

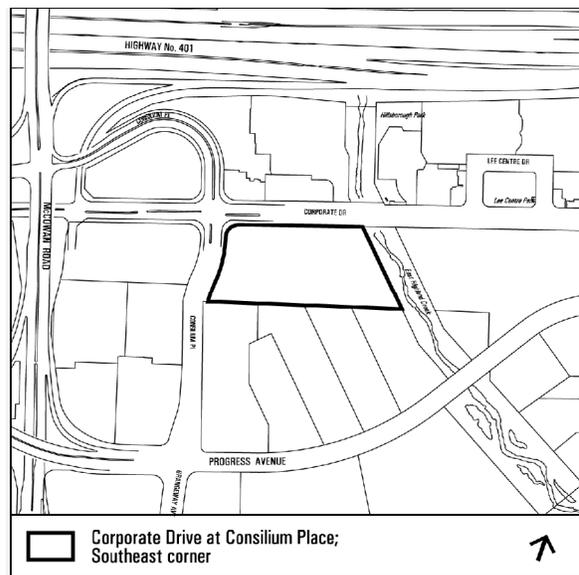
**Southeast corner of Corporate Drive & Consilium Place -
Official Plan & Zoning Applications – Final Report**

Date:	June 4, 2010
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Number:	07 241529 ESC 38 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a mixed use development consisting of four residential buildings, ranging in height from 36 to 45 storeys and containing 1,515 dwelling units. The buildings would be connected by four and five-storey podium elements containing townhouse units, retail space and residential amenity areas. The development is proposed to be constructed in two phases. Phase I consists of the west portion of the site along Consilium Place. Phase II, comprising the east portion of the site, adjacent to the East Highland Creek, would be subject to a Holding (H) provision in the zoning by-law which would not be removed until issues related to floodplain and stormwater management have been resolved.



This report reviews and recommends approval of applications to amend the Official Plan and Zoning By-law, including the requirement for community benefits in return for the increased height and density, pursuant to the provisions of Section 37 of the Planning Act.

RECOMMENDATIONS

The City Planning Division recommends that City Council:

1. Amend the Official Plan for the lands at the southeast corner of Corporate Drive and Consilium Place, substantially in accordance with the draft official plan amendment attached as Attachment No.10.
2. Amend the zoning by-law for the lands at the southeast corner of Corporate Drive and Consilium Place, substantially in accordance with the draft zoning by-law amendment attached as Attachment No.11.
3. Authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment and draft zoning by-law amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to provide a cheque payable to the City of Toronto, in the amount of \$400,000.00 for the purposes of conducting a Markham Branch (Corporate Drive) Flood Remediation Study which would include a Technical Study and Environmental Assessment (EA) Study of the feasibility, cost and options to remove the owner's lands and other affected private lands in the vicinity, from the floodplain.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an agreement pursuant to Section 37 of the Planning Act to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands to secure the following facilities, services and matters totalling \$2,000,000:

Phase I:

- a. an indexed cash contribution of \$1,000,000.00 payable to the City of Toronto prior to the issuance of the first above-grade building permit for the Phase I development (760 dwelling units) for the provision of the following:
 - i) \$400,000 to fund improvements to the Scarborough Animal Centre;
 - ii) \$300,000 to fund showers/multi-purpose room/gym facilities within the new Scarborough Centre Branch Library to be constructed adjacent to the Scarborough Civic Centre and/or to fund construction of these facilities within the Scarborough Civic Centre and improvements to the pedestrian access between the Library and the Scarborough Civic Centre;

- iii) \$100,000 for Public Art within the public realm adjacent to, or in close proximity to the subject site;
- iv) \$100,000 for the Scarborough Walk of Fame; and
- v) \$100,000 to fund improvements to the Toronto Wildlife Centre.

Phase II:

- b. an indexed cash contribution of \$1,000,000.00 payable to the City of Toronto prior to the issuance of the first above-grade building permit for the Phase II development (755 dwelling units) for the provision of the following:
 - i) \$400,000 to fund improvements to the Scarborough Animal Centre;
 - ii) \$400,000 to fund improvements/restoration to the Woodlot of the Civic Precinct of the Scarborough Centre; improvements to and/or re-naturalization/restoration of the open space and/or channel of the Markham Branch of the East Highland Creek, and street tree planting within the McCowan Precinct of the Scarborough Centre;
 - iii) \$100,000 for the Scarborough Walk of Fame; and
 - iv) \$100,000 to fund improvements to the Toronto Wildlife Centre.
- c. Additional matters in support of the development, to be secured in the Section 37 Agreement, as a legal convenience, are set out in Attachment 1 (Matters to be Secured in the Section 37 Agreement) of this report, and include matters respecting:
 - funding of a Flood Remediation Study by the owner;
 - completion of the Study to the satisfaction of the City and the Toronto and Region Conservation Authority;
 - remediation works to be completed by the City and funded by the owner;
 - cost-sharing of the Study and remediation works;
 - floodplain management;
 - conditions for the removal of a Holding (H) provision (zoning by-law);
 - land conveyances and timing;
 - provision of easements;
 - provision of a privately-owned, publicly accessible open space park;
 - matters to be addressed under site plan control review; and
 - submission/approval of architectural and landscape plans and drawings.
- 6. Before introducing the necessary Bills to City Council for enactment, all architectural and landscape plans and drawings submitted to the City Planning Division for review on May 31, 2010, are to the satisfaction of the Director, Community Planning, Scarborough District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of April 27, 2010, the Scarborough Community Council adopted a motion by the Ward 38 Councillor that the Director, Community Planning, Scarborough District, be requested to bring forward the report on the Menkes development application at Corporate Drive to the meeting of Scarborough Community Council to be held on June 22, 2010.

ISSUE BACKGROUND

Proposal

The owner proposes to construct a mixed use development on lands within the Scarborough Centre at the southeast corner of Corporate Drive and Consilium Place. The proposal consists of four residential condominium buildings, connected by four and five-storey podium elements that incorporate grade-related townhouse units, 1,200 square metres (12,917 square feet) of commercial uses, residential amenity space, residential entrances and loading and servicing areas. The podium elements also contain four levels of vehicle parking and outdoor (roof-top) amenity areas.

As shown on Attachment Nos. 2 to 4, the four buildings are situated at the four corners of the site at Corporate Drive and Consilium Place and, together with the four and five-storey podium elements, frame the street edges and the Markham Branch of the East Highland Creek. A total of 1,515 residential condominium units are proposed. Table One provides a summary of the development statistics. A more detailed summary is provided in the Application Data Sheet (Attachment No. 9).

Vehicle access to all four buildings would be provided via two new road connections; a north/south private road at the interior of the site from Corporate Drive, and an east/west public road which connects to Consilium Place along the southerly boundary of the site. These new road connections would provide access to drop-off/pick-up areas of the residential entrances off the internal courtyard, loading and servicing areas, and access to the below-grade and above-grade parking facilities.

Two main residential entrances are proposed, both located at either end of an interior courtyard, accessed from the private north/south road. The entrances are two-storey lobbies; one to access Buildings 'A' and 'B' and one to access Buildings 'C' and 'D'. The entrance lobbies are positioned opposite each other flanking either end of the landscaped courtyard. Additional residential entrances would be located at Corporate Drive, Consilium Place and at the east/west public road (interim private driveway) along the south property line. Resident and visitor parking would be provided in two levels of below-grade parking and within four levels of above-grade parking, located within the podium elements.

Table One

Proposal		Phase I	Phase II	Total
Gross Floor Area*	Residential	57,350m ²	54,480m ²	114,630m ²
	Commercial	1,200m ²	-	1,200m ²
	Indoor Amenity	1,425m ²	1,375m ²	2,800m ²
	Parking GFA	9,060m ²	9,140m ²	18,200m ²
	Total GFA*	59,975m ^{2*}	55,855m ^{2*}	118,630m ^{2*}
Site Area		10,779m ²	12,919 m ²	2.36 ha (5.83ac)
Density		5.56 FSI	4.32FSI	5.0 FSI
DwellingUnits ¹		760	755	1,515
Height	Building A	36 storeys (109m)		
	Building B	45 storeys (136m)		
	Building C		40 storeys (121m)	
	Building D		36 storeys (109m)	
Parking(Spaces)	Resident			1,455
	Visitor			152
	Total			1,682
Parking Req'd ^{***}	Min. Res.			1,334
	Max. Res			1,849
Bicycle Spaces	(0.5/unit)			758
Landscaped OS ^{**}		4,999m ²	6,930m ²	11,929m ²
Linear "Park"			2,480m ²	2,480m ²

1) Apartment-style & podium townhouse units

* Parking above grade excluded from GFA calculation

** Landscape OS includes Linear Park

*** As per new City-wide Zoning By-law

Phased Development

The development is proposed to be constructed in two phases with Phase I comprising the western portion of the site and Phase II comprising the lands adjacent to the East Highland Creek. The second phase would be subject to a Holding (H) provision in the zoning by-law and would not be removed until issues related to the existing floodplain and stormwater management adjacent to East Highland Creek have been resolved (discussed later in this report).

Phase I would occupy the west portion of the site at Consilium Place and Corporate Drive and consist of two buildings. Building 'A' would be 36 storeys in height (109 metres or 357 feet) and located at the southwest corner of Consilium Place and the new east/west road. The four-storey podium of this building would be set back 10 metres (33 feet) at the corner to provide an open space area, possibly for public art. An outdoor amenity space (with direct access to an indoor pool) is proposed for the roof-top of the four storey

podium. Building 'A' would be linked to the Phase II development of the site by a pedestrian bridge over the north/south road, enabling residents to share the private amenities of the two-phased development.

Building 'B', the tallest of the four buildings of the proposed development, would be 45 storeys (136 metres or 446 feet) in height. Its tower portion (above the five-storey podium) would be located approximately 20 metres (66 feet) from the corner of Consilium Place and Corporate Drive. Buildings 'A' and 'B' would be joined by a five-storey podium element along Corporate Drive and Consilium Place to frame the street edges. The podium would contain the centrally located, main resident/visitor lobby and vehicle drop-off area for both buildings, located on the central courtyard. The podium would also include three additional pedestrian entrances fronting Corporate Drive, Consilium Place and the public road (interim private driveway) that lead directly to the main lobby. At-grade retail uses would be located along the Consilium Place frontage and at the corner of Consilium and Corporate Drive. The at-grade frontage along Corporate Drive would contain townhouse units with direct pedestrian entrances to the street. The remaining podium element of the Phase I development would contain townhouse units fronting the north/south private road, also incorporating individual pedestrian entrances fronting the private street. The at-grade frontage along the east/west road would contain interior amenity space, resident and visitor entrances, a loading area and access to the above and below-grade parking areas.

Phase II would be of a similar design and construction as the Phase I development. Phase II would occupy the east portion of the site adjacent to the East Highland Creek. Two buildings are proposed. Building 'C' would be 40 storeys (121 metres or 397 feet) and would be located on Corporate Drive. Building "D" would be 36 storeys (109 metres or 357 feet) and would be located at the southeast portion of the Phase II lands, near the East Highland Creek. Building 'D' would front onto a private driveway which connects to the east/west public road.

Buildings 'C & D' would be connected by a four and five-storey podium that contains a centrally located main lobby and vehicle drop-off area within the central courtyard. The podium would also include two additional pedestrian entrances that connect to the central lobby; one fronting the private (east/west) driveway and one fronting Corporate Drive that leads directly to the base of Building 'D' to create a street address on Corporate Drive for this building. The owner would provide the City with an easement over the private east/west driveway together with a sidewalk to enable pedestrian access to the lands adjacent to East Highland Creek from Consilium Place.

Similar to Phase I, townhouse units would be located along the Corporate Drive street edge. Townhouse units are also incorporated into the base of the podium along the East Highland Creek frontage, overlooking the proposed publicly-accessible private open space. A portion of the development's indoor amenity space, a secondary residential entrance, and loading and servicing areas would be located along a proposed private driveway.

Site and Surrounding Area

The 2.36 hectare (5.83 acre) site is located on the southeast corner of Corporate Drive and Consilium Place, near the eastern edge of the Scarborough Centre. The relatively flat site is currently developed with a parking lot that serves the three office buildings (Consilium) located to the west. A new parking lot, located immediately north of the owner's Consilium office buildings has been constructed to replace the parking on the owner's development site. Surrounding uses include:

North: across Corporate Drive, a mixed-use development with 28 & 33-storey residential buildings with commercial and office uses within a two-storey podium fronting Corporate Drive (78, 80 and 88 Corporate Drive);

South: directly south are five, single storey, multiple unit industrial buildings that currently contain offices, wholesaling and manufacturing, a private education institution and a community service facility;

East: directly east of the site is the Markham Branch of East Highland Creek. Further east is a parking lot and a 4 and 5-storey office building (740 Corporate Drive); and

West: a recently constructed parking lot, also owned by Menkes that serves the (Menkes owned) Consilium office buildings, south of the parking lot which consist of three, 17-storey office buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. Section 3.1 (Natural Hazards) and Section 5.1 (Flood Control Remedial Works) provides that development is to be directed away from areas of natural hazards. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Toronto Official Plan identifies the site as being within the Scarborough Centre; one of four designated Centres in the City of Toronto, as shown on the Urban Structure Map (Map 2). The Centres are generally described in the Official Plan as being "places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed-use settings". The Plan indicates that growth will be directed to the

Centres in order to use municipal land, infrastructure and services efficiently; concentrate jobs and people in areas well served by surface transit and rapid transit stations; and promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips.

The Official Plan describes the Scarborough Centre as an important mix of retail, government, institutional, cultural, employment and residential uses at the core of an established employment corridor along Highway 401. As a mixed use area, the Scarborough Centre provides both employment and housing opportunities for workers and residents. Scarborough Centre is also a destination point for surrounding communities; with a regional mall, municipal and federal government services and a variety of recreational, educational and community services.

The Official Plan designates the subject site as "Mixed Use Areas" which would permit a range of residential, commercial and institutional uses. The policies of this land use designation include development criteria which direct that new development create a balance of land uses with the potential to reduce auto dependency and meet the needs of the community; provide additional employment and housing in the Centre areas; locate/mass new buildings to provide a transition between areas of different development intensity/scale; take advantage of nearby transit services; locate/mass new buildings to minimize shadow impacts; locate/mass new buildings to frame streets and parks with good proportion and maintain sunlight and comfortable wind conditions; and provide attractive pedestrian environments.

The Built Form policies of the Toronto Official Plan specify that new development be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. Taller buildings are to be located to ensure adequate access to sky view. In addition, the Official Plan requires that significant new multi-unit residential development must provide indoor and outdoor amenity space for residents of the new development and that each resident have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces. The Tall Buildings policies of the Official Plan seek to ensure that the proposed building and site design will contribute to and reinforce the overall City structure, including its relationship to its existing and/or planned context and the provision of high quality, comfortable and usable publicly accessible open space areas.

The Official Plan recognizes the importance of the public realm including streets, parks and open spaces. The Public Realm policies state that City streets are significant public open spaces that serve pedestrians and vehicles, provide space for public utilities and services, trees and landscaping, building access, amenities such as view corridors, sky view and sunlight, and are public gathering places. New streets are designed to provide access and addresses for new development, improve the visibility, access and prominence of natural features such as ravines, woodlots and open spaces. Where new development is proposed, the Official Plan states that new streets should be public streets. Private

streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets.

The Community Services and Facilities policies of the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The inclusion of community service facilities are encouraged in all significant private sector development.

The Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan. Planning staff are seeking a Section 37 contribution in exchange for any increase in height and density for new development on the site, as discussed later in this report.

The subject site is adjacent to East Highland Creek which is designated “Natural Areas” on Map 19 (Land Use) of the Official Plan. The creek is also identified as “Natural Heritage” on Map 9 of the Official Plan. The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have a high priority in City building decisions. All proposed development in or near the natural heritage system will be evaluated to assess the development’s impact on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system, taking into account the consequences for terrestrial natural habitat features and functions including wetlands and wildlife habitat; known watercourse and hydrologic functions and features; significant physical features and land forms; riparian zones or buffer areas and functions; and vegetation communities and species of concern. Where the underlying land use designation provides for development in or near the natural heritage system, development will recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and minimize adverse impacts, and when possible, restore and enhance the natural heritage system.

A large portion of the subject site is located within the Regional Storm Floodplain. Official Plan Policy No. 3.4.6 requires that areas within a floodplain may only be used for activities that retain the existing topography, protect, restore or improve existing natural features, do not result in unacceptable risks to life or property and minimize the need to mitigate and remediate floods, erosion and damage to the natural ecosystem.

Scarborough Centre Secondary Plan

As an area within the Scarborough Centre, this site is subject to the Scarborough Centre Secondary Plan. The Secondary Plan incorporates detailed policies on land use, housing, employment, transportation, parks, open spaces, community services and facilities and urban design. The subject site is designated “Mixed Use Areas” as provided for under

the Toronto Official Plan and is adjacent to the Markham Branch of the East Highland Creek which is designated as “Natural Areas”.

The Scarborough Centre Secondary Plan recognizes that the Centre is a large geographical area in which several smaller areas or precincts have emerged over time, each with a somewhat different mixed-use focus. To enable detailed planning and to provide for a specific growth management strategy, the Scarborough Centre Secondary Plan divides the Centre into four precincts. The subject site is located within the McCowan Precinct where residential and employment uses are encouraged and where retail use is permitted provided it is secondary to the primary residential and/or employment use. The Secondary Plan recognizes that there is a need to better link the McCowan Precinct through new development that incorporates appropriate street to building relationships, new roads and road improvements, parks and pedestrian and cycling pathways.

The Scarborough Centre Secondary Plan incorporates Urban Design Principles to guide development to create a strong, consistent identifiable image; unify the Centre; enhance its streetscapes, pedestrian and cycling paths and green spaces; and to assist in promoting the destination focus of the Centre. Promoting transit supportive development in the vicinity of rapid transit is also a strategy of the Scarborough Centre Secondary Plan. Higher densities of both residential and employment land uses are encouraged to generate ridership levels to help sustain the transit services, support future transportation improvements and further the City’s goal of accommodating balanced growth at strategic locations within Toronto. Promoting the reduction in car dependency is also an objective of the Secondary Plan through support of urban development at key locations such as the Brimley Corridor that is transit supportive and promoting appropriate parking supply requirements/limits.

Zoning

The subject site is currently zoned City Centre Office (CCO) and City Centre Residential (CCR) under the Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended. The CCO zoning permits office uses and a number of accessory uses. The CCR zoning permits all types of dwelling units, day nurseries, private day care and prohibits hotel use.

The site is subject to a Holding (H) provision that, until its removal, restricts use of the lands to the uses permitted under the Industrial (M) zone. The zoning by-law sets out the conditions under which the H may be removed from this site to permit the CCO and CCR uses including City satisfaction of the availability of services and infrastructure and that all environmental conditions are addressed.

Site Plan Control

The lands are located within a site plan control area. A site plan application has been filed (File No. 08 144155 ESC 38 SA) for Phase I of the development and is under review by City staff. Staff will require that the owner seek approval for an overall Master Concept Plan for the site to accompany the Phase I site plan control approval and that as

each phase of development proceeds, the owner seek site plan control approval as an amendment to the approved Master Concept Plan. In this manner, specific site plan details for each phase would be addressed including details of the temporary (and final) conditions including access, landscaping, tree planting, parking location and lighting. Further, an approved Master Concept Plan would ensure that the development of the Phase II lands would meet the urban design and site objectives established for the two-phased development of the lands.

Ravine Protection

Portions of the site (adjacent to East Highland Creek) fall within the Ravine By-law area. The owner's proposal has been reviewed within the context of the City's objectives to protect and enhance these areas. The owner has incorporated a 10 metre setback (buffer) from the existing top-of-bank. These lands, including lands below the top-of-bank, are to be dedicated, free of charge, to public ownership prior to the issuance of any building permit for the Phase II lands, to the satisfaction of the City and the Toronto and Region Conservation Authority. The owner will be required to retain a qualified person to conduct an environmental site assessment for the lands to be conveyed, submit all environmental assessment reports, pay all costs associated with the City retaining a third-party peer review and provide confirmation of the filing of a Record of Site Condition.

Toronto Urban Forestry requires that all above and below-grade structures and any re-grading of the lands and proposed flood storage areas must be outside of the 10 metre buffer zone. The owner will be required to naturalize the 10 metre buffer zone including lands below the top-of-bank as a condition of the site plan control approval. In addition, the owner proposes a publicly accessible linear park along the east side of the property, adjacent to the 10 metre top-of-bank buffer area.

Tree Preservation

The property is subject to provisions of the City of Toronto Municipal Code Chapter 813 which regulates injury or removal of privately owned trees, measuring 30 centimetres in diameter or more, measured 1.4 metres above the ground level. The by-law does not protect trees that are less than 30 centimetres in diameter.

There are two private trees that qualify for protection under the City's Private Tree By-law which are proposed to be removed as part of the development of the site. An Application to Injury or Destroy Private Trees must be submitted to Urban Forestry prior to development. New trees are proposed on the private lands and within the 10 metre top-of-bank area to be dedicated as public lands. Provision for the planting of these trees will be secured through the site plan approval process.

Reasons for Application

Official Plan Amendment

The Official Plan (Policy 3.4.6, Natural Environment) provides that areas within a floodplain may only be used for activities that retain the existing topography, protect, restore or improve existing natural features, do not result in unacceptable risks to life or property and minimize the need to mitigate and remediate floods, erosion and damage to

the natural ecosystem. A portion of the owner's Phase I lands and all of the Phase II lands are located within the Regional Storm Floodplain.

The official plan amendment proposes to add a Site and Area Specific Policy to Chapter 6, Section 5, Scarborough Centre Secondary Plan, for the owner's lands to permit the proposed two-phased development of the site within the floodplain, subject to floodproofing and remediation measures as described later in this report.

Zoning By-law Amendment

A zoning by-law amendment is required since the proposed density, gross floor area, and heights of the buildings exceed current permissions. The maximum density for all CCO uses is 2.0 times the site area. The CCR zone has a maximum density of 1.5 times. Combined density for the site is not to exceed 3.5 times the area of the lot. Both the CCO and CCR zones have a height limit of 90 metres. The owner proposes a combined density of 4.88 times the area of the lot. The heights of the proposed buildings range from 109 to 136 metres.

Community Consultation

Two community consultation meetings were held with respect to the owner's proposed development of the site. The first, a community consultation meeting, was held on October 25, 2007. Approximately 16 members of the public attended. The second, a community information meeting, was held on November 8, 2007 for the residents of 68 Corporate Drive (Metro Condominium Corporation No.1143) since the community consultation meeting coincided with the Condominium Corporation's annual general meeting. Approximately 33 residents of the condominium development attended. Following this meeting, some of the residents of 68 & 88 Corporate Drive submitted a petition indicating opposition to the proposed development. At both community meetings, several residents had questions concerning the proposed density, height of the buildings, traffic emanating from the development, the loss of view (for residents of the buildings to the north of the site), school capacity, and shadow impacts upon the residential buildings to the north. A review of these matters is contained in the following sections of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. Among other matters, it will provide for an efficient development pattern and use of land, add to the City's supply and diversity of housing, provide for employment opportunities, utilize public infrastructure and services efficiently, provide live/work opportunities, and promote the use of public transit. The proposed development adequately addresses environmental issues associated with the

redevelopment of this site including the policies respecting Natural Hazards (Section 3.1) and Flood Control (Section 5.1) through a program of remediation works and flood proofing measures that must be implemented prior to development on the lands. These remediation works and flood proofing measures, described in this report, will be secured in the Section 37 agreement and through provisions in the zoning by-law. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

Mixed-Use Area within Scarborough Centre

The subject site, designated for mixed-use and located within the Scarborough Centre, is an appropriate location to introduce multiple residential use, grade-related retail, and employment opportunities, given its proximity to nearby public transit, recreational and social facilities, shopping, employment, and government services. As with any development proposal, how well the proposal fits within the character and function of the surrounding Scarborough Centre area must be considered. Upon review of the proposal, staff conclude that the overall proposal, together with the Section 37 provisions and the use of a Holding (H) provision represents an appropriate approach to the intensification of the site. The proposal will help fulfill several of the planned objectives of the Scarborough Centre Secondary Plan including the introduction of additional housing and employment opportunities to the Centre, enhancing the Centre as a mixed-use area, providing needed pedestrian and vehicular connections within the Centre, providing community benefits, and ensuring the efficient use of land, resources, infrastructure and service facilities, in particular, the public transit system.

Flood Plain Management

As noted earlier in this report, the owner's lands are within the Regional Storm Floodplain. Policy No. 3.4.6 of the Official Plan restricts land use to activities that retain the existing topography, protect, restore or improve existing natural features, and do not result in unacceptable risks to life or property.

The Toronto and Region Conservation Authority (TRCA) has reviewed the owner's proposed development for the site and has advised that the two-phased development proposal may proceed provided the approval of the development includes "a phased approach to floodplain management that meets the intent of Section 3.1, Natural Hazards of the Provincial Policy Statement, and Section 5.1, Flood Control Mediation Works, and other policies of the TRCA's Valley and Stream Corridor Management Program." The TRCA recommends that "Phase I can only proceed upon securing a cut and fill balance to remove shallow flooding on a portion of the Phase I lands and securing a Markham Branch (Corporate Drive) Flood Remediation Study to detail the potential to remove the Phase II and other nearby lands from the floodplain. Phase II can only proceed if a preferred alternative to remove the Phase II and other nearby lands from the floodplain is implemented." The TRCA recommends that a holding (H) provision be placed on the site specific zoning applicable to the Phase II lands and the zoning by-law identify the conditions to be met prior to the lifting of the H. The draft official plan amendment and the proposed zoning by-law amendment (Attachment Nos. 10 & 11) provide for this

approach and incorporate policy and zoning standards to permit development on the subject site.

The Markham Branch (Corporate Drive) Flood Remediation Study will include a Technical Study and Environmental Assessment (EA) Study of the feasibility, costs and options to remove the owner's lands and other affected private lands in the vicinity, from the floodplain. The Flood Remediation Study is to be completed by the City. It is estimated to cost \$400,000. The owner has offered to fund \$200,000 of the total cost of the Study. Planning staff recommend that the owner be required to "front-end" the entire cost of the Flood Remediation Study. The City will then endeavour to collect a portion of the cost of the Flood Remediation Study from the landowners of the other affected privately owned lands within the floodplain, their proportionate share of the cost of the Flood Remediation Study, and refund, to the owner, to a maximum of \$200,000, as and when development occurs on other privately owned (affected) lands within the floodplain.

Draft OPA No. 127 (Site and Area Specific Policy No. 7) attached to this report permits development on the subject lands provided:

- On lands identified as the Phase I lands, development within the floodplain may be permitted provided that funding for a Markham Branch (Corporate Drive) Flood Remediation Study to examine the feasibility, costs and options to remove the owner's lands, and other affected private lands in the vicinity, from the floodplain, has been secured; flood-proofing measures are incorporated into the design and construction of the Phase I building(s); and provided flood-proofing remediation works are designed and constructed on the Phase II lands to the satisfaction of the City of Toronto and the Toronto and Region Conservation Authority;
- On lands identified as the Phase II lands, development within the floodplain may only be permitted once:
 - a) a flood remediation study to evaluate the interim and permanent long term works required, options and costs to remove the Phase I and II lands, and any affected private lands in the vicinity from the floodplain, has been completed to the satisfaction of the City and the Toronto and Region Conservation Authority; and
 - b) the Holding (H) Provision used in conjunction with the zoning for the Phase II lands is removed by City Council, following satisfaction of the conditions of its removal by the owner, to the satisfaction of the City of Toronto and the Toronto and Region Conservation Authority, including that the costs of the remediation works have been approved, financially secured and substantially completed, and the owner submits a Landscape Plan(s) for the Phase II lands, satisfactory to the City of Toronto and the Toronto and Region Conservation Authority.

Draft OPA No. 127 also provides that if it is determined that the Phase II lands cannot be removed from the flood plain, or the remediation works cannot be completed, the Phase

II lands may only be used for activities that retain the topography (as altered to provide interim flood storage necessary for the development of the Phase I lands), protect, restore or improve existing natural features, do not result in unacceptable risks to life or property and minimize the need to mitigate and remediate floods, erosion and damage to the natural ecosystem. Furthermore, the Phase II lands would be conveyed to the City or TRCA if the Flood Remediation Study is completed and it is determined that the Phase II lands cannot be removed from the floodplain, or the remediation works cannot be completed. The owner will be required to enter into a land sale agreement with the City and/or TRCA, to convey all or part of the Phase II lands, at a nominal cost to the City or the TRCA for the purposes of flood storage, within one year of the completion of the Flood Remediation Study.

The proposed two phased development has been planned such that Phase I could constitute a complete project, should Phase II development not occur. Phase I development would include two buildings connected by a four and five-storey podium element that includes retail uses, indoor amenity space, residential entrances and townhouses to create an active street edge along Corporate Drive, Consilium Place, and the proposed east/west and north/south roads. Buildings 'A' & 'B' incorporate townhouse units within the base of the podium elements along the north/south road which would overlook a large passive open space area (the flood storage area, shown on Attachment No. 5), to be conveyed to public ownership, if it is determined that Phase II of the development cannot proceed.

The proposed zoning by-law amendment, attached to this report, would establish the standards for the proposed development of the Phase I and Phase II development such as the maximum gross floor area, maximum number of dwelling units, building setback requirements, minimum and maximum parking spaces to be provided on site and minimum landscaped space to be provided. It also incorporates a Holding (H) provision for the Phase II lands and sets out the conditions under which the H provision could be removed and development of the Phase II lands could proceed.

In addition to the official plan amendment and zoning by-law amendment, the owner will be required to enter into an agreement with the City to secure, amongst other matters, that:

- i) the owner will front-end the cost of the Markham Branch (Corporate Drive) Flood Remediation Study;
- ii) the owner agrees that development of the Phase II lands will not proceed until the Markham Branch (Corporate Drive) Flood Remediation Study has been completed; the costs of the Remediation Works have been approved, financially secured and the Remediation Works substantially completed to the satisfaction of the City and the Toronto and Region Conservation Authority;
- iii) the owner agrees that the development of the Phase II lands will not proceed until such time as the Holding (H) provision on the Phase II lands, as set out

in the zoning by-law amendment applicable to the Phase I & II lands, has been removed; and

- iv) the owner will prepare and submit a Landscape Plan for the Phase II lands, satisfactory to the City and the Toronto and Region Conservation Authority.

Given the above measures to secure the remediation works and flood proofing measures that must be implemented prior to development of the owner's site, to the satisfaction of the TRCA and the City, Planning Staff are satisfied that the proposed development is consistent with the Official Plan.

Compatibility with Adjacent Land Uses

Natural Heritage Lands

Being located adjacent to the East Highland Creek (the lands of which are designated "Natural Areas" on Map 19 (Land Use) and identified as "Natural Heritage" on Map 9 of the Official Plan), requires that the proposed development be evaluated to assess its impact on the natural heritage system and to identify measures to mitigate any negative impact on and/or improve the natural heritage system. As noted earlier in this report, the owner will be required to convey a 10 metre setback (buffer) from the existing top-of-bank and lands below the top-of-bank. These lands are to be dedicated to public ownership prior to the issuance of any building permit for the Phase II lands, and will be re-naturalized to the satisfaction of the City and the Toronto and Region Conservation Authority. The owner proposes to construct a linear open space park adjacent to the top-of-bank buffer area, along the East Highland Creek. This 20 metre (66 foot) wide privately-owned, publicly accessible open space area, together with the top-of-bank buffer area, would create a 30 metre (98 foot) wide open space area along the East Highland Creek.

The proposed Markham Branch (Corporate Drive) Flood Remediation Study to be undertaken prior to the Phase II development will assess, not only the flood remediation options for the lands and other lands in the vicinity, but will develop criteria for maintaining stable stream geomorphic conditions and fish habitat. In addition, as part of the site plan control review process for Phase II, the owner will be required to submit a Natural Heritage Study to review any impacts on the natural heritage system and to identify and incorporate measures to restore and enhance the natural heritage system.

Existing Industrial Land Uses

Similar to this site, the properties to the south are zoned City Centre Office (CCO) and City Centre Residential (CCR) under the Employment Districts Zoning By-law No. 24982 (Progress Employment District). The CCO zoning permits office uses and limited retail and commercial uses. The CCR zoning permits all types of dwelling units. The lands are also subject to a Holding (H) provision that, until its removal, restricts use of the lands to the uses permitted under the Industrial (M) zone.

Staff's review of the owner's proposal included consideration of the compatibility between the proposed residential use and the industrial uses to the south, both current

industrial uses and those uses permitted under Employment Districts Zoning By-law 24982, as amended. To assess the compatibility between the proposal and the industrial uses to the south, Staff reviewed the Ministry of the Environment (MOE) Compatibility Guidelines which were established to guide municipalities in their land use approval responsibilities when dealing with land use compatibility issues pertaining to the interface between industrial uses and more sensitive uses such as residential. These guidelines are not statute or regulation, and can be characterized as providing advice to planning approval bodies. The MOE Guidelines indicate that adequate separation distance is an effective method of mitigating any 'adverse effects'. The MOE Guidelines establish minimum separation distances, determined by a class of industry. For Class I facilities (general industrial use), the MOE guidelines recommend a 20 metre (66 foot) separation. However, the MOE land use guidelines also provide for exceptions in instances where infilling, urban redevelopment and or transition to mixed use is taking place.

The Industrial (M) zoning applicable to the lands south of the owner's site, provides for a range of industrial uses including manufacturing, assembly, processing, warehousing, recycling and other uses including offices, places of worship, educational and training facilities and day nurseries. Notwithstanding these permissions, any use which is offensive by reason of the transmission of noise or vibration, or the emission of gas, fumes, heat, radiation, dust or odour, is specifically prohibited under the General Provisions of Zoning By-law 24982.

The lands to the south of the site include five single storey industrial buildings that currently contain offices, a private education institution a community service facility, and wholesaling and manufacturing uses. The buildings are oriented north/south and, therefore, only the north side walls of the buildings are exposed to the subject site. No loading bays are located immediately facing the proposed new development; therefore, noise emanating from industrial activity would be limited. Phase I and II of the proposed development contain four storey podium elements located 10 metres (33 feet) from the south property line and approximately 18 metres (60 feet) from the nearest industrial building. The at-grade podium elements facing south contain residential amenity areas, secondary residential entrances, loading and servicing areas and three townhouse units at this location. Two of the townhouse units within the at-grade podium element are end units and face the interior north/south private road. The other townhouse unit, part of a group of townhouses within the podium that faces the East Highland Creek, is also an end unit. Only the side walls of these townhouse units are exposed to the south and, therefore, the existing side walls of the industrial buildings. The owner has indicated that no primary windows of the townhouse units will be oriented south towards the industrial buildings. Above grade level, the podium elements contain three levels of an above-grade parking structure oriented to the south. Therefore, exposure to the south industrial buildings is limited.

Two of the buildings (Buildings 'A & D') of the phased development are located adjacent to the existing industrial uses to the south. The tower components of Building 'A & D' are set back approximately 21 metres (69 feet) from the south property line and 30 metres

(98 feet) from the closest industrial building. Given the nature of the existing industrial uses and their site orientation, staff is of the opinion the proposal is compatible with the lands to the south and meets MOE Compatibility Guidelines. As the owner's proposal proceeds through the site plan control approval process, staff may require that the owner submit an acoustic study to determine whether noise or other mitigation measures should be incorporated into the design and construction of the development.

Connectivity with the Scarborough Centre

A key feature of the Scarborough Centre Secondary Plan is to create a more connected place. The policies of the Secondary Plan encourage improvements to vehicular and pedestrian movement and access within the Centre through new road construction to break up larger development blocks, creating a network of pedestrian-friendly walkways and cycling routes, expansion and improvements to transit routes, and promoting transit supportive development. To achieve this objective, the Secondary Plan identifies on Map 5-3 (Transportation Improvements – Attachment No. 8) and Map 5-4 (Potential Linkages), areas within in the Centre where new road connections are encouraged. The owner's lands have been identified on Map 5-3 and Map 5-4 as a location where new roads/pedestrian linkages are anticipated.

The owner's development proposal contemplates pedestrian and vehicular access to all buildings by way of existing City roads and via new roads (both public and private) that have access from Corporate Drive and Consilium Place. The owner has provided for a new, mid-block, north/south road connection through the site from Corporate Drive in Phase I of the development. This pedestrian and vehicular connection would function as a private road. While the Official Plan provides that new roads should be public, the owner advises that a public road, at this location, is not practical given the need to maintain the below-grade lands in private ownership in order to meet the parking requirements associated with the new development. The City ordinarily does not permit a privately-owned, below-grade parking facility beneath a public road. The parking requirements for the development cannot be met by an additional (3rd) level of below-grade parking due to the high groundwater table in the area. The owner proposes that this private north/south road be designed and constructed to resemble a public road with sidewalks and streetscape elements such as street lighting, trees and street furniture. The owner will provide an easement in favour of the City for public access over the road connection to be secured as a legal convenience in the required Section 37 agreement between the owner and the City. Staff is of the opinion that this private road connection meets the intent of the Official Plan and the objectives of the Scarborough Secondary Plan.

The owner proposes a public road connection to be located along the southern edge of the site. This new road connection would provide not only vehicle access to the above and below-grade parking, but pedestrian access to the proposed linear park and the open space area adjacent to the East Highland Creek. A portion of this east/west road, from the Consilium Place entrance to the point where it meets the north/south private road, initially will function as a private driveway but in the future will convert to a public road. As part of the Phase I development of the site, the owner will convey a 10 metre strip of

land (50% of the future public right-of-way) to the City. The remaining 50% of the right-of-way required for the east/west public road will be secured from the future development of the lands to the south. This future public road will link to a new mid-block (north/south) road through the lands to the south of the subject site which will be secured as development proceeds on these lands. In the interim, the east/west road will function as a driveway with public access (the City will own the 10 metre area and provide an easement in favour of the owner). The remaining portion of the new road connection (from the north/south road to the proposed linear park and the open space area adjacent to the East Highland Creek) would be constructed in Phase II and will function as a private driveway. The owner will provide an easement in favour of the City for public access over the private driveway, to be secured in the Section 37 agreement. A sidewalk, with a continuous overhead canopy for weather protection, is to be provided at the owner's expense and will be located on the north portion of the future road (interim driveway) and the permanent private driveway of the Phase II lands.

Together, the new private and public connections, with proposed sidewalks, trees and other streetscape features, would assist in linking the lands with the existing residential, employment and educational uses of the Scarborough Centre. Staff is of the opinion the private and public vehicular and pedestrian connections proposed by the owner meet the objectives of the Scarborough Secondary Plan and provide an appropriate interface with future Scarborough Centre development.

Density

The owner is seeking development permission for 118,630 square metres (1,276,965 square metres) of mixed-use gross floor area which represents a density of 5.0 times the area of the site (floor space index [FSI]). The proposed density represents an increase from 3.5 times the area of the site permitted under the current zoning for commercial and residential use of the site (approximately 82,943 square metres of gross floor area). Staff conclude that the proposal's additional density above the underlying zoning permission is achieved in an acceptable built form, massing and height that can be appropriately accommodated on the site. The proposed development will be subject to recommended performance standards and Holding (H) provisions. The site is located in close proximity to the McCowan RT Station and the proposed density is comparable to the densities of other sites within the Scarborough Centre.

The proposed density will help to continue the success of Scarborough Centre, adding a vibrant urban-residential (including employment) use to the Centre which will support existing public investment in transit and infrastructure. Based upon these factors and its location within the Centre's McCowan Precinct, the proposed density is appropriate for the site.

Urban Design

As the Scarborough Centre develops, high-quality urban design will play a greater role in promoting the Centre as a destination focus, unifying its parts and connecting it to the surrounding area. Attention to architecture, built form and the design and massing of

buildings are key features expressed in the Scarborough Centre Secondary Plan. These policies are aimed at creating a strong, consistent, and identifiable image of the Centre.

The applicant's proposed development has the potential to contribute to the achievement of a number of Scarborough Centre's Secondary Plan objectives such as the provision of needed pedestrian and vehicular connections within the Centre, introduction of additional housing and employment opportunities, and enhancement of the Centre as a mixed-use area. The size and location of the site and its proximity to the East Highland Creek offer an opportunity to accommodate new housing and employment within a compact, transit-oriented urban village which includes tall buildings that will visually reinforce the civic importance of the area and help define its image.

The proposed development occupies one of the last development sites along Corporate Drive. It, therefore, plays an important role in completing a community which has been developing along Corporate Drive since the early 1990's. Apart from the development at Corporate Drive and Progress Avenue (TD Bank Data Centre), all other development east of Consilium Place, has been mixed-use. Typically the existing street edge is defined by active podium elements, two to four storeys in height, and the bulk of the massing of these developments is contained in tall buildings, ranging in height from 23 to 37 storeys. The owner's proposal continues this approach with a defined four and five-storey podium element and towers. The proposal incorporates quality urban design and responds well to its location within the McCowan Precinct of the Scarborough Centre. Staff is of the opinion that the owner's proposal is consistent with its established mixed-use context and, subject to further refinements that can be addressed as the proposal proceeds through site plan control approval, the proposed development is in keeping with the urban design objectives of the Scarborough Centre Secondary Plan.

Built Form & Massing

The proposed built form incorporates both high-rise tower components and lower-rise podium elements organized along Corporate Drive, Consilium Place, a new mid-block private road, new road connections along the south boundary of the site, and along a proposed (privately owned, publicly accessible) linear park. The tower and podium elements are characteristic of the built form of the Scarborough Centre. The owner has worked with City staff to achieve a design concept for the mixed use development that is consistent with the Official Plan's Built Form policies, the Council-adopted "Design Criteria for Review of Tall Building Proposals", and the Scarborough Centre's Urban Design objectives. The tower elements of the buildings have maximum floor plate areas of 750 square metres. These floor plate areas would only slightly exceed the maximum floor area of 743 square metres identified in the City's Tall Building guidelines to qualify as a "point tower". The proposed floor plate areas of the tower elements are acceptable and will result in slender buildings.

The podium elements provide a strong urban edge at street level. Grade-related retail, amenity space and townhouse units incorporated into the podium elements of the buildings create a clearly defined edge to Consilium Place, Corporate Drive, the proposed private and public roads and the proposed linear park and open space area, to animate the

public and private realm and assist in creating an accessible, safe, comfortable and pedestrian-friendly environment.

The above-grade parking areas are located behind the proposed townhouse and apartment units, retail space and amenity facilities of the podium elements and, therefore, would not form part of the street façade of the development along Corporate Drive, Consilium Place, or the proposed north/south private road. The above-grade parking structures would be exposed as a street façade at the second to fourth levels of the podium along the proposed east/west road. However, the owner's proposal incorporates building façade treatment including materials and glazing to mask the parking structure and blend these parking areas into the overall design of the building.

The at-grade podium elements of Buildings 'A' and 'D' front onto the proposed east/west public road (interim driveway) and private driveway along the south property line. The podium elements contain interior amenity space, resident and visitor entrances, a loading area and access to the above and below-grade parking area. The interior amenity spaces of both buildings have been designed such that these spaces could be converted to residential units at some future date. Such conversion to residential may be appropriate if the lands to the south of the site redevelop as residential use. The conversion to residential could further enhance the streetscape of the proposed east/west public road.

The owner has prepared 1:50 scale drawings detailing the design elements and construction materials to be incorporated into all building podium elements. As part of the site plan control approval process for the two-phased development, staff will require the owner to submit these drawings for final review and approval. Staff are also recommending that the Section 37 agreement contain a clause requiring that such plans be submitted to the City for further review and approval.

The building designs are similar in overall massing and architectural detailing. During detailed design development, the elevations of the towers will be refined to create towers which are distinctly different, but which are clearly from the same architectural family. Greater architectural articulation should be explored through the use of, but not limited to, additional step-backs, the carrying of some architectural elements from top to bottom of the buildings, detailed balcony design, and varying roof-top treatments. These matters can be addressed through the site plan control approval process.

Height

The Scarborough Centre Secondary Plan provides policy guidance respecting the location of tall buildings within the Centre and suggests that taller buildings be located in close proximity to the rapid transit stations, major arterials and Highway 401. To implement these guiding policies, Zoning By-law No. 24982 (Progress Employment District) as amended, establishes performance standards which specify maximum building heights of 90 metres in the interior of the Scarborough Centre and along its northern edge and 30 metres for sites closer to the residential communities south of Ellesmere Road.

The creation of a distinctive skyline for the Scarborough Centre was an ambition of earlier Scarborough Centre Secondary Plans. Previous plans anticipated a cluster of tall buildings at a single, central location, focused around the Scarborough Civic Centre and the Scarborough Town Centre Mall. However, the Scarborough Centre has not developed in this manner. Rather, an analysis of building heights within the Centre indicates a pattern of taller building clusters within each of the Centre's Precincts. For example, within the Civic Precinct, several buildings have been built, are currently under construction or are approved, at heights greater than 90 metres. These taller buildings, centred around the Civic Centre, have created a highly successful urban focus for the Civic Precinct. This pattern is repeated in the McCowan Precinct along Corporate Drive and Lee Centre Drive where building heights range from 23 to 37 storeys.

Tall buildings form a prominent part of the urban landscape for the Scarborough Centre, visually reinforcing the civic importance of the area and defining its image. Tall buildings must, however, fit within their context and minimize impacts on surrounding properties. The heights of the proposed buildings are consistent with the description of a "Tall Building" in the Toronto Official Plan and the 'Tall Building Design Guidelines', adopted by City Council. As such, the proposal has been reviewed under the built form policies of the Official Plan, the 'Tall Building Design Guidelines' and the urban design policies contained within the Scarborough Centre Secondary Plan to assess the appropriateness of the proposed heights at this location.

The four proposed buildings would have heights that exceed current height limits specified in the zoning by-law. The heights of two of the buildings (Building 'B' and Building 'C') would be 45 and 40 storeys respectively, the highest in the Scarborough Centre, east of McCowan Road. While taller than the buildings immediately to the north (28 and 33 storeys), the proposed tower elements of the buildings are slender towers, having floor plate areas of 750 square metres, just slightly larger than the floor plate area of 743 square metres recommended by the City's Tall Buildings Guidelines. These Guidelines note that the floor plates of tall buildings should not exceed 743 square metres to assist in minimizing shadow impacts, loss of sky-view, and wind conditions on adjacent lands and to ensure appropriate separation between buildings.

Staff have reviewed the proposed siting and heights of the buildings and conclude that the proposed heights can be supported. The four buildings will visually reinforce the McCowan Precinct and further define its role as an urban focus within the Scarborough Centre. The buildings will add to the visual prominence of the Scarborough Centre, enhancing its identity and status as a focal point in the eastern part of Toronto.

Tower Separation

The 'Tall Building Guidelines' recommend a spatial separation of 25 metres between tall buildings to ensure comfortable living conditions within each by allowing appropriate amounts of sunlight and appropriate levels of privacy for units within the buildings. The proposed development meets this separation guideline. The tower elements of Buildings 'A' and 'B' are off-set from one another and, at their closest point, are separated by a distance of 26 metres (85 feet). The tower elements of Buildings 'C' and 'D' are also

off-set from one another and, at their closest point, are separated by a distance of 27 metres (88 feet). The proposed tower separations between all four buildings are consistent with the 'Tall Building Guidelines' and provide appropriate access to sunlight, adequate skyview to streets and adjacent properties and adequate privacy for future residents of the buildings.

The tower portions of the buildings are separated a sufficient distance from the existing residential buildings on the north side of Corporate Drive. These buildings are set back from the street line at the north side of Corporate Drive. The right-of-way width of Corporate Drive is 33 metres (108 feet). Buildings 'B' and 'C' are set back 4 metres (13 feet) from the Corporate Drive street line, providing a minimum separation of 37 metres (121 feet) between the existing and proposed buildings along Corporate Drive. The proposed separation between the existing and proposed buildings along Corporate Drive provide existing and future residents adequate skyview to streets and adjacent properties, appropriate access to sunlight, and adequate privacy.

Sun/Shadow Analysis

A shadow analysis, prepared by Page & Steele Architects and Planners was reviewed by City Planning staff who are satisfied that the level of shadowing on nearby properties will be limited. An assessment of the March 21st/September 21st shadow analysis illustrates acceptable impacts on the amenity areas located at 68 and 88 Corporate Drive in the morning hours. The shadow analysis reveals that shadow impact on neighbouring properties is acceptable and no building will have continuous or prolonged shadow coverage. The proposal incorporates "point towers" (floor plates of 750 square metres) for its tower components. This form of a tower element results in shadow patterns that move quickly across adjacent properties, including the residential buildings to the north of the site. Similarly, the point-tower design results in thinner and quicker moving shadows on the proposed privately-owned, publicly-accessible linear open space park adjacent to the East Highland Creek. Diagrams for June 21st, the period when these areas will be used more frequently, indicate that the impacts on the proposed areas will be minimal.

Wind Analysis

The owner submitted a pedestrian level wind study, prepared by Theakston Environmental Services, dated February 7, 2008. The study tested the existing wind conditions and the wind conditions related to the proposed development at approximately 40 sensor locations within, and in proximity to, the site. Staff has reviewed the Theakston report and note that the study concludes that the open setting of the existing site causes it to be susceptible to prevailing winds, resulting in potentially uncomfortable wind conditions at several locations. With development, the prevailing winds are realigned, resulting in more comfortable wind conditions at some locations and more windy conditions predicted to occur from time to time at various locations on the developed site. Uncomfortable pedestrian-level wind conditions are potentially created along both sides of Corporate Drive (in winter), along the south side of Corporate Drive (in summer and fall) and at the southwest corner of the site in all three of the above mentioned seasons. The wind study includes recommendations for remediation of these conditions including

articulation of the development's massing and landscape features. Staff recommend that these measures be implemented in the final design of the project and a revised wind study (or an addendum) be completed by a qualified wind consultant and submitted to the City for review as part of site plan control review to ensure that such uncomfortable wind conditions have been eliminated and/or substantially improved.

Public Realm

The public realm associated with the proposal consists of public roads (Consilium Place and Corporate Drive) on two sides of the site, the proposed east/west public road (interim private driveway) along the south property line and the lands adjacent to the Markham Branch of East Highland Creek. The proposal contains provision for extensive street tree planting on Corporate Drive and Consilium Place, sidewalk improvements and a weather protection canopy along the entire length of the east/west road connection.

The proposed north/south private road and the public east/west road would enhance and strengthen the existing street and block pattern of Scarborough Centre. Each incorporates pedestrian sidewalks/walkways to link the development to the Centre and create pleasant, convenient, identifiable and safe pedestrian access.

As noted earlier in this report, the owner will be required to convey to public ownership a 10 metre setback (buffer) area from the top-of-bank, including lands below the top-of-bank along East Highland Creek. These lands are to be subject to a restoration plan to the satisfaction of the City and the Toronto Region Conservation Authority. The conveyance of these lands to public ownership will add to the overall public realm within the Scarborough Centre.

The proposed Phase II development incorporates a 20 metre (66 foot) wide linear open space area adjacent to the top-of-bank setback area. As part of the development's proposed landscaped area, the owner intends to design, construct and maintain (at the owner's expense), a linear open space park within this 20 metre area which would continue along the entire length of the property along the East Highland Creek. The linear open space park would remain in private ownership; however, the owner intends that the lands be accessible to the public. The Phase II development of the site also proposes a publicly accessible connection to the linear park and the East Highland Creek along the south property line. This private road would link with the Phase I public road and would feature a continuous sidewalk and a weather protection canopy for pedestrian access to the linear park and creek.

Together with the (future public) 10 metre top-of-bank set-back area, the privately-owned, publicly-accessible linear park would create a substantial open space area for passive recreation. The linear open space park and buffer lands adjacent to the East Highland Creek would add to the open space network within the McCowan Precinct and the Scarborough Centre.

Prior to the construction of the second phase of development on the site, the Phase II lands are to be used for the flood storage area associated with Phase I development. Until

Phase II occurs, these flood storage lands will be subject to an easement in favour of the City for public access. The lands could be used as an informal, passive open space area, subject to further review to ensure public safety.

Residential Amenity Space

Indoor Amenity Area

The owner has incorporated a total of 2,800 square metres (30,140 square feet) of common indoor residential amenity spaces within the overall development, representing 1.85 square metres (20 square feet) of gross floor area for common indoor recreational space per dwelling unit. Phase I would have 1,425 square metres (15,340 square feet) of amenity space (1.87 square metres [21 square feet] per dwelling unit), consisting of a bowling alley, multi-purpose room, pool and associated change rooms and an exercise room. Phase II would have 1,375 square metres (14,800 square feet) of amenity space (1.82 square metres [19½ square feet] per dwelling unit), consisting of a billiard room, multi-purpose rooms and a party room. The proposed pool, exercise room and party rooms would be located on the 5th floor of the podium element with direct access to an outdoor (roof-top) landscaped amenity area. The Phase II development contemplates the construction of a fully enclosed, glass and steel bridge at the 5th level of the podium to provide mutual access to the indoor amenity facilities for the shared use of residents of each phase of the development.

Outdoor Amenity Area

Phase I and II of the development includes 9,450 square metres (101,722 square feet) of outdoor (landscaped) amenity space including the roof-top areas and landscaped central courtyards for both phases of development. Phase I would have 2,236 square metres (24,070 square feet) of roof-top amenity area and 2,763 square metres (29,742 square feet) of landscaped amenity space at grade. Phase II would have 2,180 square metres (23,466 square feet) of roof-top amenity area and 2,271 square metres (24,445 square feet) of landscaped amenity space at grade.

As noted earlier in this report, the owner proposes to design, construct and maintain a 2,480 square metre (26,695 square feet) landscaped, linear open space park along the east property line adjacent to the East Highland Creek. This publicly-accessible, privately-owned open space would incorporate such features as sodding, landscaping, lighting and trails/walkways that will be accessible from a number of pedestrian connections in and around the site, including from Corporate Drive. With the construction of this linear landscaped open space in Phase II, the overall amount of landscaped area would increase to 11,929 square metres (128,406 square feet). The owner has proposed that an easement be provided to the City for public access over the linear open space park. The landscape features and the design and construction of the linear park are matters which will be further addressed through the site plan control approval process.

The owner has requested that credits be given to the owner against the cash-in-lieu of parkland dedication (as required under the Planning Act) for the value of the works completed by the owner to provide the landscape, walkway/trail and lighting features of the linear open space park and for the value of the easement for public access over the

lands. Planning staff have consulted with Parks, Forestry & Recreation staff who indicate that such credits are not ordinarily provided by the City and do not support such credits. The proposed linear open space park forms part of the outdoor amenity space for future residents of the development. The total amenity space proposed (including the linear open space park) is appropriate given the intensity of the development proposed and Planning staff are not recommending any credits against parkland dedication contributions.

City of Toronto Design Review Panel

The proposed development has been before the City of Toronto Design Review Panel on two occasions. The owner's original (2007) proposal was presented to the Panel at its meeting in October 2007. Following this meeting the owner made a number of modifications and improvements to the proposal to address issues raised by the Panel including public connections, active streetscapes and location of parking and vehicle access points. The owner's proposal (with modifications) was presented a second time at the Design Review Panel's meeting of April 24, 2008. As a result of comments from the Design Review Panel at this meeting, the following additional modifications have been made to the proposal:

Streetscape

A stronger street edge has been provided: The Corporate Drive frontage contains residential (townhouse) units at the base of the podium element which have direct pedestrian access to the street. The Consilium Place frontage contains at-grade retail. The interior courtyard provides for publicly accessible, pedestrian and vehicular circulation. The podium elements along the private/north south road and along the East Highland Creek edge, each contain townhouse units with direct pedestrian access to the private road/linear park open space. The south road connection contains residential amenity spaces, secondary pedestrian access to the buildings to create a more animated space.

Public Connections to the Centre and Linkages to Open Spaces:

A combination of a new public road and publicly accessible private roads and driveways laid-out in a grid pattern assist in meeting the connectivity objectives set out in the Scarborough Centre Secondary Plan. Access to open space is improved through the creation of public access to the adjacent open space of the East Highland Creek. A proposed publicly accessible, privately-owned linear park will add passive recreational space and improve connections to the open space network of the Scarborough Centre.

Parkland Dedication

The Scarborough Centre Parkland Dedication By-law (No. 1021- 2005) applies to all lands within the Scarborough Centre. This by-law requires that land, cash-in-lieu of land or a combination thereof, be conveyed to the City for park or other public recreation purposes, at an alternative rate greater than the standard rate specified in the Planning Act. The by-law provides that, as a condition of development or redevelopment of land for residential purposes, land, cash-in-lieu of land or a combination thereof, be provided at a rate of 0.4 hectares for every 300 dwelling units generated by such development, or

5% of the development lands, whichever is greater. Parks, Forestry Recreation advises that a cash-in-lieu of parkland dedication payment is appropriate for this development based upon the alternative parkland provision of 0.4 hectares for every 300 dwelling units.

As noted earlier in this report, the owner has requested that credits be given to the owner against the cash-in-lieu of parkland dedication for the value of the works completed by the owner to provide the landscape, walkway/trail and lighting features of the linear open space park and for the value of the easement for public access over the lands. Parks, Forestry & Recreation staff have advised that such credits are not supported by staff.

Traffic Impact, Access & Parking

Traffic Impact

The Traffic Impact Study prepared by Marshall Macklin Monaghan Limited was reviewed by Transportation Services staff and found to be acceptable. The Technical Services Division advises that minor modifications to the pavement markings on Corporate Drive and modifications to the traffic control signals at Corporate Drive are required, as identified by the Traffic Impact Study and are to be funded by the owner. These matters will be included, as a legal convenience, within the Section 37 agreement. No additional road improvements are required to accommodate this development. Traffic from the development can be appropriately distributed along Corporate Drive and Consilium Place.

Vehicular access to the development is proposed by way of new private and public road connections as discussed earlier in this report. As part of the Phase I development of the site, the owner will be required to convey a 10 metre strip of land (50% of the future public right-of-way) to the City along the south boundary of the property, for a new public road. The remaining 50% of the right-of-way required for the east/west public road will be secured from the future development of the lands to the south. The owner is required to provide a cheque payable to the City of Toronto for the 50% share of the cost of construction of the fully-serviced road prior to the issuance of any building permit for the Phase I development. The owner is also required to submit functional drawings and a pavement marking plan for the new east/west road connection, including interim (private) driveway design and future adjustments needed to convert the road to a public road. Staff recommend that these matter be included, as a legal convenience, within the Section 37 agreement.

Vehicle Parking

The owner proposes 1,682 vehicle parking spaces to serve residents, visitors and commercial users. All parking spaces would be located within two levels of a below-grade parking structure and within four levels of above-grade parking located within the podium elements of the buildings.

Staff support the use of the proposed residential parking rates applicable to this area set out in the new City-wide zoning by-law. Under the proposed zoning by-law, minimum

and maximum parking rates are provided for multiple unit, residential buildings (based upon bedroom counts) as follows:

- One-bedroom dwelling units: minimum 0.7 to maximum 1.0 spaces/unit; and
- Two-bedroom dwelling units: minimum 0.9 to maximum 1.3 spaces/unit.

The draft zoning by-law amendment attached to this report (Attachment No. 11) incorporates the above-noted rates. Of the total 1,515 dwelling units proposed, 909 units are proposed to be one-bedroom units and 606 units to be two-bedroom units. The minimum and maximum total number of parking spaces required for the residential component would be 1,334 spaces and 1,849 respectively, of which a minimum of 152 spaces would be allocated for visitors. The provision of 1,682 spaces as proposed is within this range.

The owner also proposes that the 1,200 square metres (12,916 square feet) of retail space located within the ground floor area of the podium along Consilium Place would not have dedicated vehicle parking spaces on the basis that the retail uses would be ancillary, serving the residents of the buildings and the immediate area. The owner suggests that the short-term parking needs for the retail uses can be adequately provided by utilizing the visitor spaces. Staff have examined this proposal, and are satisfied that, given the relatively small floor area of the retail, the proposed sharing of retail and visitor parking is appropriate. Staff recommend that restaurant use be limited to a maximum gross floor area of 300 square metres (3,330 square feet). The proposed parking requirement for retail, residents and visitors is set out in a performance standard in the draft zoning by-law attached to this report. Convenient access to the residential visitor spaces from the retail area will need to be addressed at the site plan stage.

Bicycle Parking

The owner's proposal incorporates bicycle parking for residents and visitors. The proposed development incorporates the provision of 379 bicycle parking spaces at a rate of 0.25 spaces/dwelling unit. Additional bicycle parking spaces are required. Staff recommend, and the owner has agreed to the inclusion of the performance standard as set out in the attached draft zoning by-law amendment that would require bicycle parking to be provided at a rate of 0.5 spaces per residential unit for a total of 758 bicycle parking spaces.

Servicing

The owner has submitted a Potable Water & Sanitary Servicing Report, dated July 18, 2008 and an amended report, dated May 31, 2010. Technical Services staff has advised that the water supply analysis is acceptable. With respect to sanitary analysis, the July 2008 report was based on "more stringent" sanitary sewer design flows. Technical Services had requested the owner to provide a modified Sanitary Servicing Report, based on the Toronto Sewer and Watermain Criteria, dated November 2009, which could result in lower estimated sanitary design flows than presented in the July 2008 report. Technical Services staff, at the time of the writing of this report, is reviewing the revised

(May 2010) report. Details respecting the location and design of servicing facilities and service connections can be addressed at the site plan control approval process.

Toronto Fire Services have reviewed the proposed development. Modifications to the plans and drawings submitted by the owner in July 2008 were requested. Revised plans incorporating these revisions were submitted on May 31, 2010 and are under review by Toronto Fire Services. Further revisions or modifications can be addressed at the site plan control approval process.

Toronto Green Development Standard

The owner submitted a site plan control application for Phase I of the development on April 14, 2008. At that time the owner also submitted a Toronto Green Development Standards checklist. Staff will pursue the implementation of the Green Development Standards through the review of the site plan control application.

In January 2010, the Council-adopted Toronto Green Standard, came into force and effect. New site plan control applications (submitted after January 31, 2010) will be subject to the Two-Tier Standard and the review of the Phase II development will incorporate an evaluation of these standards.

School Capacity

The Toronto District School Board (TDSB) advises that there is insufficient local middle school capacity to accommodate students anticipated from this proposed development and that children may need to be accommodated at other schools within the area. The TDSB and the city are owners of lands on the south side of Progress Avenue, adjacent to the East Highland Creek that is the intended location of a future new school and park. The TDSB advises that the status of local school accommodation should be conveyed to potential purchasers of the proposed units. Specifically, the TDSB requests that the owner agree to post signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local school accommodation. This is a matter that can be addressed in the site plan control approval process.

The Toronto Catholic District School Board (TCDSB) advises it may be necessary for students anticipated from this proposed development to be accommodated in facilities outside of the community pending the availability of space. The TCDSB requests that the owner post signs on site advising of the status of local school accommodation. This is a matter that can also be addressed in the site plan control approval process.

Section 37

Section 37 of the Planning Act authorizes a municipality to pass zoning by-laws involving increases in the height or density otherwise permitted by the zoning by-law, in return for the provision (by the owner) of facilities, services or matters (community benefits), provided the development proposed first meets the test of good planning and is consistent with the policies and objectives of the Official Plan. Community benefits are capital facilities and/or cash contributions towards specific capital facilities, above and beyond those that would otherwise be provided under the provisions of the Planning Act

or through other legislative means, for example the Development Charges Act. The community benefits must be set out in the zoning by-law and secured in a Section 37 agreement which is registered on title.

The Toronto Official Plan contains detailed policies to govern the use and implementation of Section 37. Section 5.1.1 (Height and/or Density Incentives) of the Official Plan provides a policy framework for determining what may be considered a community benefit and how it is intended to be realized. Section 5.1.1, amongst other matters, requires that the capital facilities must bear a reasonable planning relationship to the increase in the height and/or density of a proposed development including, at a minimum, having an appropriate geographic relationship to the development and addressing the planning issues associated with the development.

The owner's proposed development at the southeast corner of Corporate Drive and Consilium Place would result in building heights and a residential density that exceeds the density permitted in the zoning by-law. A Section 37 contribution is considered appropriate in exchange for the increased height and density. City staff have worked closely with the local Councillor and the owner to identify community benefits that would flow from the use of Section 37 in exchange for permitting an increase in height and density, over and above that which is permitted by current zoning by-laws for the site.

Discussions between the City, local Councillor and the owner, for community benefits in return for the increased height and density, have resulted in the following:

Phase I

- a) the owner has agreed to provide an indexed cash contribution of \$1.0 Million payable to the City of Toronto prior to the issuance of the first above-grade building permit for the Phase I development (760 dwelling units), to be directed towards the community benefits as follows:
 - i) \$400,000 to fund improvements to the Scarborough Animal Centre;
 - ii) \$300,000 to fund showers/multi-purpose room/gym facilities within the new Scarborough Centre Branch Library to be constructed adjacent to the Scarborough Civic Centre and/or to fund construction of these facilities within the Scarborough Civic Centre and improvements to the pedestrian access between the Library and the Scarborough Civic Centre;
 - iii) \$100,000 for Public Art within the public realm adjacent to, or in close proximity to the subject site;
 - iv) \$100,000 for the Scarborough Walk of Fame; and
 - v) \$100,000 to fund improvements to the Toronto Wildlife Centre; and

Phase II

- b) an indexed cash contribution of \$1.0 Million payable to the City of Toronto prior to the issuance of the first above-grade building permit for the Phase II development (755 dwelling units), to be directed towards the community benefits as follows:
 - i) \$400,000 to fund improvements to the Scarborough Animal Centre;
 - ii) \$400,000 to fund improvements/restoration to the Woodlot of the Civic Precinct of the Scarborough Centre; improvements to and/or re-naturalization/restoration of the open space and/or channel of the Markham Branch of the East Highland Creek, and street tree planting within the McCowan Precinct of the Scarborough Centre;
 - iii) \$100,000 for the Scarborough Walk of Fame; and;
 - iv) \$100,000 to fund improvements to the Toronto Wildlife Centre.

As noted earlier in this report, the owner has requested that credits be given to the owner against the cash-in-lieu of parkland dedication for the value of the works completed by the owner to provide the landscape, walkway/trail and lighting features of the linear open space park and for the value of the easement for public access over the lands. The owner has indicated that the owner's support for the payment to the City of the \$1.0 Million for each phase of the development is subject to the owner receiving such credits. Staff do not support the provision of credits or a reduction of the Section 37 amount to reimburse the owner for features incorporated into the development of the site. Rather, staff are of the opinion that the density and height increase proposed by the owner warrants the application of Section 37 and that any cash contribution to be obtained to fund community benefits should not result in a decrease to the City's parkland dedication requirements.

Public Art

Public art installations are encouraged in all new development to add to the quality of the public realm. The owner has not proposed any forms of public art within the site or located within the adjacent public realm. However, \$100,000, towards public art will be secured as a Section 37 community benefit as noted above, and will be located within the site or located within the adjacent public realm. Opportunities to provide further public art will be explored with the owner as part of site plan control review.

Development Charges

It is estimated that the development charges for this project will be \$9,027,057. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Russell Crooks, Senior Planner
Tel. No. (416) 396-7040
Fax No. (416) 396-4265
E-mail: rcrooks@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Additional Matters to be Secured in the Section 37 Agreement
Attachment 2: Site Plan
Attachments 3a,3b: Landscape Plans
Attachments 4a-4d: Elevations
Attachment 5: Phase I - Interim Flood Storage Area
Attachment 6: Zoning
Attachment 7: Official Plan
Attachment 8: Scarborough Centre Secondary Plan – Map 5-3
Attachment 9: Application Data Sheet
Attachment 10: Draft Official Plan Amendment
Attachment 11: Draft Zoning By-law Amendment

Attachment 1: Additional Matters to be Secured in the Section 37 Agreement

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience, in support of the development:

- a. the owner agrees that the Phase II lands, will not proceed until such time as the Holding (H) provision on the Phase II lands, as set out in the Zoning By-law amendment applicable to the lands, has been removed; the Markham Branch (Corporate Drive) Flood Remediation Study has been completed; the costs of the Remediation Works have been approved, financially secured and the Remediation Works substantially completed to the satisfaction of the City and the Toronto and Region Conservation Authority; and the owner submits a Landscape Plan(s) for the Phase II lands, satisfactory to the City and the Toronto and Region Conservation Authority;
- b. the owner agrees to provide, prior to the enactment of the Bills giving effect to the proposed Phase I & II development of the lands, a cheque payable to the City of Toronto in the amount of \$400,000.00 for the purposes of conducting a Markham Branch (Corporate Drive) Flood Remediation Study. This Flood Remediation Study will include a Technical Study and Environmental Assessment (EA) Study of the feasibility, costs and options to remove the owner's lands and other affected private lands in the vicinity, from the floodplain. The Flood Remediation Study is to be completed by the City in conjunction with the Toronto and Region Conservation Authority. The EA study shall be initiated by an agreeable date targeted for January, 2012;
- c. the owner agrees to front-end the cost of the Flood Remediation Study as indicated in item (d) above. The owner acknowledges that the Flood Remediation Study will examine the feasibility, costs and options to remove the owner's lands and other affected private lands in the vicinity (as determined through the Flood Remediation Study), from the floodplain. The owner agrees that the City shall endeavour to collect a portion of the cost of the Flood Remediation Study from the landowners of the other affected privately owned lands within the floodplain (collectively known as the Benefiting Landowners). The City will endeavour to collect from the Benefiting Landowners, their proportionate share of the cost of the Flood Remediation Study, and refund, to the owner, to a maximum of \$200,000.00, as and when development occurs on other privately owned (affected) lands within the floodplain;
- d. the owner agrees that the physical works, including any works resulting from impacts to the East Highland Creek channel (collectively known as the Remediation Works) needed to be constructed to remove the owner's lands and other affected privately owned lands from the floodplain, as determined by the Flood Remediation Study, are to be completed by the City, in

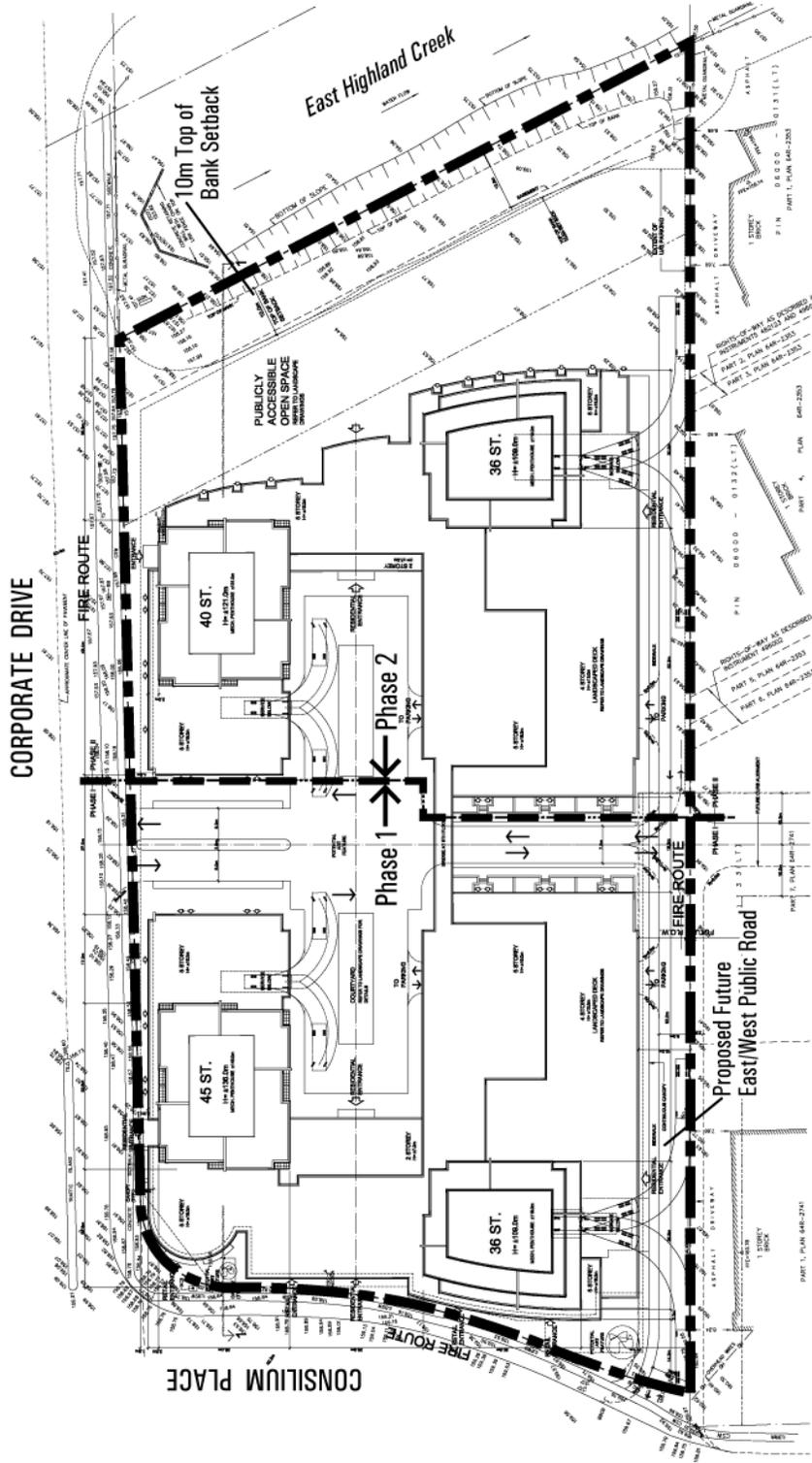
conjunction with the Toronto and Region Conservation Authority. The Remediation Works shall be funded by the Benefiting Landowners on a cost share basis as development of their lands proceed, proportional to the total area of all private lands in the floodplain. For the purposes of determining the total area of all private floodplain lands, reference shall be made to the area of the lands specifically identified in the Flood Remediation Study. Should the owner proceed with all or part of the proposed development on its Phase II lands prior to the development by other Benefiting Landowners, the owner shall front-end the costs of the Remediation Works and the City shall endeavour to collect the costs from the Benefiting Landowners, their proportionate share of the Remediation Works and refund such proportionate share(s) to the owner, as and when development occurs on other affected, privately owned lands as identified by the Flood Remediation Study;

- e. the owner agrees that the Markham Branch (Corporate Drive) Flood Remediation Study may conclude that “do nothing” is the best option, or, if there is no agreement as to who funds the Remediation Works, or the costs of the Remediation Works are prohibitively expensive, or the Remediation Works are not completed for these, or other reasons, then the Hold (H) provision can not be removed from the Phase II lands;
- f. the owner agrees that if the Markham Branch (Corporate Drive) Flood Remediation Study is completed and it is determined that the Phase II lands cannot be removed from the floodplain, or the Remediation Works cannot be completed for any reason, the owner shall enter into a land sale agreement with the City and/or Toronto and Region Conservation Authority, to convey all or part of the Phase II lands at a nominal cost to the City or the Toronto and Region Conservation Authority for the purposes of flood storage, within one year of the completion of the Flood Remediation Study;
- g. the owner agrees to provide to the City (at the owner’s expense) prior to the issuance of any building permit for the Phase I development, an easement in favour of the City over the Phase II lands for the purposes of securing the interim flood storage use associated with the development on the Phase I lands, and for public access over the Phase II lands to the satisfaction of the Technical Services Division and the City Solicitor, in consultation with the Toronto and Region Conservation Authority. Such easement to be relinquished by the City upon issuance of a Building Permit for the Phase II development;
- h. the owner agrees to provide to the City (at the owner’s expense) prior to the registration of any condominium corporation on the Phase I lands, an easement in favour of the City over the proposed north/south private road and sidewalk area to the satisfaction of the Technical Services Division and the City Solicitor, in consultation with the City Planning Division;

- i. The owner agrees to provide a cheque payable to the City of Toronto, prior to the issuance any building permit for the Phase I development for the 50% share of the cost of construction (to be determined to the satisfaction of the City Technical Services Division) of the fully-serviced public road, proposed along the south boundary of the phase I lands of the site. The owner also agrees to submit to the City, for approval, functional drawings and a pavement marking plan for the new east/west road connection, including the interim (private) driveway design and future adjustments needed to convert the road to a public road, to the satisfaction of the Technical Services Division;
- j. the owner agrees to provide to the City (at the owner's expense) prior to the registration of any condominium corporation on the Phase II lands, an easement in favour of the City over the portion of the east/west connection (private driveway) from the point where the north/south private road intersects with the east/west public road (interim private driveway) and extending to the proposed linear open space park and the lands adjacent to the East Highland Creek, to the satisfaction of the Technical Services Division and the City Solicitor, in consultation with the City Planning Division;
- k. the owner agrees to design, construct and maintain (at the owner's expense) a linear open space park, of not less than 20 metres in depth (measured from the 10 metre top-of-bank setback) along the entire east boundary of the owner's Phase II lands. The owner agrees that this linear open space park will, at a minimum incorporate such features as sodding, landscaping, trails/walkways, and lighting features to the satisfaction of the Chief Planner and Executive Director of the City Planning Division and the General Manager of Parks, Forestry and Recreation. The owner agrees that the linear open space park shall be developed in accordance with the approved plans and drawings for Site Plan Control approval of the Phase II development. Further the owner agrees to provide a permanent easement on these lands, in favour of the City, for the purposes of public access; to the satisfaction of the General Manager of Parks, Forestry and Recreation and the City Solicitor, in consultation with the City Planning Division;
- l. the owner agrees to convey to public ownership, prior to the issuance of any building permit for the Phase II development, a 10 metre setback (buffer) area from the top-of-bank (to be determined) from the East Highland Creek including lands below the top-of-bank, which is to be re-naturalized at the owner's expense, to the satisfaction of the General Manager of Parks, Forestry and Recreation, the City Solicitor and the Toronto and Region Conservation Authority, in consultation with the City Planning Division. The owner agrees to retain a qualified person to conduct an environmental site assessment for the lands to be conveyed, submit all environmental assessment reports, pay all costs associated with the City retaining a third-party peer review and provide confirmation of the filing of a Record of Site Condition;

- m. the owner agrees to design and construct the Phase I development and the interim flood storage on the Phase II lands in accordance with the requirements of the Site Stormwater Management Report, prepared by R.V. Anderson Associates, dated July 18, 2008 and as amended, and in accordance to the plans and drawings recommended for approval by the Chief Planner and Executive Director of the City Planning Division. The owner also agrees to provide engineering certification for the design of the floodproof works prior to Site Plan Control approval of the Phase I development to the satisfaction of the Technical Services Division, in consultation with the City Planning Division and the Toronto and Region Conservation Authority;
- n. the owner agrees to fund prior to the issuance of the first above-grade building permit for Phase I, modifications to the pavement markings on Corporate Drive and modifications to the traffic control signals at Corporate Drive, as identified by the Traffic Impact Study to the satisfaction of the Technical Services Division;
- o. in conjunction with the Site Plan Control approval process for the Phase I and Phase II development, the owner agrees to incorporate into the construction of the development, exterior materials and design features for the podium elements of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The owner agrees to submit for site plan approval, 1:50 scale drawings illustrating the exterior materials and design elements for all elevations of the buildings' podium facades;

Attachment 2: Site Plan



Corporate Drive at Consilium Place;
southeast corner

File # 07-241529_OZ

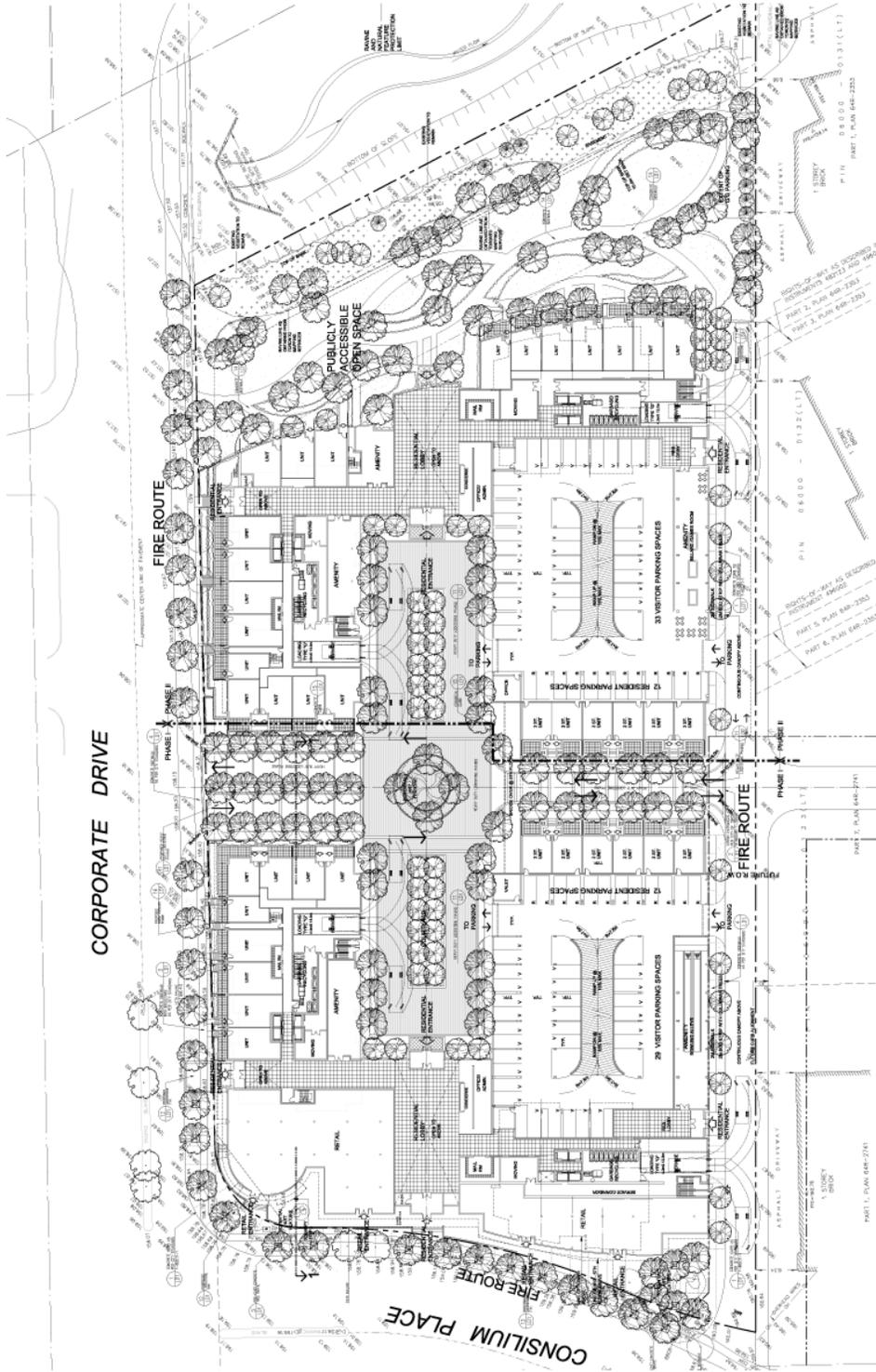
Site Plan

Applicant's Submitted Drawing

Not to Scale
06/08/10



**Attachment 3a: Landscape Plans
(3-A: Phase I & II Ground Level)**



**Corporate Drive at Consilium Place;
southeast corner**

File # 07-241529_0Z

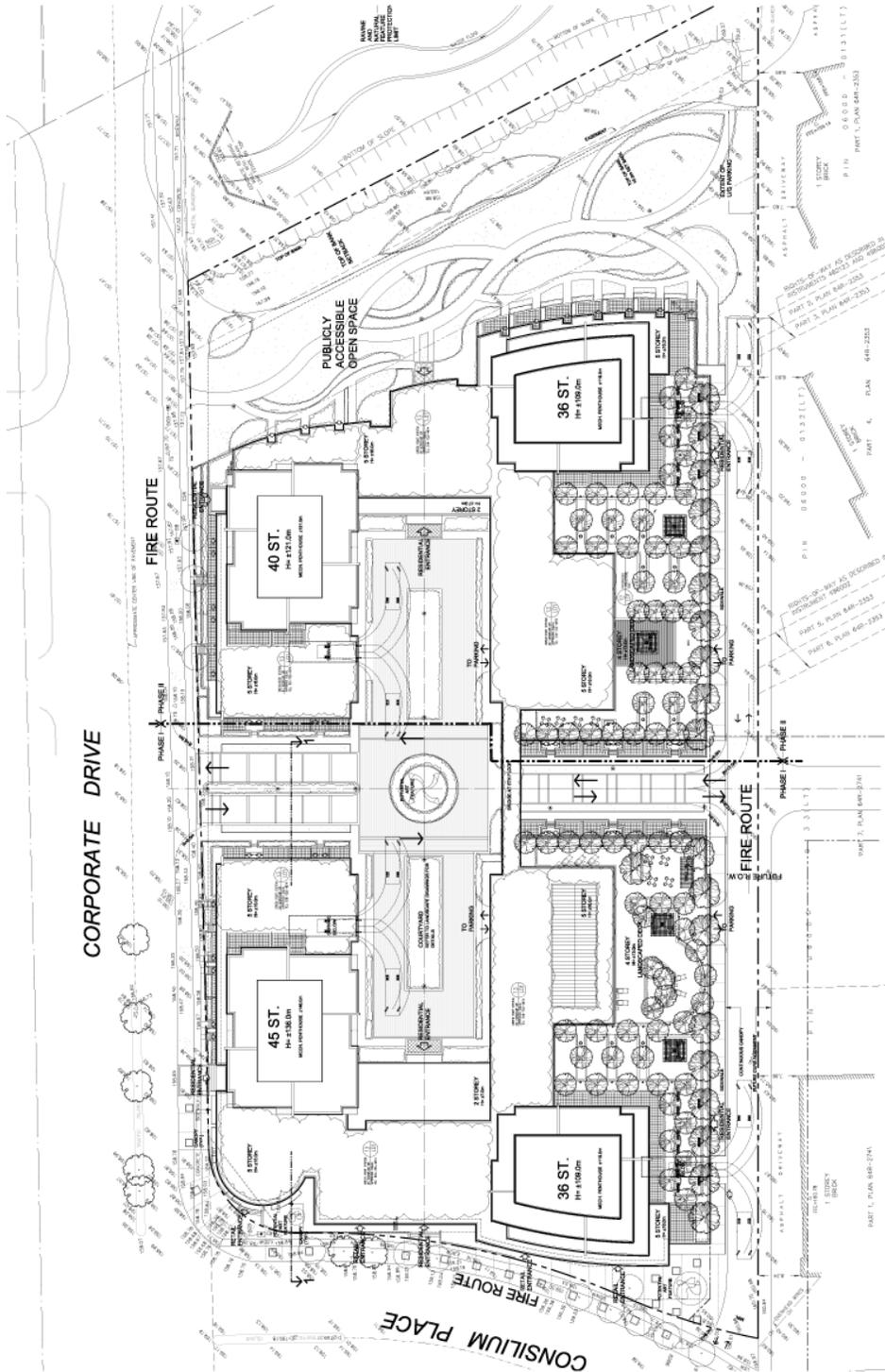
Landscape Plan: Phase I, II Ground Level

Applicant's Submitted Drawing

Not to Scale
06/08/10



**Attachment 3b: Landscape Plans
(3-B: Phase I & II Ground & Above Grade)**



Landscape Plan - Phase I, II, Ground and Above Grade

**Corporate Drive at Consilium Place;
southeast corner**

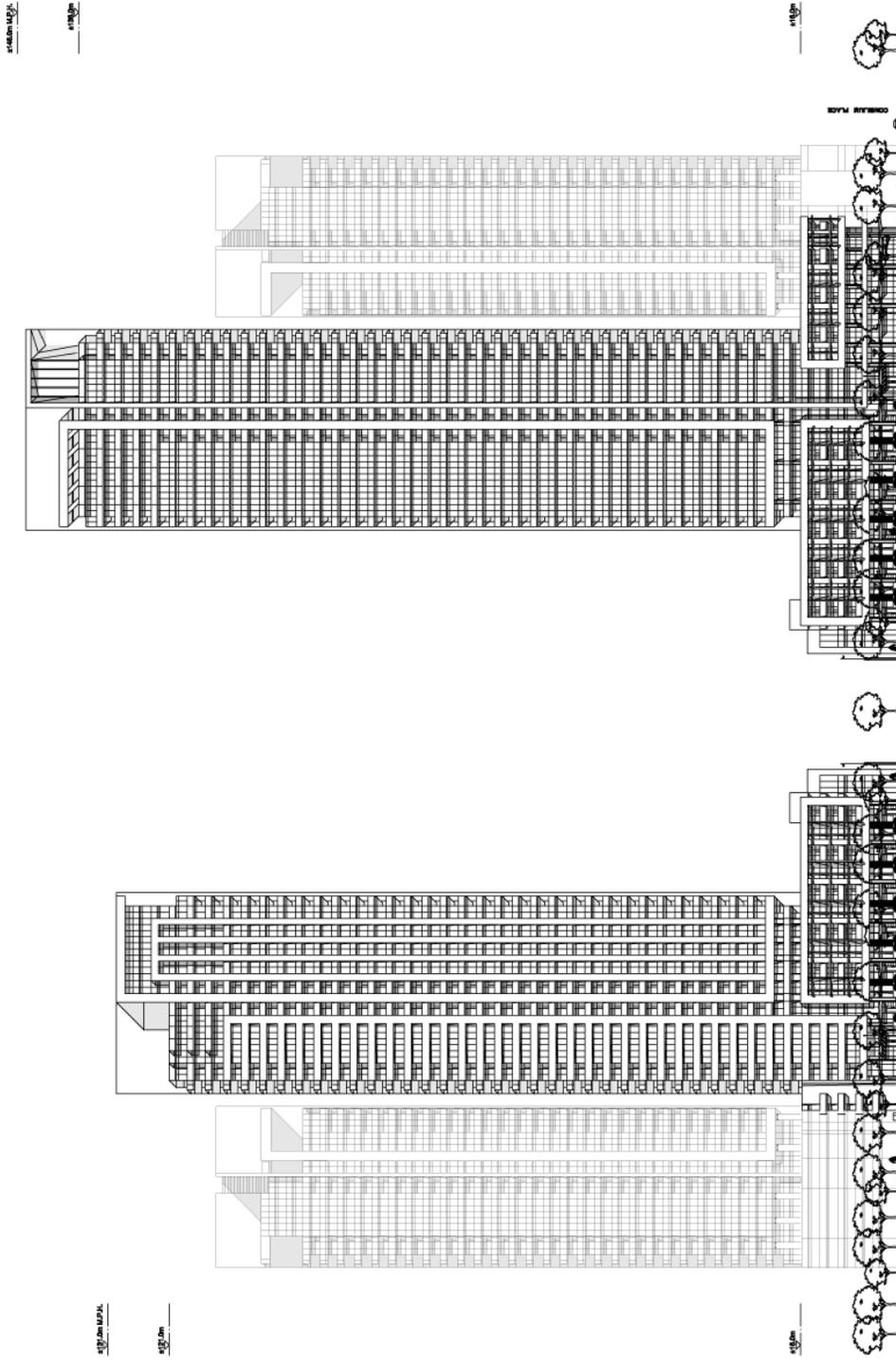
Applicant's Submitted Drawing

Not to Scale
05/31/10



File # 07-241529_0Z

**Attachment 4a: Elevations
(4-A: North Elevation – Along Corporate Drive)**



**Corporate Drive at Consilium Place;
southeast corner**

North Elevation - Along Corporate Drive

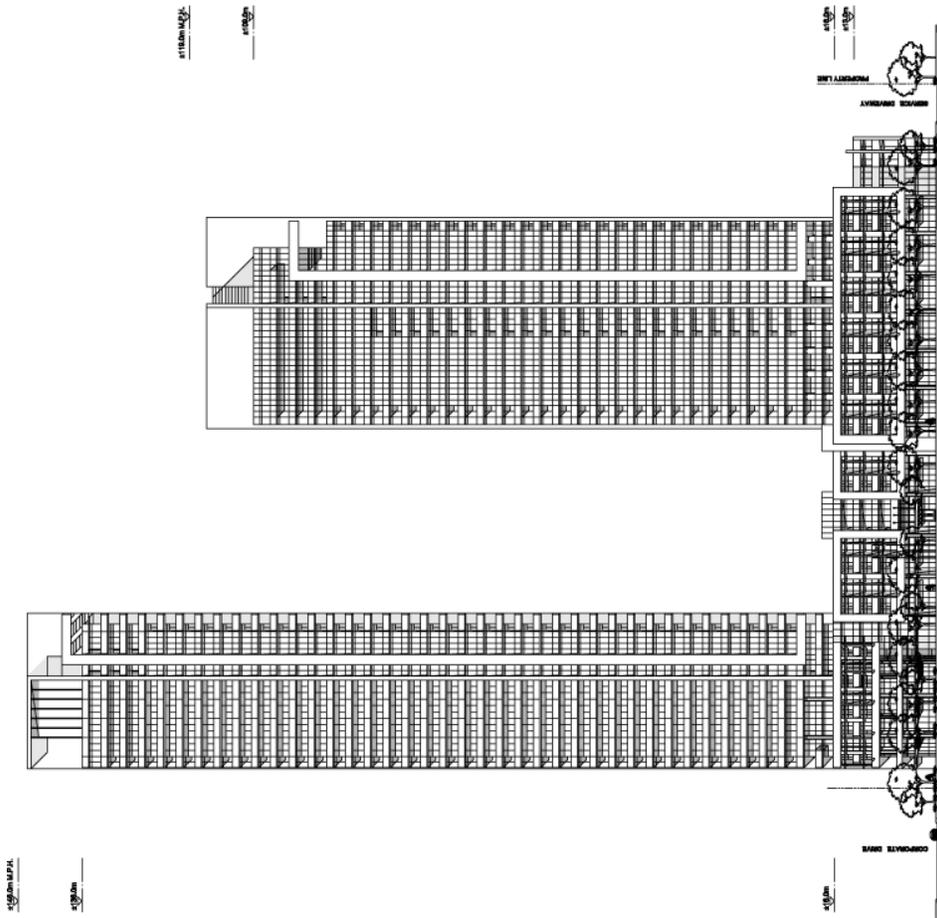
Applicant's Submitted Drawing

Not to Scale
06/04/10



File # 07-241529_0Z

**Attachment 4b: Elevations
(4-B: West Elevation – Along Consilium Place**



West Elevation - Along Consilium Place

**Corporate Drive at Consilium Place;
southeast corner**

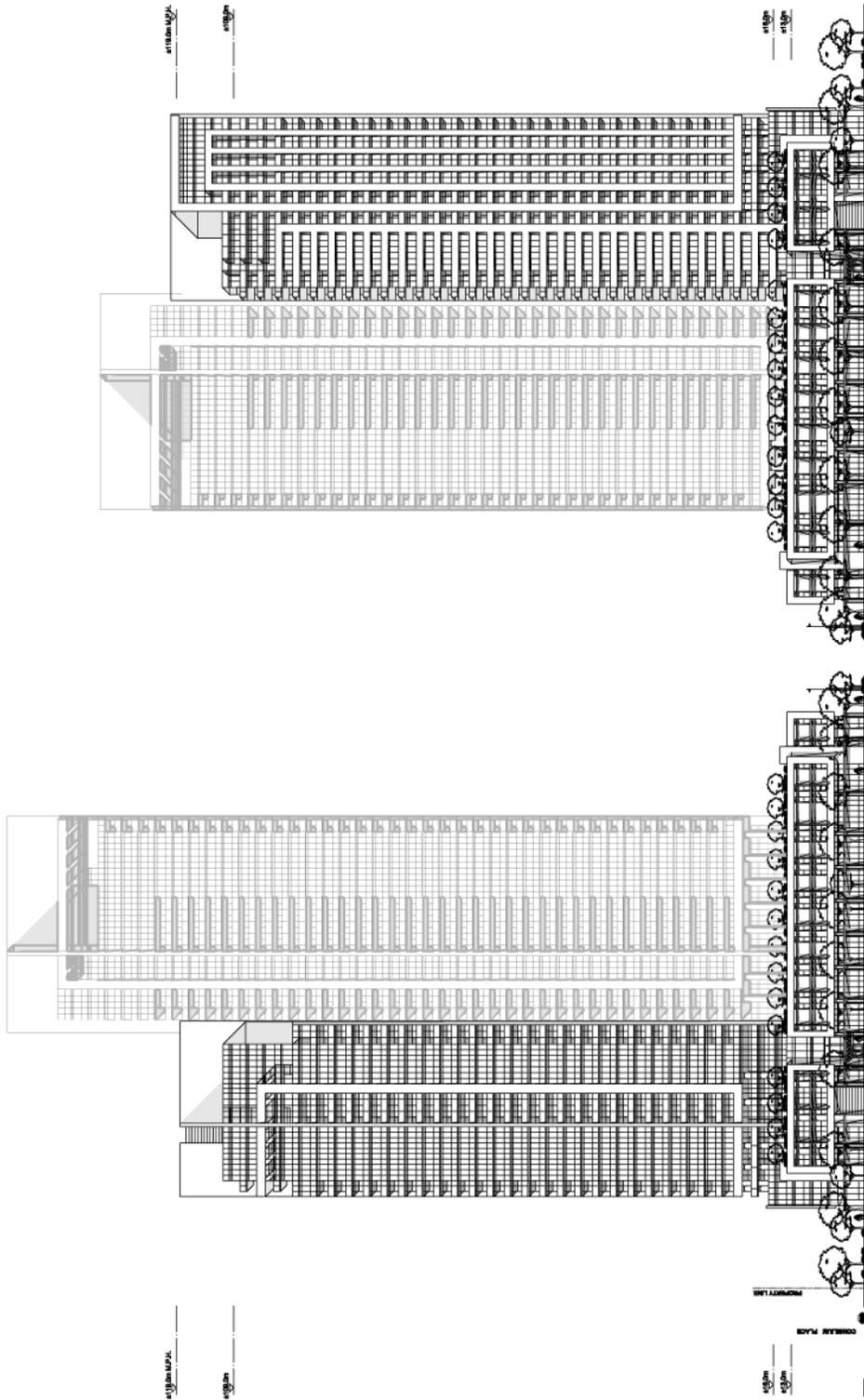
Applicant's Submitted Drawing

Not to Scale
06/31/10



File # 07-241529 0Z

**Attachment 4c: Elevations
(4-C: South Elevation – Along Future South Road)**



**Corporate Drive at Consilium Place;
southeast corner**

File # 07-241529_0Z

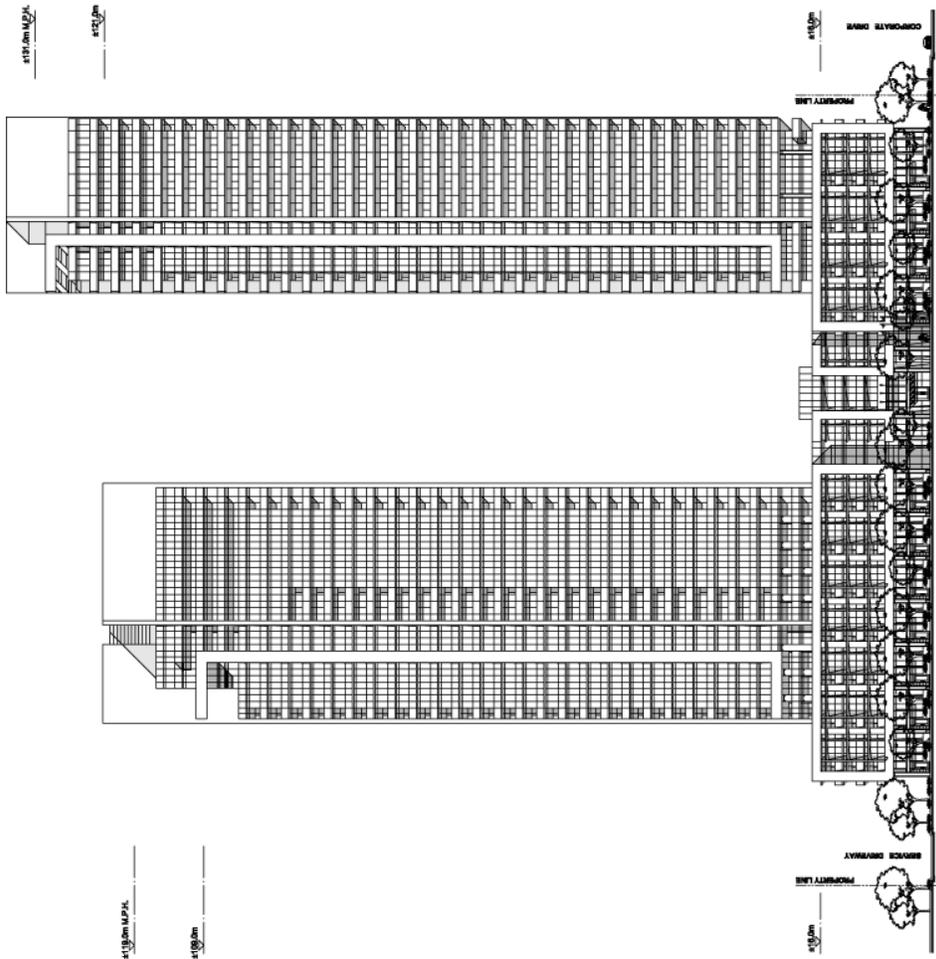
South Elevation - Along Future South Road

Applicant's Submitted Drawing

Not to Scale
06/04/10



**Attachment 4d: Elevations
(4-D: East Elevation – Along East Highland Creek**



East Elevation - Along East Highland Creek

**Corporate Drive at Consilium Place;
southeast corner**

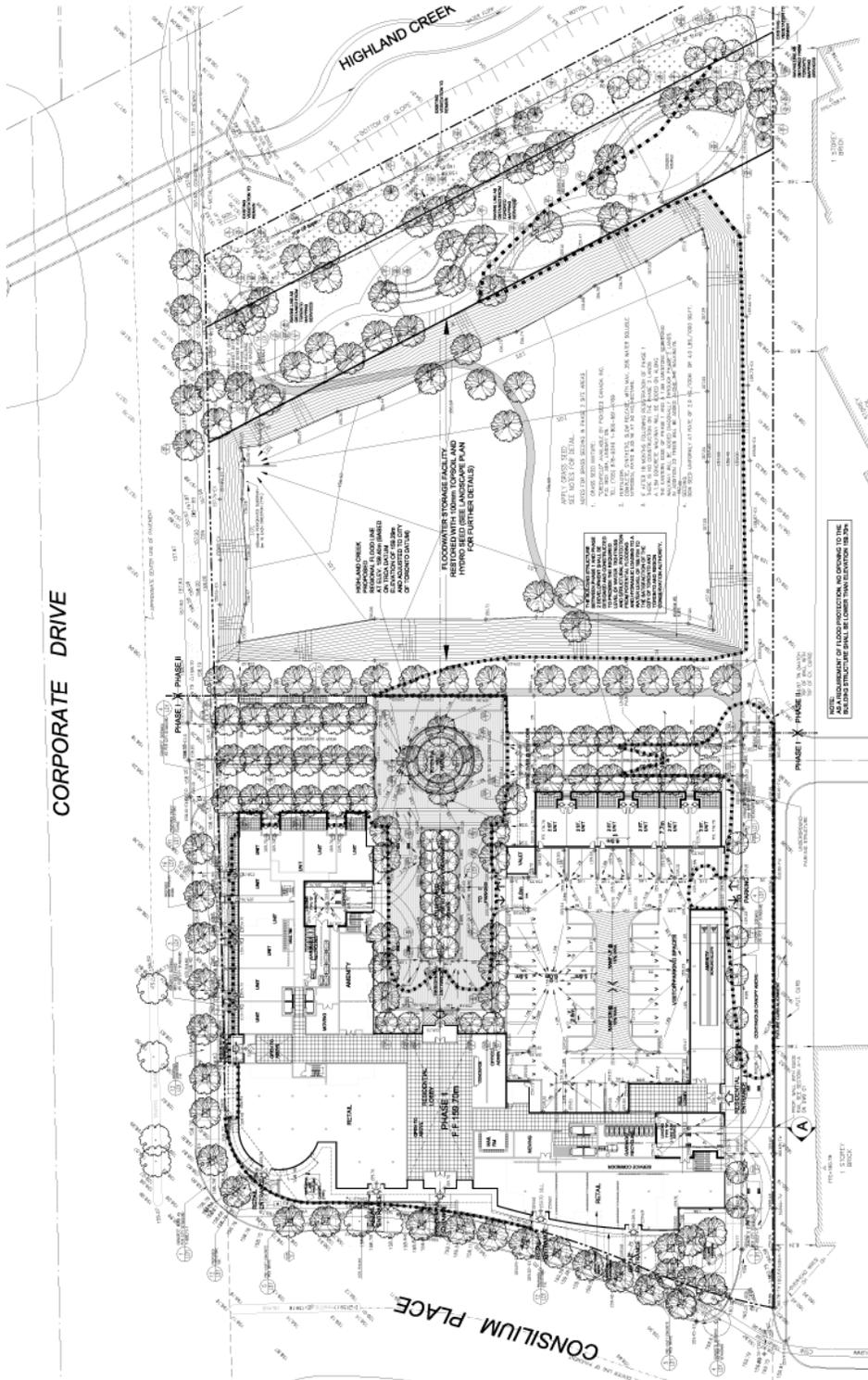
Applicant's Submitted Drawing

Not to Scale
06/08/10



File # 07-241529 0Z

Attachment 5: Phase I - Interim Flood Storage Area



Corporate Drive at Consilium Place;
southeast corner

File # 07-241529_0Z

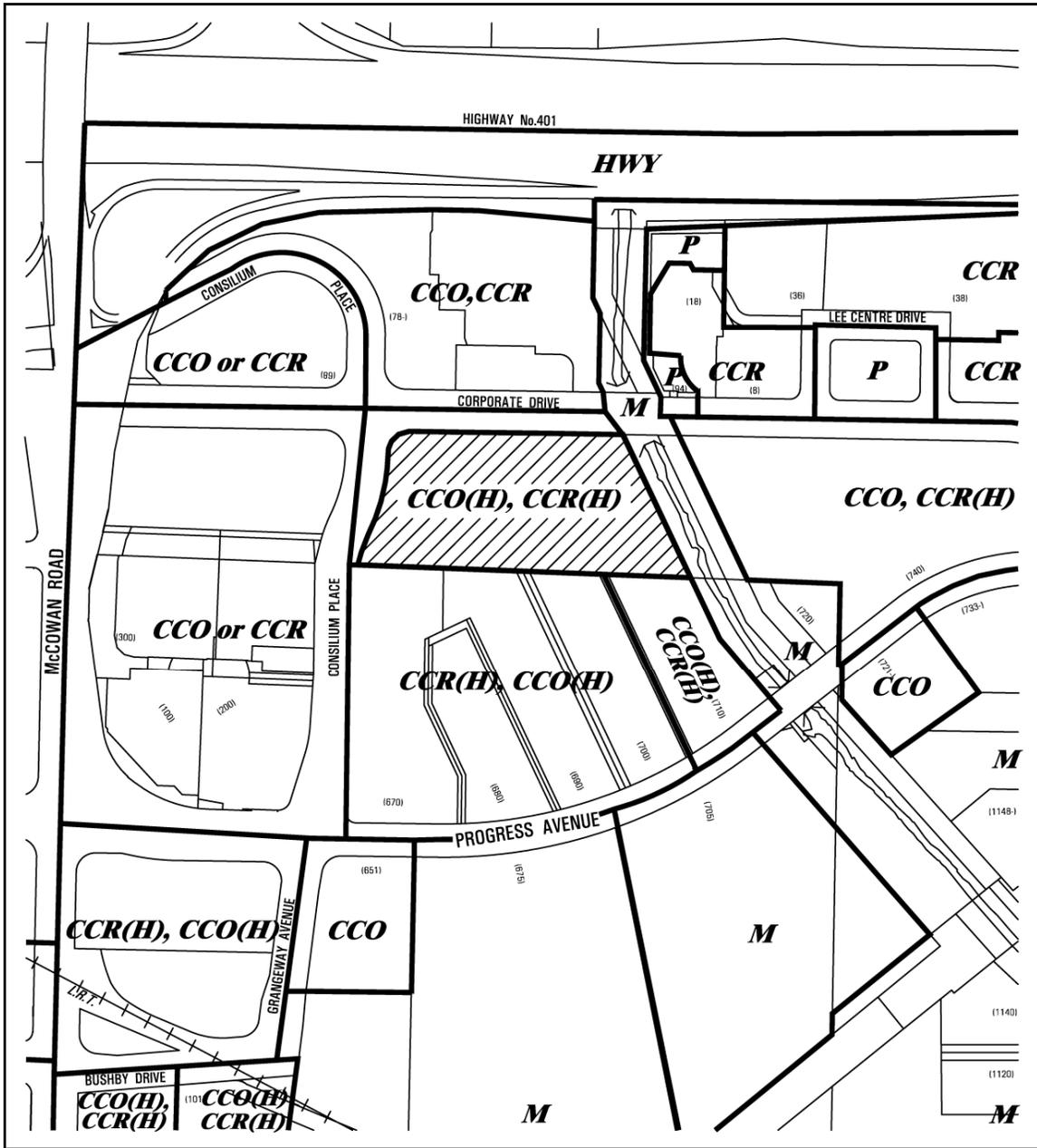
Landscape Plan: Phase I - Interim Flood Storage Area

Applicant's Submitted Drawing

Not to Scale
06/08/10



Attachment 6: Zoning



Toronto City Planning
Division
Zoning

Corporate Drive at Consilium Place; southeast corner

File # 07-241529 0Z

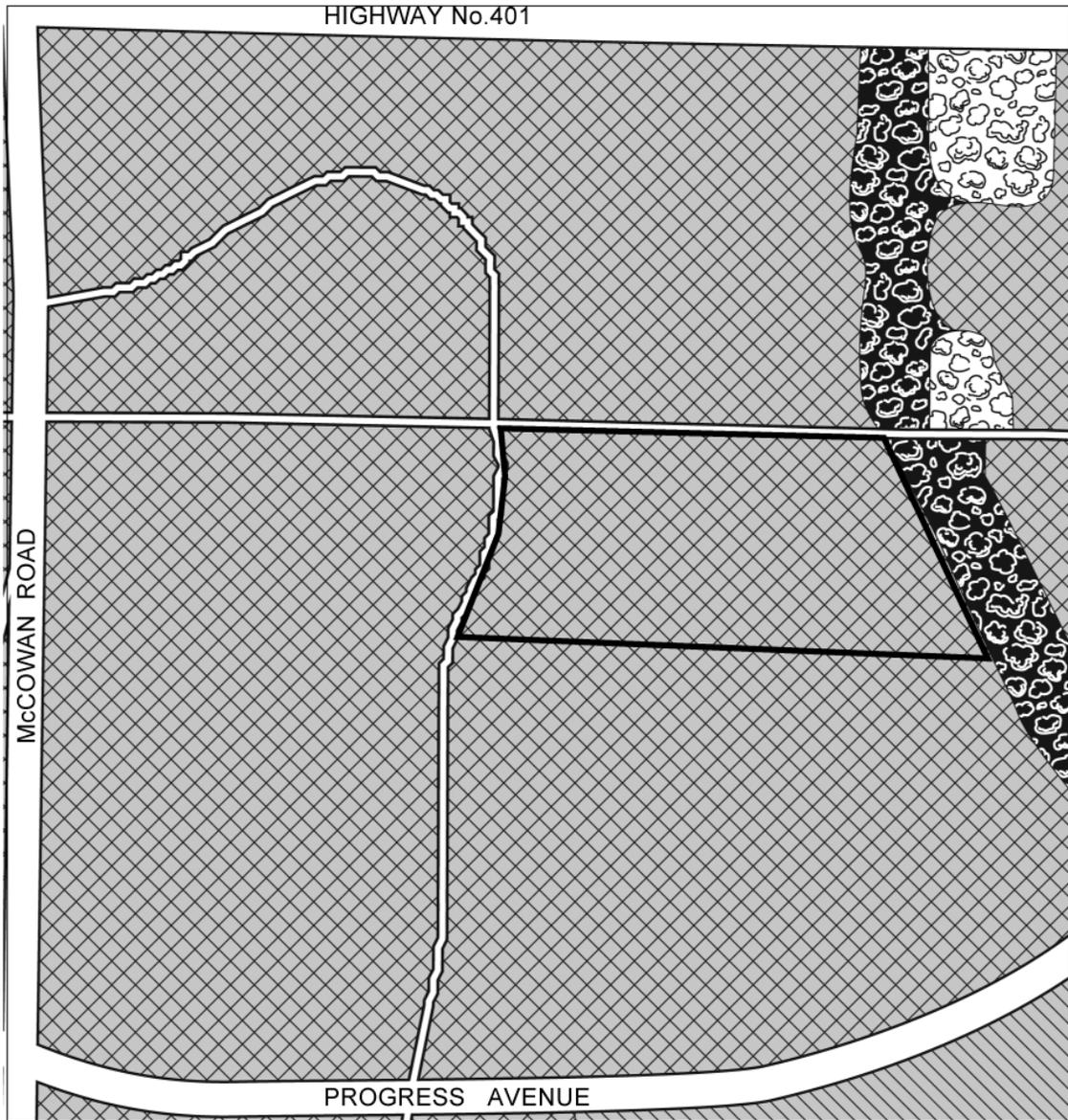
CCO City Centre Office Zone
CCR City Centre Residential Zone
M Industrial Zone

(H) Holding Provision
P Park Zone
HWY Highway Zone

Progress Employment District Bylaw
Not to Scale
09/09/08



Attachment 7: Official Plan



TORONTO City Planning
Official Plan

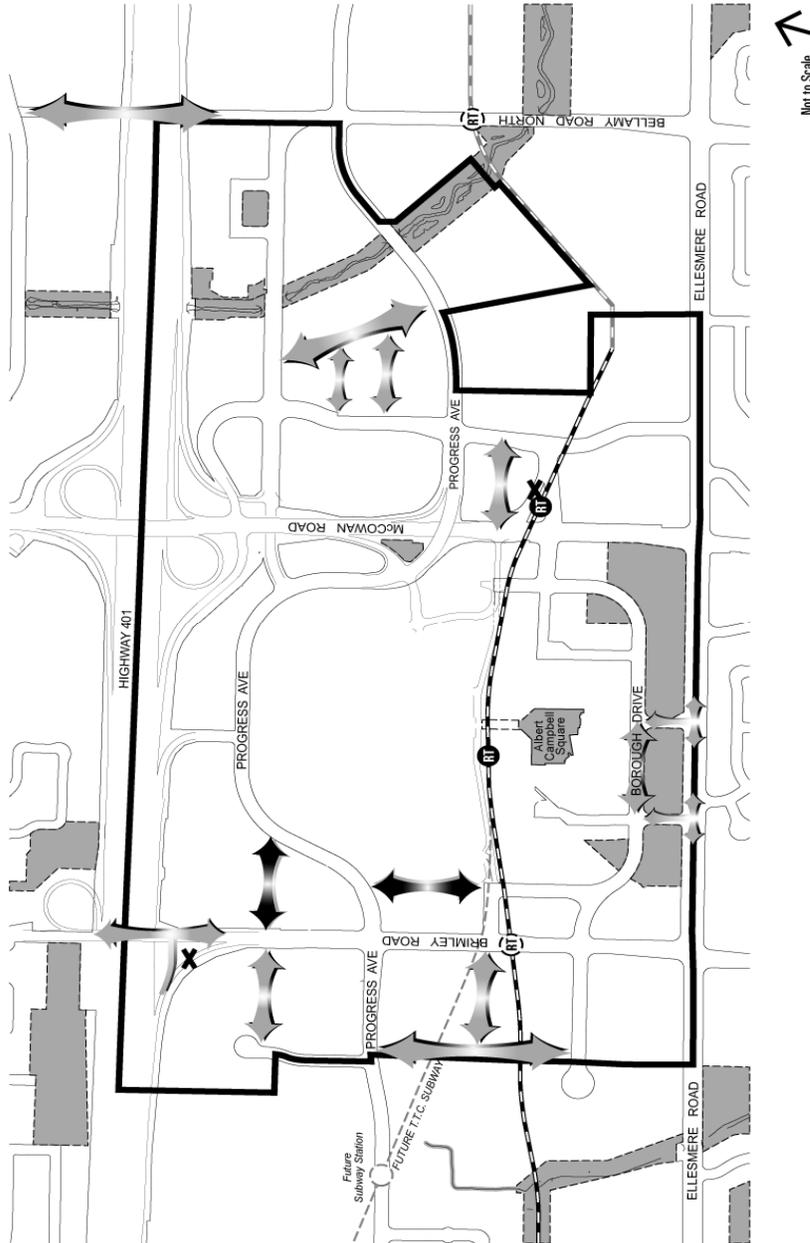
**Corporate Drive at Consilium Place;
 southeast corner**

File # 07-241529 0Z

- | | |
|--|---|
|  Site Location | Parks & Open Space Areas |
|  Mixed Use Areas |  Natural Areas |
|  Employment Areas |  Parks |


 Not to Scale
 09/09/08

Attachment 8: Scarborough Centre Secondary Plan (Map 5-3: Transportation Improvements)



Scarborough Centre Secondary Plan
Map 5-3 Transportation Improvements

TORONTO City Planning Division

- Scarborough Centre Secondary Plan Boundary
- T.T.C. Scarborough Rapid Transit
- - - Proposed T.T.C. Scarborough Rapid Transit Expansion
- RT Rapid Transit Station
- (RT) Potential Rapid Transit Station
- ◆ Public Easement (Vehicular)
- ⇄ Potential New Roads / Access Changes
- X Potential Closings

January 2008

Attachment 9: Data Application Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	07 241529 ESC 38
Details	OPA & Rezoning, Standard	Application Date:	OZ July 10, 2007

Municipal Address: 0 CORPORATE DR S/S
 Location Description: PL M2175 BLOCK 2 **GRID E3802
 Project Description: Mixed use residential- four interconnected buildings 36-45 storeys, including townhouse units, and retail component.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC. LAURIE MCPHERSON			MENKES CONSILIUM LAND HOLDINGS LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CCR, CCO(H) & CCR(H)	Historical Status:	
Height Limit (m):	90 metres	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	23698	Height:	Storeys:	36 - 45
Frontage (m):	183		Metres:	136
Depth (m):	106			
Total Ground Floor Area (sq. m):	12000			Total
Total Residential GFA (sq. m):	114630		Parking Spaces:	1682
Total Non-Residential GFA (sq. m):	22200		Loading Docks	4
Total GFA (sq. m):	138030			
Lot Coverage Ratio (%):	50.64			
Floor Space Index:	5.0			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	118 630	0
Bachelor:	0	Retail GFA (sq. m):	1200	0
1 Bedroom:	909	Office GFA (sq. m):	0	0
2 Bedroom:	606	Industrial GFA (sq. m):	0	0
3 + Bedroom:		Institutional/Other GFA (sq. m):		0
Total Units:	1515			

CONTACT:	PLANNER NAME:	Russell Crooks, Senior Planner
	TELEPHONE:	(416) 396-7040

Attachment 10: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2010

Enacted by Council: ~, 2010

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2010

**To adopt an amendment to the Official Plan
for the City of Toronto
Respecting the lands known municipally in the year 2010 as
South-East Corner of Corporate Drive and Consilium Place**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13,
as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the
public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No.127 to the Official Plan is hereby adopted pursuant to
the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

**AMENDMENT NO. 127
TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2010 AS
SOUTH-EAST CORNER OF CORPORATE DRIVE AND CONSILIUM PLACE**

The Official Plan of the City of Toronto is amended as follows:

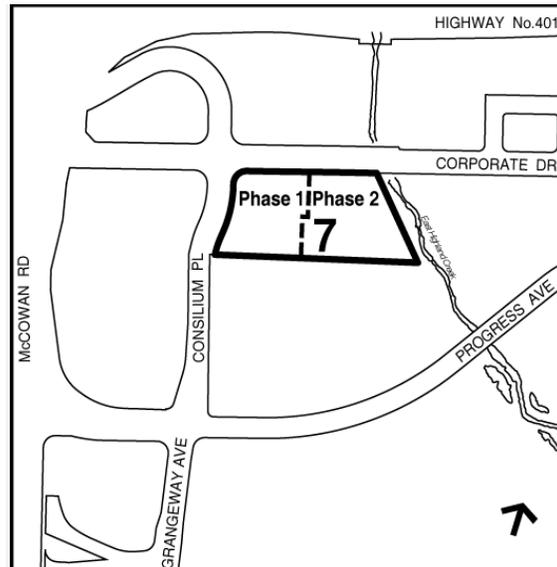
1. Chapter 6, Section 5, Scarborough Centre Secondary plan, is amended by adding Site and Area Specific Policy No. 7 for the lands at the south-east corner of Corporate Drive and Consilium Place, as follows:

7. Lands at the south-east corner of Corporate Drive and Consilium Place.

For lands shown as 7 on Map 5-1:

Development may be permitted on the lands provided:

- (a) On lands identified as the Phase I lands, development within the floodplain may be permitted provided that: funding for a Markham Branch (Corporate Drive) Flood Remediation Study to examine the feasibility, costs and options to remove the owner's lands and other affected private lands in the vicinity, from the floodplain, has been secured; flood-proofing



measures are incorporated into the design and construction of the Phase I building(s); and provided flood-proofing remediation works are designed and constructed on the Phase II lands, to the

satisfaction of the City of Toronto and the Toronto and Region Conservation Authority.

- (b) On lands identified as the Phase II lands, development within the floodplain may only be permitted once the following have been satisfied:
 - i) The Flood Remediation Study to remove the Phase I and II lands, and any affected private lands in the vicinity, from the floodplain, has been completed to the satisfaction of the City and the Toronto and Region Conservation Authority; and
 - ii) The Holding (H) Provision used in conjunction with the zoning for the Phase II lands is removed, following satisfaction of the conditions of its removal, to the satisfaction of the City of Toronto and the Toronto and Region Conservation Authority, including that the costs of the flood remediation works have been approved, financially secured and the flood remediation works substantially completed, and the owner submits a Landscape Plan(s) for the Phase II lands, satisfactory to the City of Toronto the Toronto and Region Conservation Authority; and
- (c) If it is determined that the Phase II lands cannot be removed from the flood plain, or the remediation works cannot be completed, the Phase II lands may only be used for activities that retain the topography (as altered to provide interim flood storage necessary for the development of the Phase I lands), protect, restore or improve existing natural features, do not result in unacceptable risks to life or property and minimize the need to mitigate and remediate floods, erosion and damage to the natural ecosystem.

- 2. Chapter 6, Section 5, Scarborough Centre Secondary Plan, Map 5-1, Site and Area Specific Policies, is amended by adding the lands at the south-east corner of Corporate Drive and Consilium Place, as shown on the map above, as Site and Area Specific Policy No.7.

Attachment 11: Draft Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2010~

**To amend the City of Scarborough, Employment Districts Zoning By-law No. 24982, as amended, (Progress Employment District),
With respect to the lands located on
the south-east corner of Consilium Place and Corporate Drive.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 24982, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this Bylaw and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **Schedule “A”** of the Progress Employment District is amended by deleting the current zoning and replacing it with the following zoning as shown on Schedule ‘1’.

CCR (H), CCO (H) – 856 – 857 – 858 – 859 – 860 – 861 – 862 – 863 –
864 – 865 – 866 – 1582 – 1583 – 1584 – 2029 – 2704 – 2383

841

2. **Schedule “B”, PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

INTENSITY OF USE

856. **Gross Floor Area** of all uses permitted in the **City Centre Residential Zone (CCR)** and the **City Centre Office Zone (CCO)** shall not exceed 118,730 square metres, excluding gross floor area used for above and below grade vehicle parking and circulation.
857. **Gross Floor Area** of all uses permitted in the **City Centre Office Zone (CCO)** on lands identified as “Phase I”, as shown on Schedule ‘1’, shall not exceed 1 200 square metres.
858. **Gross Floor Area** of all restaurant uses permitted in the **City Centre Office Zone (CCO)** on lands identified as “Phase I” as shown on Schedule ‘1’, shall not exceed 300 square metres.
859. Maximum – 1,515 **dwelling units** as follows:
 - a. on lands identified as “Phase I”, shown on Schedule ‘1’, a maximum of 760 **dwelling units** are permitted; and
 - b. on lands identified as “Phase II”, shown on Schedule ‘1’, a maximum of 755 **dwelling units** are permitted

MISCELLANEOUS

860. Minimum gross floor area for common indoor recreational space per dwelling unit – 1.8 square metres on lands identified as “Phase I” and “Phase II”, shown on Schedule ‘1’.
861. Minimum area for common outdoor recreational space and/or landscaped amenity space per dwelling unit – 6.2 square metres or 9 300 square metres, which ever is greater, on lands identified as “Phase I” and “Phase II”, shown on Schedule ‘1’. Common outdoor recreational space and/or landscaped amenity space shall include: at-grade recreational space and landscaped amenity space, and above-grade outdoor recreational space and landscaped amenity space provided that:

- a. on lands identified as “Phase I”, shown on Schedule ‘1’, a minimum of 2 200 square metres shall be outdoor recreational space and/or landscaped amenity space located on the roof of the 4th storey; and .
 - b. on lands identified as “Phase II”, shown on Schedule ‘1’ , a minimum of 2 100 square metres shall be outdoor recreational space and/or landscaped amenity space located on the roof of the 4th storey.
862. Facing distance between the main walls of the buildings above 5 storeys shall not be less than 25 metres.
863. The area of the floor of each storey above 5 storeys in height shall not exceed a maximum floor area of 750 square metres.
864. **Main Wall building setbacks from the street line**
- Minimum 2.0 metres from the Consilium Place and Corporate Drive **street line(s)** at the 1st storey to the 5th storey above grade.
- Minimum 3.0 metres from the Consilium Place and Corporate Drive **street line(s)** at the 6th storey above grade and for all storeys above.
- Minimum 0.0 metres from the **street line** of the east/west public right-of-way along the south property line of the site.
865. Main wall building setbacks from the east property line.
- Minimum 35.0 metres at the 1st storey to the 5th storey; and
Minimum 40.0 metres at the 6th storey and all storeys above.
866. **Day nurseries, Financial Institutions, Personal Service Shops, Restaurants**, Retail stores and offices shall be permitted only on the 1st storey (ground floor) of the building.

PARKING

1582. The following provisions of **CLAUSE V – GENERAL PROVISIONS** are not applicable

Sub-Clauses: 6. (Underground Structures); 7.1.1 (Application of Parking Rates - Location; and 7.2. (Table of Required Parking Rates)

1583. Vehicle parking spaces per **dwelling unit** shall be provided as follows:

Residential:

- i) One-bedroom **dwelling unit**: minimum 0.7 to maximum 1.0 spaces/unit; and
- ii) Two-bedroom **dwelling unit**: minimum 0.9 to maximum 1.3 spaces/unit.

Visitor

A minimum 0.1 parking spaces per **dwelling unit** shall be provided for visitors.

1584. Bicycle parking spaces shall be provided at the rate of 0.5 bicycle spaces per **dwelling unit**, of which 80% is for resident use, and 20% is for visitor use. Bicycle parking spaces shall not be provided within a **dwelling unit** or on a balcony associated thereto, and shall be provided as follows:

- i) where the bicycles are to be parked in a horizontal position, the space shall have horizontal dimensions of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres;
- ii) where the bicycles are to be parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 metres by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres; and
- iii) resident bicycle parking spaces shall be located in a secured room or area.
- iv) visitor bicycle parking spaces shall be located in a weather-protected, outside area or on the first (ground floor) level of the residential buildings and shall be identified as visitor bicycle parking on building plans submitted to the City.

HEIGHT

2704. Maximum height – 136 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls for a building located at the north-west portion of the site on lands identified as “Phase I”, as shown on Schedule ‘1’, and located adjacent to the Corporate Drive **street line**;

Maximum height – 109 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls for a building located at the south-west portion of the site, on lands identified as “Phase I”, as shown on Schedule ‘1’, and located adjacent to the Consilium Place **street line**; and

Maximum height – 109 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls for a building located at the south-west portion of the site, on lands identified as “Phase II”, as shown on Schedule ‘1’, and located in proximity to the south and east property lines; and

Maximum height – 121 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls for a building located at the north-west portion of the site, on lands identified as “Phase II”, as shown on Schedule ‘1’, and located adjacent to the Corporate Drive **street line**, in proximity to the north and east property lines.

SECTION 37

2383. Matters to be provided pursuant to Section 37 of the *Planning Act*, R.S.O.1990, c.P. 13, as amended:

- (a) The Owners of the lands, at their expense and in accordance with, and subject to, the agreement(s) referred to in Section (b) herein, shall provide the following facilities, services and matters, in exchange for the increase in height and density for the two phases of the development totaling 1,515 dwelling units:

The Owners shall provide a financial (cash) contribution to the City of Toronto of \$2.0 Million in accordance with the following terms to be set out in the agreement(s) referred to in Section (b) herein:

1. \$1.0 Million shall be paid to the City prior to the issuance of any above-grade Building Permit for development on lands identified as “Phase I”, as shown on Schedule ‘1’, totaling 760 dwelling units to be directed towards the community benefits as follows:
 - i) \$400,000 to fund improvements to the Scarborough Animal Centre;
 - ii) \$300,000 to fund showers/multi-purpose room/gym facilities/ within the new Scarborough Centre Branch Library to be constructed adjacent to the Scarborough Civic Centre and/or to fund construction of these facilities within the Scarborough Civic Centre and

improvements to the pedestrian access between the Library and the Scarborough Civic Centre;

iii) \$100,000 for Public Art within the public realm adjacent to, or in close proximity to the subject site;

iv) \$100,000 for the Scarborough Walk of Fame; and

v) \$100,000 to fund improvements to the Toronto Wildlife Centre; and

2. \$1.0 Million shall be paid to the City prior to the issuance of any above-grade Building Permit for development on lands identified as “Phase II” , as shown on Schedule ‘1’, totaling 755 dwelling units, to be directed towards the community benefits as follows:

i) \$400,000 to fund improvements to the Scarborough Animal Centre;

ii) \$400,000 to fund improvements/restoration to the Woodlot of the Civic Precinct of the Scarborough Centre; improvements to and/or re-naturalization/restoration of the open space and/or channel of the Markham Branch of the East Highland Creek, and street tree planting within the McCowan Precinct of the Scarborough Centre;

iii) \$100,000 for the Scarborough Walk of Fame; and

iv) \$100,000 to fund improvements to the Toronto Wildlife Centre; and

3. The \$1.0 Million associated with each phase of development on lands identified as “Phase I” & Phase II, as shown on Schedule ‘1’ shall be indexed in accordance to the agreement referred to in Section (b). Indexing shall commence one year from the date the Zoning By-law amendment to permit the development on the Phase I & Phase II lands comes into force and effect; and

(b) The owners of the lands shall enter into one or more agreements with the City of Toronto, provided pursuant to Section 37 of the

Planning Act, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services and matters referred to in Section (a), which agreement shall be registered as a first charge on title to the lands to which this By-law applies. The agreement shall include provisions to the satisfaction of the City respecting the provision of the facilities, services and matters referred to the Section (a) which shall include, but not limited to, provisions to indicate the indexing of cash contributions noted in Section (a)

- (c) Building permit issuance for the proposed development shall be dependant upon satisfaction of item (b) above and the incorporation of items set out in item (a) above in a Section 37 Agreement.

- 3. **Schedule “C”, EXCEPTIONS LIST**, is amended by adding the following Exception Number 841:

REMOVAL OF HOLDING (H) PROVISION

- 841. Prior to the removal of the Holding (H) provision on lands identified as “Phase II”, as shown on Schedule ‘1’, the lands shall not be used for any purpose other than those uses permitted in the **Open Spaces Zone (O)** until the Holding (H) provision has been removed, in whole or in part.

Conditions to be satisfied by the owner prior to the removal of the Holding (H) provision

- i) the Markham Branch (Corporate Drive) Flood Remediation Study to examine the feasibility, costs and options to remove the Phase II lands and other affected private lands in the vicinity, from the floodplain has been completed to the satisfaction of the City of Toronto and the Toronto and Region Conservation Authority;
- ii) the costs of the Flood Remediation Works have been approved, financially secured and the Flood Remediation Works substantially completed to the satisfaction of the City of Toronto and the Toronto and Region Conservation Authority; and

iii) the owner of the Phase II lands submits a Landscape Plan(s) for the for the Phase II lands, as shown on Schedule '1', satisfactory to the City of Toronto and the Toronto and Region Conservation Authority.

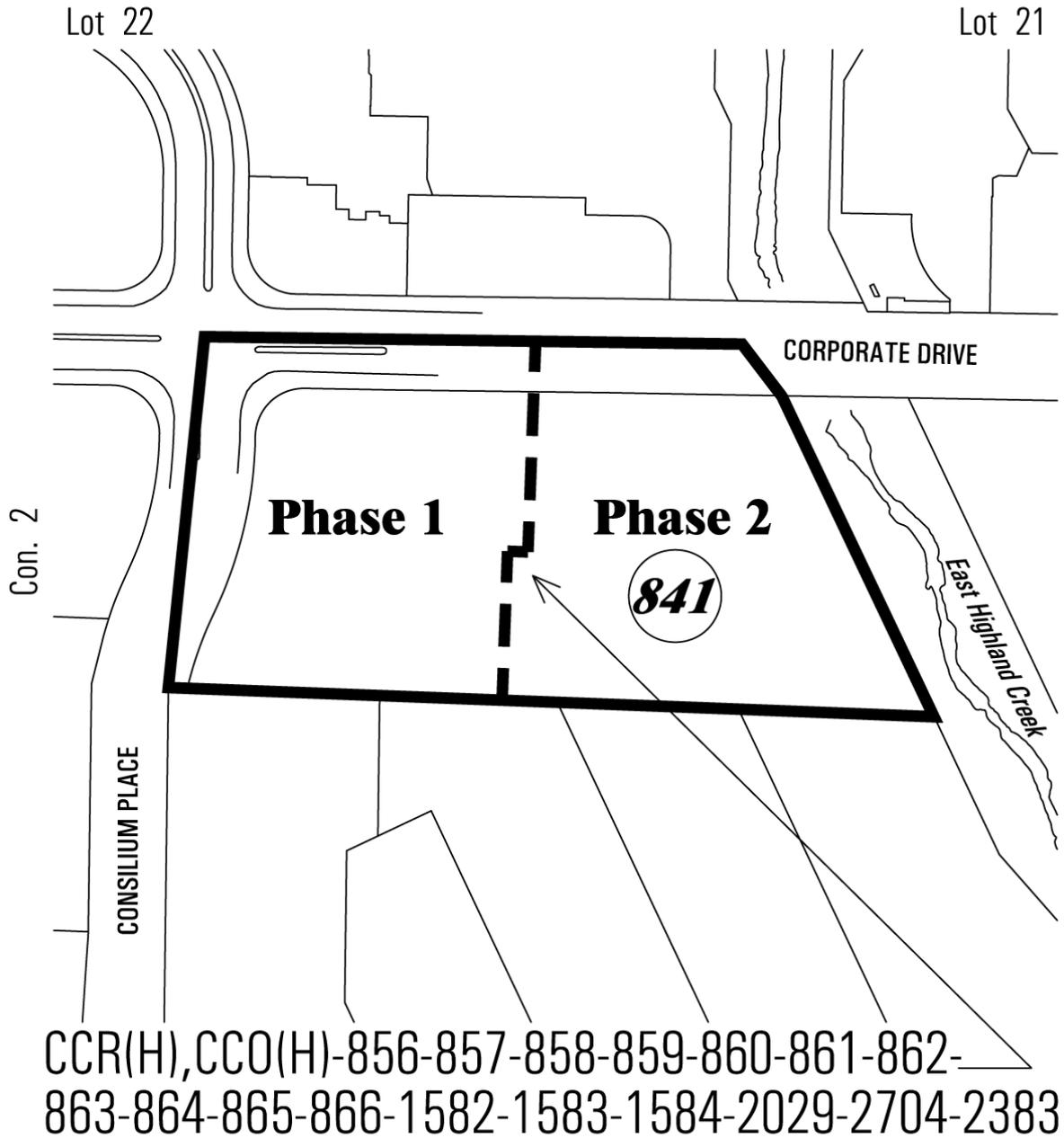
ENACTED AND PASSED this ~ day of ~, A.D. 2010~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



TORONTO City Planning
Division
Zoning By-Law Amendment

Corporate Drive at Consilium Place; southeast corner
File # 07-241529 OZ

 Area Affected By This By-Law

Progress Employment District Bylaw
Not to Scale
06/08/10