

**1-12 Oakburn Crescent and 14-40 Oakburn Place,
Site Plan Control Application – Final Report**

Date:	November 6, 2008
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	07 240728 NNY 23 SA, 07 240747 NNY 23 SA & 07 240767 NNY 23 SA

SUMMARY

This report deals with three Site Plan Control applications. They are proposing a 41-unit condominium townhouse development, a 22-storey, 311-unit rental apartment building and two 21- storey condominium buildings, containing 437 units. These are the first three projects of the Oakburn/ Avonshire subdivision.

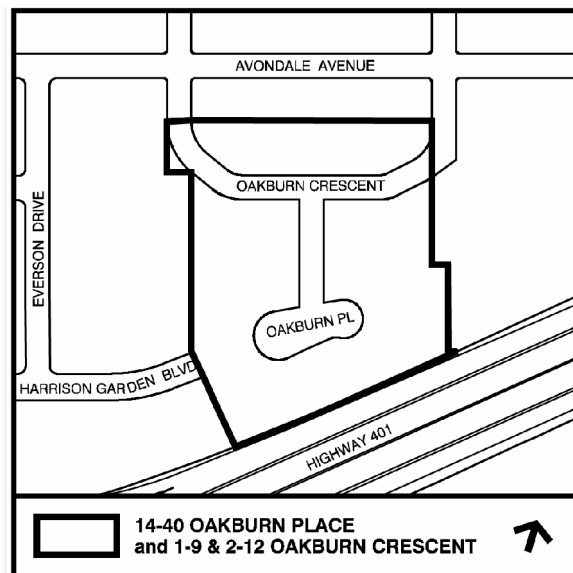
These applications conform to the policies of the North York Centre Secondary and comply with the provisions of the approved site specific Zoning By-law and plan of subdivision.

This report reviews and recommends approval in principle, the three Site Plan Control applications.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve in principle, subject to the conditions set out in Attachments 17, 18 and 19 to this report, the proposed 41-unit condominium townhouse development, a 22-storey, 311-unit rental apartment building and two 21-storey buildings with a total of 437 units.



2. City Council delegate back to the Chief Planner or his designate the authority to issue final Site Plan Approval.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The proposed developments are located within the Oakburn/Avonshire project which is a comprehensive, phased redevelopment of the Oakburn Crescent and Oakburn Place lands. The overall Avonshire project generally consists of five residential towers (21-22 storeys) and several townhouse blocks, for a total of 1,195 proposed residential units, and includes a reconfigured road network and the provision of a large central park.

The site-specific Official Plan Amendment for the project was approved by the Ontario Municipal Board on February 28, 2007.

At the time of the February 28, 2007 Ontario Municipal Board Decision, the Board also approved in principle the site specific zoning for the project. The site-specific zoning, as well as the related draft plan of subdivision to create the ultimate road and lot pattern, was approved by the Board on November 1, 2007. Minor modifications to the zoning by-law were subsequently approved by the Board on July 7, 2008. Council has assigned By-law No. 867-2008(OMB).

The three Site Plan Control applications were received on July 9, 2007. These applications are for the rental tower and surrounding townhouses south of Oakburn Crescent and two residential towers adjacent to the 401.

ISSUE BACKGROUND

Proposal

These site plan applications are proposing a 41-unit condominium townhouse development, a 22-storey, 311-unit rental apartment building and two 21-storey condominium buildings, containing 437 units.

Rental Building E (Site Plan Control application 07 240747 NNY 23 SA)

The proposed 22-storey rental apartment building is to be located in the west portion of the development lands, north of the proposed Harrison Garden Boulevard extension. The building will consist of 311 units and will provide the required rental replacement units on the site. Total proposed GFA is 26, 088 square metres. Six two-storey garden villa units are to front onto the proposed Harrison Garden Boulevard extension. A total of 238 parking spaces are proposed in a 2 level underground parking garage. Vehicular access to the underground parking garage and drop off area for the rental building is from the proposed Harrison Garden Boulevard. The loading area, which will also serve as the municipal garbage pick-up area, is located on the west side of the proposed building. The westerly side yard will also support an amenity area for the rental building.

A comprehensive landscape plan has been prepared which includes a mix of trees, shrubs and fencing. Where the grade of the abutting townhouses will be approximately 2 metres above the final grade of the rental building site, near the loading area, a row of trees and shrubs will be planted along this edge to screen the existing retaining wall and provide some screening for the abutting townhouse units that are adjacent to this area. Where the amenity area is proposed, adjacent to the existing townhouse development, a privacy fence and a mix of trees and shrubs will be provided to screen this area.

Townhouse Blocks 5 and 7 (Site Plan Control application 07 240728 NNY 23 SA)

The proposed 41-unit townhouse development is to be located immediately north and east of the rental building. There are a total of 4 townhouse blocks with units fronting onto Oakburn Crescent, Harrison Garden Boulevard and the proposed public park. Vehicular access to the underground parking garage will be from Oakburn Crescent. A total of 78 parking spaces are to be provided. It should be noted that the underground parking garages for the townhouses and the rental building are connected but each development will have its own separate access driveway. The proposed comprehensive landscape plan proposes a mix of trees, shrubs and fencing.

The townhouses will utilize the loading area provided on the rental building site. Garbage generated from the townhouse units will be stored in garbage room located in the underground parking garage. On scheduled municipal pick-up days, the garbage will be moved to the loading area, via a specially designed garbage elevator located in the underground parking garage beneath the loading area.

Oakburn – Towers A and B (Site Plan Control application 07 240767 NNY 23 SA)

Proposed towers A and B are 21 storeys in height and are to be located in the southwest portion of the Oakburn site, adjacent to Highway No. 401 and fronting on the future extension of Harrison Garden Boulevard. A total of 437 units is proposed in these two buildings. The two buildings are to be connected with a 2- and 3-storey podium featuring a common entrance lobby and indoor recreational amenity space.

The two proposed towers incorporate 3-storey townhouses or “garden villas” at the base of each building, fronting onto the Harrison Garden Boulevard extension. A double row of tree plantings and enhanced front yard landscaping is proposed along this street frontage.

Vehicular access, loading, and access to underground parking are proposed via a driveway connecting with the Harrison Garden Boulevard extension on the west side of the two buildings. There is also a circular driveway and forecourt providing a drop-off function in front of the podium structure. The centre of the circular driveway provides an outdoor landscaped amenity area and seating.

Site and Surrounding Area

The site is currently vacant, however excavation and shoring of the development site is imminent.

North: Low-rise rental apartment buildings.

South: Highway 401

West: Townhouse Developments

East: Proposed public park.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is designated *Mixed Use Area D* and *Parks and Open Space Areas* (proposed central parkland area) within the North York Centre Secondary Plan. The Ontario Municipal Board approved the site-specific Official Plan Amendment for the project in February, 2007. Residential uses are permitted, with total maximum permitted heights ranging from 11 metres and 65 metres, also subject to an angular plane height requirement. The Secondary Plan permits a total maximum density of 2.0 FSI (2.66 FSI including density incentives).

Zoning

The subject development site is zoned RM6 (176) Multiple Family Dwellings Sixth Density Zone and O1 Open Space by Zoning By-law 7625 as amended by By-law 867-2008 (OMB). The site specific Zoning By-law provides for, among other matters, 1,195 residential units, five residential towers and townhouses, and a section 37 incentive package in exchange for additional gross floor area.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications. This report recommends that City Council approve the Site Plan applications, subject to the conditions outlined in Attachments 17, 18 and 19.

COMMENTS

City Planning staff have met with the local Councillor with respect to these site plan applications. Generally, the questions raised by the Councillor were related to: the location of the garbage room in the underground parking garage relative to the furthest townhouse unit in Blocks 5 and 7; confirmation that municipal garbage pick-up will be provided for Building E and the townhouses, due to concerns with the hours of pick-up; snow storage and hours of operation for snow removal; the type of bicycle storage to be provided; and the proposed green roofs for Buildings A and B. There was also some discussion regarding securing letters of credit from the developer for sodding the site in the event the developments do not proceed in a timely manner.

City staff has advised the local Councillor that municipal garbage pick-up will be provided and that snow will be removed off site by a private contractor for all of the projects. Technical Services staff have reviewed the projects and are satisfied with the proposed garbage collection and snow removal arrangements.

Pre-approval conditions have been added to the Notice of Approval conditions requiring the owner to submit a letter of credit to cover the cost of sodding the development sites should the projects not proceed in a timely manner and requiring the owner to revise architectural plans showing the detailed design of the bicycle storage areas, to the satisfaction of the Director, Community Planning, North York District.

With respect to the issue of the green roofs for Buildings A and B, the applicant is proposing to install a green roof on the townhouse and podium portions of these buildings. The applicant advised that the green roof is intended to provide credits toward the proposed LEED certification, and will have access for maintenance purposes only.

Provincial Policy Statement and Provincial Plans

The proposals are consistent with the PPS, which among other matters, promotes efficient development and land use patterns, provides for a range of housing types and encourages the efficient use of existing infrastructure. The proposal also conforms with and does not conflict with the Growth plan for the Greater Golden Horseshoe.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57-2.99 hectares of local parkland per 1,000 people. The site is the second highest quintile of current provision of parkland. The site is in a parkland priority area. The site is located within the North York Centre Secondary Plan. As outlined in the subdivision agreement, the owner will be conveying 4,288 square metres of parkland to the City.

A limiting distance agreement is required for the townhouses abutting the future park. The applicant is required to enter into the agreement prior to the above grade building permit for the townhouses. The applicant will be responsible for ensuring that the townhouse grades and public park grades are coordinated through the design of the park.

Toronto Green Development Standard

The development will incorporate a number of green development initiatives, including: energy efficient heating and cooling, green roof for towers A and B (south towers), user friendly and accessible handling and storage facilities for recyclable materials and organic waste.

Development Charges

It is estimated that the development charges for the first three projects for the Oakburn subdivision lands will be \$4,064,281.00, which includes: \$2,672,879 (buildings A and B); \$111,675 (rental building); and \$361,579 (townhouses). The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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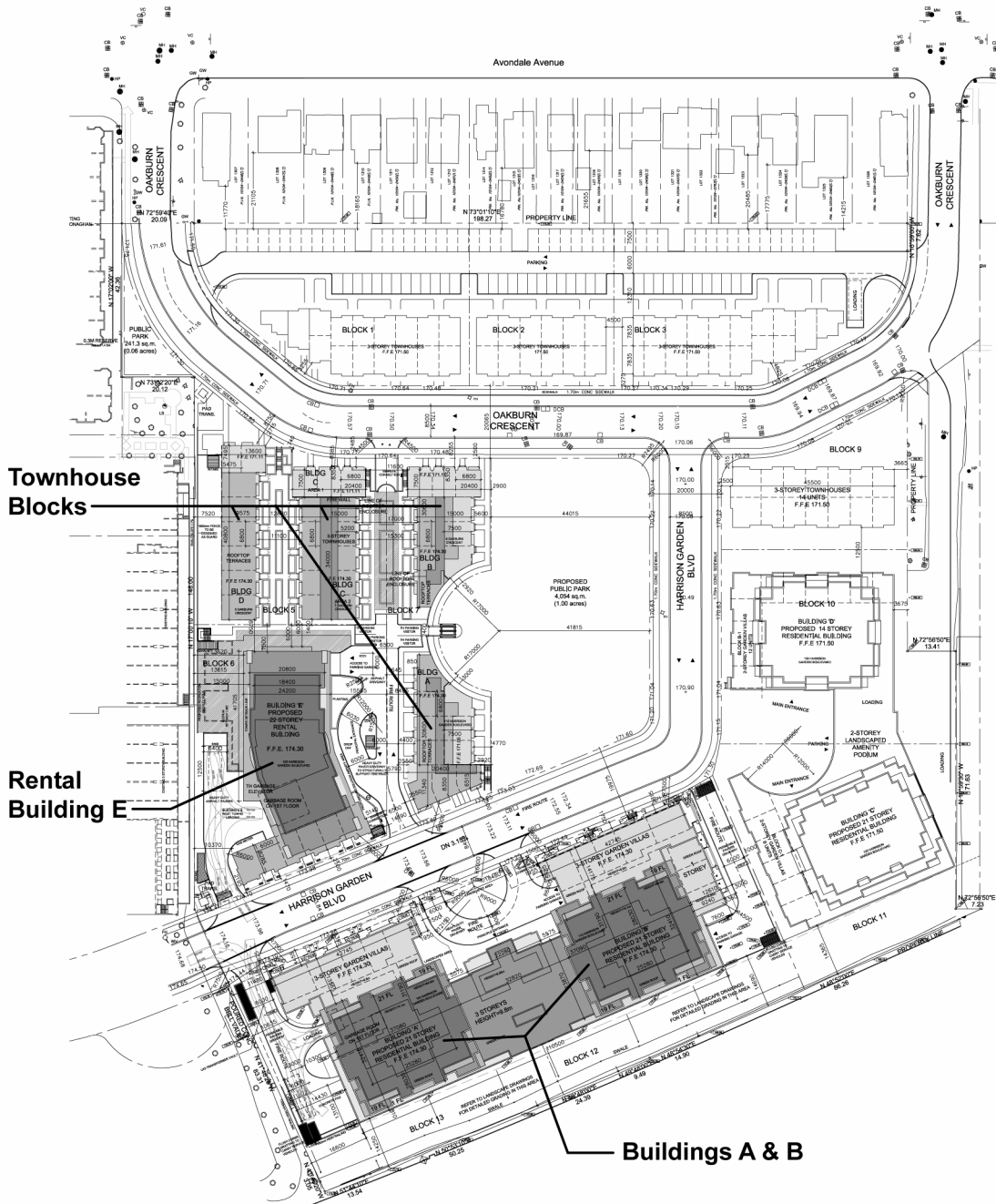
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Overall Site Plan
Attachment 2: Site Plan Rental Building E
Attachment 3: Rental Building E - West Elevation
Attachment 4: Rental Building E - South Elevation
Attachment 5: Rental Building E East Elevation
Attachment 6: Rental Building E - North Elevation
Attachment 7: Site Plan Townhouse Blocks 5 and 7
Attachment 8: Townhouse Block A and B Elevations
Attachment 9: Townhouse Block C and D Elevations
Attachment 10: Townhouses North and South Elevations
Attachment 11: Site Plan Buildings A and B
Attachment 12: North Elevation Buildings A and B
Attachment 13: Zoning
Attachment 14: Application Data Sheet – Rental Building E
Attachment 15: Application Data Sheet – Townhouse Blocks 5 and 7
Attachment 16: Application Data Sheet – Towers A and B
Attachment 17: Notice of Approval Conditions - Building E - 07 240747 NNY 23 SA
Attachment 18: Notice of Approval Conditions - Townhouses 07 240728 NNY 23 SA
Attachment 19: Notice of Approval Conditions - Towers A and B 07 240767 NNY 23 SA

Attachment 1: Overall Site Plan



Neighbourhood Site Plan

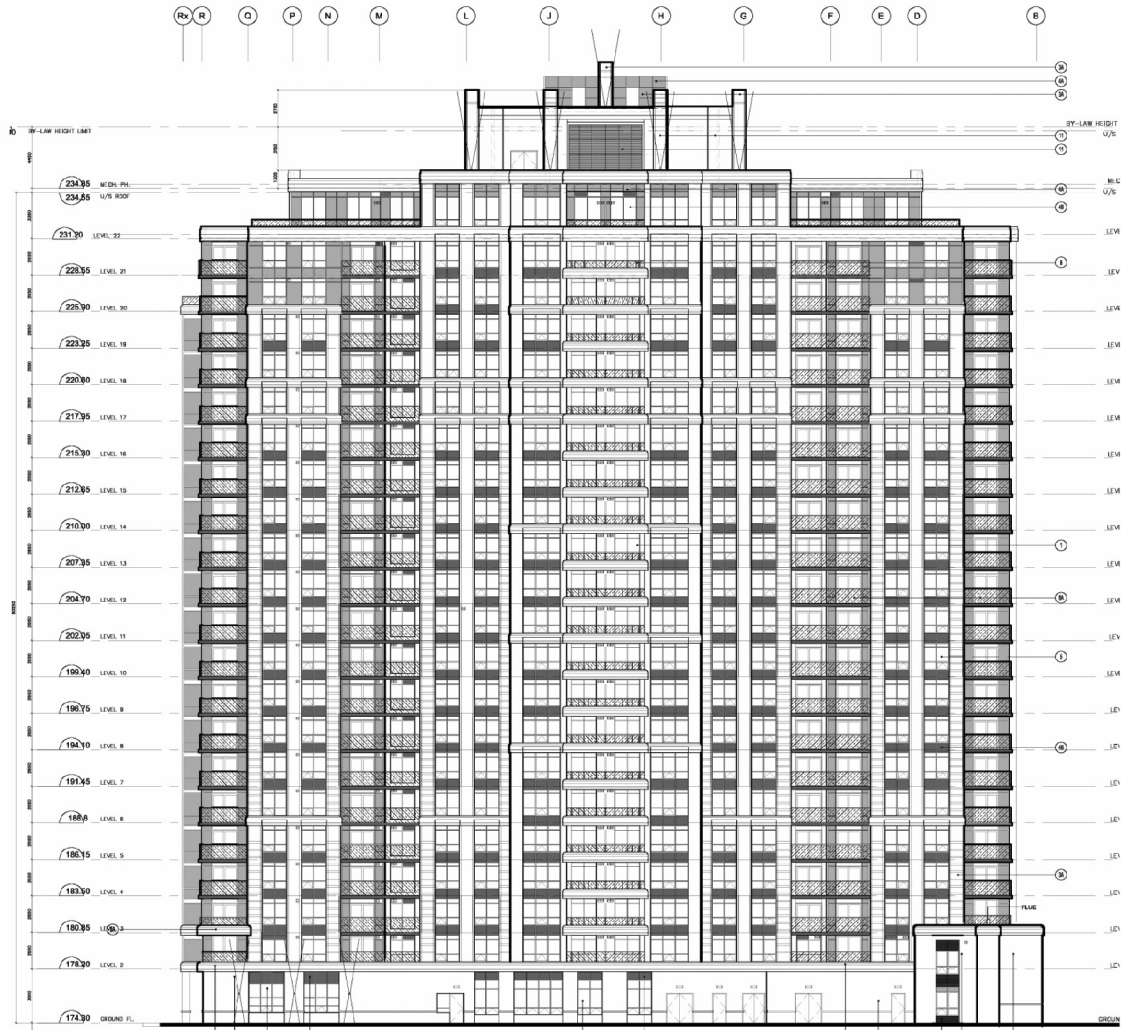
1-12 Oakburn Crescent and 14-40 Oakburn Place

Applicant's Submitted Drawing

Not to Scale 

File # 07_240767

Attachment 3: Rental Building E - West Elevation



West Elevation

Elevation

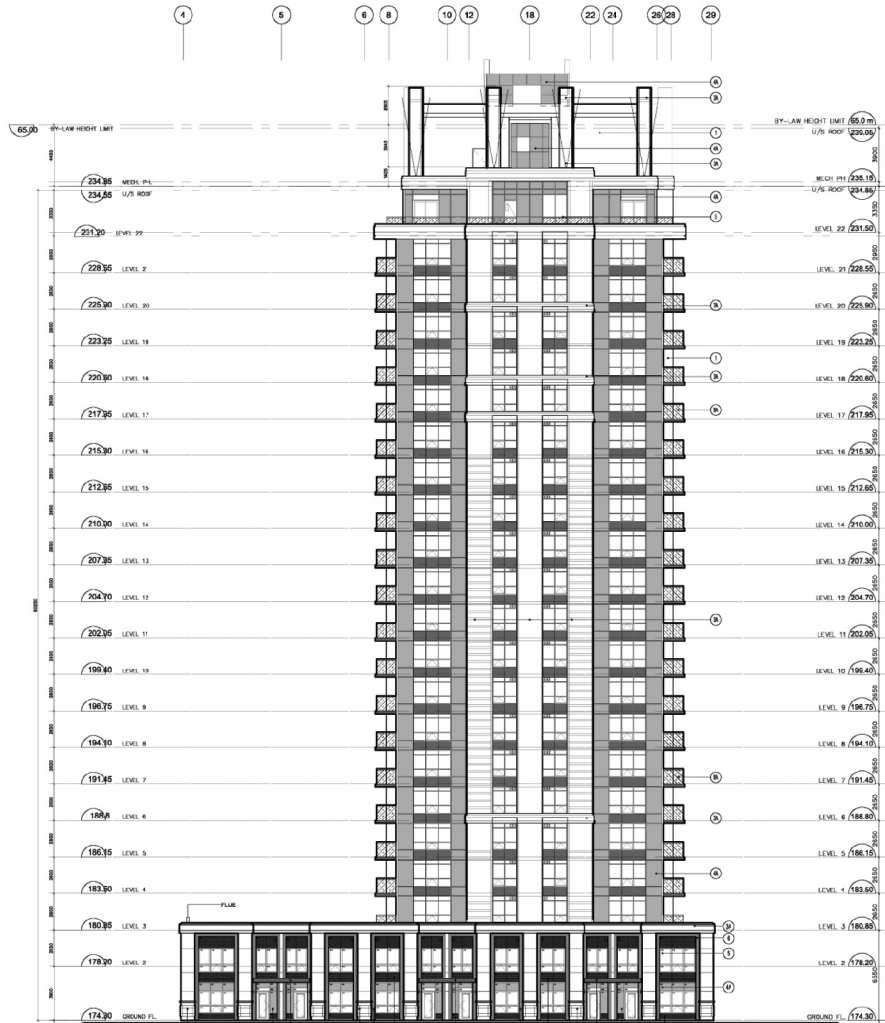
105 Harrison Garden Boulevard

Applicant's Submitted Drawing

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08/29/2008

File # 07_240747

Attachment 4: Rental Building E - South Elevation



South Elevation

Elevation

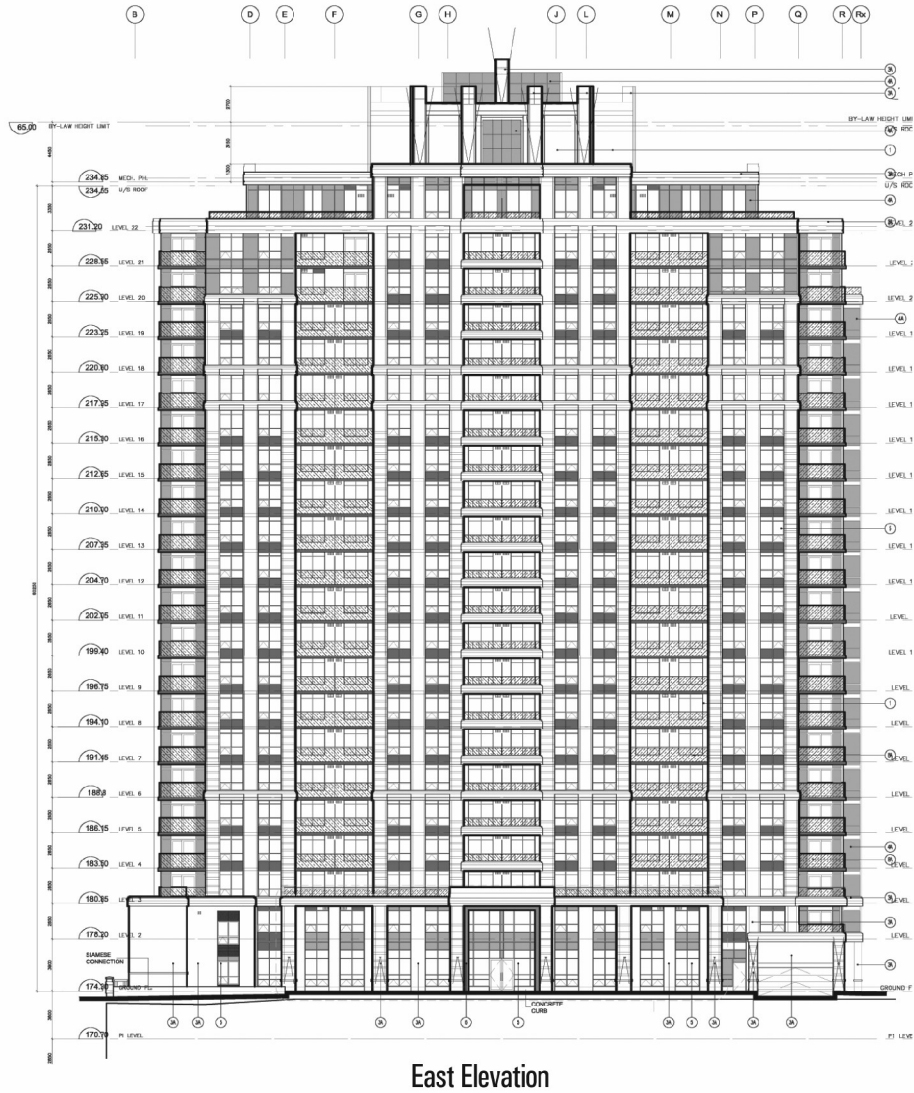
Applicant's Submitted Drawing

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105 Harrison Garden Boulevard

File # 07_240747

Attachment 5: Rental Building E - East Elevation



East Elevation

Elevation

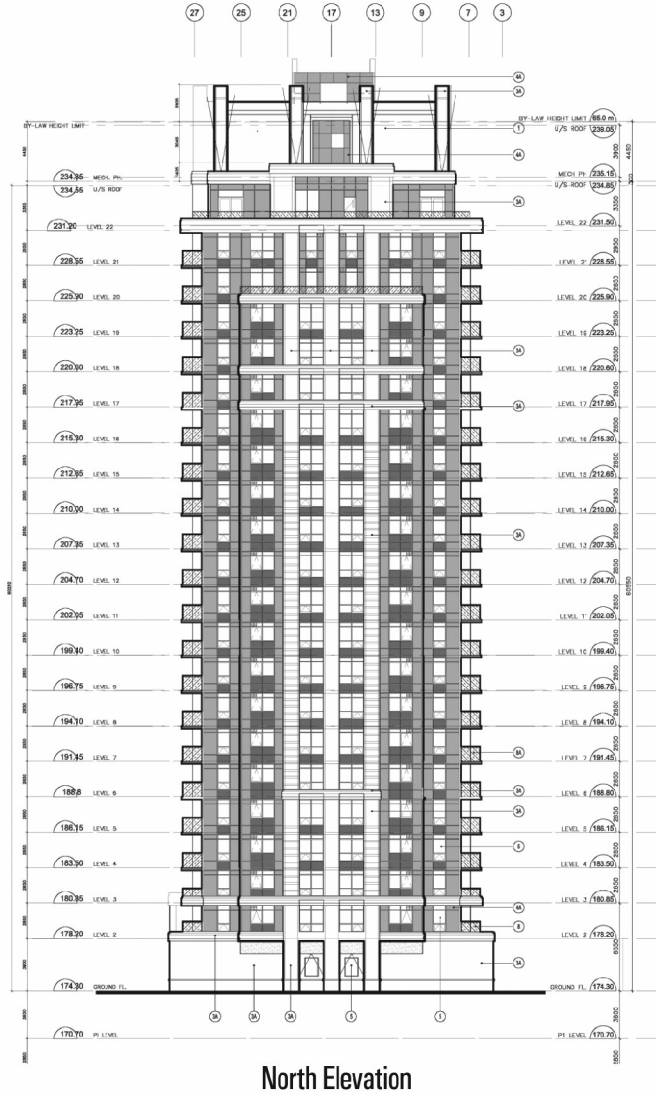
Applicant's Submitted Drawing

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08/29/2008

105 Harrison Garden Boulevard

File # 07_240747

Attachment 6: Rental Building E - North Elevation



Elevation

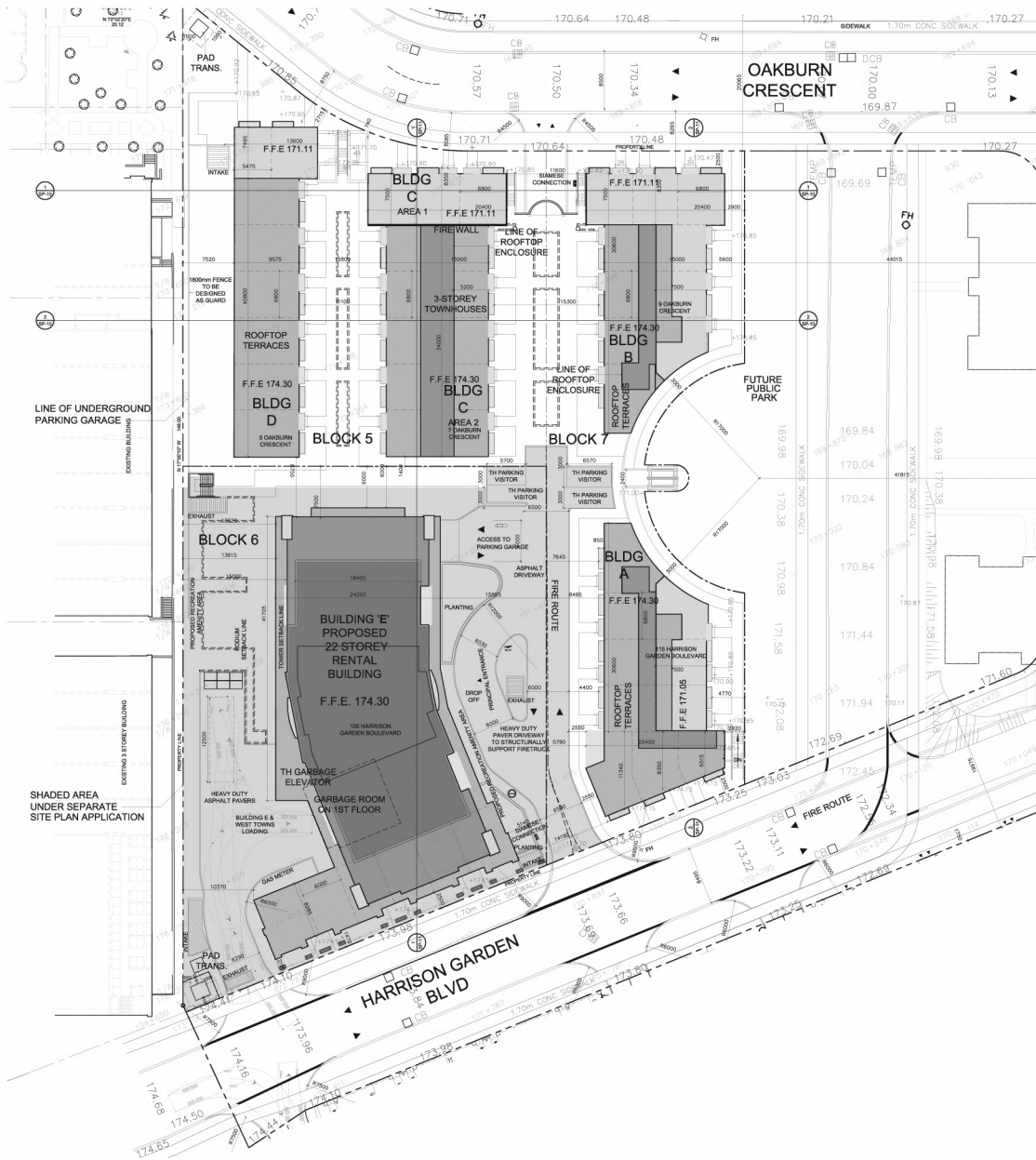
105 Harrison Garden Boulevard

Applicant's Submitted Drawing

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08/29/2008

File # 07_240747

Attachment 7: Site Plan - Townhouse Blocks 5 and 7



Site Plan

Applicant's Submitted Drawing

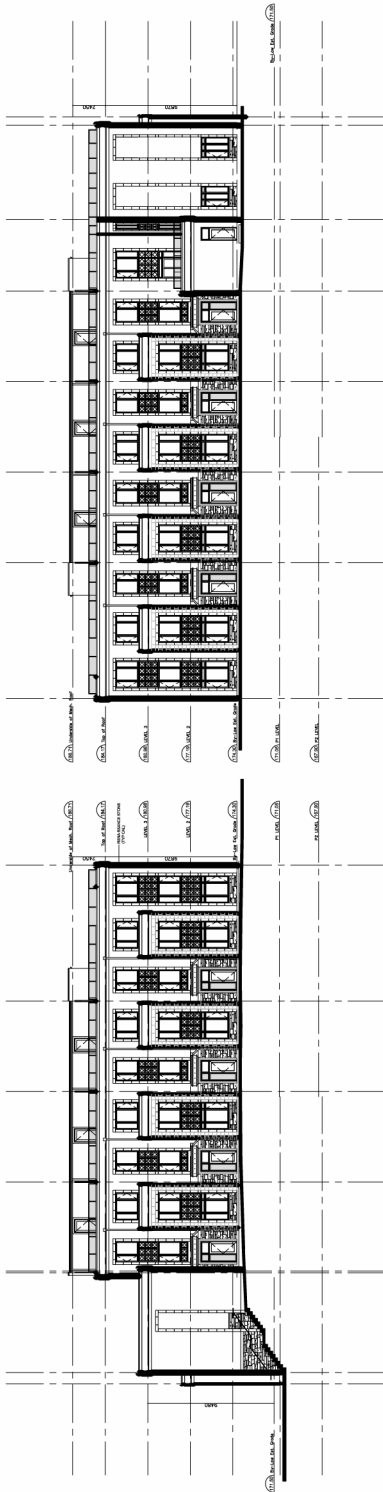
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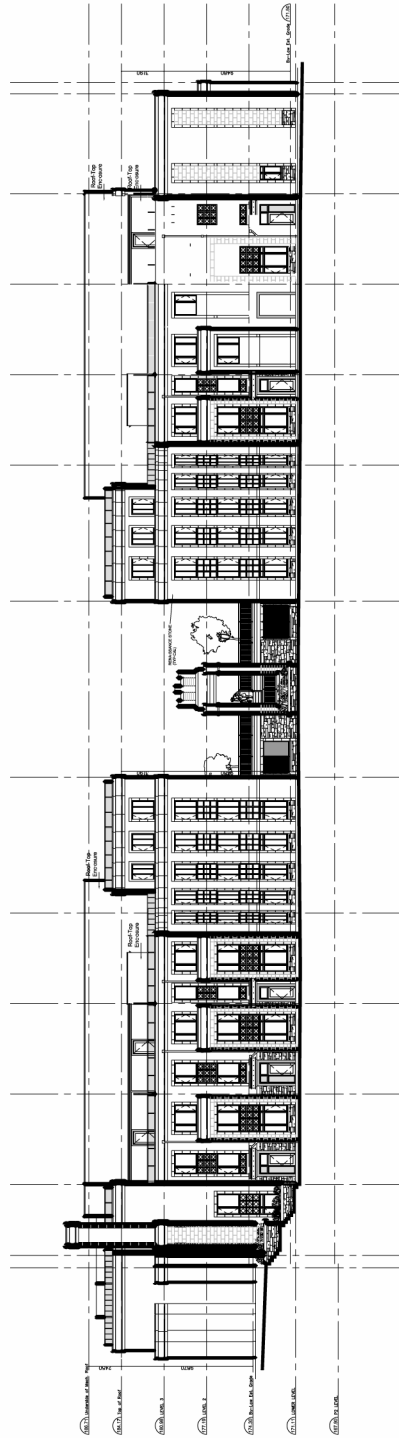
5,7,9 Oakburn Crescent and
115 Harrison Garden Boulevard

File # 07_240728

Attachment 8: Townhouse Block A and B Elevations



A & B West Elevation



A & B East Elevation

Elevations

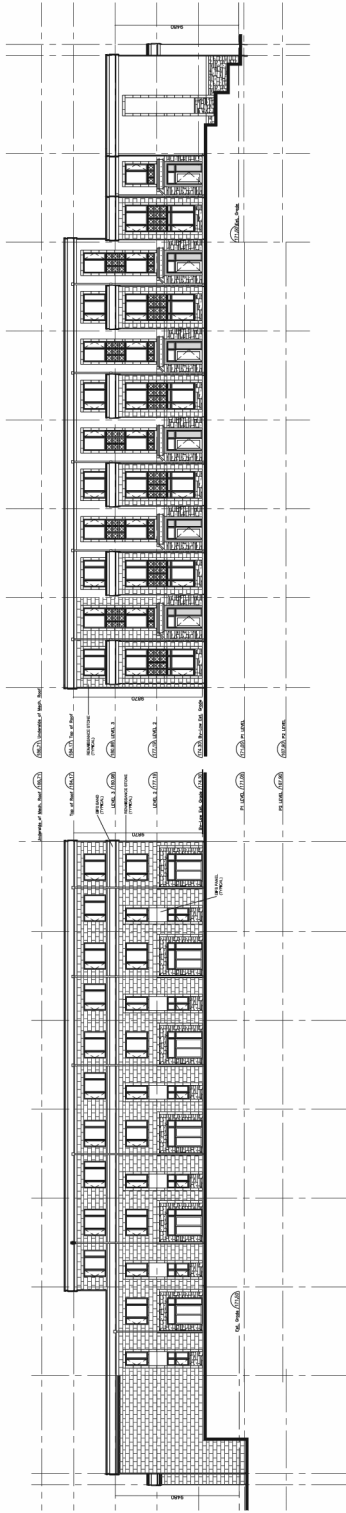
Applicant's Submitted Drawing

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11/06/2008

5,7,9 Oakburn Crescent and
115 Harrison Garden Boulevard

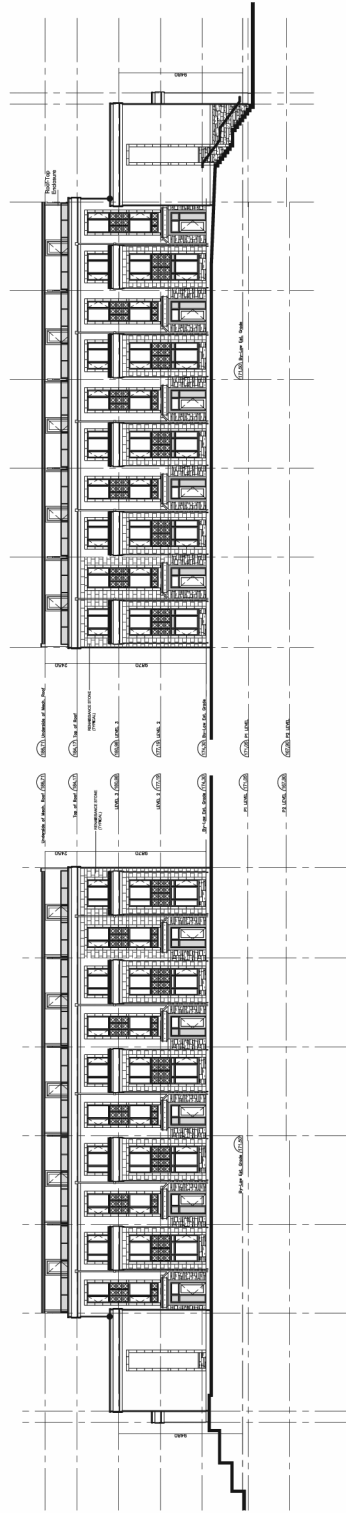
File # 07_240728

Attachment 9: Townhouse Block C and D Elevations



D East Elevation

D West Elevation



C East Elevation

C West Elevation

Elevations
 Applicant's Submitted Drawing
 Not to Scale
 11/07/2008

Elevations

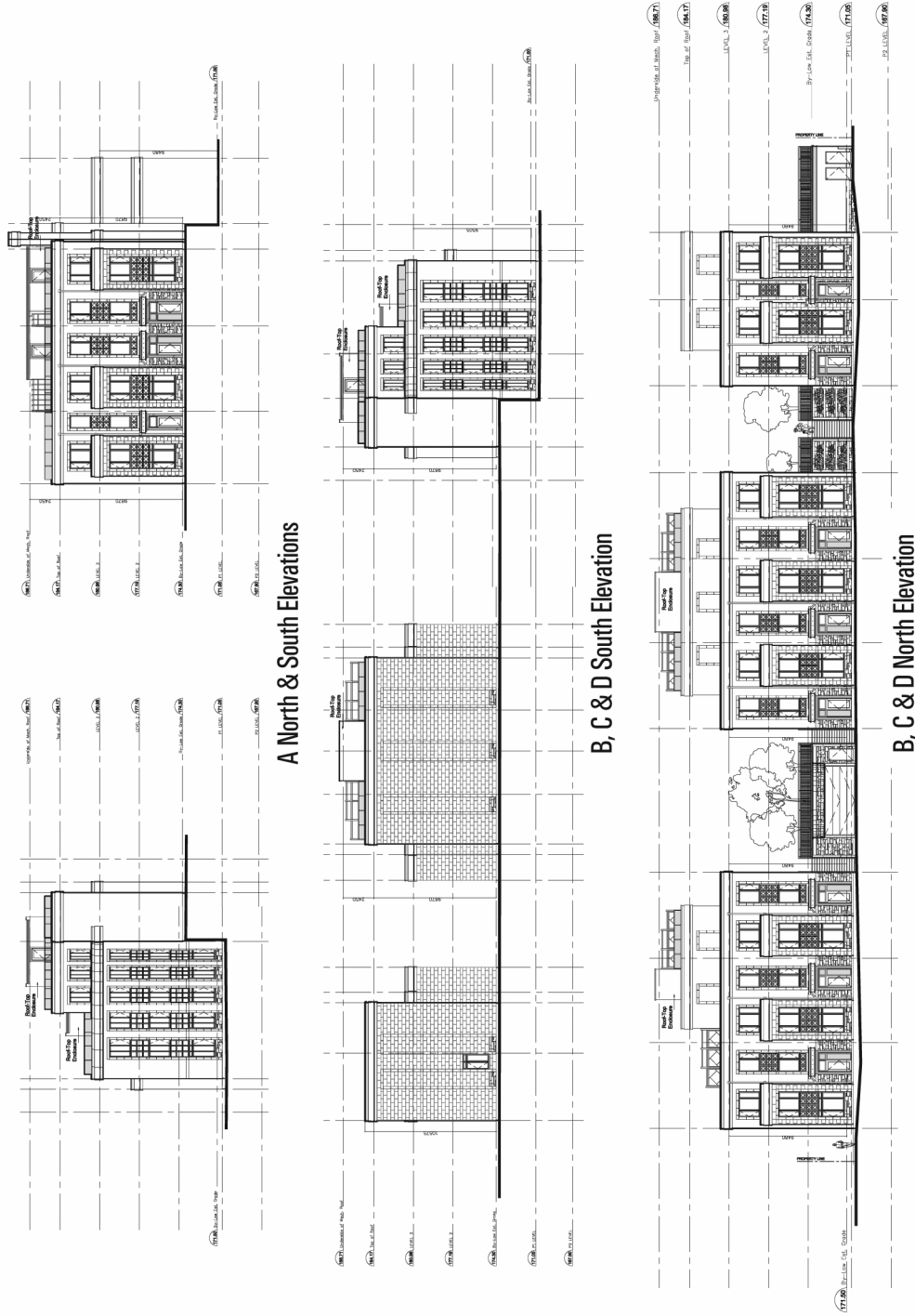
Applicant's Submitted Drawing

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 11/07/2008

**5,7,9 Oakburn Crescent and
 115 Harrison Garden Boulevard**

File # 07_240728

Attachment 10: Townhouses North and South Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 11/07/2008

**5,7,9 Oakburn Crescent and
 115 Harrison Garden Boulevard**
 File # 07_240728

Attachment 11: Site Plan Buildings A and B



1-12 Oakburn Crescent and 14-40 Oakburn Place

Site Plan - Buildings A & B

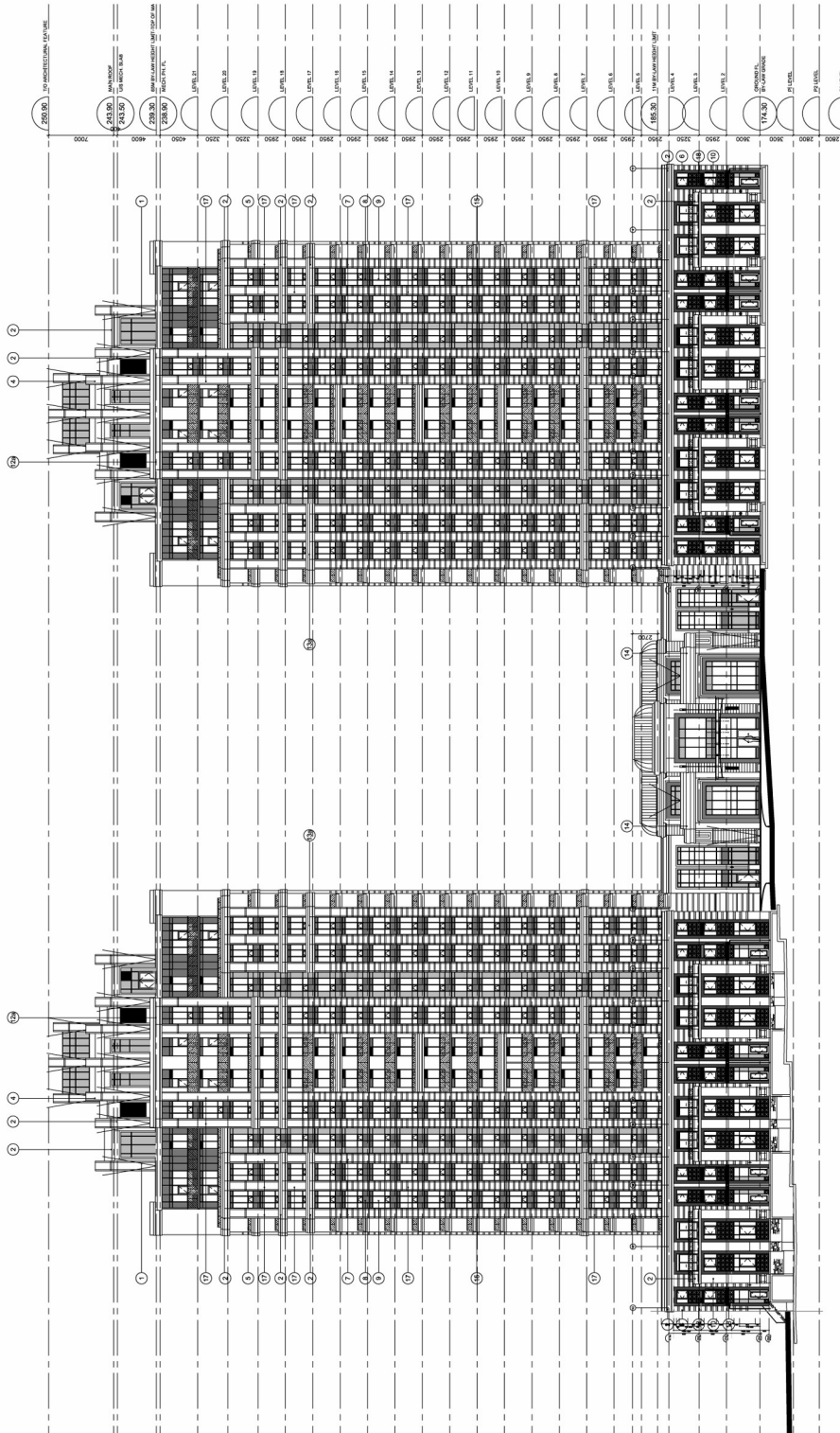
Applicant's Submitted Drawing

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11/04/2008



File # 07_240767

Attachment 12: North Elevation Buildings A and B



North Elevation - Buildings A & B

1-12 Oakburn Crescent and 14-40 Oakburn Place

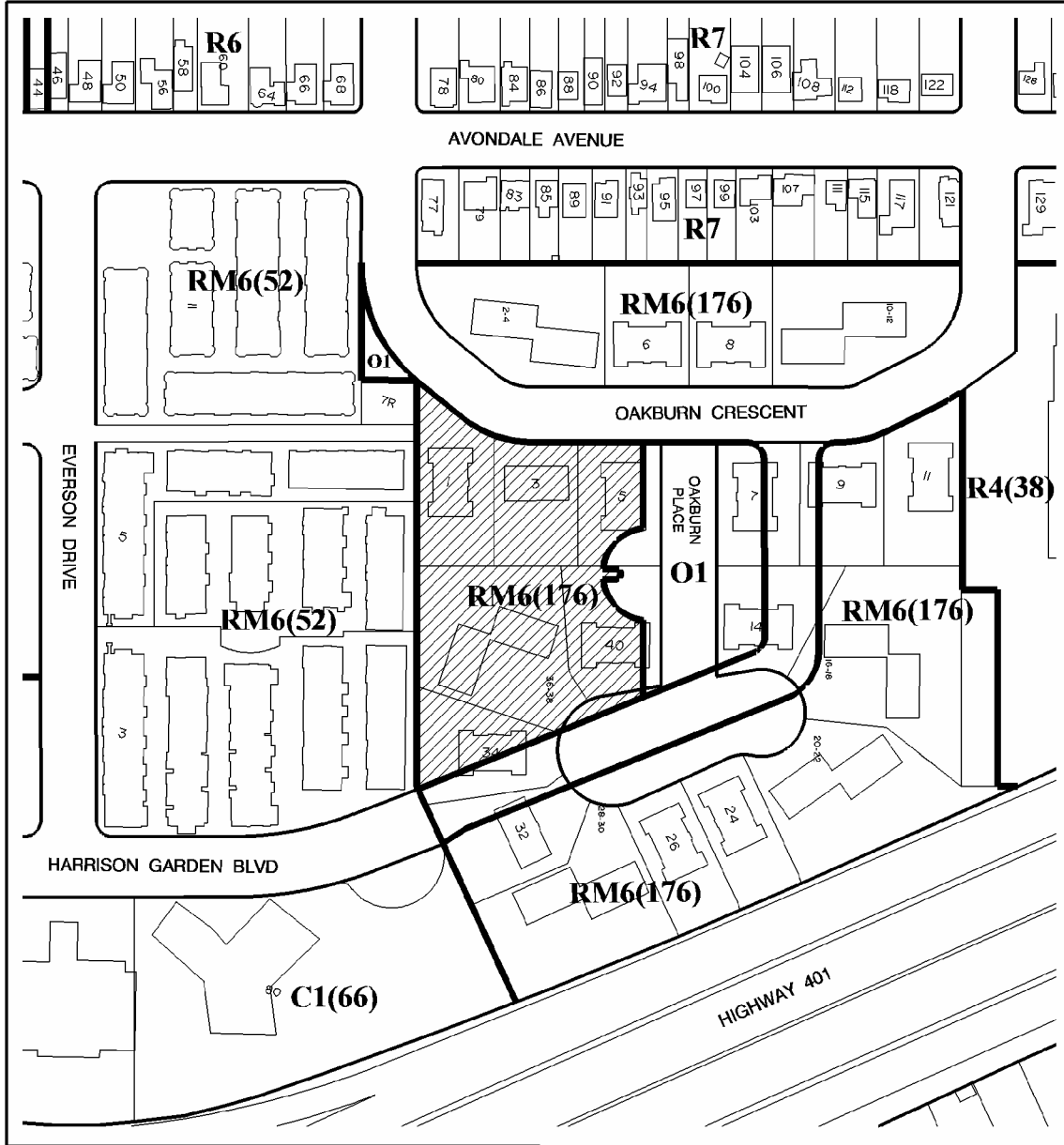
Elevations

Applicant's Submitted Drawing

Not to Scale
11/04/2008

File # 07_240767

Attachment 13: Zoning



Toronto City Planning
Zoning

**Proposed 5,7,9 Oakburn Crescent and
115 Harrison Garden Boulevard**

File # 07_240728

- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- R7 One-Family Detached Dwelling Seventh Density Zone

C1 General Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 10/20/2008

Attachment 14: Application Data Sheet – Rental Building E

Application Type	Site Plan Approval	Application Number:	07 240747 NNY 23 SA
Details		Application Date:	July 9, 2007

Municipal Address: 1-12 Oakburn Crescent & 14-40 Oakburn Place
 Proposed Address for Building E – 105 Harrison Garden Boulevard

Location Description: PLAN 4460 PT LOT 5 **GRID N2306

Project Description: Application for a proposed rental apartment building, being Building "E".

Applicant:	Agent:	Architect:	Owner:
MELISA CRISTOFOLI			K & G OAKBURN APARTMENTS 1 LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area D	Site Specific Provision:	
Zoning:	RM6(176) By-law 867-2008	Historical Status:	
Height Limit (m):	65 metres	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3707	Height:	Storeys:	22	
Frontage (m):	55+		Metres:	60.25	
Depth (m):	77+				
Total Ground Floor Area (sq. m):	1295				Total
Total Residential GFA (sq. m):	26088		Parking Spaces:	238	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	26088				
Lot Coverage Ratio (%):	34.9				
Floor Space Index:	7.0				

DWELLING UNITS

Tenure Type:	Rental
Rooms:	0
Bachelor:	0
1 Bedroom:	179
2 Bedroom:	132
3 + Bedroom:	0
Total Units:	311

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	26088	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

Attachment 15: Application Data Sheet – Townhouse Blocks 5 and 7

Application Type	Site Plan Approval	Application Number:	07 240728 NNY 23 SA
Details		Application Date:	July 9, 2007

Municipal Address: 1-12 Oakburn Crescent & 14-40 Oakburn Place
 Proposed Addresses: 5, 7 & 9 Oakburn Cres. & 115 Harrison Garden Boulevard

Location Description: PLAN 4460 PT LOT 5 **GRID N2306

Project Description: Application for townhouses, Blocks 5 and 7, being the townhouse blocks north and east of Apartment Building "E".

Applicant:	Agent:	Architect:	Owner:
MELISA CRISTOFOLI			K & G OAKBURN APARTMENTS 1 LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Area D	Site Specific Provision:	
Zoning:	RM6(176) By-law 867-2008	Historical Status:	
Height Limit (m):	11 and 12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5331	Height:	Storeys:	3
Frontage (m):	82		Metres:	11 and 12
Depth (m):	100			
Total Ground Floor Area (sq. m):	2350			Total
Total Residential GFA (sq. m):	9245		Parking Spaces:	78
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	9245			
Lot Coverage Ratio (%):	44			
Floor Space Index:	1.73			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	9245	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	41	Institutional/Other GFA (sq. m):	0	0
Total Units:	41			

Attachment 16: Application Data Sheet – Towers A and B

Application Type	Site Plan Approval	Application Number:	07 240767 NNY 23 SA
Details		Application Date:	July 9, 2007

Municipal Address:	1-12 Oakburn Crescent & 14-40 Oakburn Place
Location Description:	PLAN 4460 PT LOT 5 **GRID N2306
Project Description:	Site Plan Application for Buildings "A" and "B" (proposed municipal address 100 and 110 Harrison Garden Boulevard)

Applicant:	Agent:	Architect:	Owner:
MELISSA CRISTOFOLI	MELISSA CRISTOFOLI	KIRKOR ARCHITECTS & PLANNERS	K & G OAKBURN APARTMENTS 1 LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas - D	Site Specific Provision:	Y
Zoning:	RM6(176)	Historical Status:	N
Height Limit (m):	65	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	9452	Height:	Storeys:	21
Frontage (m):	146		Metres:	64.6
Depth (m):	65			
Total Ground Floor Area (sq. m):	2478			Total
Total Residential GFA (sq. m):	45883		Parking Spaces:	529
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	45883			
Lot Coverage Ratio (%):	26.2			
Floor Space Index:	4.85 (2.66 FSI overall site density)			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Rental, Condo		
Rooms:	0	Residential GFA (sq. m):	45883
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	173	Office GFA (sq. m):	0
2 Bedroom:	264	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	437		

Attachment 17 - Notice of Approval Conditions Rental Apartment Building E (Block 6)
(Future address: 105 Harrison Garden Boulevard)
File: 07 240747 NNY 23 SA

The City Planning Division North York District, has completed the review of your proposal for a 22-storey, 311-unit rental apartment building as outlined in the following plans and drawings:

- Site Plan (Drawing SP-03, Revision 4 dated August 6, 2008, prepared by Kirkor Architects);
- Parking Levels P2 and P1 (Drawing SP-04, Revision 4, dated August 6, 2008, prepared by Kirkor Architects);
- Building “E” Floor Plans – Ground Floor and Second Floor (Drawing SP-5, Revision 4 dated August 6, 2008, prepared by Kirkor Architects);
- Building “E” West and South Elevations (Drawing SP-07, Revision 4 dated August 6, 2008, prepared by Kirkor Architects);
- Building “E” East and North Elevations (Drawing SP-08, Revision 4 dated August 6, 2008, prepared by Kirkor Architects);
- Building ‘E’ Sections (Drawing SP-09, Revision 4, dated August 6, 2008, prepared by Kirkor Architects);
- Landscape Masterplan (Drawing L1, Revision 7 dated November 3, 2008, prepared by NAK design group);
- Grading Plan (Drawing L2, Revision 7 dated October 22, 2008, prepared by NAK design group);
- Planting Plan (Drawing L3, Revision 7 dated October 22, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD1, Revision 6 dated November 3, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD2, Revision 6 dated November 3, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD3, Revision 6 dated November 3, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD4, Revision 6 dated November 3, 2008, prepared by NAK design group); and
- Streetscape Plan (Drawing LS1a, dated August 2006, Revision 1 dated July 19, 2007).

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(16) 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 herein.

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 (416-397-5379)

1. The owner shall 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.

CITY PLANNING - Mark Chlon, City Planning (416-395-7137)

2. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the on-site landscaping, including for example (but not limited to) any plantings, fencing, seating, decorative paving, retaining walls, terraces and/or other landscape features.

The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North York District is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

3. In the event construction work does not commence within two years of the date of final approval of the Site Plan Control application, the Owner shall sod with grass any portion of the site where the work has not commenced. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for **\$29,656.00** for the proposed sodding. The City Planning Division may draw down on the financial security provided for on-site private landscaping for this purpose if the Owner fails to provide this required landscaping. The letter of credit or certified cheque will be returned to the Owner upon issuance of the above grade building permit.
4. The Owner shall submit revised architectural plans showing the detailed design of the bicycle storage areas, to the satisfaction of the Director, Community Planning, North York District.

TECHNICAL SERVICES – Judy Tse, Technical Services (416-395-6181)

5. The owner shall deposit, prior to site plan approval, a letter of credit or certified cheque with Technical Services in the amount of **\$33,032.00** representing the cash-in-lieu amount to meet the water quality requirements.
6. This site plan application is subject to the Subdivision Application 05 105158 NNY 23 SB and Zoning Bylaw Amendment Application 05 105152 NNY 23 OZ. The Owner shall comply with all the conditions of these applications.

CANADA POST – Debbie Greenwood (416-285-5385)

7. The owner shall satisfy Canada Post’s requirements for mail delivery to the subject development.

URBAN FORESTRY - Street Trees and Private Trees, Bruce Gordon (416-395-6686)

City-owned Trees – Planting of Trees “Block 6”

8. The owner shall provide a tree planting financial security of **\$3,498.00** for six (6) new trees for in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$ 583.00 per tree (subject to change) for each new tree planting within the City Road allowance to guarantee the healthy growth of the tree(s) for a period of two years. The tree planting financial security must be submitted to the attention of Harold Moffatt, Supervisor of Tree Protection & Plan Review. The financial security may be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year maintenance period.

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:

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.

TECHNICAL SERVICES – Judy Tse, Technical Services (416-395-6181)

1. Widening of Highways that abut on the Land
 - 1.1 Conveyance to the City must be consistent with the subdivision and zoning applications (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ).

2. Facilities to Provide Access to and from the Land
 - 2.1 The future public roadway of Harrison Garden Boulevard extension must be designed and constructed as per the approved designs for the subdivision and zoning applications (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ) and to the satisfaction of the City of Toronto.
 - 2.2 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.
 - 2.3 The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.
3. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
 - 3.1 The owner must ensure that any loading operations and associated manoeuvres can take place entirely on-site.
 - 3.2 In accordance with Zoning By-Law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
 - 3.3 Each individual parking space must be delineated by paint or other approved means reflecting the layout and dimensions illustrated in the ultimately approved site plan.
 - 3.4 All site access driveways must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
 - 3.5 The owner must install and maintain appropriate signage and pavement markings on-site directing such as, but not limited to, vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, which must conform to the Ontario Traffic Manual at the owner's expense.
 - 3.6 Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall.
4. Walkway and Walkway Ramps
 - 4.1 Provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street.

- 4.2 Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
5. Facilities for the Storage of Garbage and Other Waste Material
 - 5.1 Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
6. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
 - 6.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report.
 - 6.2 Construct and maintain site servicing indicated on the accepted Site Servicing Drawings.
 - 6.3 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 accepted Stormwater Management Report and the accepted Grading Plans.
 - 6.4 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 accepted drawings.
 - 6.5 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.

URBAN FORESTRY - Street Trees and Private Trees, Bruce Gordon (416-395-6686)

City-owned Trees – Planting of Trees “Block 6”

7. The owner shall plant new trees within the City road allowance as shown on the Streetscape - LS1a prepared by NAK Design Group issued to client on July 19, 2007, to the satisfaction of the General Manager of Parks, Forestry and Recreation and in accordance with Planting Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002.
8. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
9. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.

10. The owner shall ensure a clearance of 1.2 metres from the edge of a tree's root ball to the edge of the underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree's root ball and the utility(s).
11. The owner will be responsible for providing a two-year renewable guarantee for all new trees planted within the road allowance. The Supervisor of Tree Protection & Plan Review must be notified in writing of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee. The owner must maintain the subject trees in good condition; these trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation. The owner will be required to provide an additional two-year renewable guarantee period for any trees requiring replacement. The Supervisor of Tree Protection & Plan Review may be reached at (416-395-6134).

BELL CANADA – Rosita Giles (416-296-6599)

12. The owner is hereby advised that prior to commencing any work within the Plan, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the owner is hereby advised that the owner may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the owner shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
13. The owner shall agree in the Agreement, in words satisfactory to Bell Canada, 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.
14. 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) in which the telecommunication facilities are located to the street line.

CITY PLANNING – (Mark Chlon, 416 395 7137)

15. The Owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director, Community Planning, North York District.

The site plan agreement is being prepared by Legal Services. They will forward it to you shortly for your execution and return to the City.

Please find attached advisory comments to assist you with your application.

Attached is a copy of the standard form letter of credit required by the City of Toronto. We have found in the past that the failure of owners to provide the City with a letter of credit in the proper format has resulted in the City's Finance Division rejecting the letter with a resulting delay in the issuance of building permits. Please ensure that the letter of credit follows the format and content verbatim of the sample letter.

SITE PLAN ADVISORY COMMENTS

The owner is advised that the following approvals and/or permits are required for this development:

1. Right-of-Way Permit

1.1 The owner is required to obtain building location and access permits prior to constructing this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. The owner is responsible for obtaining the applicable permits and must contact Right-of-Way Management at 416-395-6221.

2. Construction Management Plan

2.1 The Owner will be required to provide the City with a Construction Management Plan outlining the following:

- a) Dust/mud control on and offsite;
- b) Location of truck loading points, trailer parking;
- c) Location of temporary material storage areas;
- d) Access/truck routing;
- e) Provision of hoarding, temporary fencing & covered walkways;
- f) Location and extent of aerial crane operations; and
- g) Parking for construction trades;

for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District, at 416-395-6221.

3. Streetscaping

3.1 The owner's contractor will be required to make an application for a ROW permit from the Transportation Division for any work within the public-right-of-way. For further information please contact the Right-of-Way Management Section at 416-395-6221.

4. Municipal Addresses

4.1 The owner will be required to make an application to Technical Services Division, Mapping and Survey Section for any requests for new or revised municipal addresses. For further information please contact Mapping and Survey, Technical Services, Mr. Bob Sevigny at 416-392-8451.

ROGERS CABLE – (Manel De Silva, 416 446 6794)

5. The Owner is advised that if Rogers cable is in conflict with the work being done and Rogers is required to relocate its plant, the Owner should provide Rogers with detailed drawings and give Rogers sufficient time before construction so Rogers may co-ordinate any necessary work that applies to this reconstruction.

ENBRIDGE GAS – (Tony Ciccone, 416 758 7966)

6. The Owner is advised that should they consider the use of natural gas for this development, Enbridge requests the developer contact Enbridge at their earliest convenience to discuss installation and clearance requirements for service and metering facilities.

TORONTO HYDRO – Peter Flood, 416-542-3100, ext: 32236

7. The Owner is advised of the mandatory requirement for a 3 metre clearance for any part of the building and Toronto Hydro's overhead primary cables and related equipment, and Toronto Hydro's General Guidelines. For additional information contact Peter Flood, Toronto Hydro at the above number.

(PRINTED ON BANK LETTERHEAD)

STANDBY IRREVOCABLE LETTER OF CREDIT

Beneficiary: City of Toronto Corporate Finance Division, Treasury Services City Hall, 5 th Floor, East Tower 100 Queen Street West Toronto, Ontario, M5H 2N2	Issue Date:
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Letter of Credit Number:	Credit Amount (Canadian Funds):	Initial Expiry Date: <u>(12 months following issue date)</u>
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We hereby authorize you, the City of Toronto, to draw on **(Bank name, address and branch)** (the “Bank”) for the account of **(customer name and address)**, (the “Customer”) up to an aggregate amount of \$ _____ Canadian Dollars (the “Credit Amount”) available on demand up to **(date)** (the “Initial Expiry Date”) or a subsequent anniversary date, and is hereby given to you pursuant to an agreement between the City of Toronto, and **(name of customer)** with respect to **(insert municipal address of property, if applicable)**, dated _____ (the “Agreement”).

Pursuant to the request of the Customer, the Bank hereby establishes in your favour and gives to you a Standby Irrevocable Letter of Credit in the Credit Amount on which you may draw in whole or in part at any time and from time to time, subject to the terms herein.

A drawing under this Letter of Credit shall be made by you presenting to the Bank, at the address noted below, a demand in writing authorized by the City Treasurer or delegate.

Partial drawings are permitted.

Upon receipt of said demand, the Bank shall pay to you the amount stated in the demand, to be payable to you without inquiring whether you have a right as between yourself and the Customer to make such demand, and without recognizing any claim of the Customer or objection by the Customer to payment by the Bank.

This Letter of Credit will continue up to the Initial Expiry Date but shall be subject to the condition that it shall be deemed to be automatically extended without amendment for one year from the present or any future expiration date hereof, unless 60 days prior to any such expiration date the Bank notifies you by notice in writing delivered to the City Treasurer by registered mail that it shall not renew this Letter of Credit for any such additional period. Upon receipt by you of such notice, you may draw hereunder, for the available balance of this Letter of Credit by presenting a written demand together with confirmation that the amounts drawn will be retained and used by you to meet obligations incurred or to be incurred in connection with the Agreement. The demand must be authorized by the City Treasurer or delegate.

Bank Name: _____

Countersigned: _____

Address: _____

Countersigned: _____

ADDRESS FOR NOTICE

1. NOTICE TO BANK

(bank to insert full address and contact information)

2. NOTICE TO CITY OF TORONTO

City of Toronto
Corporate Finance Division, Treasury Services
City Hall, 5th Floor, East Tower
100 Queen Street West
Toronto, Ontario, M5H 2N2

**Attachment 18 - Notice of Approval Conditions Townhouse Blocks 5 and 7
(Future address 5, 7 & 9 Oakburn Cres. & 115 Harrison Garden Boulevard)
File: 07 240728 NNY 23 SA**

The City Planning Division North York District, has completed the review of your proposal for a 41-unit townhouse development as outlined in the following plans and drawings:

- Site Plan, Townhouse Blocks 5 & 7 (Drawing SP-03, Revision 5 dated October 2, 2008, prepared by Kirkor Architects);
- Parking Level 2 & Parking Level 1 (Drawing SP-04, Revision 4 dated August 21, 2008, prepared by Kirkor Architects);
- Block “A” and “B” Elevations (Drawing SP-07, Revision 5 dated October 2, 2008, prepared by Kirkor Architects);
- Block “C” and “D” Elevations (Drawing SP-08, Revision 5 dated October 2, 2008, prepared by Kirkor Architects);
- North and South Elevations (Drawing SP-09, Revision 5 dated October 2, 2008, prepared by Kirkor Architects);
- Block “A”, “B”, “C”, “D” Sections (Drawing SP-10, Revision 4 dated August 21, 2008, prepared by Kirkor Architects);
- Block “A”, “B”, “C”, “D” Sections (Drawing SP-11, Revision 4 dated August 21, 2008, prepared by Kirkor Architects);
- Landscape Masterplan (Drawing L1, Revision 6 dated October 22, 2008, prepared by NAK design group);
- Grading Plan (Drawing L2, Revision 7 dated October 22, 2008, prepared by NAK design group);
- Planting Plan (Drawing L3, Revision 6 dated October 22, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD1, Revision 5 dated August 21, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD2, Revision 6 dated November 3, 2008, prepared by NAK design group);
- Landscape Details (Drawing LD3, Revision 5 dated August 21, 2008, prepared by NAK design group);

- Landscape Details (Drawing LD4, Revision 5 dated August 21, 2008, prepared by NAK design group); and
- Streetscape Plan (Drawing LS1a, dated August 2006, Revision 1 dated July 19, 2007).

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(16) 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 herein.

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 (416-397-5379)

1. The owner shall 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.

CITY PLANNING - Mark Chlon, City Planning (416-395-7137)

2. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the on-site landscaping, including for example (but not limited to) any plantings, fencing, seating, decorative paving, retaining walls, terraces and/or other landscape features.

The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North York District is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

3. In the event construction work does not commence within two years of the date of final approval of the Site Plan Control application, the Owner shall sod with grass any portion of the site where the work has not commenced. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for **\$42,648.00** for the proposed sodding. The City Planning Division may draw down on the financial security provided for on-site private landscaping for this purpose if the Owner fails to provide this required landscaping. The letter of credit or certified cheque will be returned to the Owner upon issuance of the above grade building permit.

TECHNICAL SERVICES – Judy Tse, Technical Services (416-395-6181)

4. This site plan application is subject to the Subdivision Application 05 105158 NNY 23 SB and Zoning Bylaw Amendment Application 05 105152 NNY 23 OZ. The Owner shall comply with all the conditions of these applications.

URBAN FORESTRY - Street Trees and Private Trees, Bruce Gordon (416-395-6686)

City-owned Trees – Planting of Trees “Blocks 5 & 7”

5. The owner shall provide a tree planting financial security of **\$10,494.00** for tree planting of eighteen (18) new trees in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$ 583.00 per tree (subject to change) for each new tree planting within the City Road allowance to guarantee the healthy growth of the tree(s) for a period of two years. The tree planting financial security must be submitted to the attention of Harold Moffatt, Supervisor of Tree Protection & Plan Review. The financial security may be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year maintenance period.

CANADA POST – Debbie Greenwood (416-285-5385)

6. The owner shall satisfy Canada Post’s requirements for mail delivery to the subject development.

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:

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.

TECHNICAL SERVICES – Judy Tse, Technical Services (416-395-6181)

1. Widening of Highways that abut on the Land
 - 1.1 Conveyance to the City must be consistent with the subdivision and zoning applications (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ).
2. Facilities to Provide Access to and from the Land
 - 2.1 The future public roadway of Harrison Garden Boulevard extension must be designed and constructed as per the ultimately approved designs for the concurrent subdivision and zoning application (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ) and to the satisfaction of the City of Toronto.

- 2.2 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.
 - 2.3 The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.
3. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
 - 3.1 Provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings.
 - 3.2 In accordance with Zoning By-Law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
 - 3.3 All site access driveways must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
 - 3.4 Each individual parking space must be delineated by paint or other approved means reflecting the layout and dimensions illustrated in the ultimately approved site plan.
 - 3.5 The owner must install and maintain appropriate signage and pavement markings on-site directing such as, but not limited to, vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, which must conform to the Ontario Traffic Manual at the owner's expense.
 - 3.6 Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall.
4. Walkway and Walkway Ramps
 - 4.1 Provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street.
 - 4.2 Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
5. Facilities for the Storage of Garbage and Other Waste Material
 - 5.1 Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.

6. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
 - 6.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report.
 - 6.2 Construct and maintain site servicing indicated on the accepted Site Servicing Drawings.
 - 6.3 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 accepted Stormwater Management Report and the accepted Grading Plans.
 - 6.4 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 accepted drawings.
 - 6.5 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.

URBAN FORESTRY - Street Trees and Private Trees, Bruce Gordon (416-395-6686)

City-owned Trees – Planting of Trees “Blocks 5 & 7”

7. The owner shall plant new trees within the City road allowance as shown on the Streetscape Plan-(LS1a) prepared by NAK Design Group issued to client on July 19, 2007 to the satisfaction of the General Manager of Parks, Forestry and Recreation and in accordance with Planting Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002.
8. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
9. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.
10. The owner shall ensure a clearance of 1.2 metres from the edge of a tree’s root ball to the edge of the underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree’s root ball and the utility(s).
11. The owner will be responsible for providing a two-year renewable guarantee for all new trees planted within the road allowance. The Supervisor of Tree Protection & Plan Review must be notified in writing of the planting date prior to planting. This date is

used to establish the anniversary date of the required two-year renewable guarantee. The owner must maintain the subject trees in good condition; these trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation. The owner will be required to provide an additional two-year renewable guarantee period for any trees requiring replacement. The Supervisor of Tree Protection & Plan Review may be reached at (416-395-6134).

PARKS, FORESTRY & RECREATION – Planning, Design and Development (416-395-7900)

12. The owner shall enter into a Limiting Distance Agreement to meet the Ontario Building Code requirements for the fire separation between the townhouses and the future park, to the satisfaction of the General Manager, Forestry & Recreation, prior to the issuance of the above grade building permit. Financial compensation for the affected area will be a requirement of the agreement.
13. The owner is responsible for ensuring the townhouse grades and public park grades are coordinated through the detailed design of the park. The final grades will be to the satisfaction of the General Manager, Parks, Forestry and Recreation.

BELL CANADA – Rosita Giles, 416-296-6599

14. The owner is hereby advised that prior to commencing any work within the Plan, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the owner is hereby advised that the owner may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the owner shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
15. 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) in which the telecommunication facilities are located to the street line.

PARKS, FORESTRY & RECREATION, Planning, Design & Development (Rosanne Clement 416-395-7900)

16. The owner is required to enter into a Limiting Distance Agreement with the City prior the issuance of the above grade building permit for the proposed townhouse development, to the satisfaction of the General Manager, Parks, Forestry and Recreation. Financial compensation for the affected area will be a requirement of the agreement.
17. The owner will be responsible for ensuring that the townhouse grades and public park grades are coordinated through the design of the public park. The final grades will be to the satisfaction of the General Manager, Parks, Forestry and Recreation. The design of the public park and park edge as it abuts the townhouse development will be reviewed as part of the park development design process.

CITY PLANNING – (Mark Chlon, 416 395 7137)

18. The Owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director, Community Planning, North York District.

The site plan agreement is being prepared by Legal Services. They will forward it to you shortly for your execution and return to the City.

Please find attached advisory comments to assist you with your application.

Attached is a copy of the standard form letter of credit required by the City of Toronto. We have found in the past that the failure of owners to provide the City with a letter of credit in the proper format has resulted in the City's Finance Division rejecting the letter with a resulting delay in the issuance of building permits. Please ensure that the letter of credit follows the format and content verbatim of the sample letter.

SITE PLAN ADVISORY COMMENTS

The owner is advised that the following approvals and/or permits are required for this development:

1. Right-of-Way Permit

- 1.1 The owner is required to obtain approval from the Transportation services Division for any work within the City's right-of-way. For further information, please contact your district Right-of-Way Management Section at 416-395-6303.
- 1.2 In order to obtain approval for work in the City's right-of-way the Owner will be required to provide up to date stake out information for most construction related work. For further information, please contact Ontario One Call at 1-800-400-2255 to arrange for an appointment.
- 1.3 The owner is required to obtain building location and access permits prior to constructing this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. The owner is responsible for obtaining the applicable permits and must contact Right-of-Way Management at 416-395-6221.

2. Construction Management Plan

- 2.1 The Owner will be required to provide the City with a Construction Management Plan outlining the following:
 - a) Dust/mud control on and offsite;
 - b) Location of truck loading points, trailer parking;
 - c) Location of temporary material storage areas;
 - d) Access/truck routing;
 - e) Provision of hoarding, temporary fencing & covered walkways;
 - f) Location and extent of aerial crane operations; and
 - g) Parking for construction trades;

for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District, at 416-395-6221.

3. Streetscaping

- 3.1 The owner's contractor will be required to make an application for a ROW permit from the Transportation Division for any work within the public-right-of-way. For further information please contact the Right-of-Way Management Section at 416-395-6221.

4. **Municipal Addresses**

- 4.1 The owner will be required to make an application to Technical Services Division, Mapping and Survey Section for any requests for new or revised municipal addresses. For further information please contact Mapping and Survey, Technical Services, Mr. Bob Sevigny at 416-392-8451.

ROGERS CABLE – (Manel De Silva, 416 446 6794)

5. The Owner is advised that if Rogers cable is in conflict with the work being done and Rogers is required to relocate its plant, the Owner should provide Rogers with detailed drawings and give Rogers sufficient time before construction so Rogers may co-ordinate any necessary work that applies to this reconstruction.

ENBRIDGE GAS – (Tony Ciccone, 416 758 7966)

6. The Owner is advised that should they consider the use of natural gas for this development, Enbridge requests the developer contact Enbridge at their earliest convenience to discuss installation and clearance requirements for service and metering facilities.

TORONTO HYDRO – Peter Flood (416-542-3100, ext: 32236)

7. The Owner is advised of the mandatory requirement for a 3 metre clearance for any part of the building and Toronto Hydro's overhead primary cables and related equipment, and Toronto Hydro's General Guidelines. For additional information contact Peter Flood, Toronto Hydro at the above number.

**Attachment 19 - Notice of Approval Conditions Towers A & B (Blocks 12 & 13)
(Future address 100 & 110 Harrison Garden Boulevard)
File: 07 240767 NNY 23 SA**

The City Planning Division, North York District, has completed the review of your proposal for proposed 21-storey residential buildings A & B as outlined in the following plans and drawings:

Architectural plans prepared by Kirkor Architects and Planners:

Plan Name and No.	Revision Date	Date Received by City Planning
SP-03 Site Plan	August 18, 2008	August 19, 2008
SP-04 Parking Levels	August 18, 2008	August 19, 2008
SP-05 Building A & B Ground Floor	August 18, 2008	August 19, 2008
SP-06 Building A & B 2 nd and 3 rd Floor	August 18, 2008	August 19, 2008
SP-07 Building A & B Floor Plans	August 18, 2008	August 19, 2008
SP-08 Building A & B North Elevation	August 18, 2008	August 19, 2008
SP-09 Building A & B South Elevation	August 18, 2008	August 19, 2008
SP-10 Building A & B East & West Elevations	August 18, 2008	August 19, 2008
SP-11 Building A & B Section	August 18, 2008	October 30, 2008

Landscape Plans prepared by NAK Design Group:

Plan Name and No.	Revision Date	Date Received by City Planning
LS1a Streetscape Plan	July 19, 2007	July 19, 2007
L1 Landscape Master Plan	November 3, 2008	November 4, 2008
L2 Grading Plan	August 18, 2008	August 19, 2008
L3 Planting Plan	November 3, 2008	November 4, 2008
LD1 Landscape Details	August 18, 2008	August 19, 2008
LD2 Landscape Details	November 3, 2008	November 4, 2008
LD3 Landscape Details	August 18, 2008	August 19, 2008
LD4 Landscape Details	August 18, 2008	August 19, 2008
LD5 Landscape Details	August 18, 2008	August 19, 2008
LD6 Landscape Details	November 3, 2008	November 4, 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(16) 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 herein.

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, 416 397 5379)

1. The Owner shall 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 – (Judy Tse, 416 395 6181)

2. This site plan application is subject to the Subdivision Application 05 105158 NNY 23 SB and Zoning Bylaw Amendment Application 05 105152 NNY 23 OZ. The Owner shall comply with all the conditions of these applications.

URBAN FORESTRY – (Bruce Gordon, 416 395 6686)

City-owned Trees – Planting of Trees “Blocks 12 & 13”

3. The owner shall provide a tree planting financial security of \$8,745.00 for fifteen (15) new trees for in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto, in the amount of \$583.00 per tree (subject to change) for each new tree planting within the City Road allowance to guarantee the healthy growth of the tree(s) for a period of two years. The tree planting financial security must be submitted to the attention of Harold Moffatt, Supervisor of Tree Protection & Plan Review. The financial security may be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year maintenance period.

CITY PLANNING (Catherine Cieply, 416 395 7109)

4. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the on-site landscaping, including for example (but not limited to) any plantings, fencing, seating, decorative paving, retaining walls, terraces and/or other landscape features.

The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North York District is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.

5. In the event construction work does not commence within two years of the date of final approval of the Site Plan Control application, the Owner shall sod with grass any portion of the site where the work has not commenced. The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for

\$75,616.00 for the proposed sodding. The City Planning Division may draw down on the financial security provided for on-site private landscaping for this purpose if the Owner fails to provide this required landscaping. The letter of credit or certified cheque will be returned to the Owner upon issuance of the above-grade building permit.

6. The Owner shall submit revised architectural plans showing the detailed design of the bicycle storage areas, to the satisfaction of the Director, Community Planning, North York District.

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.

TECHNICAL SERVICES – (Judy Tse, 416 395 6181)

2. Widening of Highways that abut on the Land
 - 2.1 Conveyance to the City must be consistent with the subdivision and zoning applications (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ).
3. Facilities to Provide Access to and from the Land
 - 3.1 The future public roadway of Harrison Garden Boulevard extension must be designed and constructed as per the ultimately approved designs for the concurrent subdivision and zoning application (05 105158 NNY 23 SB and 05 105152 NNY 23 OZ) and to the satisfaction of the City of Toronto.
 - 3.2 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.
 - 3.3 The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.
4. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
 - 4.1 In accordance with Zoning By-Law 7625, all on-site driveways and parking areas must be surfaced and maintained with asphalt, concrete, or interlocking stone.
 - 4.2 Each individual parking space must be delineated by paint or other approved means reflecting the layout and dimensions illustrated in the ultimately approved site plan.

- 4.3 The owner must install and maintain appropriate signage and pavement markings on-site directing, such as, but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the City.
 - 4.4 All site access driveways must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies.
 - 4.5 The applicant must ensure that any loading operations and associated manoeuvres can take place entirely on-site.
 - 4.6 Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall.
5. Walkway and Walkway Ramps
 - 5.1 Provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street.
 - 5.2 Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.
6. Facilities for the Storage of Garbage and Other Waste Material
 - 6.1 Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
 - 6.2 Provide and maintain single chute with a tri-sorter for multiple household residential buildings (one each for Buildings A&B).
7. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
 - 7.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the ultimately accepted Stormwater Management Report prepared by MMM Group.
 - 7.2 Construct and maintain site servicing indicated on the ultimately accepted Site Servicing Drawings.
 - 7.3 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 accepted Stormwater Management Report and the accepted Grading Plans.

- 7.4 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 accepted drawings.
- 7.5 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.

URBAN FORESTRY – (Bruce Gordon, 416 395 6686)

City-owned Trees – Planting of Trees “Blocks 12 & 13”

8. The owner shall plant new trees within the City road allowance as shown on the Streetscape Plan-(LS1a) prepared by NAK Design Group issued to client on July 19, 2007, to the satisfaction of the General Manager of Parks, Forestry and Recreation and in accordance with Planting Detail No. 101 for Balled and Burlapped Trees in Turf Areas, dated June 2002.
9. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
10. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.
11. The owner shall ensure a clearance of 1.2 metres from the edge of a tree’s root ball to the edge of the underground utility(s). For clearance less than 1.2 metres but greater than or equal to 0.6 metres, a root deflector must be installed in the tree pit between the tree’s root ball and the utility(s).

CITY PLANNING – (Catherine Cieply, 416 395 7109)

12. The Owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director, Community Planning, North York District.

BELL CANADA – (Rosita Giles, 416-296-6599)

13. The Owner is hereby advised that prior to commencing any work within the Plan, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the owner shall be required to demonstrate to the municipality that

sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

14. The Owner agrees to grant Bell Canada any easements that may be required for telecommunications 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.
15. The Owner acknowledges that 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) in which the telecommunication facilities are located to the street line.

The site plan agreement is being prepared by Legal Services. It will be forwarded to the applicant for execution and return to the City.

Advisory comments are also attached.

Attached is a copy of the standard form letter of credit required by the City of Toronto. We have found in the past that the failure of applicants to provide the City with a letter of credit in the proper format has resulted in the City's Finance Division rejecting the letter with a resulting delay in the issuance of building permits. Please ensure that the letter of credit follows the format and content verbatim of the sample letter.

SITE PLAN ADVISORY COMMENTS

TECHNICAL SERVICES - (Judy Tse, 416 395 6181)

The owner is advised that the following approvals and/or permits are required for this development:

1. Right-of-Way Permit

- 1.1 The applicant is required to obtain building location and access permits prior to constructing this project. Other permits associated with construction activities (such as hoarding, piling/shoring, etc.) may also be required. For your information we have attached a Permit and Application Fee Schedule. All fees are subject to change. The Municipal Service Guarantee Deposit is not included in the Schedule, as determined by scope of work. The applicant is responsible for obtaining the applicable permits and must contact Right-of-Way Management at 416-395-6221.

2. Construction Management Plan

- 2.1 The Owner will be required to provide the City with a Construction Management Plan outlining the following:

- a) Dust/mud control on and offsite;
- b) Location of truck loading points, trailer parking;
- c) Location of temporary material storage areas;
- d) Access/truck routing;
- e) Provision of hoarding, temporary fencing & covered walkways;
- f) Location and extent of aerial crane operations; and
- g) Parking for construction trades;

for any work within the public right-of-way. For further information, please contact the Right-of-Way Management Section, North York District, at 416-395-6221.

3. Streetscaping

- 3.1 The owner's contractor will be required to make an application for a ROW permit from the Transportation Division for any work within the public-right-of-way. For further information please contact the Right-of-Way Management Section at 416-395-6221.

4. Municipal Addresses

- 4.1 The owner will be required to make an application to Technical Services Division, Mapping and Survey Section for any requests for new or revised municipal addresses. For further information please contact Mapping and Survey, Technical Services, Mr. Bob Sevigny at 416-392-8451.

URBAN FORESTRY – Bruce Gordon (416 395 6686)

5. The applicant will be responsible for providing a two-year renewable guarantee for all new trees planted within the road allowance. The Supervisor of Tree Protection & Plan Review must be notified in writing of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee. The applicant must maintain the subject trees in good condition; these trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the applicant will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation. The owner will be required to provide an additional two-year renewable guarantee period for any trees requiring replacement. The Supervisor of Tree Protection & Plan Review may be reached at (416-395-6134).

ROGERS CABLE – (Manel De Silva, 416 446 6794)

6. The Owner is advised that if Rogers cable is in conflict with the work being done and Rogers is required to relocate its plant, the Owner should provide Rogers with detailed drawings and give Rogers sufficient time before construction so Rogers may co-ordinate any necessary work that applies to this reconstruction.

ENBRIDGE GAS – (Tony Ciccone, 416 758 7966)

7. The Owner is advised that should they consider the use of natural gas for this development, Enbridge requests the developer contact Enbridge at their earliest convenience to discuss installation and clearance requirements for service and metering facilities.

CANADA POST – (Debbie Greenwood, 416 285 5385)

8. The Owner is advised that they must supply, install and maintain centralized delivery facility mailroom(s) to Canada Post specifications. Canada Post is to review the mailroom plan and location(s). The townhouse units may receive door to door mail delivery service. The Owner is to contact Debbie Greenwood at the above number.

TORONTO HYDRO – (Peter Flood, 416-542-3100, ext. 32236)

9. The Owner is advised of the mandatory requirement for a 3 metre clearance for any part of the building and Toronto Hydro's overhead primary cables and related equipment, and Toronto Hydro's General Guidelines. For additional information contact Peter Flood, Toronto Hydro at the above number.