

**120-130 Harbour Street
Authority to Accept Lands Outside of the Council-Adopted
Environmental Review Procedures for Lands Being
Conveyed to the City**

Date:	November 4, 2013
To:	Public Works & Infrastructure Committee
From:	Executive Director, Engineering and Construction Services
Wards:	Ward 20 (Trinity Spadina)
Reference Number:	P:\2013\Cluster B\TEC\ PW13055 (AFS #18491)

SUMMARY

The purpose of this report is to obtain Council authority to exempt Build Toronto and Tridel from the Council-adopted environmental review procedures for lands to be conveyed to the City through the Planning Act process.

The lands are contained within the property, municipally known as 120-130 Harbour Street, where a development application has been submitted to construct a mixed-use 67 storey building.

The subject property was in the City's ownership until June 2011, when it was declared surplus, and its ownership transferred to Build Toronto. The lands are required to be conveyed to the City for future road purposes.

RECOMMENDATIONS

The Executive Director of Engineering & Construction Services recommends that:

1. City Council grant City staff the authority to exempt Build Toronto Inc. and Tridel from the City's Peer Review Process and from having to submit a Record of Site Condition for lands to be conveyed to the City for road purposes; and

2. City Council authorize the appropriate City Officials to take the necessary action to give effect thereto.

Financial Impact

There are no financial impacts resulting from the adoption of this report.

DECISION HISTORY

At its meeting of July 16, 2007 Council approved the report from the Executive Director of Technical Services titled "*Development Review Process: Review of Procedures and Updated Triggers for Environmental Site Assessment and Peer Review of Potentially Contaminated Lands being Conveyed to the City under the Planning Act*". The procedures outlined in the report define the steps that must be followed when lands are conveyed to the City through the Planning Act process. They require applicants to prepare Environmental Site Assessment Reports, submit them to the City's Peer Reviewer for review and concurrence, and file a Record of Site Condition with the Ontario Ministry of the Environment before the City can accept the conveyance. The Council Decision Document approving this process can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2007.PG7.9>

City Council at its meeting on May 25, 26 and 27, 2009 adopted Item EX32.5, a report from the Deputy City Manager and Chief Financial Officer and the Chief Corporate Officer that recommended the property, municipally known as 120 -130 Harbour Street, be declared surplus with the intended method of disposal to be a transfer to Build Toronto. The associated Council Decision Document can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EX32.5>

City Council at its meeting on September 30 and October 1, 2009 adopted Item GM24.30, a report from the Chief Corporate Officer that recommended authority be granted to enter into an agreement to transfer the subject property to Build Toronto Inc. The associated Council Decision Document can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.GM24.30>

COMMENTS

Build Toronto Inc., in partnership with Tridel, has submitted a development application to construct a mixed-use 67-storey building on lands known as 120-130 Harbour Street. During the review of the application the following land conveyances have been identified as a condition of approval:

- a) a strip of land ranging in width from 0.5 metre to 1.6 metre along the Lake Shore Boulevard West frontage;
- b) a five (5) metre by five (5) metre corner sight triangle at the northeast corner of the property; and

- c) a 4.8 metre wide strip of land along the Lake Shore Boulevard West frontage, commencing at a point immediately below the lowest portion of the underground parking garage of the project.

Attachment 1 illustrates the above-noted conveyances.

Given that the subject property was in the City's ownership as recently as 2011, and that no activity has taken place on the property since that time that would have resulted in contamination, it is recommended that Build Toronto Inc. and Tridel be exempted from the Council-adopted environmental review procedures for lands to be conveyed to the City through the Planning Act process. This exemption would include waiving the need for submissions of Environmental Site Assessment reports for peer review and waiving the need to file a Record of Site Condition for lands to be conveyed to the City.

CONTACT

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SIGNATURE

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ATTACHMENTS:

Attachment 1: 120-130 Harbour Street Conveyance Requirements