



**STAFF REPORT
ACTION REQUIRED**

**18-26 Rean Drive - Site Plan Control
Request for Direction Report**

Date:	February 27, 2012
To:	City Council
From:	City Solicitor
Wards:	Ward 24 – Willowdale
Reference Number:	11 268584 NNY 24 SA

SUMMARY

The applicant has assembled five residential lots at 18, 20, 22, 24 and 26 Rean Drive and is seeking site plan approval to redevelop the lands with a 6/7-storey, 140-unit residential condominium apartment building with grade related commercial space along Sheppard Avenue. The application was processed concurrently with an application to amend the Official Plan and former City of North York Zoning By-law No. 7625. All three applications have been appealed to the Ontario Municipal Board (OMB). Council has previously approved the Official Plan and Zoning By-law amendment applications. The appeal remains outstanding because the applicant does not agree with the public benefits required in conjunction with Council’s approval.

On November 2, 2011, the Ward Councillor referred the site plan control application to City Council for a decision, in accordance with By-law No. 483-2000. At the time of Council’s approval of the Official Plan and Zoning Amendment applications the City’s review of the site plan application was not completed, therefore Council did not have before it recommendations on the site plan application. The delegated authority under By-law 580-2009 to the Chief Planner to instruct the City Solicitor on what position to take at an OMB hearing in respect of a site plan appeal does not apply if the Ward Councillor has referred the site plan control application to City Council for a decision. This report seeks direction and instructions on site plan control from Council for the City Solicitor at the OMB hearing scheduled for April 10, 2012.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council instruct the City Solicitor and appropriate City staff to attend the Ontario Municipal Board hearing scheduled for April 10, 2012 to support the approval of Site Plan Control Application 11 268584 NNY 24 SA subject to the conditions contained in Attachment 2;
2. the Ontario Municipal Board be requested to withhold its Order until the pre-approval conditions contained in Attachment 2 have been satisfied; and
3. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

At its meeting on November 29 & 30, 2011, City Council adopted the Recommendations in a final report from the Director of Community Planning, North York District dated October 17, 2011, approving an amendment to the Official Plan and former City of North York Zoning By-law No. 7625 to accommodate the proposed development. The site specific amendment to the Official Plan permits a density of 3.75 FSI and enables a Section 37 cash payment to be made towards the cost of constructing and equipping a public community centre as identified in Section 4.3.3 of the Sheppard East Subway Corridor Secondary Plan. City Council added a Recommendation requiring the applicant to provide an additional Section 37 contribution for public art based on 1% of the gross construction costs. The by-laws to implement the Official Plan and the Zoning By-law amendments have not been enacted by Council. The Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY11.23>

On December 2, 2011, the applicant filed appeals to the OMB based on the City's failure to adopt the amendments to the Official Plan and Zoning By-law and to approve the site plan drawings within the prescribed time frames in the *Planning Act*. The applicant's appeal letter indicates the basis for the appeal is the additional condition imposed by City Council regarding the 1% public art contribution. A hearing is scheduled for April 10, 2012.

COMMENTS

The Official Plan, Zoning By-law Amendment and site plan appeals will be heard together at Ontario Municipal Board hearing on April 10, 2012. Council has previously

adopted recommendations on the Official Plan and Zoning By-law Amendment applications. The purpose of this report is to have Council instruct the City Solicitor to attend the hearing in support of the site plan control application. Attachment 1 contains a City Planning Division Review of the site plan application. The Chief Planner and Executive Director, City Planning supports the approval of the application subject to the conditions contained in Attachment 2.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1: City Planning Division Review
Attachment 2: Conditions of Approval

Attachment 1- City Planning Division Review Site Plan Application – 18 – 26 Rean Drive

ISSUE BACKGROUND

Proposal

The proposal is a 6/7-storey, 140-unit, mixed use building. The building would have a gross floor area of 10,581m² including 322m² of indoor amenity space and 494m² of grade-related commercial space resulting in a net density of 3.75 FSI. The development would also include a 272m² land conveyance along Sheppard Avenue East for parks purposes.

The design of the ground floor includes two separate and distinct indoor spaces: a grade-related commercial space along the Sheppard Avenue East frontage that wraps around a portion of Rean Drive and space devoted to residential uses including the lobby, common indoor amenity space and 3 grade-related dwelling units overlooking the future public street to the south. The two ground floor spaces would be separated by an open walkway that connects the surface parking area to the residential lobby and the Rean Drive public sidewalk. This feature would enable customers to access the proposed commercial space without having to enter the residential component of the development as required by North York Community Council.

Vehicular access to the parking and service area would be provided from a full movement driveway from the unassumed road along the south edge of the site. The surface parking lot has been redesigned to respond to direction from North York Community Council regarding commercial parking. A total of 125 parking spaces are proposed comprising 5 surface spaces for commercial customers and one space designated for persons with disabilities at grade and 120 residential spaces in two levels of underground parking (including 15 visitor spaces).

Site and Surrounding Area

The site is located on the southwest corner of Sheppard Avenue East and Rean Drive; being east of Bayview Avenue and approximately 400 metres (4 minute walk) east of the Bayview subway station entrance. The site comprises five residential lots that have a total area of 2,822m² (30,379 sq.ft.). The lands are bounded by Sheppard Avenue to the north, Rean Drive to the east and an unassumed road to the south. The land assembly includes a small sliver of land that fronts the unassumed road extending west across the rear (south lot line) of 593 Sheppard Avenue East. The sliver is a remnant piece of land from 16 Rean Drive, one of the properties that formed the land assembly including lands conveyed to the City for roads purposes, associated with the Claridegs condominium project south of the subject site.

The northernmost lot on Sheppard Avenue East (26 Rean Drive) is developed with a temporary sales centre. The southernmost lot (18 Rean Drive), next to the unassumed road, is developed with a detached house used for construction planning purposes by the

applicant. To date, all new development within this neighbourhood has been constructed by Daniels Corporation.

The following is a summary of the area context:

- North: Bayview Village Shopping Centre directly opposite the site on the north side of Sheppard Avenue East and three, 19-storey apartment buildings at the northeast corner of Hawksbury Drive and Sheppard Avenue East;
- South: an unassumed road then a 9-storey apartment building (The Claridges);
- East: a mixed-use 7-storey building (Merci Condominiums) fronting Sheppard Avenue East and a 10-storey apartment building (Amica at Bayview Gardens) fronting the east side of Rean Drive; and
- West: a place of worship (The Evangelical Presbyterian Church) then single detached dwellings fronting Sheppard Avenue East.

Official Plan

The lands are designated *Mixed Use Areas* on Land Use Map 16 of the Toronto Official Plan. This designation provides for a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings as well as parks and open spaces.

Sheppard East Subway Corridor Secondary Plan

The site is also subject to the Sheppard East Subway Corridor Secondary Plan set out in Chapter 6, Section 9 of the Toronto Official Plan. The site is part of a key development area in the Bayview Node of the Secondary Plan which assigns a maximum density of 3.0 FSI, as indicated on Map 9-2.

At its meeting on November 29 & 30, 2011, City Council approved, in principle, a site specific amendment to the Secondary Plan permitting a density of 3.75 FSI and a Section 37 cash payment towards the cost of constructing and equipping a public community centre as identified in Section 4.3.3 of the Sheppard East Subway Corridor Secondary Plan. City Council also required the applicant to provide 1% of the gross construction costs for public art.

Context Plan for the Southeast Bayview Node

The Secondary Plan includes an implementation policy that contemplates the use of Context Plans for sites within key development areas to ensure development is coordinated in conformity with the Secondary Plan. Context Plans are generally required for large sites and comprehensive developments.

A Context Plan for this area was adopted by City Council in March 2001. While the Secondary Plan provides a vision for the level and form of development along the corridor, the Context Plan helps define the specific pattern and built form characteristics of development in the southeast quadrant of the Bayview/Sheppard intersection. The

Context Plan covers the area bounded by Bayview Avenue, Sheppard Avenue East, Rean Drive and Highway 401 and has been used to evaluate and inform the application. The Context Plan consists of a structure plan, height diagram and block pattern diagram integrating the transportation and open space options for the area as well as urban design guidelines to assist Council in its decisions on development applications. Together, the maps and design principles provide a framework for the co-ordinated and incremental development of land in this neighbourhood. Refinements to the development criteria are to be examined as applications proceed through the review process.

Zoning

The lands are currently zoned R4 (One Family Detached Dwelling Fourth Density Zone) in former City of North York Zoning By-law No. 7625. The zoning permits single detached dwellings and accessory buildings as well as a wide range of recreational and institutional uses.

At its meeting on November 29 & 30, 2011, City Council approved, in principle, an amendment to the former City of North York Zoning By-law No. 7625 to facilitate the proposed development.

Agency Circulation

A revised submission was received on January 20, 2012 and circulated to the appropriate City divisions. At the time of writing this report, comments on the revised submission had not been received therefore the attached conditions of approval have been prepared based on comments received on the previous submission.

COMMENTS

Site Plan

The Official Plan calls for new buildings to frame adjacent streets and open spaces in a manner that respects the existing and/or planned street width. Similarly, the Secondary Plan states new buildings should be designed with a maximum height based on a 1:1 height to street width ratio. The proposal satisfies this policy.

The building is designed to be a streetwall building as contemplated by the Context Plan. It would be aligned along the streets to provide appropriate street presence and street enclosure with setbacks from the street consistent with other developments in the neighbourhood.

In order to provide safe, animated streets the Context Plan encourages grade-related units. The current submission incorporates three grade related units along the south side of the building. The commercial space along Sheppard Avenue and the commercial space and indoor amenity space along the Rean Drive frontage are considered positive ground floor uses that would promote safety and provide animation to the streets.

Elevations

The building has been designed to maintain a 6-storey height along Sheppard Avenue East rising to 7-storeys along Rean Drive stepping down again to 6-storeys at the south end of the site.

The proposed building massing and siting satisfies the urban design policies of the Secondary Plan and design objectives of the Context Plan. In accordance with the Context Plan, a base building expression would be provided along the street edges continuing a treatment incorporated on other buildings in the neighbourhood. The 7-storey height and mass of the building have been designed and sited to be consistent and compatible with the surrounding built form context including the 7-storey Merci condominium building at the southeast corner of Sheppard Avenue and Rean Drive, the 10-storey Amica at Bayview condominium building on the east side of Rean Drive, the 9-storey Claridges building on the south side of the unassumed road and the 8-storey Amica Retirement Home southwest of the site.

The building exterior features a glass curtain wall at grade level with a combination of brick and precast concrete on the upper floors. The design of the rooftop mechanical equipment/elevator overrun has been integrated into the design of the building.

Vehicular Access

A full-moves driveway is proposed at the southwest corner of the site to the unassumed road. Residents of the neighbouring Claridges condominium expressed concern that the location of the proposed access creates operational and safety concerns with their resident and visitor pick-up/drop-off area located on the south side of the travelled portion of the road. The travelled portion of the road is 8.5 metres in width in accordance with City standards and a public sidewalk exists on the south side of the right-of-way. Speed bumps have also been installed on the road to reduce the speed of traffic.

Transportation Services staff reviewed the concern of local residents as it relates to the proposed location of the driveway and its relationship with the pick-up/drop-off area. Transportation Services staff are of the opinion there is limited potential for conflict. Given loading and unloading of passengers occurs on the south curb (far-side) of the proposed driveway, and that this activity is likely to occur during off peak hours, Transportation Services staff have accepted the location of the proposed driveway.

However, to ameliorate the concerns of the residents of the Claridges Transportation Services staff will support the relocation of pick-up/drop-off facility from the travelled portion of the unassumed road to the public boulevard between the curb and sidewalk. The applicant has agreed to fund and construct the relocated lay-by. The design and construction of the passenger lay-by has been addressed in the pre-approval conditions in Attachment 2. In addition, until such time as the road has been completed and assumed by the City, Planning staff is recommending the applicant introduce a no right-turn (westbound) restriction from the site onto the unassumed road, unless advised otherwise by Transportation Services.

Parking

The proposed parking arrangement fulfils Context Plan objectives and North York Community Council's direction regarding the location of commercial parking. Access to the parking garage would be located at the rear of the commercial wing of the building away from public view. All resident and visitor parking would be provided on 2 levels of underground parking. Commercial parking would be located at grade, screened from the adjacent street, with no access through the residential component of the development as directed by North York Community Council.

Loading Facilities

Official Plan policy requires service areas, ramps and garbage storage to be located and screened to minimize the impact on adjacent streets and residences. This objective is also contained in the Context Plan.

The development incorporates one Type 'G' loading space as recommended by Transportation Services staff. The driveway access and the design and layout of the loading facilities would accommodate the turning radii of the vehicles expected to service the site. The servicing area has been incorporated within the design of the interior landscaped courtyard thereby having minimal physical and visual impact on the public street and nearby Claridges apartment building site. The proposal has been accepted by Transportation Services and Technical Services staff.

Landscaping & Streetscape

The Official Plan requires that new development frame street edges and provide an attractive, comfortable and safe pedestrian environment. The proposal addresses these requirements. The building is aligned along the street edges to provide an appropriate street presence and street enclosure with appropriate setbacks to accommodate landscaping between the building and municipal sidewalks. The existing sidewalk along the Rean Drive frontage would be replaced by a new 1.7m wide concrete sidewalk and the public boulevards abutting the site would be planted with a row of trees. Landscaping is also proposed on the 7th terraces. Financial securities for the sidewalk, street trees and private property landscaping are addressed in the pre-approval conditions in Attachment 2.

Tree Preservation

The applicant provided a tree inventory plan that indicates the proposal will require the removal of one City owned silver maple tree and the protection of three other City owned trees regulated under the City Street Tree-By-law. The owner will be required to obtain the necessary permit to remove the tree on Rean Drive to facilitate construction. A Tree Security Guarantee deposit will be required for the three trees on Sheppard Avenue East.

The inventory indicates there are six privately owned trees that are regulated under the Private Tree By-law. The owner will be required to obtain the necessary permits prior to removing any trees pursuant to Private Tree Protection By-law No. 780-2004.

Urban Forestry staff is recommending the landscape plans be revised to accommodate 7 trees along the Rean Drive frontage of the site and 4 trees along the unassumed road fronting the south edge of the site.

The requirements of Urban Forestry Services are addressed in the pre-approval conditions in Attachment 1.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The TGS checklist is included on the proposed site plan. Tier 1 TGS performance measures will be secured in the Site Plan agreement. Key TGS performance measures include:

- green roofing techniques to reduce the urban heat island effect;
- incorporating landscaped areas with water efficient plants and native species;
- the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste;
- stormwater management/retention.

The applicant has indicated they will be pursuing Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development.

Green Roof By-law

The Toronto Green Roof By-law came into effect January 31, 2010 and applies to new residential development with a GFA of 2,000m² or greater and a height greater than 6 storeys or 20 metres. The Green Roof By-law would apply to this development. The By-law requires a percentage of each building's roof to be clad in vegetative material based on the gross floor area of the building. Based on the proposed GFA the By-law requires 40% coverage of the available roof space be constructed with a green roof system. The green roof is provided on the 7th floor rooftop.

Parkland

The applicant initially proposed to satisfy the parkland dedication requirement through cash-in-lieu however, Parks staff, in consultation with the Ward Councillor, required 272m² of land be conveyed to the City for parks purposes. The current submission incorporates this requirement. The small parkette would be located along the Sheppard Avenue East frontage. The proposed park block is of uniform shape, unencumbered and acceptable to Parks staff.

City Council approved a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of

Above Base Park Improvements for the proposed parkette. The design and construction of the parkette would be to the satisfaction of the General Manager, Parks, Forestry and Recreation. Discussions between the applicant and Parks, Forestry and Recreation staff regarding the design of the parkette are ongoing.

The Parks, Forestry and Recreation requirements are addressed in the pre-approval and post approval conditions in Attachment 2.

Servicing

The applicant submitted a site servicing assessment that determined stormwater runoff, sanitary flow and water supply demand resulting from the development. The assessment confirms the existing municipal infrastructure is adequate to service the proposed development. Technical Services staff have reviewed the servicing assessment and have requested revisions which are set out in the pre-approval conditions in Attachment 2.

Conclusion

The application has been appealed to the Ontario Municipal Board on the basis that the City has failed to make a decision on the application within the prescribed time. A one day hearing is scheduled for April 10, 2012. The City Planning Division recommends that the City Solicitor and appropriate City staff be instructed to attend the OMB hearing in support of the application subject to the pre-approval conditions set out in Attachment 2.

Attachment 2 - Conditions of Approval

The conditions of approval are based on the following plans and drawings and are subject to change as a result of addressing the pre-approval conditions set out below:

1. Site Plan, drawing SP1, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
2. Underground and Parking Plans, drawing A-01, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
3. Floor Plans, drawings A101 and A102, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
4. Elevations, drawings A103 and A104, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
5. Detailed 1:50 Elevations, drawing A105, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
6. Building Sections, drawing A106, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
7. Truck Movements, drawings A107 and A108, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
8. Height Diagram & Building Perspectives, dated September 1, 2011, prepared by Michael Spaziani Architect Inc;
9. Landscape Plan, drawing LP1, dated August 31, 2011, prepared by Wilk Associates;
10. 7th Floor terraces, drawing LP2, dated August 31, 2011, prepared by Wilk Associates;
11. 8th Floor Green Roof, drawing LP3, dated August 31, 2011, prepared by Wilk Associates; and
12. Landscape Details, drawings D1 and D2, dated August 31, 2011, prepared by Wilk Associates.

A. PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks [Tel.# 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 – Saleem Khan, Development Engineer [Tel. # 395-6345]

2. The applicant is required to amend the Site Plan Drawings to address the following comments and resubmit for review and acceptance by the Executive Director of Technical Services.
3. Site Plan SP-1, revised September 1, 2011, by Michael Spaziani Architect Inc

3.1 Transportation Services

- a) Submit a functional design, prepared by a qualified Transportation Engineering Consultant, illustrating a lay-by lane immediately in front of the main doors of the Claridges Condominium on the south side of the east/west road.
- b) Prepare a cost estimate for the lay-by lane as stated above. The cost estimate will form the basis for a financial guarantee that will be required to be submitted prior to site plan approval.
- c) The curb radii for the driveway access on the east/west road must be clearly illustrated. According to Toronto Standard No. T-350.01 for driveway entrances, a curb radius of 5.0 m is recommended.
- d) The width of the new sidewalk must be clearly illustrated.
- e) There are existing hydro/streetlight poles within the proposed sidewalks on Rean Drive and the east/west road. This must be addressed.
- f) For the applicant's information, the underground ramp design must satisfy all the following criteria:
 - The maximum slope of a covered or heated ramp shall be 15 percent.
 - The maximum slope of an outdoor unheated ramp shall be 10 percent.
 - The minimum width of a clear straight one-way driveway shall be 3.65 metres.
 - The minimum width of a clear straight two-way driveway shall be 3.0 metres per lane.
 - The maximum sloped floor for direct access to parking areas shall be 5 percent.
 - The minimum centreline radius for two way driveways, including curved parking ramps, shall be 7.5 metres.
 - For curved ramp sections, a width of 4.0 metres shall be provided for a lane on the inside of the curve and a width of 3.5 metres shall be provided for a lane on the outside of the curve.
 - For ramp slope changes of 7.5 percent or greater, a transition

area with a minimum length of 3.65 metres (measured parallel to the direction of travel on the ramp) must be provided. The slope of the transition area shall be half the difference of the first slope of the ramp or driveway and the second slope of the ramp or driveway.

- Safe sightlines and "daylight triangles" related to the intersections of internal ramps must be designed to the satisfaction of the General Manager of Transportation Services.
 - The length of the transition areas must be a minimum of 3.65 m.
- g) The applicant must provide and maintain convex mirrors on site, including but not limited to: where traffic must travel around a corner, and at the termination of any drive aisles, positioned in such a manner as to provide motorists with a clear view of oncoming traffic. The precise location of said convex mirrors must be clearly shown on revised plans.
- h) Provide appropriate dropped curbs (at-grade and below grade) near the accessible parking spaces.

3.2 Fire Services

The site plan fails to address the following with respect to fire access route requirements of the Ontario Building Code:

- a) Fire alarm and Control Facility should be provided on the storey containing the entrance for fire fighter access and is readily accessible to fire fighters entering the building taking into account background noise
- b) Please indicate location of principal entrance for firefighting purposes - Rean Drive or private driveway?

3.3 Solid Waste Services

Solid Waste Management will provide bulk lift compacted garbage, recycling and organic collection services to the residential portion of this development only. City will not provide garbage collection for the retail portion of the site. Collection of waste materials from this development will be in accordance with the "City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code.

Collection will be subject to the following conditions being met

- a) The applicant has to submit Solid waste management plan for this development in order to further review and approval of waste management method for this development.
- b) As the collection vehicle is required to drive onto or over a supported structure (such as an underground parking garage) the City must be provided with a letter certified by a qualified Engineer that the structure can safely support a fully loaded collection vehicle weighing 35,000 kilograms and conforms to the following:
 - a) Design Code - Ontario Building Code.
 - b) Design Load - City bulk lift vehicle in addition Building Code requirements.
 - c) Impact Factor - 5% for maximum vehicular speeds to 15 km/h and 30% for higher speeds.
 - d) The loading area must be level (+/- 2%), constructed of 8 inch reinforced concrete. Revised drawings must annotate this requirement.
- c) The collection staging area should not require the jockeying of bins by the driver. If jockeying of bins is necessary, a trained on-site staff member must be available to manoeuvre bins for the collection driver and also act as a flagman when the truck is reversing. In the event the on-site staff member is unavailable at the time the City collection vehicles arrive at the site, the collection vehicle will leave the site and not return until the next scheduled collection day.
- d) There is a possibility of a safety risk presented by the collection vehicle operating close to where vehicles are leaving the driveway. There should be a warning light for the vehicles exiting or entering the site.

3.4 Technical Services

- a) The driveway entrance should be as per City Standard T-350.01.
- b) The driveway curb radii should be shown on the drawing.
- c) Property line of future public road as per widening should be shown on the plans and the proposed sidewalk adjusted accordingly.

4. Site Servicing and Grading Plan by Sernas Associates dated Aug 29, 2011.

- a) The drawing must be signed and sealed by a Professional Engineer.
- b) The property line of future public road, with respect to the widening, should be shown on the plans and the proposed sidewalk adjusted accordingly.
- c) Show the corner rounding at the corner of Rean Drive and future Public Road.

- d) The site plan shows a location of proposed hydrant but the servicing drawing does not show it.
- e) A cross section of the proposed storm service connection to service this development is shown on the drawing. However, this drawing fails to provide a maintenance hole with an orifice pipe proposed and constructed upstream of the inspection maintenance hole. The current plan demonstrates that the current design does not comply with the City's Sewer By-Law and the City of Toronto Municipal Code - Chapter 681 as the proposed storage tank would not permit any observation, sampling and flow measurement during storm events as the tank would be full. The engineer is to revise the design for compliance. Due to the proximity of the proposed garage envelope, the engineer may propose an alternative device located outside the tank, with the orifice pipe upstream of the alternative device, that permits observation, sampling and flow measurement.
- f) The overland flow direction seems to be towards the adjacent property to the west. It is not clear how the flow is being protected from travelling to the neighbouring property as the elevations of 170.53, closer to the pavers and the existing grade of 170.36 near the loading pad are all lower than the spill over point towards Rean Drive at 170.70. Please clarify and provide additional details showing the overland flow route direction. Couple of cross sections along westerly property will help in understanding the flow directions. The area drains fronting the units on future public road are at the lower elevation than your spill over point.
- g) The water service is shown in the NE corner of the site but the mechanical room is at the SW corner of the site. Please advise.
- h) The cross section of the permeable pavers proposed should be shown on the drawing and should have a sufficient capacity to hold water equivalent to 5mm on an area of 530m² as mentioned in your SWM report.
- i) There seems to be some external drainage coming to the site. Please show the drainage area coming to the site, if there is any and must be included in your calculation for the SWM report. If there is no external drainage coming to the site include a statement in your SWM report to that effect. Provide details on your drawing how the existing adjacent lot to the west is draining to clarify the external drainage issue.
- j) The area between the building and property line off Rean Drive seems to drain uncontrolled to the municipal boulevard. This uncontrolled flow has not been taken into account in your SWM calculations.
- k) Text overlapping at the NE corner should be cleaned.
- l) There is an existing light standard in conflict with the proposed driveway.

- m) Park details cannot be found on the landscape drawings. Coordinate with landscape consultant and provide details.
5. Stormwater Management Report by Sernas Associates dated Aug 29, 2011 stamped and received by Planning on Sep 02, 2011.
- a) The data presented in the report does not match with the site plan.
 - b) Site plan shows a green roof area of 535.6m² and your report uses an area of 760 m² in calculations. Please advise which area governs and coordinate the drawings.
 - c) Provide a rationale of using a co-efficient of 0.62 for orifice pipe.
 - d) It is not clear how an elevation of 169.21 was arrived at to calculate the head on the orifice releasing 31.0 l/s. Provide calculations how the head on the orifice is determined.
 - e) Based on your calculations 5mm of initial abstraction goes to the pavers from an area of 530m². Provide calculations to prove that this amount of water can be utilized by evaporation from an area of permeable pavers of 115m² in 72 hours as per Wet Weather Flow Management Guidelines.
 - f) Runoff coefficient of 0.25 for the proposed Green Roof is not acceptable. (Based on LID, a conservative runoff reduction rate for green roofs of 45 to 55% is recommended.
 - g) Based on Table 5-Removal Efficiencies for Stormwater Management Facilities in Wet Weather Flow Management Guidelines and TRCA Low Impact Development Stormwater Management Planning and Design Guide the max TSS removal efficiency is 80%. Revise your TSS removal efficiencies based on the above. Provide justifications of 100% TSS removal efficiency of green roof.
 - h) Page 7 TSS removal numbers does not match with table 2 in your report.
 - i) The owner's consultant is required to provide calculations that the 4.0 cubic meter of water for water balance can be consumed by irrigating 78 m² of landscape area in 72 hours. Please note that 5mm initial abstraction has already been applied to this landscape area.
 - j) Provide SWM strategy for the park too. Show the layout and provide the runoff co-efficient in the post development scenario. Is the intent is to drain the park to municipal road.
 - k) The following two statements are to be included in the stormwater management report:
 - There may be runoff from rain storms that exceeds the capacity of the City's storm service connections. Therefore, the owner shall be responsible to provide flood protection or a safe overland flow route for the proposed development

- without causing damage to the proposed and adjacent public and private properties.
 - 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.
 - l) Regardless of size for all development sites, temporary erosion and sediment control for construction must be provided on-site.
 - m) All erosion and sediment control BMPs shall be designed, constructed and maintained in all development sites in accordance with the GTA CA's Erosion & Sediment Control Guidelines for Urban Construction (2006) and/or other City of Toronto requirements on a site-by-site basis.
- 6. The owner is required to provide, a geotechnical report from a qualified soils engineer with respect to the existing soil conditions on the subject land, and any soil and drainage problems that may be encountered in the development of this land.
- 7. The applicant is required to submit a survey plan prepared by an Ontario Land Surveyor to the Technical Services Division that identifies the lands which are included in this development application.
- 8. The applicant is required to submit prior to site plan approval, a revised landscape plan showing locations and dimensions of all existing and proposed development related underground and above ground utility services and structures including all municipal infrastructure within the City Right-of-Way
- 9. Site Servicing Assessment by Sernas Associates dated Mar 1, 2011.
 - a) Site statistics mentioned in your report does not match with the site plan. Please coordinate.
 - b) Sanitary design sheet submitted should be updated based on the updated information provided by Daniels Corporation and the proposed population of your site. Moreover the design sheet submitted does not reflect the information shown on the profile drawings of the sewer on Rean Drive (R-32).
- 10. Widening of Highways that abut on the Land
 - 10.1 Prepare all documents and convey to the City, at nominal cost, part 5 of Plan 6R-2112 and a 6.1m corner rounding at the corner of Rean Drive and future public road in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated

as a public highway, all to the satisfaction of the Executive Director of Technical Services and the City Solicitor;

- 10.2 Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
- a) be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 27, 1974 Adjustment);
 - b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- 10.3 Pay all costs for registration and preparation of reference plan(s).

11. Facilities to Provide Access to and from the Land

- a) Make satisfactory arrangements with Technical Services for Work on City's Right of Way and provide financial security in the amount of **\$42,714.00**. Submit engineering and inspection fee in the amount of **\$2,135.70** and insurance as required.

CITY PLANNING – Steve Forrester, Senior Planner [Tel. # 395-7126]

12. Submit a financial security to the Director, Community Planning, North York District, in the form a Letter of Credit or certified cheque to guarantee the provision of landscape development works as detailed on the approved Landscape Plans.
13. 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.
14. The applicant shall make satisfactory arrangements with Transportation Services to install signage at or near the vehicular driveway indicating no right turn (westbound) movements from the subject site.

ENERGY EFFICIENCY OFFICE- David Hall, Project Manager, [Phone # 392-1500]

15. The applicant shall submit a Final Design-stage Energy Modeling Report to the satisfaction of the Executive Director, Facilities Management Division:

PARKS, FORESTRY & RECREATION - Urban Forestry – Bruce Gordon, Urban Forestry Planner, Tel # 395-6686

City Owned Trees - Planting of Trees

16. Urban Forestry requires a revised Landscape Plan showing 7 large canopy trees along Rean Drive and 4 new trees along the future road.
17. The Owner shall submit a completed permit application requesting removal of 7 private trees along with a permit fee of **\$2,100.00** for Tree Nos. 223, 612, "D", "E", 613, 220 and 614
18. The Owner shall submit a tree security deposit of **\$1,625.00** for Tree Nos. 8904, 8905 and 8906. Funds from the tree security guarantee deposit for the City owned trees will be drawn upon to cover any costs Urban Forestry incurs as a result of enforcing the Municipal Code and ensuring that the City owned trees are kept in a healthy and vigorous state.
19. The Owner shall submit a completed permit application requesting removal of 1 City Tree along with a permit fee of **\$300.00** as well as the amenity value of **\$5,674.00** for Tree No. 212.
20. The Owner shall submit a letter of consent from the adjacent property owner approving removal of two mutually owned trees denoted as Tree "D" and "E".

PARKS, FORESTRY & RECREATION – Planning Design & Development, Corinne Fox, Parks and Recreation Planner, [Phone # 395-7902]

Parkland Conveyance

21. Prior to the issuance of the first above grade building permit, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation.
22. Prior to conveying the parkland to the City, the Owner shall be responsible for an environmental assessment of the soil and groundwater within the park block and any associated costs or remediation as a result of that assessment. Such assessment and/or remediation shall ensure that the parkland at the time of conveyance to the City, meets all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including but not limited to City Council policies respecting soil remediation of sites to be acquired by the City and the Ministry of the Environment's Guideline for Use at Contaminated Sites in Ontario, as amended. The environmental assessment shall be prepared by a qualified environmental consultant acceptable to the Director Development Engineering, Technical Services in consultation with the General Manager, Parks, Forestry and Recreation. Prior to the conveyance of the park land to the City, the

environmental assessment shall be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the 'Peer Reviewer'), and the conveyance of the park land shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the park land meets all applicable laws, regulations and guidelines for public park purposes. The applicant is required to file the Record of Site Condition (RSC) on the Ontario's Environmental Site Registry and submit the Ministry of the Environment's Letter of Acknowledgement of Filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, and that the MOE will not audit the RSC at this time or that the RSC has passed an MOE audit, to the Executive Director, Technical Services.

23. The owner will be responsible for the base construction and installation of the parkland. The base park improvements include the following:
- (i) demolition, removal and disposal of all existing materials, buildings and foundations;
 - (ii) grading (inclusive of topsoil supply and placement, minimum of 150 mm);
 - (iii) sod (or equivalent value of other approved park development);
 - (iv) fencing to City standard (where deemed necessary);
 - (v) all necessary drainage systems;
 - (vi) electrical and water connections to the street line (if deemed necessary), including back flow preventors, shut off valves, including the water and hydro chambers; and
 - (vii) street trees along all public road allowances, which abut future City owned parkland;
 - (viii) small standard park sign (separate certified cheque required)

All work is to be completed to the satisfaction of the General Manager, Parks, Forestry and Recreation.

24. The Owner agrees to use a portion of the Parks and Recreation component of the Development Charges to design and construct the Above Base Park Improvements to the new park to the satisfaction of the General Manager, Parks, Forestry and Recreation. The Owner is required to submit a design and cost estimate to be approved by the General Manager and a letter of credit equal to 120% of the approved cost estimate. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

25. Prior to issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements as required by the General Manager, Parks, Forestry and Recreation.
26. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the park to the satisfaction of the General Manager, Parks, Forestry & Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with base park improvements.
27. Prior to the construction of the park blocks, the applicant shall provide a full construction package for park development including but not limited to grading, layout, utility, details, specifications, tender documents etc. to be approved by the General Manager, Parks, Forestry and Recreation.
28. The stockpiling of any soils or materials or use as an interim construction staging area on the conveyed parkland is prohibited unless a Park Occupation Permit (POP) has been obtained from PF&R's Planning, Design and Development section. The POP, if approved, will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, duration, restoration plan and costs, and compensation to the satisfaction of the General Manager, PFR. The POP must be secured prior to the issuance of any shoring and excavation permits. The owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Limiting Distance

29. Prior to the transfer of fee simple of the Park Blocks to the City, the Park Blocks shall nonetheless be deemed to be parkland in respect of the limiting distance requirements of the *Ontario Building Code Act, 1992* and any structures constructed on the land abutting the Park Blocks shall be subject to limiting distance requirements established under the Ontario Building Code.

TORONTO TRANSIT COMMISSION- Mary-Ann George, Senior Transportation Planner [Phone # 393-4000]

30. Prior to any construction, or the issuance of the first or any building permit, the developer shall complete a Toronto Transit Commission (“TTC”) Level 1B Technical Review of the proposed development as applicable to the particular permit under application, and obtain the TTC’s written acknowledgement that the developer has satisfied all of the conditions arising out of the review. As part of the technical review process, the Owner shall provide the requisite information and pay the associated review fees to the TTC.