
City Council**Notice of Motion**

MM44.11	ACTION			Ward:40
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Authorization to Fund and Initiate Studies for the Extension of Village Green Square - by Councillor Norman Kelly, seconded by Deputy Mayor Denzil Minnan-Wong

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Public Works and Infrastructure. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Norman Kelly, seconded by Deputy Mayor Denzil Minnan-Wong, recommends that:

1. City Council authorize the General Manager, Transportation Services to negotiate, enter into and execute a funding agreement with Gemterra (Cowdray) Inc. for front-end funding of up to \$1,500,000.00 to be provided by Gemterra (Cowdray) Inc. to the City of Toronto for the completion of the Municipal Class Environmental Assessment and associated staff costs for the extension of a new north-south road connecting Village Green Square and Sheppard Avenue East, including a grade separated crossing of the CP Rail corridor, as identified in the previously Council-approved Agincourt Secondary Plan, on terms and conditions satisfactory to the General Manager of Transportation Services, including a term that any funding shall not predetermine, impact or influence any approval or application made to the City of Toronto by Gemterra (Cowdray) Inc., and in a form satisfactory to the City Solicitor.
2. City Council approve a development charge credit against the Roads and Related component of Development Charges for the front-end funding by Gemterra (Cowdray) Inc. of the Municipal Class Environmental Assessment, such that the amount of the development charge credit shall be the lesser of 60 percent of the actual costs of the Municipal Class Environmental Assessment and associated staff costs, subject to a maximum of \$900,000; and the Roads and Related component of Development Charges payable for the development of the Cowdray Court lands owned by Gemterra (Cowdray) Inc. known municipally as 20, 40, 50, 80, 100 Cowdray Court and the lands between 50 and 80 Cowdray Court (Blocks 1-6, Plan M-1275), in accordance with the City's Development Charges By-law, as may be amended.
3. City Council deems that neither the funding agreement authorized by Recommendation 1 of this motion nor the development charge credit authorized by Recommendation 2 of this Motion are subject to the Donations to the City of Toronto For Community Benefits Policy on the basis that the study is in the public interest of the City and advancing the Municipal Class

Environmental Assessment will allow for the design of the road and grade separation to be coordinated effectively with private development in a manner consistent with the Council-approved Agincourt Secondary Plan.

Summary

The Council-approved Agincourt Secondary Plan includes Site and Area Specific policies that encourage development of lands for a mix of residential and employment uses that are anchored by strong transportation connections to major arterial roads, Highway 401 and the Agincourt GO station. This includes a new north-south road between Village Green Square and Sheppard Avenue East which is identified as supporting intensification in the Agincourt Secondary Plan. A Municipal Class Environmental Assessment for the new north-south road between Village Green Square and Sheppard Avenue East needs to occur to ensure that design of the road is coordinated with the development of lands belonging to Gemterra (Cowdray) Inc., generally located east of Kennedy Road between the CP Rail Corridor and Sheppard Avenue East.

To allow for this coordination, authority is requested for the General Manager, Transportation Services, to negotiate, enter into and execute a funding agreement with Gemterra (Cowdray) Inc. to secure up to \$1,500,000.00 in front-end funding for the Municipal Class Environmental Assessment, including staff resources needed to lead the Municipal Class Environmental Assessment, in exchange for Development Charge credits to a maximum of \$900,000.00.

Active development interest on the lands known as 20, 40, 50, 80, 100 Cowdray Court and lands between 50 and 80 Cowdray Court (Blocks 1-6, Plan M-1275), includes a potential proposal for high-density, mixed-use development and new public parkland. Development of these blocks on Cowdray Court, together with the ongoing development of the Metrogate Plan of Subdivision on Village Green Square and the redevelopment of the Delta Toronto East hotel lands at 2035 Kennedy Road, both of which are located south of the CP Rail Corridor, and the proposed redevelopment of the Agincourt Mall lands are anticipated to add up to 15,000 new dwelling units along with new office and commercial-employment space within the Sheppard / Kennedy area.

The new road will provide added network resiliency and direct connections to the Agincourt GO Station for the development of the lands discussed above.

A Municipal Class Environmental Assessment is required to advance the planning, design and construction of the new road. Coordination with active development will ensure that the design of the new road and grade separated crossing of the CP Rail corridor minimizes overall costs of required municipal infrastructure. Should authority not be provided, development will proceed in advance of the Municipal Class Environmental Assessment potentially limiting the range of design alternatives for the road and grade separation.

The Owner of the Cowdray Court lands, Gemterra (Cowdray) Inc., has agreed to front end the costs of the Municipal Class Environmental Assessment including the staff resources required by Transportation Services to initiate the Municipal Class Environmental Assessment in 2018 up to a maximum of \$1,500,000. The Owner will be entitled to receive Development Charge credits for the front-end funding provided. The amount of the Development Charge credit will be the lesser of 60 percent of the front-end funding utilized for the Municipal Class Environmental Assessment and the Roads and Related component of Development Charges payable for the development of the Cowdray Court lands. Upon completion of the

Municipal Class Environmental Assessment, the City will refund any unspent front-end funding provided by the Owner.

The proposed funding arrangement falls under the City's Donations' Policy which prohibits the making of donations concurrent with a planning or other approval. The period during which donations are prohibited starts when the City has formal or informal notice that there is an interest or intent in submitting an application. The purpose of the prohibition is to ensure that the decision-making process as required by relevant legislation and policy is not influenced by a donation.

To realize the benefit of coordinating the design of the road and grade separation effectively with development in a manner that is consistent with the Agincourt Secondary Plan, it is recommended that Council deem the Donations Policy not apply to the agreement and Development Charge credit proposal and that the agreement contain a term that any funding shall not predetermine, impact or influence any approval or application made to the City of Toronto by Gemterra (Cowdray) Inc.

Background Information (City Council)

Member Motion 44.11