



## STAFF REPORT ACTION REQUIRED

### 1 Leila Lane, Phase 1B of Lawrence Heights Redevelopment Authority to Accept Lands Outside of Council-Adopted Environmental Review Procedures for Lands Being Conveyed to the City

<b>Date:</b>	November 3, 2016
<b>To:</b>	Public Works and Infrastructure Committee
<b>From:</b>	Executive Director, Engineering & Construction Services
<b>Wards:</b>	Ward 15 (Eglinton-Lawrence)
<b>Reference Number:</b>	P:\2016\Cluster B\TEC\ PW16045 (AFS# 23950)

#### SUMMARY

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The purpose of this report is to obtain Council authority for a deferral of timing requirements from the City "Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the Planning Act" (the "Conveyance Policy") for certain pieces of land within Phase 1B of the Lawrence Heights Redevelopment.

Toronto Community Housing Corporation ("TCHC"), as part of the Lawrence Heights Redevelopment contemplated by the Lawrence-Allen Secondary Plan, will replace the 1,208 existing social housing units, build up to 4,400 new market units, and complement residential development with non-residential land uses such as retail, office, services, and community facilities, resulting in a new mixed use neighbourhood that provides a range of housing suitable for a diverse population with a mix of incomes. This project includes a new pattern of blocks, streets and green spaces, requiring the creation of new City Rights-of-Way and parks through the Draft Plan of Subdivision application process.

The Conveyance Policy requires that prior to the registration of a Plan of Subdivision, a Record of Site Condition ("RSC") be filed with the Ministry of the Environment and Climate Change (the "MOECC") for lands being conveyed to the City. In order to streamline the delivery of the environmental process and to assist TCHC in ensuring on time delivery of this phase of the Lawrence Heights Redevelopment, staff proposes to defer the timing of the filing the of the RSCs for the land parcels currently owned by the City labelled as Parts 1, 2 and 3 on the attached plan.

## **RECOMMENDATIONS**

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### **The Executive Director of Engineering & Construction Services recommends that:**

1. City Council direct that the City take title to the lands shown as Parts 1, 2 and 3 on the attached Draft Reference Plan (the "Parts") prior to the necessary environmental conditions being satisfied.
2. City Council direct that as a condition of accepting these conveyances, all Environmental Site Assessment reports and agreements (as defined in the Policy) for the Parts be submitted to the City and concurred in by the City's peer reviewer prior to their conveyance to the City.
3. City Council direct that TCHC shall be required to submit any additional documentation required by the MOECC through the RSC filing process for the Parts after they have been conveyed to the City, at their own cost and expense.
4. City Council direct that a RSC for the Parts shall be filed and accepted by the MOECC prior to final Site Plan Approval for Phase 1B of the Lawrence Heights Redevelopment.
5. City Council direct staff to incorporate the above process and requirements into the Subdivision Agreement for Phase 1B of the Lawrence Heights Redevelopment.

### **Financial Impact**

There are no financial implications.

## **DECISION HISTORY**

At its meeting on November 29, 30 and December 1, 2011 City Council approved Official Plan Amendment 162, the Lawrence Allen Secondary Plan. At this meeting Council also adopted the Lawrence Allen Community Services and Facilities Strategy, Transportation Master Plan, Urban Design Guidelines and Financial Strategy and endorsed the Infrastructure Master Plan to support the implementation of the Secondary

Plan. The decision of City Council can be found at the following link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY11.24>

Following its adoption by City Council, the Secondary Plan was appealed to the Ontario Municipal Board. On July 5, 2012, the Board ordered that Official Plan Amendment No. 162 came into effect as of June 19, 2012, with the exception of the application of Policies 3.1.26 and 3.1.28 to properties known as 50 and 52 Neptune Drive. The OMB Decision can be found at the following link:  
<http://www.omb.gov.on.ca/e-decisions/pl120063-Jul-13-2012.pdf>

On November 27, 28 and 29, 2012 City Council adopted Item NY20.34, Final Report - Official Plan and Zoning By-law Amendment, Rental Housing Demolition and Subdivision Applications - 1-29 and 111-133 Bagot Court, 1-87 Bredonhill Court, 41-119 Varna Drive, 1-78 Cather Crescent, 1 Leila Lane, 1-11 and 15-45 Zachary Court and 215-251 Rane Avenue (The "Final Report for Phase 1 of the Lawrence Heights Redevelopment"). The decision of City Council can be found at the following link:  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY20.34>

On February 10 and 11, 2015 City Council adopted item PW1.6 - Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the Planning Act. This procedure requires 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 Conditions (RSC) with the Ontario Ministry of Environment before the City can accept the conveyance.  
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PW1.6>

## **COMMENTS**

Phase 1 of the Lawrence Heights Redevelopment will be undertaken in a series of sub-phases. To ensure the orderly development of the subject lands, it is intended that the Plans of Subdivision (M-Plans) be registered in phases equivalent to the phases of the development. Phase 1B Subdivision and Site Plan applications are currently under review. The Phase 1B Subdivision application proposes the creation of a new public park on the west end of the site, on the existing Leila Lane, and a new public street at the south end of the lands. The registration of the M-Plan will create the required rights of way, parks and pedestrian connections which will be conveyed to the City at the time of registration.

In conformity with the approach set out in the Final Report for Phase 1 of the Lawrence Heights Redevelopment, it is intended that all City-owned lands within the lands under the application will be conveyed to TCHC through the usual declaration of surplus and disposal approval process and, in the case of existing public highway, the usual road closing process. Referring to the attached plan, through the Plan of Subdivision of 1B, a new public Street 'B' and Varna Drive will be created and Leila Lane will be closed. The parcels that are identified as the Parts are currently owned by the City. In line with the

real estate transaction process that was previously set out, all City owned lands will first be conveyed to TCHC which will allow TCHC to be the sole owner of lands to be registered as a final Plan of Subdivision (M-Plan) and creates a clearer M-Plan that reflects the future layout of the neighbourhood.

Prior to the registration of the Plan of Subdivision, the lands being conveyed to the City must comply with the City's Conveyance Policy that requires land owners to file a RSC for all lands being conveyed to the City. Through the usual declaration of surplus and disposal approval process, TCHC will only have ownership of the Parts for a short period of time prior to them being conveyed back to the City. TCHC will have limited ability to obtain a RSC upon change of ownership and to satisfy the requirements of the applicable regulation associated with filing an RSC with the MOECC for those lands. As a result the requirement of filing RSCs for the Parts prior to registration will likely result in delays to the Plan of Registration and the overall delivery of the project.

It is proposed that the Parts currently owned be conveyed back to the City in advance of the normal timing requirements for RSC filing and that TCHC will continue to coordinate with the City to file the RSC for the Parts based on their consultant's environmental reports. The City's Peer Reviewer will provide oversight and ensure that the filing process and supporting documentation are acceptable prior to recommending approval by the City. TCHC would be obligated to provide any additional documentation as required by the MOECC at its own cost and expense and at no cost to the City to finalize the RSC filing process prior to site plan approval for Phase 1B of the Lawrence Heights Redevelopment.

The deferral of filing of the RSC would provide TCHC and the City flexibility in timing obligations and allow TCHC to proceed with plan registration. This is fundamental for TCHC in advancing the Lawrence Heights Revitalization.

Staff in Engineering & Construction Services, Community Planning and Legal Services have assessed this approach and have determined that, in the unique circumstances of this case, the City can allow conveyance of the necessary lands prior to the applicant filing a RSC as required by the Conveyance Policy with no additional risk to the City. All other requirements of the Conveyance Policy will be adhered to, with only the timing being altered and only for the Parts in question.

The timing for the RSC filing for the Parts will simply be altered to post-plan registration, effectively providing the same level of control over the environmental process. This process will be outlined and secured in the Phase 1B Subdivision Agreement.

## **CONTACT**

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## **SIGNATURE**

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Michael D'Andrea, P. Eng.  
Executive Director  
Engineering & Construction Services

## **ATTACHMENTS**

Attachment 1: Draft M Plan for Phase 1B Lawrence Heights Revitalization

## Attachment 1: Draft M Plan for Phase 1B Lawrence Heights Revitalization

■ Existing City-owned lands (Parts 1, 2 and 3)  
for deferral of the environmental requirements

APPROVED UNDER SECTION 51(58) OF THE PLANNING ACT,  
R.S.O. 1990 BY THE COUNCIL OF THE CORPORATION OF THE CITY  
OF TORONTO.

THIS \_\_\_ DAY OF \_\_\_\_\_, 2016.

CHIEF PLANNER AND EXECUTIVE DIRECTOR  
CITY PLANNING DIVISION  
CITY OF TORONTO

### PLAN 66M-

I HEREBY CERTIFY THAT THIS PLAN 66M-\_\_\_\_\_ IS REGISTERED IN THE  
LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF TORONTO  
(No.66) AT \_\_\_ O'CLOCK ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016  
AND ENTERED IN THE REGISTER FOR P.I.N. \_\_\_\_\_, AND  
THE REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT  
NUMBER WR-\_\_\_\_\_.

REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES

PLAN OF SUBDIVISION OF  
**PART OF LOT 72 & 73  
REGISTERED PLAN 3455  
AND  
ALL OF LOT 40,  
PART OF BLOCK L,  
PART OF LEILA LANE  
REGISTERED PLAN 5633**

CITY OF TORONTO  
(FORMERLY CITY OF NORTH YORK)  
Scale 1:750

Stantec Geomatics Ltd.

#### METRIC CONVERSION

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

#### BEARING NOTE

BEARINGS ARE ASTROMONIC AND ARE REFERRED TO THE \*'LIMIT OF \*', AS SHOWN ON PLAN  
\*, HAVING A BEARING OF XX°XX'XX''.

#### NOTES

- ALL PLANTED MONUMENTS SHOWN HEREON ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.
- TOTAL AREA OF LANDS BEING SUBDIVIDED HEREON BY TORONTO COMMUNITY HOUSING CORPORATION 1.2905 HA.

#### OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- BLOCKS 1 AND 2, THE STREETS, NAMELY VARNA DRIVE AND STREET 'B', HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
- THE STREETS ARE DEDICATED TO THE CORPORATION OF THE CITY OF TORONTO AS PUBLIC HIGHWAYS.

DATE

CHIEF EXECUTIVE OFFICER  
TORONTO COMMUNITY HOUSING CORPORATION  
HAVE THE AUTHORITY TO BIND THE CORPORATION

Draft M Plan for City lands to be conveyed to  
TCHC and conveyed back to the City

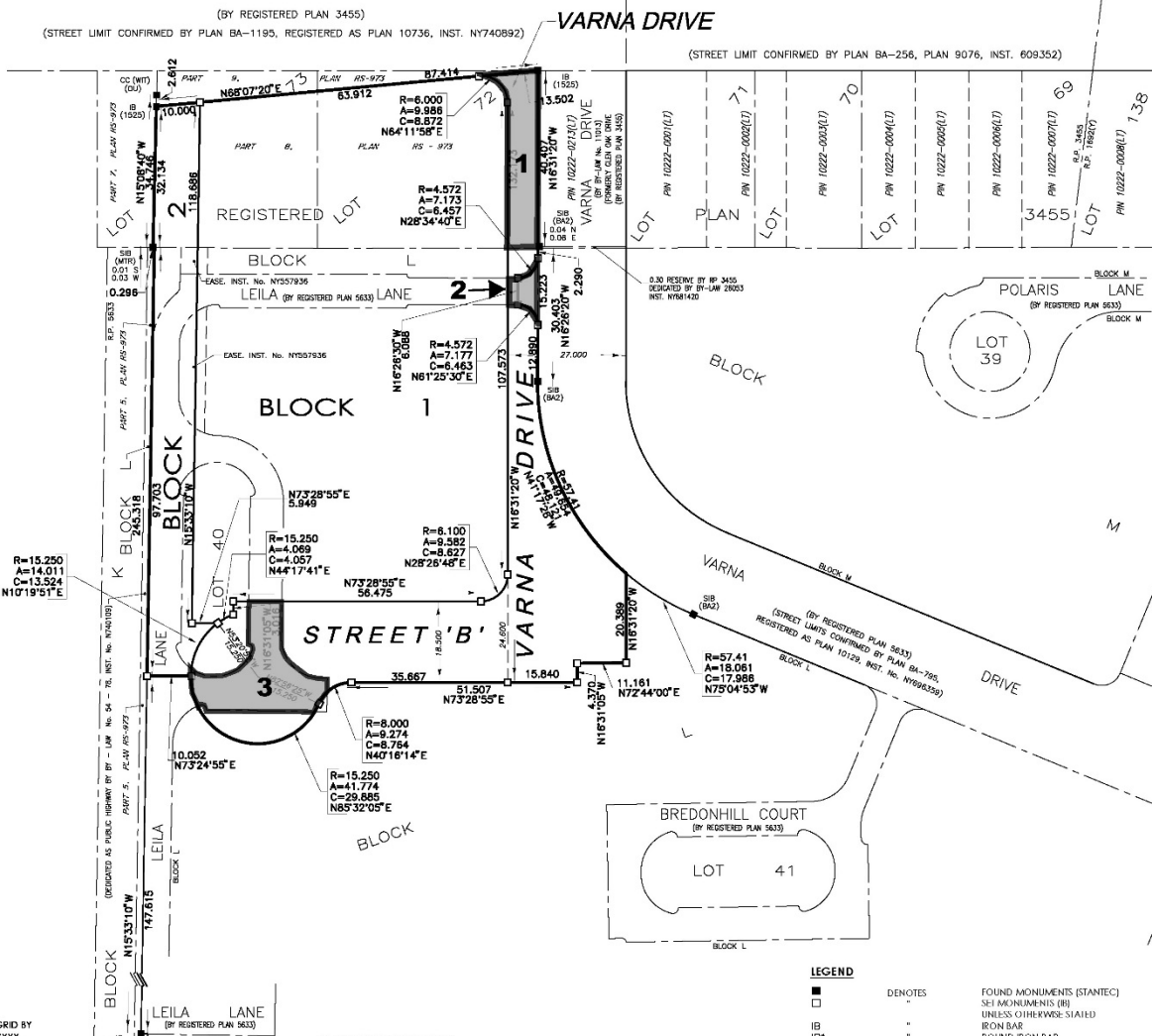


**Stantec Geomatics Ltd.**  
ONTARIO LAND SURVEYORS  
49 FREDERICK STREET  
KITCHENER, ONTARIO, N2H 4M7  
TEL: (519) 579-4410 FAX: (519) 579-8664  
stantec.com

DRAWN: BL CHECKED: \* DATE: SEPT 27, 2016 PROJECT No.: 1616/0079

WILLIAM R. ALLEN EXPRESSWAY  
PIN 10223-0001(LT)  
(FORMERLY SPADINA ROAD EXTENSION)  
(EXPROPRIATED BY BY-LAW 9025 BOURGHOUS OF NORTH YORK)  
DEDICATED BY BY-LAW 1312, INST. N1347846

RANEE AVENUE  
PIN 10215-0480(LT)



**GRID SCALE CONVERSION**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY  
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999999.

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING  
THE CAN-NET VIRTUAL REFERENCE STATION NETWORK:  
UTM ZONE 17, NAD83 (CSRS) (1997.0).  
COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
①		
②		

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS  
OR BOUNDARIES SHOWN ON THIS PLAN.

#### SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE DAY OF, 2016.

DATE \_\_\_\_\_ SPRO SINNIS  
ONTARIO LAND SURVEYOR

#### LEGEND

- DENOTES FOUND MONUMENTS (STANTEC)
- IB SET MONUMENTS (IB) UNLESS OTHERWISE STATED
- IB IRON BAR
- IBM ROUND IRON BAR
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- CC CUT CROSS
- CP CONCRETE PIN
- WIT WITNESS
- PIN PROPERTY IDENTIFICATION NUMBER
- MEAS MEASURED
- PROP PROPORTIONED
- OU ORIGIN UNKNOWN
- STANTEC STANTEC GEOMATICS LTD.
- MTR METRO TRANSPORTATION DEPARTMENT
- E.W. E.W. PETTOLD O.L.S.
- 1525 R. AVIS SURVEYING INC.
- BAZ \*