion is to obtain Council authority to accept lands to be conveyed to the City, through the Planning Act development process, in a manner that is different from that outlined in the Council-approved Harmonized Peer Review Process.

As part of the Splendid China Square Inc. development at 4675 Steeles Avenue East, Splendid China is required to construct the Redlea Avenue extension from Steeles Avenue to Passmore Avenue. This road will form a link between Steeles Avenue East and Passmore Avenue in accordance with the Official Plan and the recently-approved Environmental Assessment. The Applicant has contracted with Anchor Shoring to convey a strip of land directly to the City. That transaction was originally scheduled to close on September 8, 2008, and has now been extended to October 8, 2008.

The property has been Peer Reviewed and remedial work is required to clean the property to meet City standards. It is not feasible for Splendid China to complete this remediation work before the transaction closes and it is unlikely that further extensions will be granted. As a result, this Motion seeks authority for the City to take title to the land prior to remediation of the property on the condition that Splendid China assumes all risk and costs associated with the remediation. This will allow the City to take title to the lands required for the extension of Redlea Avenue and will ensure the successful completion of this Council-approved road project, all at no cost to the City.

RECOMMENDATIONS:

1. That the City accept the conveyance of the lands required for the extension of Redlea Avenue across the property at 3445 Kennedy Road, prior to their remediation and subject to the conditions outlined below.

2. That Splendid China submit to the City’s Peer Reviewer all Environmental Site Assessment Reports prepared for the lands to be conveyed to the City for review and concurrence at Splendid China’s expense prior to the conveyance.
3. That Splendid China provide to the City a Letter of Credit, satisfactory to the City Solicitor and the Executive Director of Technical Services, prior to the conveyance, in an amount sufficient to secure the remediation costs for the property.

4. That Splendid China submit a Remediation Action Plan for the lands to be conveyed to the City to the City’s Peer Reviewer for review and concurrence, at Splendid China’s expense, prior to commencing the remediation.

5. That Splendid China implement the Remediation Action Plan and provide certification that the Remediation Action Plan has been completed, to the City’s Peer Reviewer for review and concurrence at no cost to the City.

6. That Council authorize execution of the appropriate agreements with Splendid China, satisfactory to the City Solicitor, to give effect thereto.

September 24, 2008

**According to Chapter 27, Council Procedures:**

| Notice given | (✓) |
| Fiscal Impact Statement provided | |
| Should have Fiscal Impact Statement prior to debate | * |
| Requires two-thirds to waive requirement if Council wishes to debate | |
| Should be referred to the Scarborough Community Council | (✓) |
| Requires two-thirds vote to consider at this meeting | |
| Motion recommendations are Urgent | (✓) |

* Deputy City Manager and Chief Financial Officer to advise.