

40 Rakely Court – Site Plan Control Bump-up – Final Report

Date:	June 18, 2008
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 3 – Etobicoke Centre
Reference Number:	File No.: 05 211417 WET 03 SA

SUMMARY

The application seeks to obtain Site Plan Control Approval for a place of worship (Kingdom Covenant Ministries) at 40 Rakely Court located at the southwest corner of Eglinton Avenue West and Rakely Court.

This report reviews and recommends approval of this application.

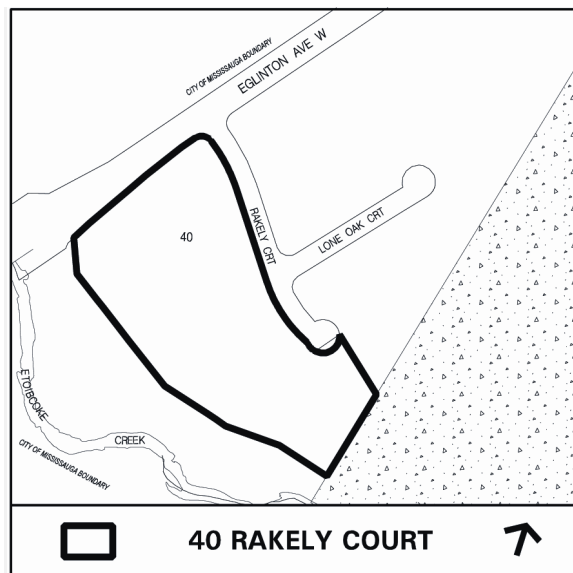
RECOMMENDATION

The City Planning Division recommends that:

1. City Council authorize the Chief Planner or his designate to issue final approval of the Site Plan Control Application for 40 Rakely Court once the conditions set out in Attachment 6 are satisfied.

Financial Impact

The recommendation in this report has no financial impact.



ISSUE BACKGROUND

Proposal

The application is to permit the construction of a place of worship having a gross floor area of 20 439.6 square metres. The church will also contain accessory uses, such as a daycare, school, gymnasium, and administrative offices. Three driveways are proposed to access the site from Rakely Court. A total of 839 surface parking spaces are proposed for the building. Refer to Attachment 7 for project data.

Site and Surrounding Area

The site is located at the southwest corner of Eglinton Avenue West and Rakely Court adjacent to the Toronto/Mississauga border. The site is approximately 7.7 hectares in size. The site is currently vacant. The Eglinton Avenue West frontage of the site increases in elevation above Eglinton Avenue West as one travels west towards the Etobicoke Creek.

The surrounding uses are as follows:

North: vacant lands and office buildings in the City of Mississauga

South: additional forested land owned by the church and Centennial Park

East: commercial plaza, industrial uses

West: Etobicoke Creek

Official Plan

The lands are identified on Map 2 of the Official Plan as part of an *Employment District*, which is to be protected and promoted exclusively for economic activity. Although the Plan seeks to promote economic activity on these lands, places of worship are permitted within *Employment Areas* provided the place of worship is located on a major street as shown on Map 3 of the Plan. Eglinton Avenue West is a major street shown on Map 3.

The site is subject to the Natural Heritage System policies of the Official Plan.

Zoning

The property is zoned Class 1 Industrial (I.C1) and is subject to By-law No. 1988-268 under the former City of Etobicoke Zoning Code. A place of worship is a permitted use in the I.C1 zone.

Reasons for Application

The property is subject to Site Plan Control. Other pre-approval conditions include permits under the Private Tree By-law and the City's Ravine Protection By-law.

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 preparing site plan approval conditions.

COMMENTS

Part of an existing woodlot exists on the west and south portion of the site. The applicant has submitted a Ravine Stewardship Plan for the development proposal in association with the existing woodlot. The Ravine Stewardship Plan proposes to use stewardship strategies to improve the health and sustainability of the woodlot. The Ravine Stewardship Plan promotes an understanding that the forest block will be preserved and enhanced. The Site Plan Approval will require the owner to implement the Ravine Stewardship Plan.

The applicant has revised the plans from the original site plan application submission to comply with the changes requested by City staff and other agencies resulting from the processing of the site plan application. Therefore, staff recommends that the final approval of the Site Plan application be issued once the conditions in Attachment 6 have been satisfied.

CONTACT

Greg Hobson-Garcia, Planner
Tel. No. (416) 394-2615
Fax No. (416) 394-6063
E-mail: ghobson@toronto.ca

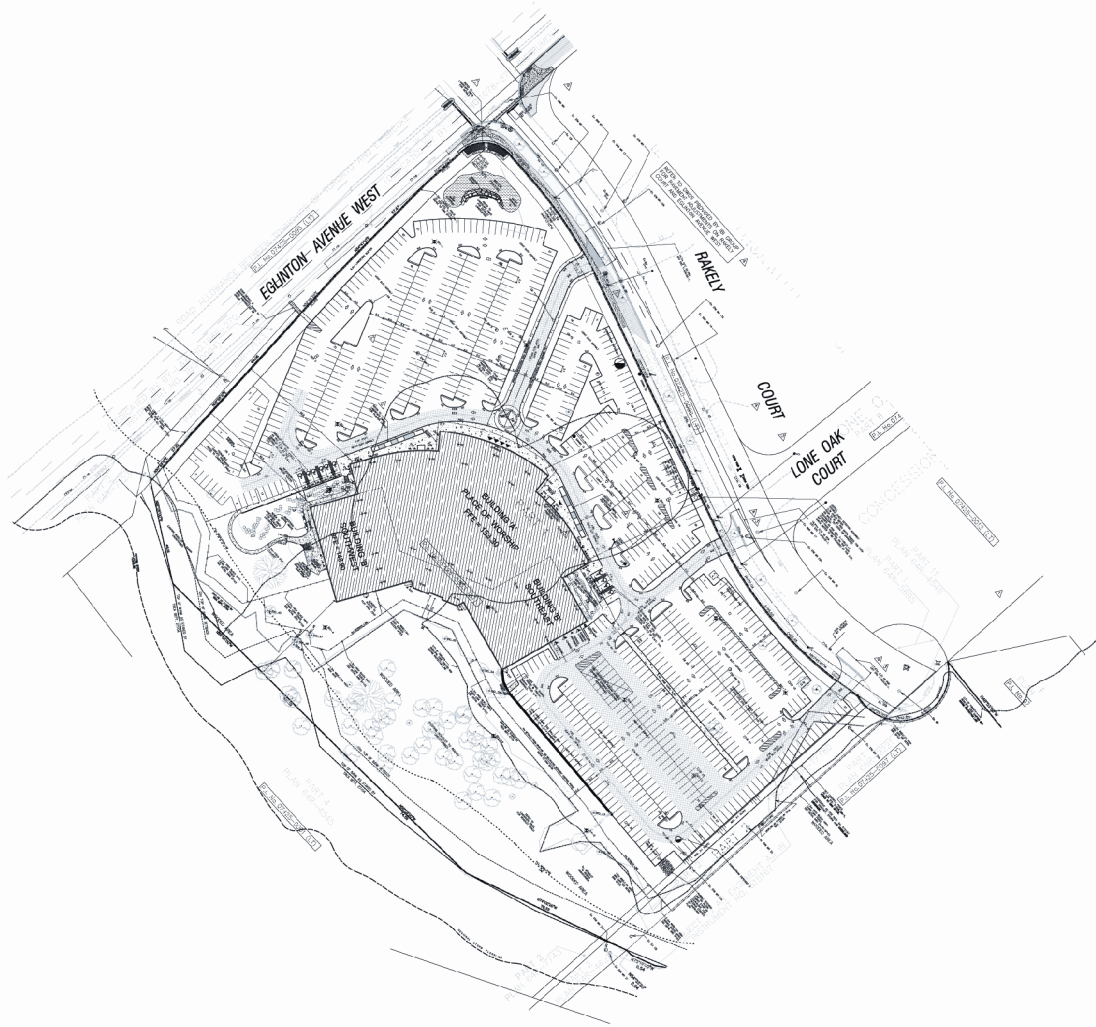
SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations-East and North
Attachment 3: Elevations-West and South
Attachment 4: Landscape Plan
Attachment 5 Zoning
Attachment 6: Site Plan Control Approval Conditions
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

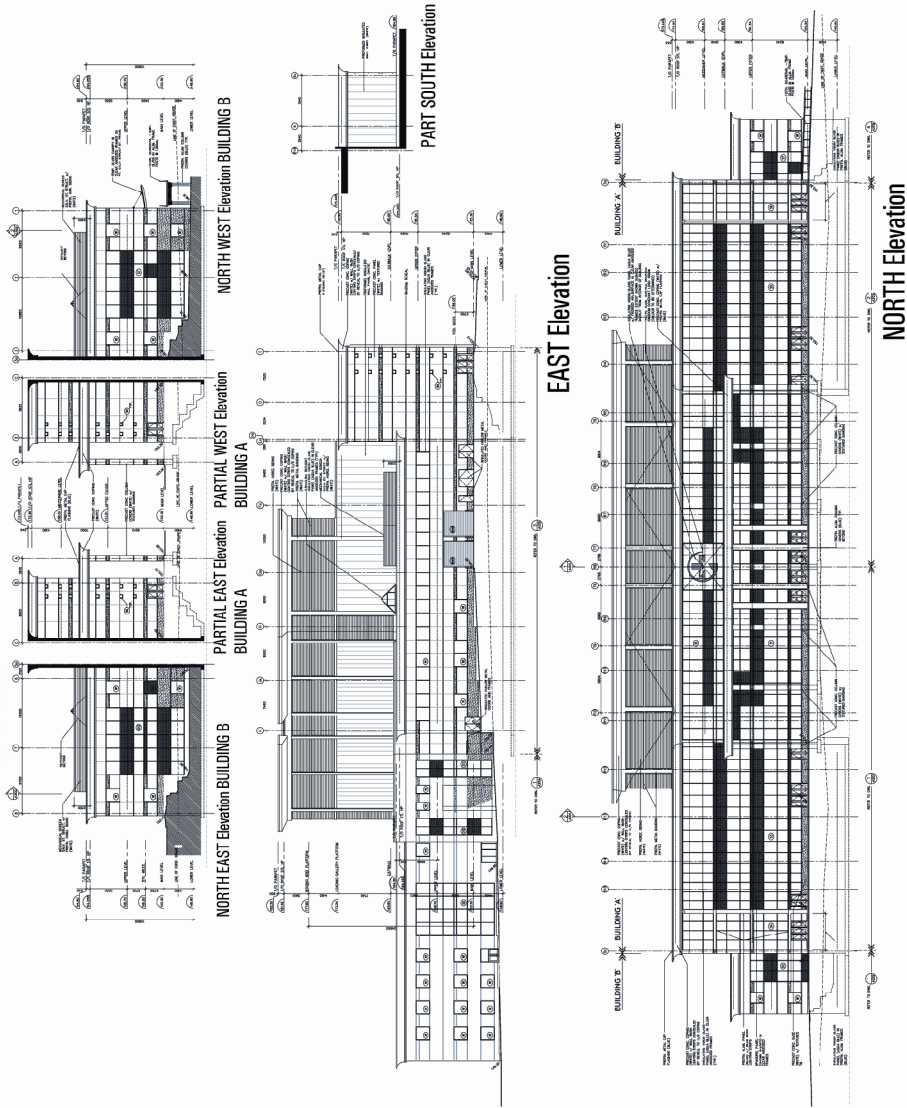
Applicant's Submitted Drawing

Not to Scale
06/04/03 

40 Rakely Court

File # 05_211417

Attachment 2: Elevations-East and North



40 Rakely Court

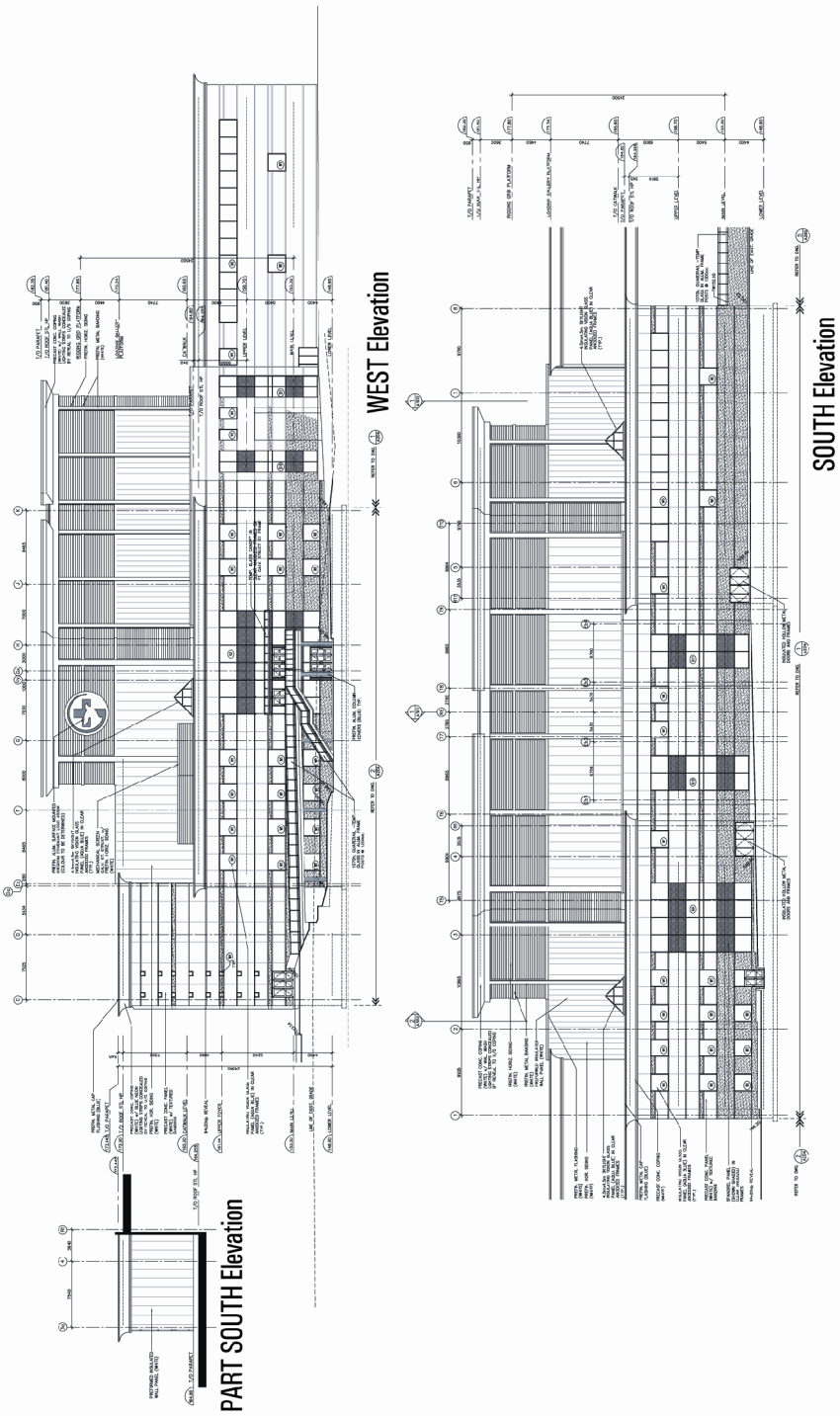
File # 05_211417

Elevations

Applicant's Submitted Drawing

Not to Scale
06/04/08

Attachment 3: Elevations-West and South



40 Rakely Court

File # 05_211417

Elevations

Applicant's Submitted Drawing

Not to Scale
06/04/08

Attachment 4: Landscape Plan



Landscape Plan

Applicant's Submitted Drawing

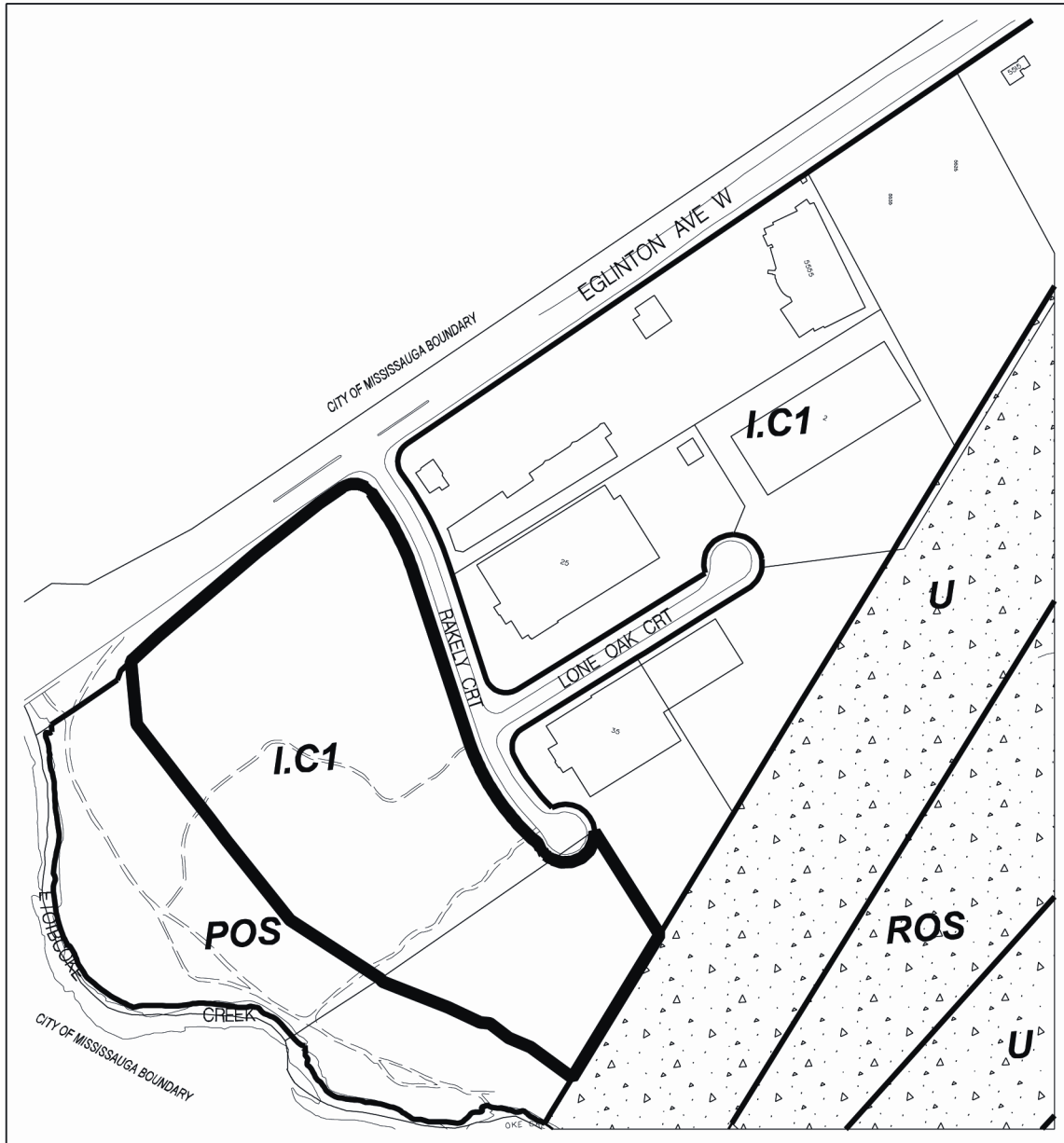
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40 Rakely Court

File # 05_211417

Attachment 5: Zoning



Toronto City Planning
Zoning

40 Rakely Court
 File # 05_211417

Former Etobicoke
 I.C1 Industrial Class 1
 POS Private Open Space
 ROS Regional Open Space
 U Utilities

↑
 Not to Scale
 Zoning By-law 11,737 as amended
 Extracted 06/05/08 - MH

Attachment 6: Site Plan Control Approval Conditions

The City Planning Division, Etobicoke York District, has completed the review of your proposal for a church as outlined in the following plans and drawings:

Drawing No.:	Plan Type:	Prepared By:	Drawing Date	Revision Date	Date Received by City Planning
04049 SP102	Overall Site Plan	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 SP103	Site Plan	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 SP104	Site Grading Plan	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 SP105	Grading Details	Reinders + Rieder Ltd.	2005/12/16	2008/03/03	March 10, 2008
04049 SP106	Site Servicing Plan and Public Utilities Plan	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 SP107	Sections	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 SP109	Site Drainage Plan	Reinders + Rieder Ltd.	2005/12/16	2008/03/05	March 10, 2008
04049 A201	Building Elevations Overall	Reinders + Rieder Ltd.	N/A	2008/03/05	March 10, 2008
04049 A202	Building Elevations Overall	Reinders + Rieder Ltd.	N/A	2008/03/05	March 10, 2008

Drawing No.:	Plan Type:	Prepared By:	Drawing Date	Revision Date	Date Received by City Planning
04049-A119	Roof Plan Overall	Reinders + Rieder Ltd.	N/A	2008/03/05	March 10, 2008
04049-LS1	Landscape Reference Plan	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-LS2	Landscape Plan-West	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-LS3	Landscape Plan-East	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-LS4	Detailed Plans & Sections	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-LS5	Buffer Planting	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-LS6	Landscape Details	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-VA1	Vegetation Analysis	Brodie & Associates Landscape Architects Inc.	November 2005	2008/03/05	March 10, 2008
04049-RSP1	Ravine Stewardship Plan	Brodie & Associates Landscape Architects Inc.	November 2006	2008/03/05 red-line revised June 18, 2008	March 10, 2008
SL1	Site Lighting Plan	Mighton Engineering Ltd.	September 25, 2006	2008/03/05	March 10, 2008

The issuance of the City's Notice of Approval Conditions letter does not constitute Site Plan Approval. The Chief Planner's designate, the Director of Community Planning will be in a position to issue approval of the plans and drawings listed herein and to satisfy applicable law requirements of Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*, once the owner has satisfied all of the pre-approval conditions set out below:

It is the owner's responsibility to work with the respective City divisions to satisfy the pre-approval conditions set out below. Please note that if the pre-approval conditions are not fulfilled within two (2) years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Chief Planner or his designate.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – [Stephanie Morrow, Supervisor of Law Clerks][Phone #(416) 397-5379]

1. Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

TECHNICAL SERVICES – [Matt Rea, Phone#(416) 394-5714]

1. The applicant/owner shall make satisfactory arrangements with Technical Services for work within the City's right-of-way (see attachment to comments dated March 28, 2008 from Helen Noehammer of Technical Services Division) and provide an adequate financial guarantee (Letter of Credit) to ensure the satisfactory completion of the road improvements illustrated on Drawings M-2328-001 to M-2338-013.
2. The applicant/owner shall pay for the City's engineering and inspection costs (5% of the estimated construction cost of the work) and for City forces to install the necessary signage.
3. The applicant/owner is required to provide funding sufficient to cover the cost of installing a separate westbound to southbound protected left turn phase at the Eglinton Avenue West/Rakely Court/Spectrum Way signalized intersection and any other necessary traffic signal control timing and hardware modifications required at this intersection to the satisfaction of Transportation Services.
4. The applicant/owner shall enter into an encroachment agreement with the City to formally recognize the portion of the proposed staircase extending into the Eglinton Avenue municipal boulevard. For further information regarding the costs

and process associated with this encroachment, the applicant is advised to contact Chip Au, Supervisor, Municipal Licensing and Standards, at (416) 394-2533.

CITY PLANNING DIVISION (COMMUNITY PLANNING)– Greg Hobson-Garcia
[Phone # (416) 394-2615]

1. Submission of financial securities in the amount of \$697,322.00 by the owner to guarantee the provision of landscaping improvements.

PARKS, FORESTRY AND RECREATION-URBAN FORESTRY (Tree Protection and Plan Review) – Brian Mercer [Phone # (416) 392-0964]

1. The owner must submit a written letter to Urban Forestry requesting permission to remove the trees identified as tree nos. 27 and 31 - 33, in the Arborist Report and provide payment in the amount of \$8,712.00 for the appraised value of the City-owned trees that are to be removed as part of this proposal. Payment must be in the form of a certified cheque or money order made payable to the Treasure of the City of Toronto.
2. The owner must sign a Tree Protection & Planting Agreement, documenting the responsibilities of the property owner regarding the planting and maintenance of trees that are to be planted on City of Toronto road allowance, adjacent to the site, as outlined on the Landscape Reference Plan and provide a tree planting security deposit in the amount of \$28,567.00 to ensure that this work is completed.
3. The owner must sign a Tree Protection & Planting Agreement, documenting the responsibility of the property owner to ensure that the City-owned trees identified as tree nos. 25, 26, 28, 29 and 30 in the Arborist Report are protected throughout the duration of the construction process in accordance with the information provided and provide a tree protection security deposit in the amount of \$7,315.00 to ensure that this work is completed.
4. The owner shall install protective hoarding and tree protection zone signage to protect tree nos. 25, 26, 28, 29, 30 and 43 as shown on the Vegetation Analysis Plan, in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, as outlined on Site Plan & Tree Protection Plan A1 to the satisfaction of the General Manager of Parks, Forestry and Recreation. The owner shall contact Brian L. Mercer, Urban Forestry Planner via telephone at (416) 392-0964 in order to arrange for an inspection of the protection measures following installation.

PARKS, FORESTRY AND RECREATION-URBAN FORESTRY (Ravine Protection) – Vojka Miladinovic [Phone # (416) 392-7815]

1. The owner shall submit to Urban Forestry Ravine Protection a Letter of Credit, issued to the City of Toronto Treasurer, in the amount of \$30,000.00 for the implementation of the proposed Ravine Stewardship Plan.
2. The tree protection and sediment protection fences as described in the submitted arborist report must be installed on site to the satisfaction of Urban Forestry Ravine Protection (for inspection contact Urban Forestry Ravine Planning at (416) 392 7815).

HERITAGE PRESERVATION SERVICES– Marilyn Miller [Phone# (416) 338-1091]

1. The applicant shall retain a consultant archaeologist, licensed by the Ministry of Culture under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found.
2. The consultant archaeologist shall submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Acrobat PDF file.

B. POST APPROVAL CONDITIONS

In addition to the above pre-approval conditions, the following post approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

1. The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto;
2. Construct all engineering works in accordance with Drawing Numbers M-2328-001 to M-2328-013;
3. Maintain all engineering works in accordance with the design and drawings except where maintenance will be assumed by the City;
4. Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services;

5. Agree to not occupy the building until the Eglinton Avenue West and Rakely Court road improvements and traffic signal improvements are completed to the satisfaction of the Executive Director of Technical Services;
6. Provide vehicle parking at a ratio of not less than one stall per 3.6 persons, based on the seating capacity of the main worship area;
7. Advise all owners and tenants/future purchasers that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm;
8. Construct and maintain stormwater management measures/facilities and site grading as recommended in the Stormwater Management Report dated February 27, 2007 Revision 2, Project No. 04049 prepared by Reinders + Reider Ltd.;
9. Construct and maintain site servicing indicated on the Site Servicing Plan and Public Utilities Plan SP106 dated December 16, 2005, with Revision No. 5 dated December 18, 2007;
10. Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with: the Stormwater Management Report dated February 27, 2007 Revision 2, Project No. 04049 prepared by Reinders + Reider Ltd.; Site Grading Plan SP104 dated December 16, 2005, with Revision No. 5 dated December 18, 2007 prepared by Reinders + Rieder Ltd.; Grading Details SP105 dated December 16, 2005, with Revision No. 3 dated July 20, 2007 prepared by Reinders + Rieder Ltd.; and Site Drainage Plan SP109 dated December 16, 2005, with Revision No. 4 dated December 18, 2007 prepared by Reinders + Rieder Ltd.;
11. Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the Site Servicing Plan and Public Utilities Plan SP106 dated December 16, 2005, with Revision No. 5 dated December 18, 2007 prepared by Reinders + Rieder Ltd.; and
12. The owner shall remove the man-made debris from the lands within the City easement, Instrument No. 515167.

PARKS, FORESTRY AND RECREATION-URBAN FORESTRY – Brian Mercer
[Phone # (416) 392-0964]

1. The owner shall implement and maintain for the duration of the construction process, the tree preservation methodologies described in the Arborist Report and as outlined on Vegetation Analysis Plan.

2. The owner shall notify builders, contractors and agents of all the requirements of Urban Forestry with respect to tree protection where any part of the development will be carried out by them on behalf of the owner.
3. The owner shall install/implement tree planting as per Landscape Reference Plan.
4. Upon completion of the planting the owner must contact Brian L. Mercer, Urban Forestry Planner via telephone at 416-392-0964 to arrange for a site inspection. The file will be closed upon confirmation that the required planting has been completed to the satisfaction of Urban Forestry and in accordance with the approved plans.

PARKS, FORESTRY AND RECREATION-URBAN FORESTRY (Ravine Protection) – Vojka Miladinovic [Phone # (416) 392-7815]

1. That the owner implement the Ravine Stewardship Plan for Kingdom Covenant Centre (40 Rakely Court) prepared by Bras d'Or Forestry Services Ltd. and Brodie & Associates Landscape Architects Inc., dated November 9, 2006, revised to February 2007.

TORONTO AND REGION CONSERVATION AUTHORITY– Steven Heuchert [Phone # (416) 661-6600]

1. That the owner shall gratuitously convey a portion of the valley lands located within 10 metres of the top of bank to the Toronto and Region Conservation Authority (TRCA). The applicant/owner should contact Edlyn Wong at (416) 661-6600 at extension 5711 to facilitate the transfer.

Advisory Comments

1. Right-of-Way Permits

The owner must obtain the necessary authorizations and permits from our Right-of-Way Management Section before excavating or encroaching into municipal road allowance. The owner is advised to contact our Right-of-Way Management Section at (416) 394-8422 regarding site-specific permit and licensing requirements.

2. Construction Management Plans

The Construction Management Plan and Demolition Plan SP108 dated October 10, 2006 with Revision No. 2 dated July 20, 2007 has been reviewed and is satisfactory.

3. Encroachments

The owner is advised that any physical or landscaping features that they propose to install within public right(s)-of-way are subject to encroachment agreements that are recognized in the owner's Site Plan Agreement. The owner is responsible for the costs of installing and maintaining these encroachments.

4. Toronto Hydro Approval

The owner shall obtain approval from the Toronto Hydro Street Lighting Incorporated, THSLI, for removing and/or relocating any utility with attached municipal street lighting and for any upgrades. The owner is advised to contact THSLI (416) 542-3195 or www.torontohydro.com/streetlighting for comment and cost estimates for required fieldwork.

5. Utilities

The owner is financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade municipal services/utilities resulting from the development of this property.

6. Site Servicing Connections

The owner will be required to make an application to (Bruce Grainger , (416) 394-8454) the Toronto Water Division for the installation of any proposed services within the right-of-way after acceptance of the stormwater management report and site servicing plan.

7. Insurance

The owner will be required to obtain public liability insurance for the applicant's City-approved contractor to work within the City road allowance and easements.

8. Bell Canada

The owner shall agree to grant to Bell Canada any easements, that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.

The owner shall be required to enter into an agreement (Letter of Understanding) with Bell Canada complying with any underground servicing conditions imposed by the municipality, and if no such conditions are imposed the owner shall advise the municipality of the arrangement.

Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s).

9. Zoning

Notwithstanding this approval, the lands shall be developed in accordance with the applicable Zoning By-law(s) and that it is the responsibility of the owner to ensure that the development is in conformity with the applicable Zoning By-law(s) to the satisfaction of the Chief Building Official.

10. Heritage

No demolition, construction, grading or other soil disturbances shall take place on the subject property until the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirm in writing that all archaeological licensing and technical review have been satisfied.

Attachment 7: Application Data Sheet

Application Type	Site Plan Approval	Application Number:	05 211417 WET 03 SA
Details		Application Date:	December 21, 2005

Municipal Address: 40 RAKELY CRT, TORONTO ON

Location Description: CON 2 NDS PT LOT FRP 64R4545 PT PART 5RP 64R8678 PT PART 1RP 66R17780 PART 3 **GRID W0301

Project Description: To permit a church having a gross floor area of 20,439.6 square metres. The church will also contain accessory uses, such as, a daycare, school, gymnasium and administrative offices.

PLANNING CONTROLS

Official Plan Designation:	Employment Area	Site Specific Provision:	By law 1988-268
Zoning:	Class 1 Industrial (I.C1)	Historical Status:	N/A
Height Limit (m):	Church – no limit School – 14 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	77,645.28	Height:	Storeys:	3
Frontage (m):	200.18		Metres:	29.44
Depth (m):	444			
Total Ground Floor Area (sq. m):	7,237.39			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	839
Total Non-Residential GFA (sq. m):	20,439.6		Loading Docks	0
Total GFA (sq. m):	20,439.6			
Lot Coverage Ratio (%):	9.32			
Floor Space Index:	0.26			

DWELLING UNITS

Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	0

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	20,439.6	0

CONTACT: PLANNER NAME: Greg Hobson-Garcia, Planner
TELEPHONE: (416) 394-2615