

City Council

Motion without Notice

MM44.52	ACTION			Ward:38
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Southeast Corner of Corporate Drive and Consilium Place - Official Plan and Zoning Application 07 241529 ESC 38 OZ - Amendment to previous Council decision on Item 2010.SC36.37, July 2010 - by Councillor Glenn De Baeremaeker, seconded by Councillor John Campbell

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Scarborough Community Council. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Glenn De Baeremaeker, seconded by Councillor John Campbell, recommends that:

1. City Council amend its previous decision on Item 2010.SC36.37 by deleting the following Part 4:

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,

and replacing it with the following new Part 4:

4.a. before introducing the necessary Bills to City Council for enactment, City Council request and Toronto and Region Conservation Authority shall have agreed to undertake the Markham Branch (Corporate Drive) Flood Remediation Study, in consultation with staff from Toronto Water, Engineering and Construction Services, City Planning and other appropriate City Divisions, and that the Study would include a Technical Study and Environmental Assessment Study of the feasibility, cost and options to remove the owner's lands from the floodplain as well as other affected private lands in the vicinity identified in the Study;

b. before introducing the necessary Bills to City Council for enactment, City Council require the Owner to provide written confirmation from the Toronto and Region

Conservation Authority, satisfactory to the Director, Community Planning, Scarborough District, that a cheque payable to the Toronto and Region Conservation Authority, in the initial amount of \$800,000 for the purposes of conducting the Markham Branch (Corporate Drive) Flood Remediation Study has been received and that arrangements have been made between the Toronto and Region Conservation Authority and the Owner for payment of the full cost of the study with reimbursement should the cost be less than estimated;

c. City Council authorize appropriate City Officials to take the necessary steps to implement Recommendations 4a and 4b above, including making arrangements or entering into such agreements as may be required with the Toronto and Region Conservation Authority; and

d. City Council direct City staff to review the Section 37 allocation in consultation with the Ward Councillor and bring forward a staff report by the second quarter of 2019.

Summary

On July 6, 7 and 8, 2010, City Council adopted Item SC36.37, a Final Report on an Official Plan and Zoning By-law amendment relating to development at the Southeast Corner of Corporate Drive and Consilium Place.

The proposal comprises a mixed use development containing 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 would be constructed in two phases. Phase I would consist 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 have been resolved. City Council approved the application 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 and to be secured in a Section 37 Agreement.

The 2010 City Council approval included a number recommendations pertaining to the commencement of the Markham Branch (Corporate Drive) Flood Remediation Study and the costs associated with undertaking the study to be paid to the City in advance of bills being submitted for enactment.

The original owners (Menkes Consilium Land Holdings Inc.) did not actively pursue the proposal following Council's approval of the Item. A Section 37 Agreement was not entered into nor were Bills enacted. 8104476 Canada Inc. subsequently acquired the subject lands and have recently asked City Planning staff to initiate the process for the preparation of the Flood Remediation Study. Given the time that has lapsed, City Planning staff in consultation with the Toronto and Region Conservation Authority, Toronto Water and Engineering and Construction Services have considered this request and determined that revision to this specific recommendation is required to reflect current circumstances and allow for the study to proceed under direction of the Toronto and Region Conservation Authority. Adoption of this Motion will allow for the commencement of the required Study. City staff intend to bring forward a staff report by the second quarter of 2019, revising the Section 37 allocations given that 8 years has passed since the original approval by City Council. The staff report would address any potential for cost-sharing arrangement between other property owner's in the vicinity that will

benefit from the flood remediation study and remediation works that will be undertaken. The staff report will also identify who will carry out the implementation of the physical works that may be recommended in the study as well as other relevant technical and engineering issues associated with the flood remediation study/works.

The City Council decision and reports associated with the application can be found at the following links:

1. City Council Decision on July 6, 2010

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.SC36.37>.

2. Revised Attachment 1 as approved by Scarborough Community Council on June 22, 2010

(<http://www.toronto.ca/legdocs/mmis/2010/sc/bgrd/backgroundfile-31722.pdf>).

3. Staff Report and Attachments 1-11 - Corporate Drive and Consilium Place

(<http://www.toronto.ca/legdocs/mmis/2010/sc/bgrd/backgroundfile-31321.pdf>)

This Motion is urgent as it gives staff the authority to move forward with the flood remediation study this summer.

Background Information (City Council)

Member Motion MM44.52