

**70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue
Zoning By-law Amendment and Plan of Subdivision
Applications – Final Report**

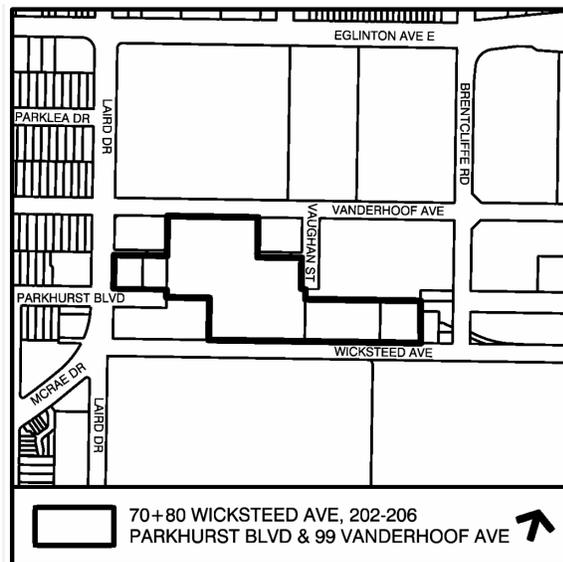
Date:	February 5, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	11 264854 NNY 26 OZ and 12 280184 NNY 26 SB

SUMMARY

This application seeks to amend the former Town of Leaside Zoning By-law No. 1916 to permit a retail commercial centre with a gross floor area of 15,669m². The proposal comprises a 7,308m² anchor store on the second level and series of smaller one and two-storey commercial buildings ranging in size from 468m² to 1,400m² and 487 parking spaces.

An application for Draft Plan of Subdivision has also been submitted to provide for the creation of development blocks and extending Parkhurst Boulevard and Vaughan Street to connect with Wicksteed Avenue.

The applicant’s proposal for a new large-format retail store on a portion of the property and plan of subdivision including provision of new public roads is consistent with the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe. The proposal also conforms to the general objectives of the Official Plan.



This report reviews and recommends approval of the application to amend the Zoning By-law and advises that the Chief Planner may approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former Town of Leaside By-law No. 1916 for the lands at 70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment13.
2. In accordance with the delegated approval under by-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the draft plan of subdivision, as generally illustrated on Attachment 4 to this report subject to:
 - a) the conditions as generally listed in Attachment 14 of this report, which except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration;
 - b) any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development; and
 - c) the Notice of Decision of draft plan approval not being issued until the Zoning By-law amendment is in full force and effect.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment and draft plan of subdivision as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner of the lands at 70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue to:
 - a) Enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title, to the satisfaction of the City Solicitor, to secure the following:
 - i) a \$500,000 cash payment to be used towards the cost of constructing and equipping the expansion to Leaside Memorial Gardens, to be paid prior to the issuance of the first above-grade building permit for the development, with such amount to be indexed upwardly in

accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment.

- ii) provisions for the construction of a 3 metre wide landscaped centre median on Laird Drive along the frontage of the site designed and constructed to the satisfaction of the Director of Transportation Services and the Manager of Technical Services, such median to include irrigation and hard and soft landscaping materials to the satisfaction of the General Manager, Parks, Forestry & Recreation. The installation of the landscaped median shall be secured by posting a Letter of Credit in an amount not less than \$321,000 prior to site plan approval.

The following matters are also recommended to be secured in the Section 37 Agreement in support of the development:

- iii) construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council in October 2009.
 - iv) submit a construction management plan to the satisfaction of Executive Director of Technical Services, such plan to include information regarding the construction timetable and protocols to address construction activities such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints.
- b) Obtain Notice of Site Plan Approval Conditions to be issued from the Director, Community Planning, North York District.
 - c) Enter into a Subdivision Agreement as set out in the conditions of draft plan of subdivision approval in Attachment 14 as may be revised pursuant to recommendation 2.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report for this application was considered by North York Community Council at its March 20, 2012 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the public meeting be given according to the regulations of the *Planning Act*. Community Council directed City Planning to staff to expand the notice area for the community consultation meeting.

The Decision Document and Preliminary Report is available at the following web link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY12.46>

ISSUE BACKGROUND

Proposal

The proposal seeks to amend the former Town of Leaside Zoning By-law No. 1916 to permit a retail commercial centre with a gross floor area of 15,669m². The proposal comprises a 7,308m² anchor store on the second level and a series of smaller one and two-storey commercial buildings ranging in size from 468m² to 1,400m² (refer to Attachments 1,2 and 5). The total floor area would result in a density of 0.58 FSI.

The proposal includes 487 parking spaces comprising 326 spaces beneath building A1 (105 at grade and 221 below grade) and 164 spaces in two surface parking lots along Wicksteed Avenue (refer to Attachments 1 and 3).

The application for Draft Plan of Subdivision provides for the creation of development blocks and new public roads that would extend Parkhurst Blvd to the east then south to connect with Wicksteed Avenue and the extension of Vaughan Street south to connect with Wicksteed Avenue (refer to Attachment 4).

The proposed second floor large format retail store (labelled A1 on Attachment 1), would be located on the northerly portion of the site between Vanderhoof Avenue and the extension of Parkhurst Boulevard. The space would be accessed by a 348m² glazed galleria space (Building A3). The ground floor space beneath building A1 also includes three smaller buildings (Buildings A2, A3, A4) and the surface/underground parking spaces noted above. The proposal also includes three stand alone street oriented buildings: one fronting Laird Dr/Parkhurst Blvd and three fronting Wicksteed Avenue/Vaughan Street (labelled as Buildings B, D, E and F). The stand alone buildings range in size from 604m² to 1,137m².

The requested land use permissions consist of a broad range of commercial uses including: retail stores, food store, drug store, garden supply centre, home improvement store, retail warehouse, banks and financial institutions, financial institutions, restaurants and office uses. The tenant for the large format retail store is unknown at this time but is anticipated to be a department store, a food store, or a home improvement store.

Additional site statistics are provided in the Application Data Sheet (refer to Attachment 12).

Site and Surrounding Area

The property is located on the east side of Laird Drive, south of Eglinton Avenue East, along the western edge of the Leaside Business Park. Generally, the Leaside Business Park is composed of a mix of employment and commercial uses. Retail, service, health club and

restaurant uses are generally located along the edges of the employment area along Laird Drive and Eglinton Avenue East. The industrial related uses are located to the east in the interior of the employment area.

The subject lands are an assembly of five properties within a block bounded by Wicksteed Avenue to the south, Laird Drive to the west, Vanderhoof Avenue to the north and Brentcliffe Road to the east. It has a site area of approximately 2.67 hectares (6.61 acres), with a frontage of approximately 40 metres along Laird Drive, approximately 245 metres along Wicksteed Avenue and approximately 106 metres along Vanderhoof Avenue.

Adjacent land uses within the same City block include:

- a recently renovated commercial plaza including a TD Bank in a listed heritage building at the corner of Laird Drive and Vanderhoof Avenue;
- a manufacturing use and multi-unit retail and service commercial uses northeast of the site fronting Vanderhoof Avenue;
- two-storey commercial buildings fronting Brentcliffe Road;
- an automotive garage abutting the east edge of the site along Wicksteed Avenue; and
- an auto glass operation at the corners of Wicksteed Avenue/Laird Drive/Parkhurst Boulevard.

For the most part the subject site is vacant. The larger central and eastern properties municipally known as 70 and 80 Wicksteed Avenue and 99 Vanderhoof Avenue are vacant. The site was previously used for a corn processing research facility belonging to J.R. Short Mills, and a Colgate-Palmolive Canada facility. The portion of the site fronting Laird Drive, municipally known as 202, 204 and 206 Parkhurst Boulevard currently contains a single storey service and institutional building housing Christian Montessori School, the Beaux Arts creative learning centre, Van Nes Flowers delivery service, a landscaping business, and a two-storey office building containing various service commercial uses. The existing 2-storey building (206 Parkhurst Boulevard) would be maintained. The existing single storey building fronting Laird Drive (202 and 204 Parkhurst Boulevard) would be demolished and replaced with a new 2-storey building.

Surrounding uses include:

North: a large format commercial centre developed by RioCan including Canadian Tire, Future Shop, Pet Smart, Pier 1 Imports and Alexanian Carpet and Flooring;

South: a large format commercial centre developed by SmartCentres including Sobeys, Best Buy and an LCBO store. A Home Depot store on a separate landholding to the east functions as part of the centre;

East: a variety of commercial and industrial operations; and

West: one and two storey service commercial uses and further west of Laird Drive is a residential neighbourhood of predominantly detached homes.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates these lands (and the employment lands associated with the Leaside Business Park) as *Employment Areas*. The Urban Structure Map of the Official Plan also recognizes these lands as *Employment District*. These designations are intended to protect and enhance employment uses.

Policy 4.6.1 of the Official Plan states *Employment Areas* are places of business and economic activity. Uses that support this function consist of restaurants and small scale stores and services that serve area businesses and workers, as well as offices, manufacturing, warehousing, distribution, research and development facilities, media facilities and hotels. The Plan notes some uses that are extensive land users, and not directly supportive of the primary employment function such as places of worship, post secondary schools and large scale, stand alone retail stores, are uses that can detract from the economic function of the employment area and are not permitted in *Employment Areas*.

The Plan also contains policy direction with respect to large scale, stand-alone retail stores and 'power centres' in *Employment Areas*. While these uses are not directly supportive of the primary employment function of these areas, the Plan recognizes that limited permissions in these employment areas may be needed to accommodate this form of retailing in the City. The limited locations for these permissions are set out in Policy 4.6.3. The policy states consideration may be given to permit large scale and stand alone retail stores and "power centres" in *Employment Areas* in locations on major streets which form the boundary of an employment area (as Laird Drive does for the lands comprising the Leaside Business Park). Where a site meets this locational requirement, new large scale,

stand alone retail stores and “power centres” may be permitted if it can be demonstrated that:

- a) Sufficient transportation capacity is available to accommodate the extra traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets; and
- b) The function of other economic activities within the *Employment Areas* and economic health of nearby shopping districts are not adversely affected.

The Official Plan also provides criteria to review development proposed within *Employment Districts* (Section 2.2.4). The objective of this criteria is to ensure that developments contribute to: the creation of competitive, attractive, highly-functional areas by supporting the economic function of the *Employment Areas* and the amenity of adjacent areas; providing adequate parking and loading on-site; providing landscaping to create attractive streetscapes and screening of parking, loading and service areas; and sharing driveways and parking areas wherever possible. Among other relevant policies in evaluating the proposal are policies related to the Built Environment.

For larger sites the Official Plan contains policies which promote the use of new streets to provide connections and divide larger sites into smaller development blocks. These development blocks should be appropriately sized and configured in relation to the requested land use and scale of development, provide adequate room within the block for parking and servicing needs and allow for phasing to be properly undertaken.

The Toronto Official Plan is available on the City's Website at:
<http://www.toronto.ca/torontoplan/index.htm>

Zoning

The majority of the site is zoned General Industrial Zone M2 with a portion of the site fronting Laird Drive zoned Light Industrial Zone M1 by former Town of Leaside Zoning By-law No. 1916 (refer to Attachment 11). The current M1 zoning permits a wide range of light industrial uses and establishes a maximum building height of 18.5 metres (60.7 ft.) , a maximum floor space index or density of 0.75, a maximum lot coverage of 75%, minimum 6.0 metre (20 ft.) setbacks along the three street edges of the site and a 12.0 metre (39.4 ft.) rear yard setback. Uses permitted within the General Industrial Zone M2 include heavier industrial uses such as manufacturing of equipment and chemicals and waste recycling. Retail uses in both the M1 and M2 zones are restricted to a maximum of 30% commercial gross floor area.

Site Plan Control

The proposed development is subject to Site Plan Control approval. To date, an application has not been submitted.

Green Roof By-law

The Toronto Green Roof By-law came into effect January 31, 2010 and applies to commercial buildings over 2,000m². The By-law requires a percentage of each building's roof to be clad in vegetative material based on the size of the building. The building that would contain the large format retail building (Building A1) would have a gross floor area of 7,308m² with all other stand alone buildings having a gross floor area less than 2,000m². Therefore, the Green Roof By-law would apply to the larger building.

Reasons for Application

An amendment to the former Town of Leaside Zoning By-law No. 1916 is required because large-scale stand-alone retail uses are not permitted by the zoning by-law. No amendments are required with respect to height and density however amendments are required to permit the proposed parking rates and to permit the proposed street-related buildings to be located closer to the Vaughan Street and Wicksteed Avenue frontages.

The application for draft plan of subdivision approval is to enable the creation of development blocks and the extension of Parkhurst Boulevard and Vaughan Street through the site to connect with Wicksteed Avenue.

Community Consultation

The applicant's proposal was presented to local residents at a Community Consultation meeting held on March 29, 2012 in the William Lea Room at Leaside Memorial Gardens. The meeting was attended by the local Councillor, the applicant and consultants as well as City staff. Approximately 250 members of the public were in attendance. City staff and the local Councillor were also invited to attend a meeting organized by the Leaside Property Owners Association (LPOA) and a recently formed group Leaside Unite on June 10, 2012. This meeting was also well attended. City staff and the local Councillor have also met a number of times with the representatives of these groups to discuss community issues and the application process. Further, on January 28, 2013 a representative from one of the local resident groups filed a petition with Planning staff listing area residents opposed to the application.

Through the course of these meetings the community has expressed the following concerns and opinions regarding the proposal:

- concern that the Official Plan permits retail use on the site;
- concerns with the loss/conversion of employment lands to retail use;
- retail uses undermine the economic viability and survival of local main street shopping areas along Bayview Avenue and Eglinton Avenue;
- concern with additional traffic volumes, particularly during peak rush hour periods and weekends, and the capacity of arterial and local roads to accommodate the increased volume;
- traffic infiltration into the residential area west of Laird Drive could increase;

- the size/density of the development, particularly the floor area of the large format retail store;
- concerns that the large format retail use could be a Walmart store;
- underground parking is unsafe;
- the potential signalization at the intersection of Laird Drive and Vanderhoof Avenue was generally not supported by area residents;
- insufficient parking supply will create overflow into residential neighbourhood; and
- pedestrian safety, lighting and aesthetic concerns.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and conditions of Draft Plan Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The current PPS came into effect on March 1, 2005. Applications received after this date are subject to the PPS. The proposal is consistent with the PPS and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

The proposed development is consistent with the policy direction promoting efficient land use and development patterns, in particular the redevelopment of existing brownfield sites. It would result in the redevelopment and intensification of a vacant parcel within a built-up area, consistent with Policy 1.1.3.2 and would result in an appropriate interface between sensitive residential uses to the west and industrial employment uses to the east, consistent with Policy 1.7.1.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan directs municipalities to foster intensification within developed areas, and to promote economic development and competitiveness where employment lands are concerned. The proposed large-format retail store conforms to the in-force Official Plan as outlined below and as such conforms and does not conflict with the Growth Plan.

Official Plan

As stated above, the Official Plan contains policy direction with respect to large scale, stand-alone retail stores and ‘power centres’ in *Employment Areas*. While these uses are not directly supportive of the primary employment function of these areas, the Plan recognizes that limited permissions in these areas may be needed to accommodate this form of retailing in the City. The limited locations for these permissions are set out in Policy 4.6.3 and are discussed below. It should be noted that this permission for retail is conditional and is only permitted through a rezoning if all the criteria have been met.

Policy 4.6.3 of the Official Plan provides that large scale, stand-alone retail stores and "power centres" are only permitted on sites in *Employment Areas* fronting onto major streets as shown on Map 3, that also form the boundary of the *Employment Area*. Where a site meets this locational requirement, they may be permitted if it can be demonstrated that: sufficient transportation capacity is available to accommodate traffic generated by the development; and the functioning of other economic activities within the *Employment Areas* and the economic health of nearby shopping districts are not adversely affected.

In addition, the Official Plan requires development to contribute to the creation of competitive, attractive, highly-functional areas by supporting the economic function of the Employment Areas and the amenity of adjacent areas; providing adequate parking and loading on-site; and providing landscaping to create attractive streetscapes and screening of parking, loading and service areas. The proposal's compliance with these principles and Policy 4.6.3 is discussed below.

Location

The site is located along the western boundary of the Leaside Business Park in an area currently developed with a range of industrial and commercial uses. As noted previously, the Official Plan provides for large scale, stand-alone retail uses within *Employment Areas* subject to specific locational limitations and impact criteria. Such uses are only permitted in *Employment Areas* fronting on major streets as shown on Map 3, that also form the boundary of the *Employment Areas* through the enactment of a Zoning By-law. Laird Drive is a major street shown on Map 3. The policy does not stipulate the amount of frontage necessary to satisfy the locational criterion rather it states frontage is required. Development of the site with new large scale, stand alone retail uses on this site addresses the locational criteria for development within *Employment Areas*.

Transportation Capacity

Policy 4.6.3 of the Official Plan states that subject to meeting a locational requirement, new large scale, stand alone retail stores and "power centres" may be permitted if it can be demonstrated that sufficient transportation capacity is available to accommodate the extra traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets.

A Traffic Impact Study was filed with the application and a number of revisions have been made to the initial study including further analyses to respond to concerns raised by Transportation Services staff during the review process. The transportation work examines turning movements at a series of intersections in the vicinity of the site, existing traffic conditions in the area, future background traffic generation, trip distribution, site traffic and driveway access options. The following is a list of the road improvements required to accommodate site traffic volumes:

Laird Drive at Vanderhoof Avenue

- Widen Laird Drive in order to add a 40 metre southbound left-turn storage lane;

- Widen Vanderhoof Avenue east of Laird Drive and re-stripe the existing pavement markings in order to add dedicated westbound left and right-turn lanes.

Wicksteed Avenue

- Re-stripe the existing pavement marking on Wicksteed Avenue, between Laird Drive and Brentcliffe Road, to create dedicated left turn lanes at the intersections west of Driveway 'C' along with a short centre two-way left turn lane which transitions into a dedicated left turn lane at Brentcliffe Road.

Laird Drive at Wicksteed Avenue/McRae Drive

- Lengthen the traffic signal cycle length to 100 seconds in the PM Peak Hour and 110 seconds in the Saturday Peak Hour;
- Add protected westbound and southbound left-turn phases in both weekday p.m. and Saturday peak periods (may require traffic operations to evaluate the applicability of the existing controller).

Wicksteed Avenue at Vaughan Street

- Install a new traffic control signal at the new intersection of Vaughan Street and Wicksteed Avenue (may require minor westerly relocation of the TTC transit stops currently near Driveway 'C').

The detailed design, timing for completion and financial securities to guarantee the above work would be secured through the plan of subdivision and Site Plan process.

The study concludes that with the series of recommended changes to the road network listed above, sufficient capacity is available to accommodate the traffic generated by the development, resulting in an acceptable level of traffic on adjacent and nearby streets. The methodology and findings of the study have been accepted by Transportation Services staff. As a result, the objective of Policy 4.6.3(a) of the Official Plan would be met.

Economic Impacts

Economic Development staff reports the Leaside Business Park had approximately 4,546 people employed in 204 firms in 2011 and is a stable and attractive area with a continuing manufacturing presence. Although total employment has decreased between 2006-2011 the area has attracted and retained many high profile companies including; Tremco Ltd. manufacturer of sealants, weatherproofing, roofing & construction materials; Siltech Corporation, a manufacturer of organo-functional silicone compounds for industrial applications; Del Equipment, a supplier and manufacturer of truck equipment and accessories, Lincoln Electric; welding and cutting solutions and NL Technologies (NLT), a

Canadian-owned designer and manufacturer of underground lighting and digital communications solutions for the mining industry.

Economic Development staff note there is over 538,820m² (5 million sq.ft.) of industrial building space with an average vacancy rate in 2011 of 1.1% indicating a demand for any available employment space. The employment area had \$5.8 million in industrial building permit values between 2006 and 2010 demonstrating a significant amount of re-investment in the area. It is staff's view it is important to protect this vital and functioning Employment District.

According to the applicant, it is expected that the entire proposed development, at full build-out, will employ approximately 368 permanent jobs with up to approximately 160 permanent jobs expected within the proposed large format retail store.

As noted previously, the two economic impact considerations identified by Policy 4.6.3 of the Official Plan are the functioning of other economic activities within the *Employment Areas* and the health of nearby shopping districts. The Plan states the proposed development should have no adverse effects to these areas. Two economic impact assessments (Employment Impact Assessment and Retail Market and Impact Analysis) were submitted in support of the application to address the requirements of Policy 4.6.3. A peer review of both impact assessments was undertaken by Tate Economic Research (TER).

The overall objective of the external peer review was to provide a professional opinion regarding the sufficiency and accuracy of the submitted analysis, as well as a statement whether or not Peer Reviewer concurs with or disagrees with the conclusions of the reports that were filed with the application. In addition, the Peer Reviewer was asked to respond to a number of questions including whether or not there should be limitations on the minimum size of the retail units or provisions that limit the amount of "small-scale" stores and services.

The Peer Reviewer was retained by the City in February 2012 and filed the peer review report on the consultant's reports on October 3, 2012. During the course of the 7 month review the applicant's consultant's responded to numerous information requests including further analysis to respond to issues raised by the Peer Reviewer. It is staff's view the reports filed by applicant's consultants have undergone a thorough analysis and a summary of that review is set out below.

Employment Area Impact Assessment

The Economic Impact Assessment prepared by the applicant's consultant, urbanMetrics (uM), examines the economic impact of the proposed development and assesses potential employment area impact. The analysis reviewed employment trends, real estate market trends, and job generation in Leaside and the City as a whole.

The analysis concluded that employment levels in the Leaside Business Park have remained relatively stable during the past decade following periods of significant declines in the 1980's and 1990's. The composition of employment has evolved significantly over the past three decades, as manufacturing and warehousing have decreased. These losses have been partially offset by increases in the retail and other sectors. Despite these changes, the real estate market for industrial space in this area has remained stable over the past decade. Vacancies are very low relative to the overall City or the GTA. Sale prices and rents for industrial space in the local area are lower than in the City or the GTA, suggesting demand for retail space is not crowding out the industrial market. Based on the above the analysis concludes the Leaside Business Park is a stable employment district. The analysis also states:

- the proposed development is consistent with the existing range of uses located in proximity to the site and would complement the evolving retail uses that have developed in recent years within the area; and
- given the location of the site between two existing major retail centres, it is the consultant's view it is unlikely the site could attract any uses other than retail and service uses proposed.

The assessment concludes the proposed retail development would provide the City with a number of positive contributions while not adversely affecting the continued operation of existing and other employment uses in the area.

The Peer Reviewer reviewed the initial assessment and various items of correspondence relating to this application, met with the consultants to discuss proposed amendments to the study methodology, reviewed the consultants written responses to inquiries made by the Peer Reviewer and conducted their own research and inspections. Based on these tasks, the Peer Reviewer concurs with the findings of the Employment Area Impact Analysis. The Peer Reviewer notes the methodology used in the consultant's investigation of the proposed development's potential impact on the functioning of other economic activities in the surrounding employment area is sound and supportable and advises the consultant responded to the Peer Reviewers questions in a satisfactory manner. The Peer Reviewer does not anticipate that the rezoning of the site to accommodate retail uses would contribute to the erosion or the concept of contagion of the employment land base in the area. The Peer Reviewer agrees with the consultant's statement that because the site is "sandwiched" between two established power centres it is logical to fill in this area with similar synergistic uses.

The Assessment was also reviewed by Economic Development staff and they have not expressed any concerns. Economic staff is recommending the applicant and any future operators of retail, office and service establishments enter into a voluntary relationship with Toronto Employment and Social Services to provide employment opportunities for the residents of the nearby Thorncliffe Neighbourhood and the Flemingdon Priority

Neighbourhood. The applicant is in agreement and has contacted Economic Development staff.

Retail Market Demand and Impact Analysis

A Retail Market Demand and Impact Analysis was also filed by urbanMetrics (uM) to accompany the application to assess whether the proposed development will adversely affect the health of nearby shopping districts. Nearby shopping areas included the commercial-industrial areas within the Leaside Business Park as well as shopping areas along Bayview Avenue, Eglinton Avenue East, the East York Town Centre and in the Thorncliffe community.

The analysis determined that the proposed development would not conflict with the existing range of uses located in close proximity to the site, and would compliment the evolving retail uses that have developed in recent years in the vicinity of Eglinton Avenue and Laird Drive. The report states significant outflow of consumer expenditures from the trade area could be recaptured and that the project is viable without drawing expenditures from nearby shopping districts. The analysis concludes that the proposal will not affect the economic health of nearby shopping districts.

The Peer Reviewer reviewed the initial analysis and advised the methodology incorporated the consultants in the study was generally satisfactory. However, the Peer Reviewer raised 13 questions relating to information requests as well as the study's methodology and report findings. Two of the issues required further analysis. The two issues related to the estimated sales performance of stores located along Bayview Avenue and the extent of the Trade Area that was incorporated into the study. Based on the additional information, the Peer Reviewer is satisfied that work has been undertaken and sufficient information has been collected to support the conclusions in the analysis and concurs with the findings of the Retail Market and Impact Analysis.

The Peer Reviewer is not recommending minimum sizes or caps on the number of smaller scale retail stores services in the project. It is the Peer Reviewer's opinion that a portion of the project should be developed with smaller uses noting these types of uses tend to balance out a retail centre and provide a wider range of service to customers. The Peer Reviewer does not foresee any impacts on the existing employment area or shopping districts as a result of allowing smaller units in the development.

City staff accept the professional advice of the peer reviewer with respect to the methodology and conclusions of the Retail Market Demand sand Impact Analysis and Economic Impact Assessment. Economic Development Division staff had no comments on the Retail Market Demand and Impact Analysis.

Driveway Access

Six points of access are proposed: one via the proposed extension of Parkhurst Boulevard, one from Vanderhoof Avenue, two via the proposed extension of Vaughan Street and two

from Wicksteed Avenue. Transportation Services supports the design and location of the proposed driveways.

The applicant has agreed to construct a 3m wide landscaped median across the Laird Drive frontage of the site. The median would continue a treatment provided within other sections along Laird Drive south of the site. The median will serve to improve the Laird Drive streetscape and prevent through movements across Laird Drive from Parkhurst Boulevard, a residential street to the west. Design details including landscaping, irrigation, timing and a financial guarantee will be secured through the Subdivision agreement and Site Plan agreement. The cost of the median is estimated to be in the range of \$321,000.00.

Parking

Official Plan policy speaks to the need for new development to contribute to the creation of competitive, attractive, highly functional *Employment Areas* by avoiding excessive car and truck traffic on the road system within the *Employment Areas* and adjacent areas as well as providing adequate parking and loading on-site.

The applicant submitted a Transportation Study that included a parking analysis for the proposed development. The proposal includes 487 parking spaces comprising 326 spaces beneath building A1 (105 at grade and 221 below grade) and 164 spaces in two surface parking lots along Wicksteed Avenue.

Transportation Services staff have reviewed the parking analysis and has no objections with the proposed parking supply as it encourages the use of non-auto modes of travel. Transportation staff are recommending the implementing zoning by-law include parking rates ranging from a minimum ratio of 1.5 parking spaces per 100 m² of retail floor area up to a minimum ratio of 4.0 parking spaces per 100 m² of bank floor area. The parking rates recommended by Transportation Services are incorporated into the implementing zoning by-law (refer to Attachment 13).

Transportation Services staff is also recommending the applicant provide 9 loading spaces which have also been incorporated into the implementing zoning by-law. The detail design and specific location of the loading areas will be addressed through the Site Plan process.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The Toronto Green Standards requires 18 occupant bicycle parking spaces at grade and 18 visitor bicycle parking spaces at-grade for a total of 36 spaces. The site design accommodates 40 bicycle parking spaces. The implementing zoning includes a provision to provide a minimum of 36 spaces.

Servicing

The applicant filed a Functional Servicing and Stormwater Management report with subsequent revisions to address staff comments. The report evaluates capacity for sanitary servicing, the supply and on-site distribution of municipal water to meet domestic and fire flow requirements, and stormwater management opportunities and constraints. The report concludes the site can be serviced by the surrounding municipal infrastructure with the construction of an on-site stormwater management system capable of satisfying applicable criteria.

Technical Services staff have reviewed the servicing and stormwater assessment and generally accept the consultants findings however additional engineering detail must be provided on the plans and drawings and investigative work is necessary before staff can provide final approval. These matters will be addressed through the plan of subdivision and Site Plan process.

Built Form and Streetscape

The Official Plan contains Built Form policies (3.1.2) that provide direction on site design matters pertaining to the organization of buildings, vehicle parking, access points and service areas. The policies are in place to integrate new development into existing built up areas and to minimize the impacts on the property and surrounding properties and to improve safety and the attractiveness of adjacent streets. The Plan also speaks to new development providing amenity for adjacent streets to make them more attractive, interesting, comfortable and functional for pedestrians.

Generally, the site layout is structured around a grid network of site driveways and new public streets that define individual development parcels and provides for legible and understandable circulation within the site. Parkhurst Boulevard will be extended into the site continuing further west into the site as a private driveway that will be designed as a visual landscaped extension of the street and provides prominent views and a vista termination to the large plaza on the site. The plaza is intended as an outdoor gathering place for customers and patrons of the centre. The pedestrian walkways have been organized in conjunction with the driveway system to look and feel like public streets. A landscaped edge will be created along all street frontages and private driveways creating a mix of public and private spaces.

The proposed streetscape design will result in an improved streetscape on Laird Avenue, Parkhurst Boulevard, Vanderhoof Avenue, Vaughan Street and Wicksteed Avenue which will contribute to the attractiveness of the employment area and result in a better environment for pedestrians. Adjacent public boulevards will be planted with trees and the existing municipal sidewalks will be replaced with new sidewalks on all public streets abutting the site. Further, a 3 metre wide landscaped centre median will be installed on Laird Drive to continue a treatment that exists within other sections of Laird Drive.

The site design responds appropriately to the policy direction. In particular, the proposal achieves the following:

- the driveways have been organized to extend the neighbouring street patterns or driveways into the site with sidewalks and trees that look and act like public streets;
- buildings will be located parallel to both streets with consistent landscaped setbacks;
- main entrances will be located so that they are clearly visible and directly accessible from the public sidewalks;
- active uses will be provided at grade, particularly along the public streets;
- new buildings will be massed so as to frame the adjacent streets with good proportion, while respecting the commercial/industrial character of Laird Drive;
- surface parking will not be located between the front façade of a building and the public sidewalks;
- mid-block pedestrian routes and tree plantings will be provided within surface parking lots; and
- landscaped edges will be provided for surface parking lots along streets to define the street edge and provide visual screening.

Design Review Panel

The project has been reviewed by the City's Design Review Panel. The Panel provides independent design advice during the development approval process, with the objective of ensuring a high level of urban design. The proposal was presented to the Design Review Panel on May 14, 2012.

The panel were appreciative of the design of the proposed anchor store on the second level suggesting it was indicative of a retailing trend moving away from traditional big box formats. Members felt the proposal was generally successful in creating urban fabric on the site and was doing so in a manner which enhanced the quality of the architecture in the area.

The panel were also appreciative of the plaza as a gesture to enhance the pedestrian experience but identified a variety of conditions that led them to question its success (i.e., it's surrounded by parking, it's only framed by buildings on one side and it terminates as a loading/parking/laneway zone).

The panel considered it unlikely that Vanderhoof Avenue and Wicksteed Avenue would become successful pedestrian-oriented spaces in the near future given the back-to-street relationships that exist in the neighbouring large scale retail developments north and south of the site. In view of this context, the members recommended the applicant focus efforts in creating quality spaces internal to the site.

The applicant was also encouraged to:

- locate the three proposed buildings along Wicksteed Avenue in a way that creates and reinforces an urban quality within the site and create an urban built form condition along both sides of Vaughan Street and the internal plaza;
- provide appropriately landscaped edges to the parking areas and along streets with a particular focus given to sustainable treatment (e.g. bioswales and stormwater management);
- examine the possibility of on-street parking to make the site feel more integrated into the wider context and to make the retail environment more viable; and
- examine the possibility of extending driveways and/or streets to align/connect with the commercial site to the south.

The comments from the members of the panel have been used to assist with the urban design review of the application and provided guidance in subsequent resubmissions. A number of the panel's suggestions have been achieved in the current submission.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits. The Plan states Council can pass a Zoning By-law to grant an increase in height and/or density for a project that is greater than the Zoning By-law would otherwise permit in return for community benefits. The Official Plan states that where permissions are sought for density increases that Section 37 may be used if the overall project size exceeds 10,000 m² and the added density exceeds 1,500 m² (Policy 5.1.1.4). This proposal qualifies for the use of Section 37 as identified in the City's Official Plan.

Staff, the local Councillor and the applicant have discussed Section 37 for this proposal. Planning staff is recommending the owner enter into a Section 37 agreement to secure the following:

- a \$500,000 cash payment to be used towards the cost of constructing and equipping the expansion to Leaside Memorial Gardens, to be paid prior to the issuance of the first above-grade building permit for the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment.
- provisions for the construction of a 3 metre wide landscaped centre median on Laird Drive along the frontage of the site designed and constructed to the satisfaction of the Director of Transportation Services and the Manager of Technical Services, such median to include irrigation and hard and soft landscaping materials to the satisfaction of the General Manager of Parks, Forestry & Recreation. The installation of the landscaped median shall be

secured by posting a Letter of Credit in the amount not less than \$321,000 prior to site plan approval.

The following matters are also recommended to be secured in the Section 37 Agreement in support of the development:

- construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council in October 2009;
- submit a construction management plan to the satisfaction of Executive Director of Technical Services, such plan to include information regarding the construction timetable and protocols to address construction activities such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints.

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 employment area with a population of less than 300 people. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The proposed commercial development will be subject to the 2% commercial rate for parkland dedication. The required parkland dedication would be 469m².

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. Parks, Forestry and Recreation staff advise this is appropriate as the dedication would be too small to be functional. The actual amount of cash-in-lieu to be paid will be determined by the Facilities and Real Estate Division at the time of issuance of the building permit.

Tree Preservation

The applicant filed an Arborist Report and tree inventory plan that indicates there are 3 privately-owned trees on or near the site that meet the size criteria for protection under the City's Private Tree By-law 780-2004 and six trees on City-owned land that qualify under the Trees On City Streets By-law. The applicant is proposing to remove the three privately-owned trees and remove three of the six City-owned trees. Urban Forestry Services requires a Tree Protection Security Deposit in the amount of \$5,120.00 to ensure protection of the three City-owned trees and an Application to Remove Healthy City-owned Trees must be filed for permission to remove the healthy trees. It should be noted the applicant is proposing to plant new trees on all public boulevards adjacent to the site to City specifications.

Based on standard requirement, Urban Forestry requires a minimum of nine new trees to replace the three privately-owned trees proposed for removal at a replacement ratio of 3:1.

There is sufficient space on site to accommodate this condition however Urban Forestry staff notes there are very few trees proposed within the parking lots. The Toronto Green Standards requires trees be planted at a ratio of one new tree for every five parking spaces.

The requirements of Urban Forestry Services will be secured through the Plan of Subdivision and Site Plan process.

Toronto Green Standard and Green Roofs

The two-tiered Toronto Green Standard (TGS) and Green Roof By-law came into force and effect on January 31, 2010. 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 Zoning By-law would secure performance measures for the following Tier 1 development features: providing minimum number of parking spaces and securing weather protected bicycle parking spaces.

Other applicable TGS performance measures would be secured through the Site Plan approval process including: landscape treatments and green roofing techniques to reduce the urban heat island effect; incorporating landscaped areas with water efficient plants and native species and capturing stormwater for irrigation or grey water; the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste; and stormwater management/retention.

The Toronto Green Roof By-law applies to commercial buildings over 2,000m². The By-law requires a percentage of each building's roof to be clad in vegetative material based on the size of the building. The building that would contain the large format retail building (Building A1) would have a gross floor area of 7,308m² with all other stand alone buildings having a gross floor area less than 2,000m². Therefore, the Green Roof By-law would apply to the larger building. Green Roof details will be secured through the Site Plan Control process.

The following matter will be secured in the Section 37 Agreement in support of the development:

1. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

Construction Management

One of the concerns expressed by residents related to construction activity and the related off-site impacts. The applicant will be required to submit a Construction Management Plan for City approval. The plan will include information regarding the construction timetable

and protocols to address construction activities such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints. This matter will be secured in the Section 37 agreement in support of the development.

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision divides the site into eight blocks and establishes lands to extend Parkhurst Boulevard into the site creating an L-shaped road connecting Laird Drive to Wicksteed Avenue as well as lands necessary to extend Vaughan Street south to connect with Wicksteed Avenue.

Four development blocks would be created as a result of the proposed municipal road extensions.

Block 1, the westerly development block located at the northeast corner of Laird Drive and Parkhurst Boulevard, would have a site area of approximately 1,302m² and would be developed with a new two-storey 2,274m² retail building (Building B).

Block 2, located on the north side of Parkhurst Boulevard, would have a site area of approximately 1,010m² and would contain the existing one and two-storey commercial building.

Block 4 is the largest block within the Plan with a site area of 15,037m². The block is bisected by a 9.0 metre wide storm sewer easement in favour of the City (formerly Parkhurst Blvd). The northerly portion of the development block, between Vanderhoof Avenue and the extension of Parkhurst Boulevard, would contain the large scale (second level) retail store (Building A1), grade related commercial buildings (Buildings A4, Building C) the Galleria, the loading/servicing building and surface and below grade parking. The southerly portion of the development block adjacent to Wicksteed Avenue and the extension of Vaughan Street would contain retail Building D and surface parking.

Block 5, the easterly block in the plan of subdivision, would have an area of approximately 5,823m² and would be developed with two, single storey retail buildings (Buildings E and F) that would have a gross floor area of approximately 635m² and 849m². The northerly portion of this development block also contains the previously noted 9.0 metre wide storm sewer easement.

It is intended that all buildings would align themselves along existing and proposed streets. The proposed draft plan of subdivision is appropriate for the area and this type of employment land development.

Site Plan Approval

Staff have had discussions with the applicant throughout the process on matters concerning site organization including block, building layout and street design. Staff anticipate an

application for Site Plan approval will be submitted in the near future. Through that process detailed matters pertaining to building façades, building entrances, awnings and canopies, pedestrian circulation, landscaping and streetscaping, the centre lane landscaped median on Laird Drive, lighting and phasing will be reviewed and secured. Staff is recommending Notice of Approval Conditions be issued by the Director, Community Planning, North York District, before introducing the necessary Bills to City Council for enactment.

Implementation

The draft zoning by-law amendment and draft plan of subdivision conditions are attached to this report. The draft zoning by-law includes permission for the large-format retail store with associated development standards, It is recommended that the bills for the zoning by-law amendment not be introduced in Council until the Section 37 and Subdivision Agreements are entered into and the Notice of Approval Conditions for Site Plan Approval have been issued. This will ensure that these approvals align appropriately and are to staff's satisfaction.

Conclusion

The applicant's proposal for a new large-format retail store on a portion of the property and plan of subdivision including provision of new public roads is consistent with the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe. The proposal also conforms to the general objectives of the Official Plan.

It is recommended that Council approve the rezoning application and that prior to introducing the necessary Bills for enactment that the owner be required to enter into agreements and secure approvals as outlined in this report.

CONTACT

Steve Forrester, Senior Planner
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Fax No. (416) 395-7155
E-mail: sforrest@toronto.ca

SIGNATURE

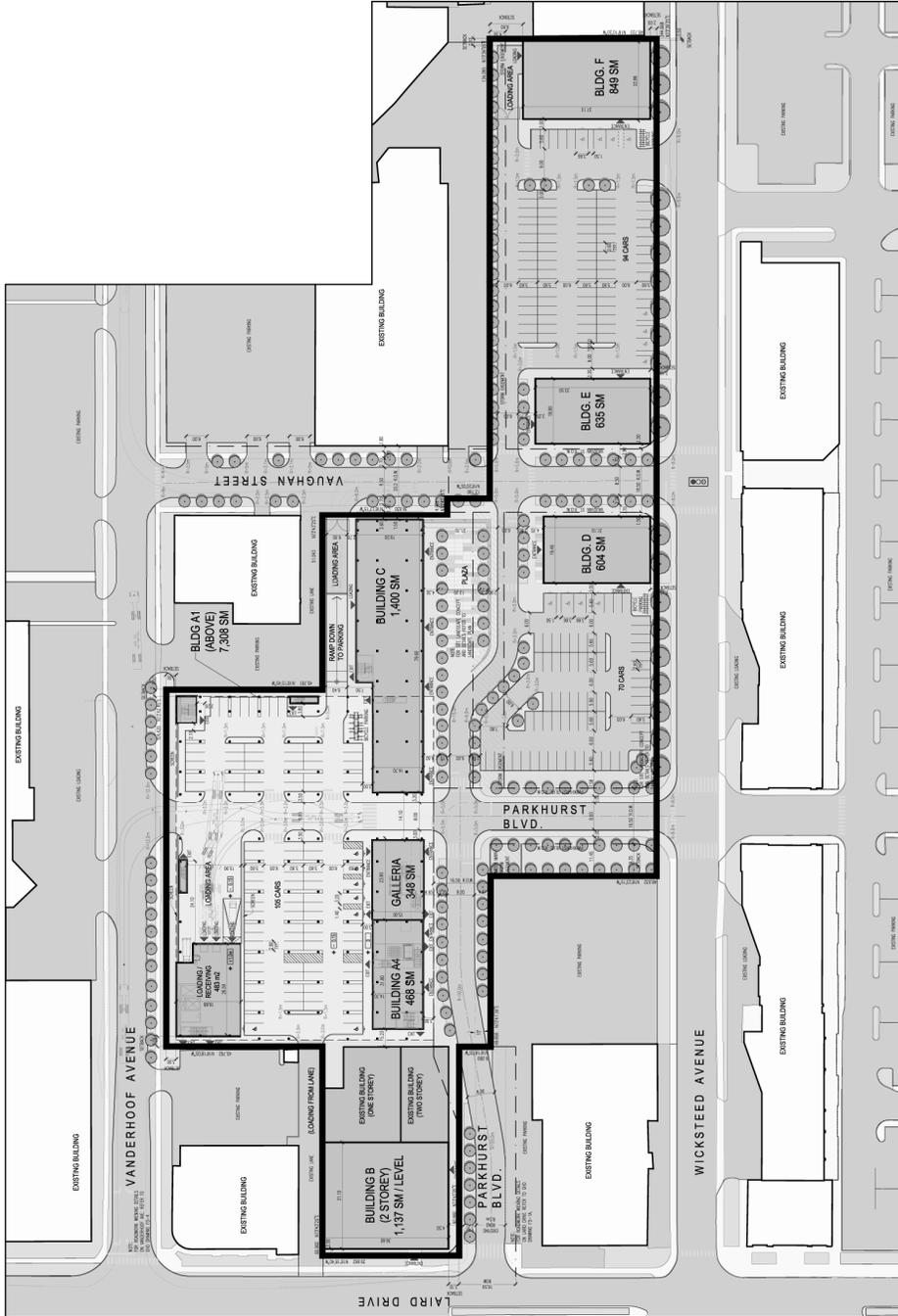
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site/Ground Level Plan
Attachment 2: Second level Plan

Attachment 3: Below Grade Parking Plan
Attachment 4: Draft Plan of Subdivision
Attachment 5: Aerial Perspective View Looking Northwest
Attachment 6: Elevations
Attachment 7: Elevations
Attachment 8: Elevations
Attachment 9: Elevations
Attachment 10: Elevations
Attachment 11: Zoning
Attachment 12: Application Data Sheet
Attachment 13: Draft Zoning By-law Amendment
Attachment 14: Conditions of Draft Plan of Subdivision

Attachment 1: Site/Ground Level Plan



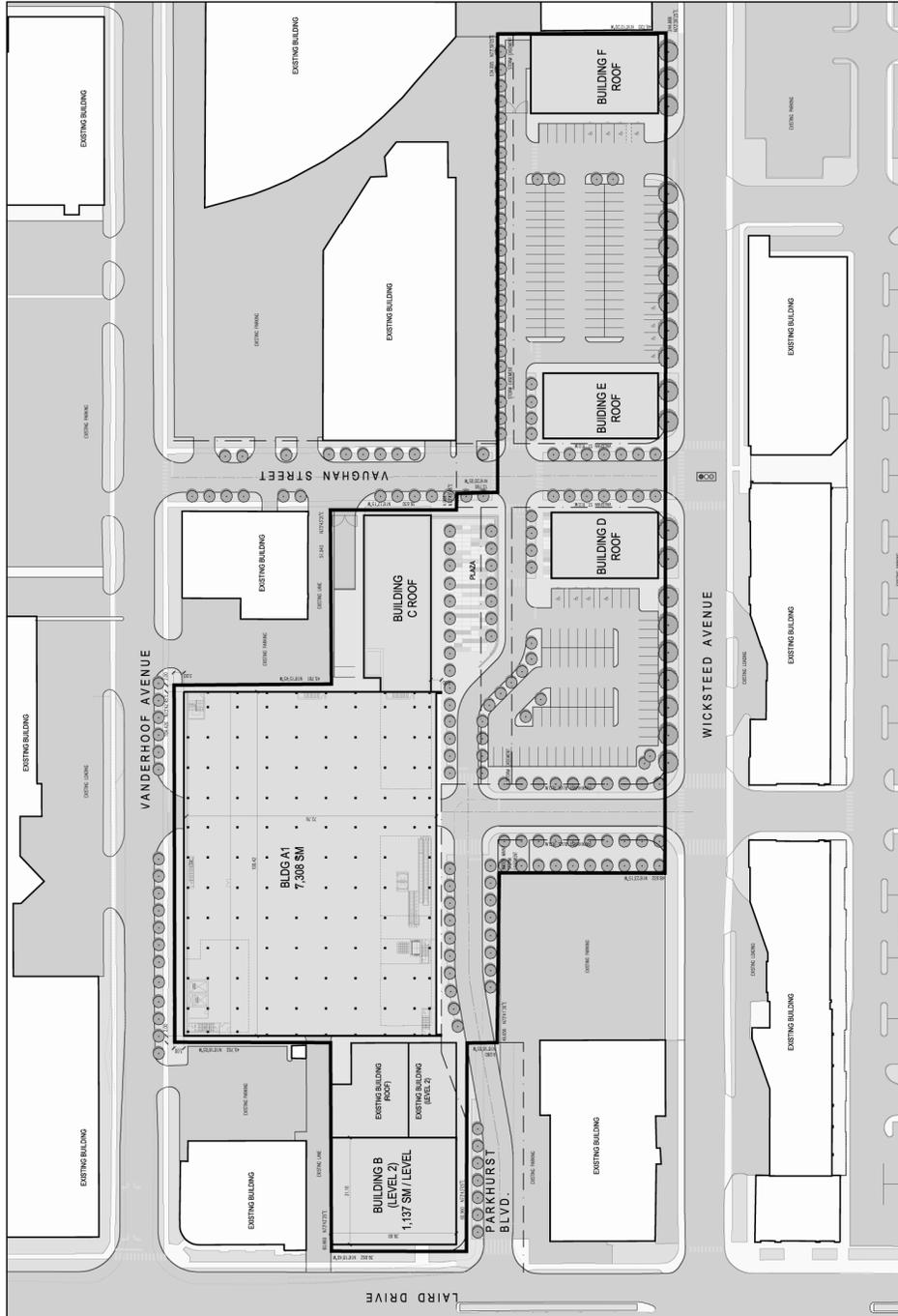
Site Plan 70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z

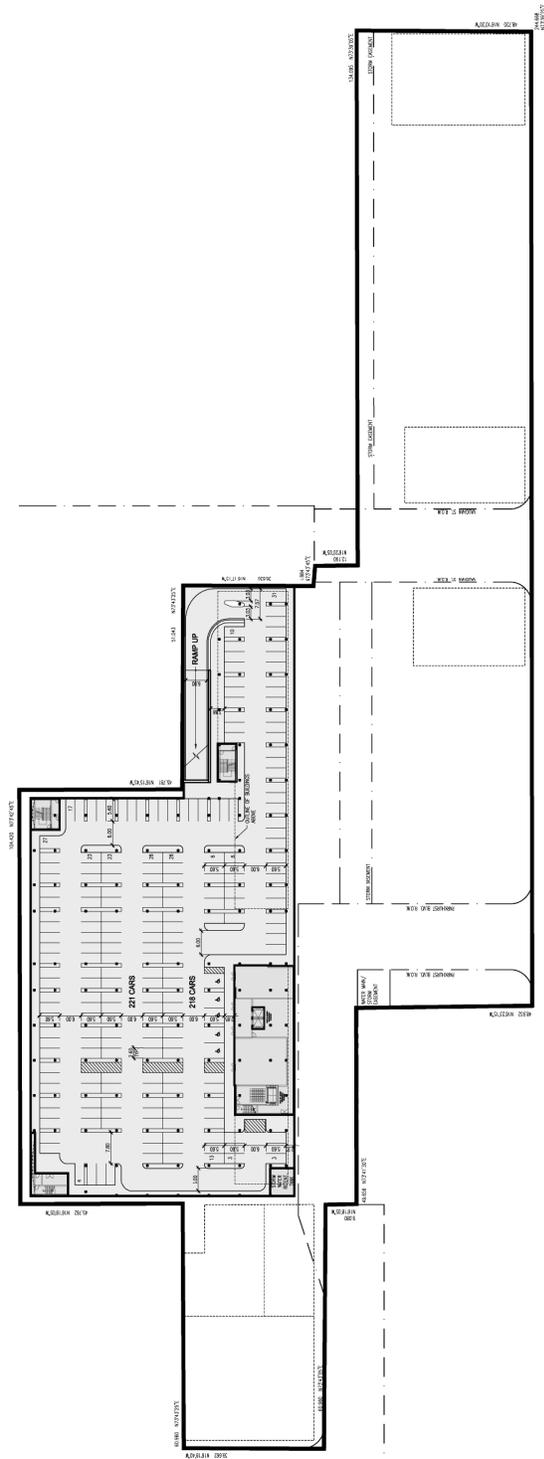
Attachment 2: Second Level Plan



Second Level Floor Plan
 Applicant's Submitted Drawing
 Not to Scale
 2/16/2013

**70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard
 & 99 Vanderhoof Avenue**
 File # 11 264854 NNY 26 0Z

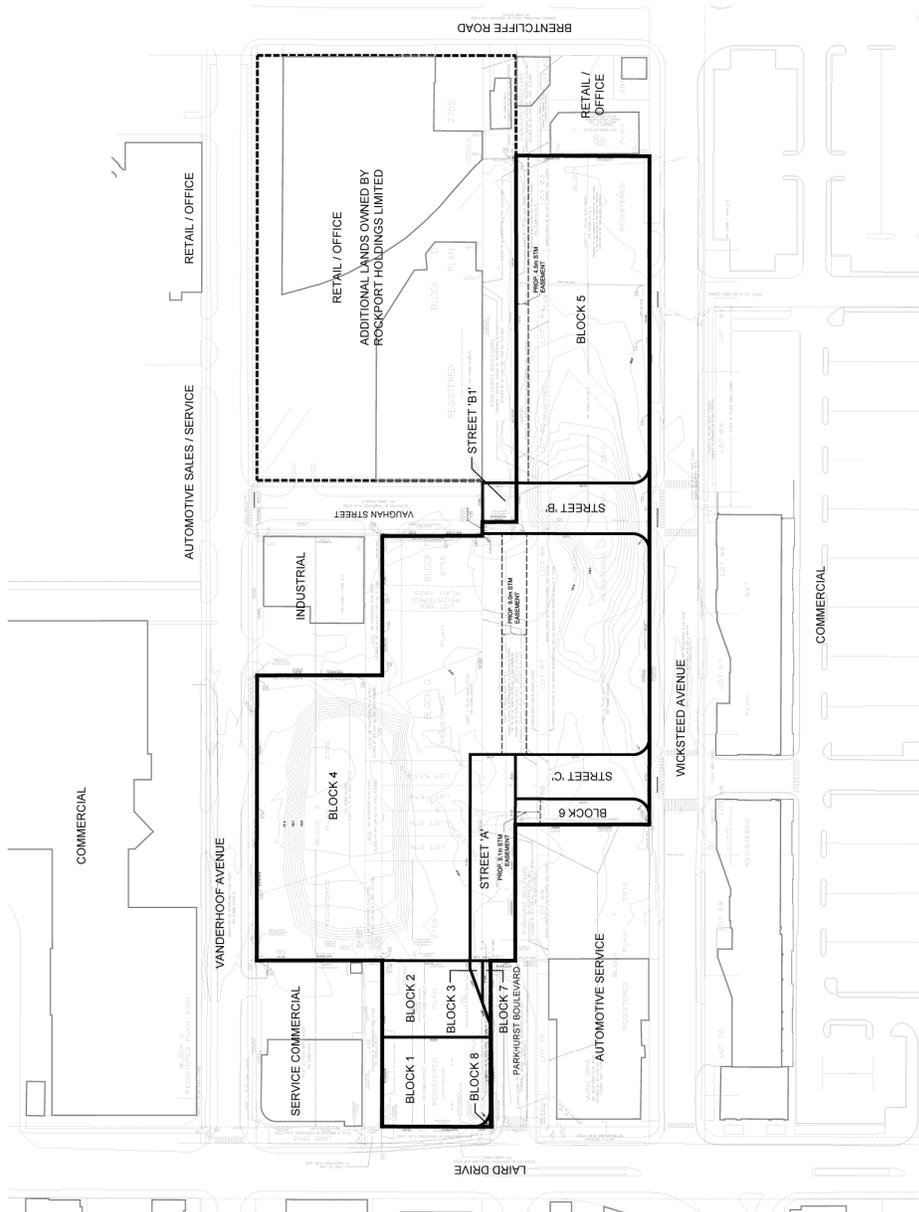
Attachment 3: Below Grade Parking Plan



Below Grade Parking Plan
 Applicant's Submitted Drawing
 Not to Scale
 2/16/2013

70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard
 & 99 Vanderhoof Avenue
 File # 11 264854 NNY 26 0Z

Attachment 4: Draft Plan of Subdivision



Plan of Subdivision **70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue**

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z & 12 280184 NNY 26 SB

Attachment 5: Aerial Perspective View Looking Northwest



Northwest Aerial Perspective

Applicant's Submitted Drawing

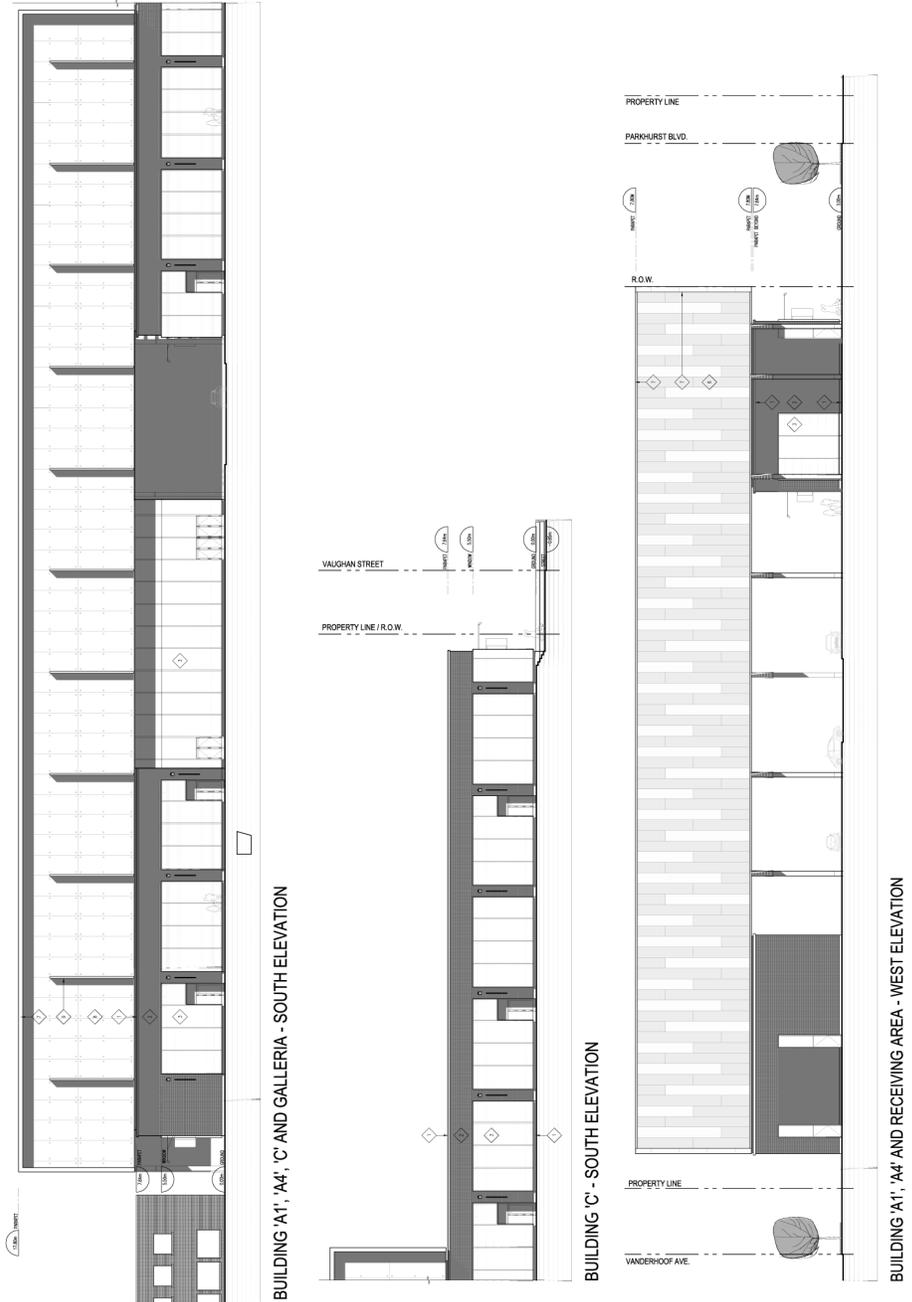
Not to Scale
2/6/2013



**70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard
& 99 Vanderhoof Avenue**

File # 11 264854 NNY 26 0Z

Attachment 6: Elevations



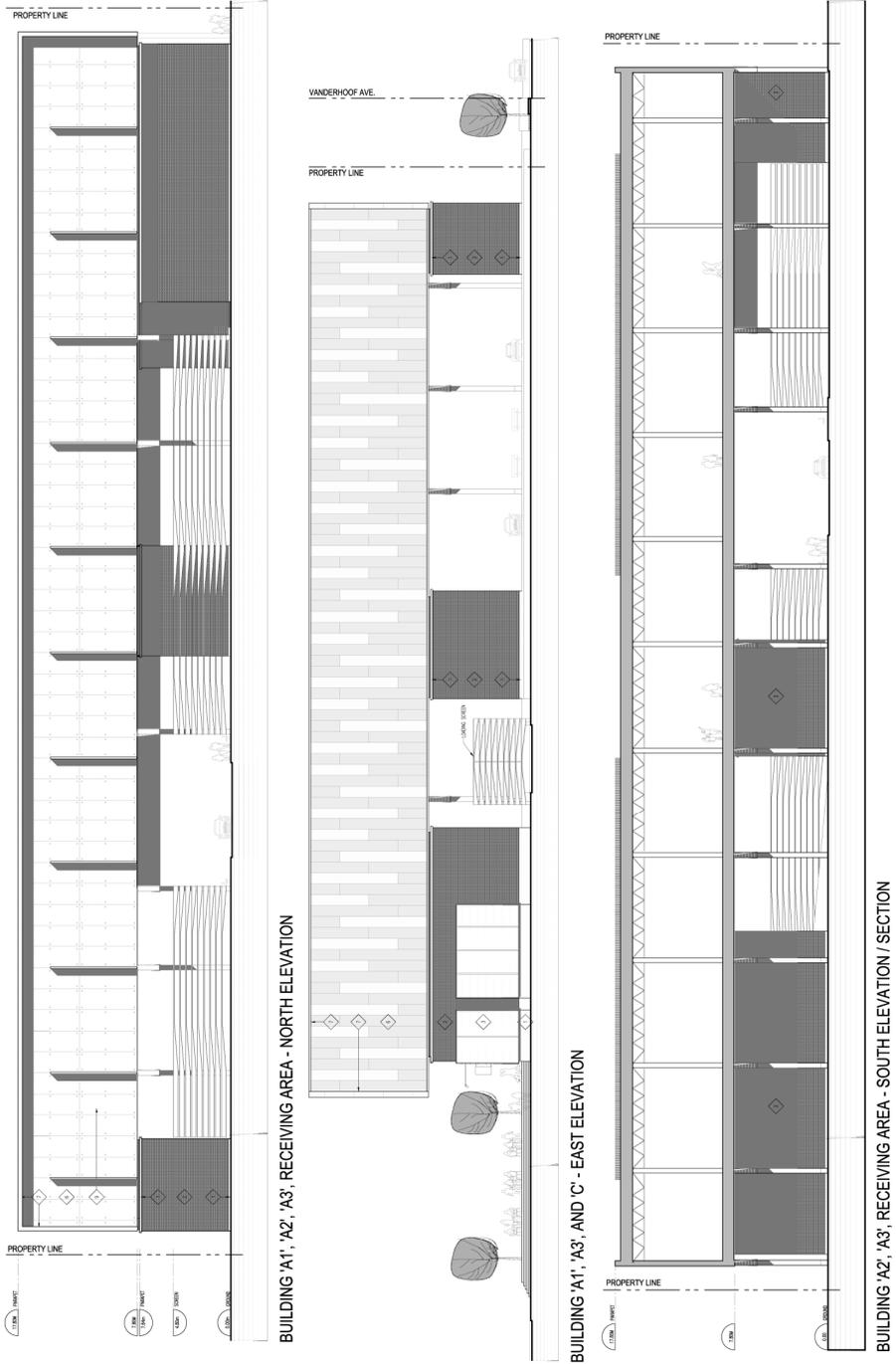
Elevations 70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z

Attachment 7: Elevations



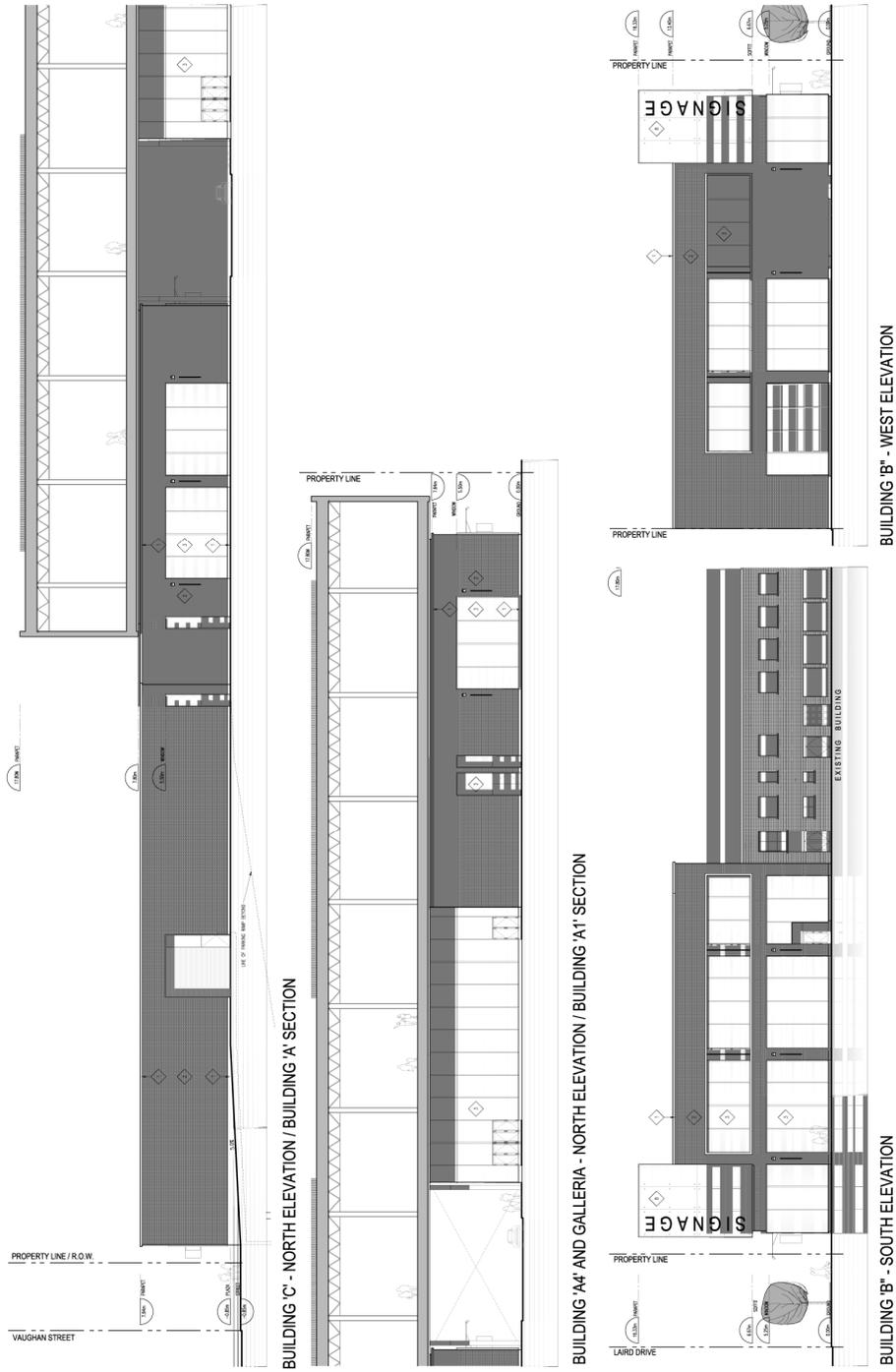
Elevations 70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z

Attachment 8: Elevations



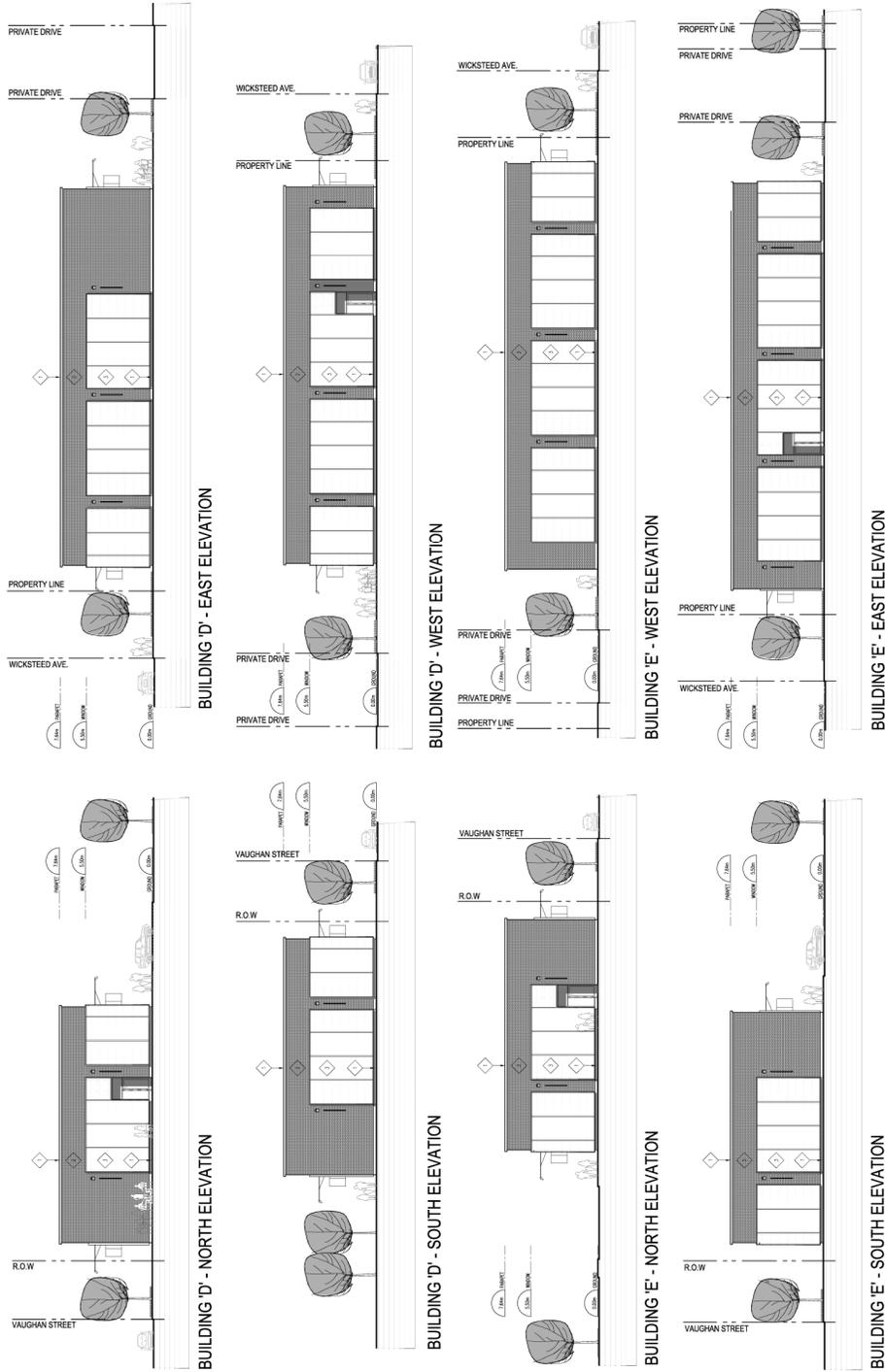
Elevations 70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z

Attachment 9: Elevations



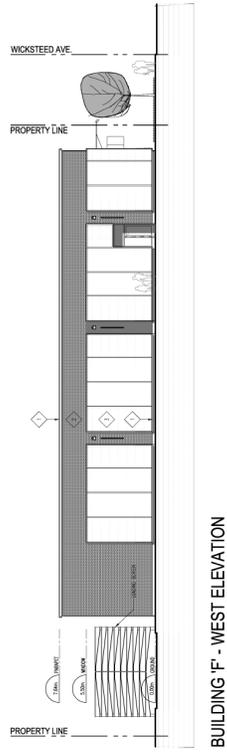
Elevations 70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue

Applicant's Submitted Drawing

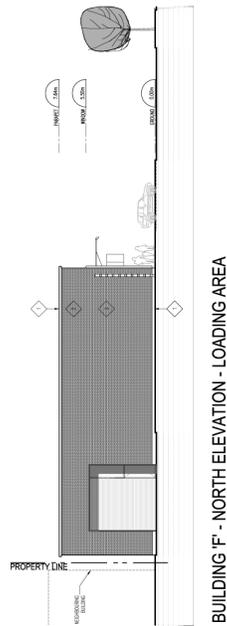
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1/29/2013

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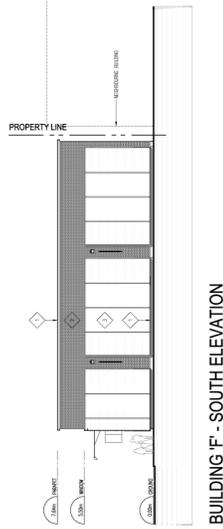
Attachment 10: Elevations



BUILDING 'F' - WEST ELEVATION



BUILDING 'F' - NORTH ELEVATION - LOADING AREA



BUILDING 'F' - SOUTH ELEVATION

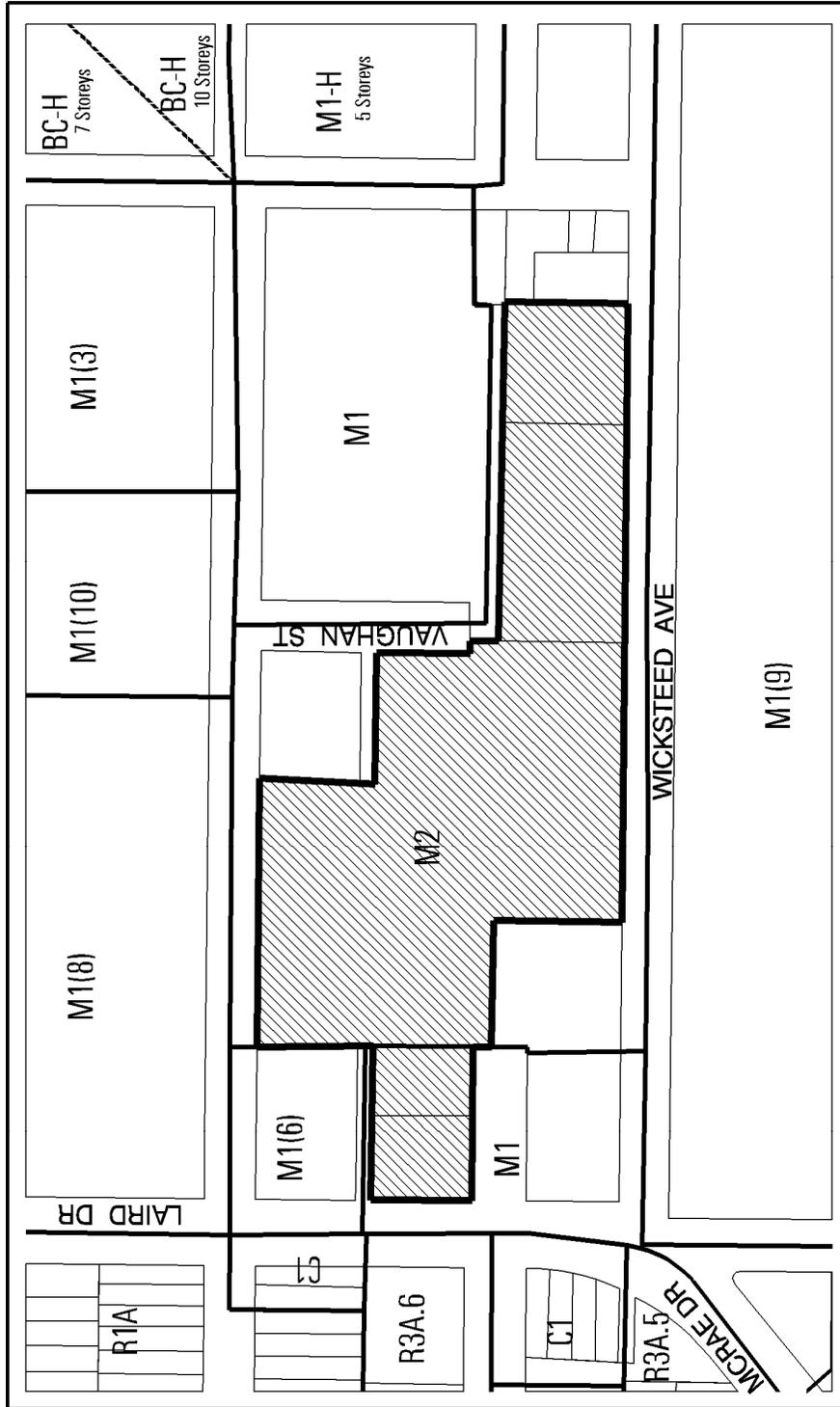
Elevations **70 & 80 Wicksteed Avenue, 202, 204 & 206 Parkhurst Boulevard & 99 Vanderhoof Avenue**

Applicant's Submitted Drawing

Not to Scale
1/29/2013

File # 11 264854 NNY 26 0Z

Attachment 11: Zoning



Toronto City Planning
Zoning
 70 + 80 Wicksteed Ave, 202-206 Parkhurst Blvd & 99 Vanderhoof Ave
 File # 11 264854 NMY 26 0Z

- R1A Low Density Residential
- R3A High Density Residential
- C.1 Commercial - General
- M.1 Light Industrial
- BC Business Centre
- H Holding

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Not to Scale
 Lease Side Zoning Bylaw 1916
 Extracted 12/23/2011

Attachment 12: Application Data Sheet

Application Type	Rezoning	Application Number:	11 264854 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	August 29, 2011
Municipal Address:	70 WICKSTEED AVE		
Location Description:	PLAN 2510 PT BLK 1 CLOSED PARKHURST BLVD PT **GRID N2604		
Project Description:	Zoning By-law amendment to permit a commercial centre comprising a series of new and existing buildings ranging in size from 468 square metres up to 7,308 square metres for a total gross floor area of 15,669 square metres. 487 parking spaces are proposed.		

Applicant:	Agent:	Architect:	Owner:
PAULA BUSTARD		DIAMOND AND SCHMITT	WICKSTEED DEVELOPMENTS LTD

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	M1 & M2	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	26768	Height:	Storeys:	2
Frontage (m):	40		Metres:	16.5
Depth (m):	353			
Total Ground Floor Area (sq. m):	5915			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	487
Total Non-Residential GFA (sq. m):	15669		Loading Docks	5
Total GFA (sq. m):	15669			
Lot Coverage Ratio (%):	22.1			
Floor Space Index:	0.58			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	15669
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT:	PLANNER NAME:	Steve Forrester, Senior Planner
	TELEPHONE:	(416) 395-7126

Attachment 13: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2013
Enacted by Council: ~, 2013

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2013

To amend By-law No. 1916, as amended, for the former Town of Leaside, with respect to lands municipally known as 70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue

WHEREAS Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out;

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 1916, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

The Council of the City of Toronto HEREBY ENACTS as follows:

- 1.** The lands subject to this by-law are those lands outlined by a heavy black line and identified on Schedule “1” attached hereto.

Staff report for action – Final Report - 70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue

2. Schedule "A" to Zoning By-law No. 1916, as amended, is hereby further amended by changing the zoning category for the lands shown on Schedule "1" of this By-law from Light Industrial (M1) Zone" and General Industrial (M2) Zone to "Light Industrial M1(14) Zone".
3. Zoning By-law No. 1916, as amended, is hereby further amended by adding a new Section 8.2.3(j) immediately after Section 8.2.3(i) as follows:

“8.2.3(j) 70 and 80 Wicksteed Avenue, 202, 204 and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue M1 (14) Zone

(i) Area Restricted

The provisions of this section 8.2.3(j) shall only apply to the lands zoned M1(14) on Schedule 1.

(ii) General Provisions

Notwithstanding Sections 8.2.1 and 8.2.2 of this By-law, on those lands referred to in Section 8.2.3(j)(1) of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building, Structure or land or part thereof except in accordance with the following provisions:

(iii) Permitted Uses

In addition to the uses permitted within Section 8.2.1, the following uses are permitted:

- Retail Store
- Food Store
- Drug Store
- Department Store
- Convenience Store
- Garden Supply Centre
- Home Improvement Centre
- Retail Warehouse
- Warehouse Format Retail
- Bank or Financial Institution;
- Business and Professional Offices;
- Business Office;
- Government Office;
- Clinic
- Video Sales and Rental;
- Eating Establishment;
- Restaurant

- Restaurant Take-Out;
- Drive-through facility;
- Automated Teller Machines;
- Dry Cleaner's Distribution Station;
- Dry Cleaning Establishment
- Service or Repair Shop;
- Personal Service Shop;
- Service Shop
- Tailor's Shop;
- Dressmaker's Shop
- Printing Store
- Artist and Photographer's Studio
- Commercial School
- Day Nursery
- Custom Workshop
- Private and Public Recreational Facilities
- Private Club

(ii) General Development Requirements

(a) Gross Floor Area

- (i) The maximum gross floor area of all buildings and structures within the building envelopes shown on Schedule "M1(14)" shall be 15,669m².
- (ii) The maximum gross floor area of Building A1 shown on Schedule "M1(14)" shall be 7,308m².
- (iii) A minimum of one (1) free standing, single use building must be provided having a minimum gross floor area of 5,574m².

(b) Maximum Floor Space Index of 0.60.

(c) Maximum Lot Coverage of 25%.

(d) Building Location and Setbacks

- (i) The minimum yard setbacks for all buildings and structures above established grade on the Lot shall be as set out in Schedule "M1(14)".
- (ii) The minimum yard setbacks for underground parking structures on the Lot shall be 0 metres

- (iii) Awnings and canopies may project within the above setbacks provided they are wholly on the property.
- (e) Building Height
- (i) The maximum building height and number of storeys shall not exceed the maximum height in metres and number of storeys as shown on the building envelopes in Schedule "M1(14)".
 - (ii) The following may exceed the maximum height limit up to a maximum of 5.0 metres:
 - (a) A roof structure which is used to house stairwells for roof access and/or the mechanical, electrical or ventilation systems for the building;
 - (b) Decorative features and design elements including parapets, cornices, mouldings, flashings, railings, pergolas and trellises.

(f) Landscaping

Notwithstanding the requirements of Section 8.1.5, the following requirements shall apply:

- (i) All yard areas other than driveways, loading areas, motor vehicle parking, walkways, stairs, and patios shall be landscaped.

(g) Parking

Notwithstanding the requirements of Section 5.17, the following requirements shall apply:

- (i) a minimum ratio of 1.5 parking spaces per 100 m² of retail floor area;
- (ii) a minimum ratio of 1.5 parking spaces per 100m² of office floor area;
- (iii) a minimum ratio of 2.5 parking spaces per 100 m² of food store floor area;
- (iv) a minimum ratio of 4.0 parking spaces per 100m² of bank floor area;

- (v) a minimum ratio of 3.0 parking spaces per 100 m² of restaurant floor area.
- (h) Bicycle Parking
 - (i) A minimum of 18 occupant bicycle parking spaces shall be provided at grade; and
 - (ii) A minimum of 18 visitor bicycle parking spaces shall be provided at-grade.

(i) Loading Spaces

Notwithstanding the requirements of Section 5.19(a), loading spaces shall be provided in accordance with the following;

- (i) Building A: 1 Type A loading space and 2 Type B loading spaces;
- (ii) Building B: 2 Type B loading spaces;
- (iii) Building C: 1 Type B loading space;
- (iv) Building D: 1 Type B loading space;
- (v) Building E: 1 Type B loading space;
- (vi) Building F: 1 Type B loading space;
- (vii) A Type A loading space shall have minimum dimensions of 17m long, 3.5m wide and a vertical clearance of 4.3m;
- (viii) A Type B: loading space shall have minimum dimensions of 11m long, 3.5m wide and a vertical clearance of 4m.

3. Section 37 Agreement

- (i) Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law, the increase in density of development on the lands is permitted in return for the owner's election to provide, at the owner's expense, the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form satisfactory to the City Solicitor and registered on title;
 - (a) prior to issuance of the first above-grade building permit for any building or structure within the development the owner shall:
 - A. make a \$500,000.00 cash contribution toward the cost of constructing and equipping the expansion to Leaside Memorial Gardens, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto,

calculated from the date of the registration of the Section 37 Agreement to the date of payment; and

- B. provide the City with security in the form of standard letter of credit to the satisfaction of the Director of Transportation in the amount of not less than \$321,000.00 to secure the cost of construction of a center median on Laird Drive as set out in paragraph b) A. below;

(b) the owner shall provide and maintain the following:

- A. construction of a 3 metre wide landscaped centre median on Laird Drive along the frontage of the site which is designed and constructed to the satisfaction of the Director of Transportation Services and the Manager of Technical Services, such median to include irrigation and hard and soft landscaping materials to the satisfaction of the General Manager, Parks, Forestry & Recreation.

(c) the owner shall provide the following to support the development;

- A. construction and maintenance of the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council in October, 2009;
- B. submission of a construction management plan to the satisfaction of the Executive Director of Technical Services, such plan to include information regarding the construction timetable and protocols to address construction activities such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints.

(ii) Where Section 3(i) above requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(iii) The owner shall not use, or permit the use of, a building or structure erected with an increase in density permitted pursuant to this By-law unless all provisions of Section 3(i) hereof are satisfied.

4. Notwithstanding anything else contained in this By-law, the provisions of Section 8.2.3(j) shall continue to apply collectively to all of the lands identified on Schedule "1" of this by-law, notwithstanding any future division of the lands into two or more parcels of land.

5. Other Provisions of the By-law.

Except as amended in this By-law, all the other provisions of By-law No. 1916 shall apply to the lands.

6. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

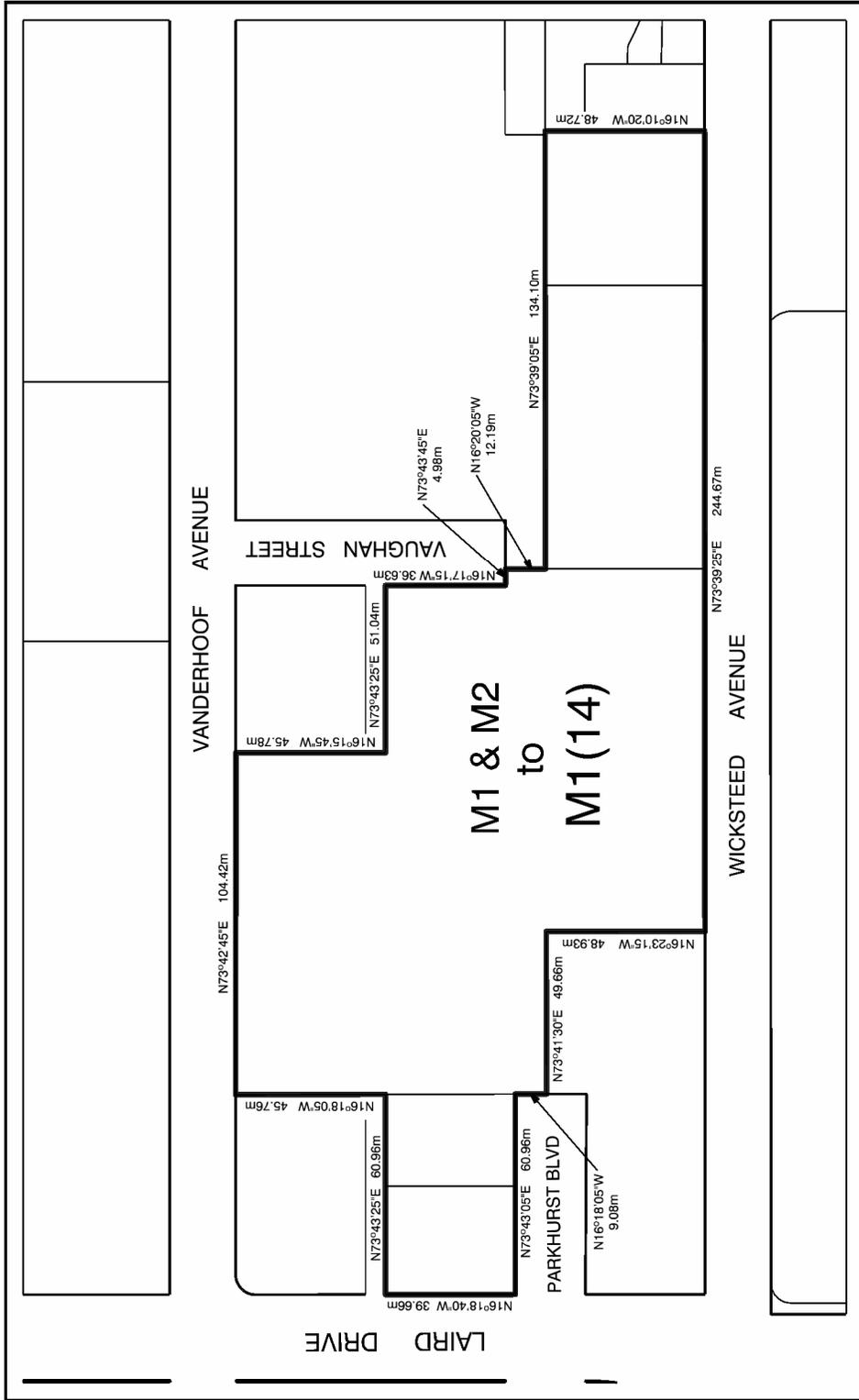
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2013.

ROB FORD,
Mayor

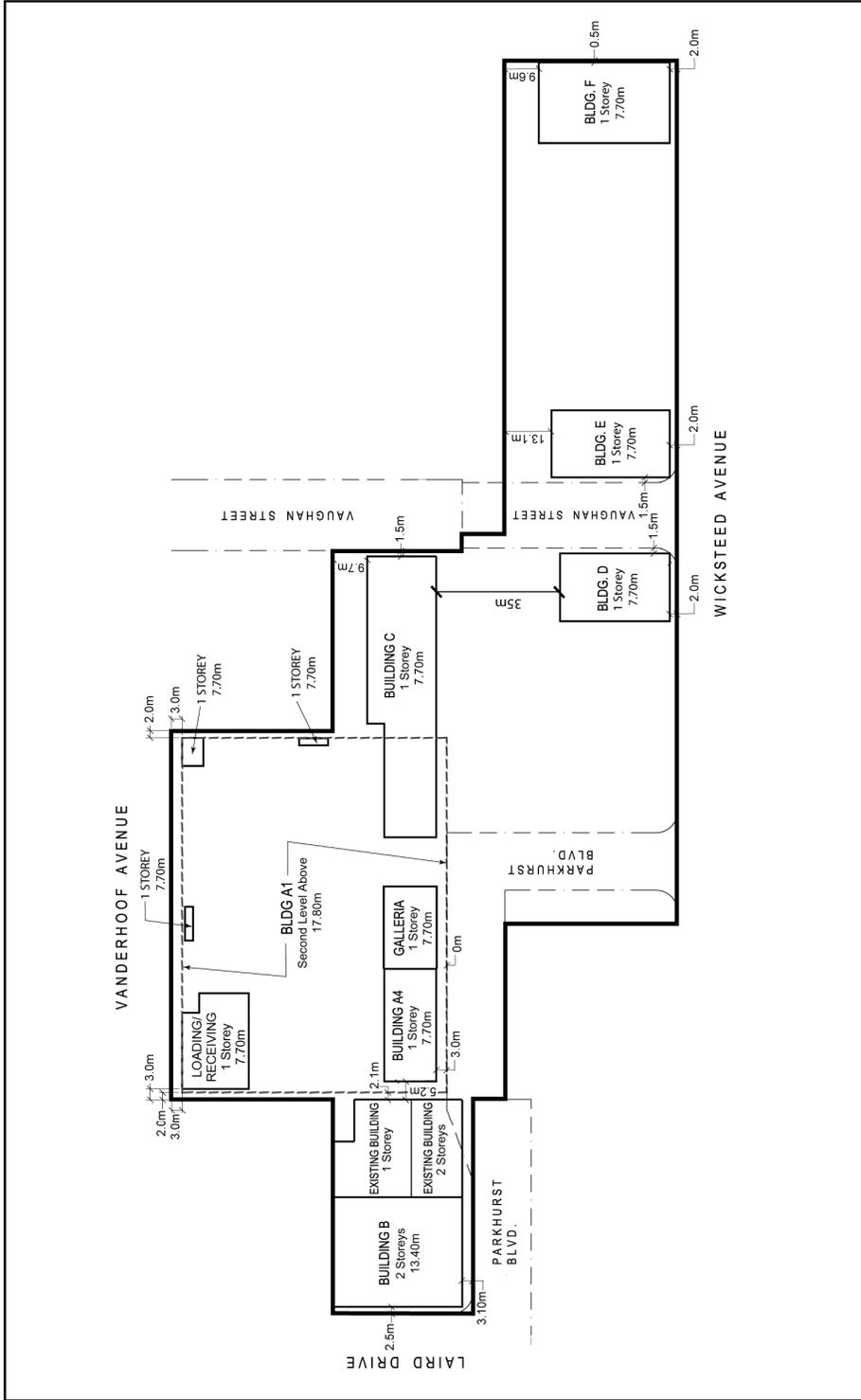
ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Toronto City Planning
Schedule 1
 File # 11 264854 MNY 26 0Z
 Not to Scale

Part 1, Plan of Blocks F, G, H, Part of Block E, Part of Lane, R.P. 2755 & Part of Parkhurst Boulevard,
 Part of Block 1, R.P. 2510 & Lots 566, 573, 574, 575, 576, R.P. 1925, City of Toronto
 Kicmar Surveyors Limited
 Date: 1/30/2013
 Approved by: S. Forrester



Schedule M1(14)



Part 1, Plan of Blocks F, G, H, Part of Block E, Part of Lane, R.P. 2755 & Part of Parkhurst Boulevard,
 Part of Block 1, R.P. 2510 & Lots 566, 573, 574, 575, 576, R.P. 1925, City of Toronto
 Krcmar Surveyors Limited
 Date: 02/04/2013
 Approved by: S. Forrester

File # 11 264854 NNY 26 0Z
 Not to Scale

Attachment 14: Conditions of Draft Plan of Subdivision
City File No.: 12 280184 NNY 26 SB

PROPOSED CONDITIONS OF DRAFT PLAN APPROVAL

Standard Conditions

1. The Chief Planner's approval set out in the Notice of Decision letter shall apply to Drawing No. 1 prepared by MHBC Planning Urban Design & Landscape Architecture, dated January 18, 2013.
2. The plans submitted for final approval and registration must be substantially in accordance with the approved draft plans specified above. Any minor revisions to these plans must be approved by the Chief Planner's designate, the Director of Community Planning, North York District.
3. **Prior to registration of the plan of subdivision** the Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
4. **Prior to registration of the plan of subdivision** the Owner shall provide to the Director of Community Planning, North York District, confirmation that the taxes have been paid in full. (Statement of Account or Tax Clearance Certificate);
5. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
6. **Prior to registration of the plan of subdivision**, the zoning implementing the Official Plan shall be in full force and effect.
7. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.

Technical Services

8. The Owner shall pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.
9. All roads and corner roundings shown on the plan shall be identified as streets and dedicated as public highway.

10. The Owner shall convey to the City all 0.3 metre (one foot) reserves shown on the plan.
11. The Owner shall convey all necessary easements to the City.
12. The Owner shall prepare all documents to convey lands in fee simple and easement interests to the City at its own expense and for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Technical Services Division in consultation with the City Solicitor.
13. The Owner shall 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 to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);
 - 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.
14. The Owner shall pay all costs for preparation and registration of reference plan(s).
15. The Owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the lands to be conveyed to the City, in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
16. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
17. **Prior to registration of the plan of subdivision**, the Owner shall submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy for the following internal and external works:
 - a) internal works including all necessary underground infrastructures, signage, pavement markings; and

- b) external works, including:
 - i) extension of sanitary sewer main along Wicksteed Ave to service the development;
 - ii) fixing, lining, and removing calcite from existing sanitary sewermain and storm sewermain on Parkhurst Blvd and the easement between laird Dr and Vaughan St.;
 - iii) all external road improvements and pavement marking as they have been identified by the applicant's engineer and approved by the City Transportation;
 - iv) construction of the centre median within Laird Dr.; and
 - v) removal and construction of sidewalk and curb on all frontages of the site.
- 18 The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Technical Services
 - 19 The Owner shall provide safe mitigation measures to protect the development, and /or cash-in-lieu contribution regarding sanitary wet weather issues on basement flooding to the satisfaction of Technical Services.
 20. The Owner shall convey Block 3 shown on the draft plan of subdivision to the City of Toronto immediately upon the demolition of the building within Block 2 and 3 existing on the date of registration of the plan for public highway purposes as part of Parkhurst Boulevard. The above condition shall be registered on title of the aforementioned properties to the satisfaction of the City Solicitor.
 21. The Owner shall convey Block 7 shown on the draft plan of subdivision for public highway purposes to the satisfaction of the City Solicitor or shall identify and incorporate the same as a street on the draft plan of subdivision to the satisfaction of the Executive Director, Technical Services.
 22. The Owner shall undertake, to the satisfaction of the Executive Director, Technical Services and at its sole expense and responsibility, all necessary work in connection with the fixing, lining and removal of calcite from the sanitary and storm outlets from this development to and within Parkhurst Boulevard, as required.
 23. The Owner acknowledges and understands the receipt of the comments noted on Section "E", "DRAFT PLAN OF SUBDIVISION COMMENTS " of the memorandum from Technical Services dated February 4, 2013 and is responsible

to revise the Draft Plan if any changes or revision required during engineering design or Site Plan application. All the cost involved is the sole responsibility of the owner.

24. **Prior to registration of the plan of subdivision**, the owner shall purchase the land as identified as Block No. Street "B1" on the Draft Plan of subdivision from the owner of the aforementioned land in order to complete the extension of Vaughan St. and acknowledges and agrees that all other conditions of draft plan approval shall apply to the design and construction of Street "B1" as part of Street B.
25. **Prior to registration of the plan of subdivision**, a loading study shall be submitted to the City for review and approval to ensure that there is no adverse impacts on the existing storm sewer infrastructure to be retained within the proposed storm sewer easement as a result of the proposed structures and buildings.
26. The Owner shall construct all external infrastructure improvements listed below to the satisfaction of Transportation Services prior to the issuance of above grade permits:
 - a. Laird Drive at Vanderhoof Avenue
 - Widen Laird Drive as required in order to add a 40 metre southbound left-turn storage lane;
 - Widen Vanderhoof Avenue as required and re-stripe the existing pavement markings in order to add dedicated westbound left and right-turn lanes;
 - b. Wicksteed Avenue
 - Re-stripe the existing pavement marking on Wicksteed Avenue, between Laird Drive and Brentcliffe Road, to create dedicated left turn lanes at the intersections west of Driveway 'C' along with a short centre two-way left turn lane which transitions into a dedicated left turn lane at Brentcliffe Road;
 - c. Laird Drive at Wicksteed Avenue / McRae Drive
 - Lengthen the traffic signal cycle length to 100 seconds in the PM Peak Hour and 110 seconds in the Saturday Peak Hour;
 - Add protected westbound and southbound left-turn phases in both weekday p.m. and Saturday peak periods (may require traffic

operations to evaluate the applicability of the existing controller);
and

d. Wicksteed Avenue at Vaughan Street

- Install a new traffic control signal at the intersection (may require minor westerly relocation of the TTC transit stops currently near Driveway 'C'.)
27. The Owner shall submit detailed design plans related to the external and internal infrastructure improvements (Pavement Markings & Signage Plan) to the satisfaction of Executive Director, Technical Services;
28. The applicant shall prepare and provide a cost estimate for all transportation improvements. The applicant is required to prepare and submit for review a cost estimate for any required road and intersection improvements/constructions as per the approved functional design (functional design still to be approved). The cost estimate must separate the internal improvements from the external improvements. The cost estimate may include but not limited to the following components:
- Any identified roadway modifications/construction;
 - Any identified sidewalk and curb modifications;
 - Any identified signage and pavement markings; and
 - Any identified utilities and infrastructure modifications, relocations, or improvements as a result of above works.

Parks, Forestry & Recreation

29. The construction of a commercial development will be subject to the 2% commercial rate for parkland dedication. The required parkland dedication will be 0.0469 hectares (469 m²).
30. The applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

Urban Forestry Services

City-owned Trees

31. Plans submitted with the application show that the development proposes the protection of three (3) existing trees located on the City road allowance. The trees involved are inventoried as Tree Nos. 2, 3 and 6 on the Tree Preservation Plan. Urban Forestry requires a Tree Protection Security Deposit in the amount of \$5,120.00 to ensure protection for the subject trees throughout the construction period.
32. Plans submitted with the application show that the development proposes the removal of three (3) existing trees located on the City road allowance. The trees involved are inventoried as Tree Nos. 1, 4, and 5 on the Tree Preservation Plan. Urban Forestry requires an Application to Remove Healthy City-owned Trees and an application fee of \$900.00 for permission to remove the subject trees. If the application is approved, Urban Forestry will require a payment of \$4,636.00 for the value of the noted three (3) trees and a complete "Agreement for Private Contractor to Perform Work on City-owned Trees" prior to removing any City-owned trees.
33. Urban Forestry requires a plan showing proposed trees on the City road allowances, wherever possible. The proposed trees should be planted at approximately 8.0 m intervals and a minimum of 0.5 m to 1.0 m from the property line to avoid future ownership conflicts. Large growing native tree species with high salt and drought tolerant are strongly recommended (e.g. Tulip, Pioneer Elms, Hackberry, Freeman Firefall Maples, Magyar Gingko, Red Oak, White Oak or Bur Oak. Red Maple, Norway Maple, Sugar Maple or Lindens will not be accepted). A Landscape Detail Plan will be required and should include planting specifications for balled and burlapped trees as per the City of Toronto's standard which may be found at <http://www.toronto.ca/trees/pdfs/DetailPD101bbinturf.pdf>. The detailed plan should also show proposed tree species, quantity and caliper size.
34. Urban Forestry requires a Tree Planting Deposit of \$583.00 for each tree proposed on the City road allowance to ensure planting and maintenance of the new trees for a minimum 2-year warrantee period. The Tree Planting Deposit must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review. The deposit will 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 guarantee period. The General Manager of Parks, Forestry & Recreation shall hold the tree planting security deposit for the duration of the renewable guarantee period.

Privately-owned Trees

35. Plans submitted with the application show that the development proposes the removal of three (3) privately-owned trees, inventoried as Tree Nos. 7, 8 and 9 on the Tree Preservation Plan, having diameters greater than 30 cm, located on the subject site. Under the provision of Section 813-16 (B), of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the subject trees meet the criteria for protection under the City of Toronto's Private Tree By-law. Urban Forestry requires the submission of a complete "Application to Injure or Destroy Trees on Private Property" and an application fee in the amount of \$900.00 (\$300 per tree) for permission to remove the subject trees.
36. The applicant is advised that once a completed application is submitted, a notice of application must be posted at the site for 14 days to provide an opportunity for the community to submit comments. Once the notice expires, Urban Forestry consults with the Ward Councillor to determine if a permit to destroy trees should be issued. Urban Forestry may be required to submit a report to Scarborough Community Council to consider the application. Submission of an application does not guarantee a permit will be issued. As part of the review process, you may be required to submit revised plans to address the intent of the tree by-laws as indicated above.
37. Based on standard requirement, Urban Forestry requires a minimum of nine (9) new trees to replace the three (3) private trees proposed for removal at a replacement ratio of 3:1. It appears that there is sufficient number of trees proposed on private land to satisfy this condition. However, there are very few trees proposed among the parking lots and is not consistent with Toronto Green Standard requirement, Air Quality 4.3. A total of 479 parking spots are proposed. At a ratio of one (1) new tree for each five (5) parking spots, this would require 96 new trees to be planted on site to satisfy the TGS Air Quality 4.3 requirement. Urban Forestry strongly recommends additional planting strips or islands are provided among the parking lots to fulfill this requirement. In consistent with TGS Ecology 2.2 and 2.3, minimum soil volume must be provided for proposed trees on site.
38. The applicant is advised that all security deposit and payments must be submitted to the attention of Mike McClellan, Supervisor of Urban Forestry, in the form of an irrevocable Letter of Credit or certified cheque payable to the Treasurer, City of Toronto.
39. Urban Forestry advises that removal of any City- or privately-owned trees may occur only upon receipt of a "Tree Removal Permit" issued by the General Manager of Parks, Forestry and Recreation upon receipt of the building and/or demolition permits and the permitted construction and/or demolition related activities associated with this project warrant the removal of the trees involved.

40. Urban Forestry advises that since there is a consultation process for applications to remove City- and privately-owned trees, Urban Forestry is unable support this application until the tree removal application has been processed.

Canada Post

41. The Owner will be responsible to provide, install and maintain centralized mailroom facilities to the satisfaction of the Canada Post Corporation. For further information the owner must contact Debbie Greenwood, Delivery Planner at (416) 285-5385.

Rogers

42. Rogers Communications Inc. has buried cable plant facilities in proximity to the proposed development. The standard depth of our trench line is 1m. The applicant must proceed with caution when installing their new infrastructure. The applicant will be responsible for any damage to Rogers cable. Stake-outs can be arranged by calling (905) 829-0098.
43. If Rogers cable is in conflict with proposed work and Plant relocation is require, the applicant must provide Rogers with detailed drawings and allow sufficient time before construction so that Rogers can coordinate any necessary work that applies to the reconstruction.

Bell Canada

44. 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.

Special Conditions

45. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism and Culture be notified immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096.
46. In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism and Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8404.

Advisory notes

Hydro One Networks Inc. has requested that the following paragraph be included as a note to draft approval:

An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating ***DANGER - Overhead Electrical Wires*** in all locations where personnel and construction vehicles might come in close proximity to the conductors.