

2965 Kingston Road to 3049 Kingston Road Site Plan Control Application – Final Report

Date:	June 9, 2015
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	14 189038 ESC 36 SA

SUMMARY

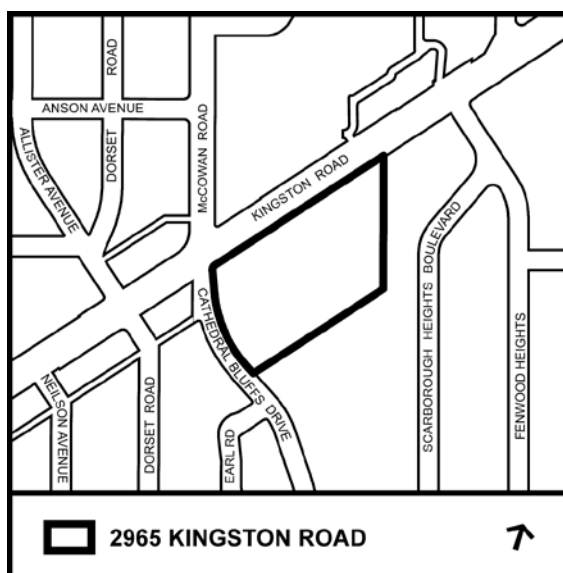
This application proposes to construct a 742 square metre (7,987 square feet) stand-alone retail facility on the southeast corner of Kingston Road and Cathedral Bluffs Drive on a site that contains an existing 6 748 square metre (72,637 square feet) one-storey commercial plaza.

At the request of the local councillor, staff were directed to report to City Council, through Community Council, as per the 'bump up' provisions in By-law No. 483-2000 for site plan applications. This report reviews and recommends approval in principle of the Site Plan Control application subject to conditions contained in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the site plan application in principle for the stand-alone retail facility located at 2965 to 3049 Kingston Road as indicated on the drawings listed in Attachment 5: Conditions of Site Plan Approval and subject to the draft conditions of Site Plan Approval listed in Attachment 5:



Conditions of Site Plan Approval.

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

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A minor variance application (A147/04SC) was approved by the Committee of Adjustment in November 2004 to increase the permitted gross floor area from 22% to 29%.

A related site plan application (04 152099 ESC 36 SA) was approved for a 1 207 m² (13, 000 square feet) one-storey, stand-alone retail building located on the southeast corner of Kingston Road and Cathedral Bluffs Drive. The application was approved with conditions on June 10, 2005. However, the application was subsequently closed on May 13, 2013 due to inactivity and the owner's desire to not proceed with the proposal.

A minor variance application (A184/07SC) to allow for a library was approved by the Committee of Adjustment and the decision of Committee was final and binding on August 15, 2007.

The current site plan control application was submitted by the applicant on July 11, 2014. On May 25, 2015, Councillor Crawford referred the site plan control application to Community Council for decision, in accordance with By-law No. 483-2000.

ISSUE BACKGROUND

Proposal

The proposed development is for a 742 square metre (7,987 square feet) one-storey, stand-alone retail building to be located on the northwest corner of the subject lands. The building is to be occupied entirely by the Liquor Control Board of Ontario (LCBO). Should the proposed building be constructed, a total of 280 parking spaces will be provided for the proposed building and the existing one-storey retail plaza. The proposed servicing and loading operations for the building will be located away from Kingston Road and Cathedral Bluffs drive towards the eastern most portion of the building.

Refer to Attachment 2: Site Plan, Attachment 3: North and South Elevations, Attachment 4: East and West Elevations and Attachment 5: Application Data Sheet for additional information.

Site and Surrounding Area

The property is an irregularly shaped lot located at the southeast corner of Kingston Road and Cathedral Bluffs Drive having a site area of approximately 27 782 square metres

(2.78 hectares). Refer to Attachment 1: Air Photo. The property has a frontage of 223.4 metres (733 feet) along Kingston Road and a frontage of 90.2 metres (296 feet) along Cathedral Bluffs Drive.

The existing one-storey, L-shaped retail plaza, known as the "Cliffcrest Plaza", was constructed in 1962 and has an existing gross floor area of approximately 6 748 square metres (72, 637 square feet). There are a total of five accesses to the property: two driveways on Cathedral Bluffs Drive and three driveways along Kingston Road. Loading and servicing for the existing plaza is located off the service driveway on the south side of the property.

The plaza is generously set back from Kingston Road with two main parking courtyards bisected by a central driveway. These two parking areas combined currently provide for a total of 361 vehicles. The proposed stand alone retail facility occupies 0.48 hectares (1.19 acres) or 17.3% of the total site area.

Abutting uses include the following:

- North:** 3-storey townhouses (Residential Multiple Family Residential Zone (RM)), a one and four storey commercial plaza (Commercial Residential Zone (CR)), a one-storey place of worship (Institutional Place of Worship Zone (IPW)) and 2-storey single detached dwellings (Residential Detached Zone (RD)).
- East:** A 1-storey commercial plaza (Commercial Residential (CR)) Zone).
- South:** 2-storey single detached dwellings (Residential Detached Zone (RD)) and St. Agatha Catholic Elementary School.
- West:** A 2- storey commercial building (Residential Detached (RD)) Zone) currently used as a dental office and 2-storey single detached dwellings (Residential Detached Zone (RD)).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

Official Plan

The site forms part of a corridor along Kingston Road identified as an *Avenue*, as shown on Map 2- Urban Structure of the Official Plan and is designated *Mixed Use Areas* in the Official Plan (Maps 23 - Land Use Plan).

Avenues are considered important corridors along major streets, where appropriate re-urbanization is promoted. *Avenues* are also considered "Main Streets" that are the focus for local communities. The Official Plan supports the revitalization of the *Avenues* through an integrated approach to land use and transportation. The Official Plan recognizes that not all of the *Avenues* in the Official Plan are anticipated to experience the same level of growth.

Avenues are defined as corridors adjacent to major streets, where re-urbanization is expected and encouraged. The Official Plan states that re-urbanization along Toronto's *Avenues* will be achieved through the preparation of a local *Avenue* study, which includes extensive public consultation and an assessment of area characteristics to support new contextually appropriate as-of-right zoning and other regulations.

An *Avenue* Study has not been prepared or planned for this segment of Kingston Road. An *Avenue* segment study was not required for this project due to its relatively small retail use and as-of-right zoning permission.

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses in single or mixed use buildings. Development criteria in *Mixed Use Areas* require that new development be strategically located and massed in relation to streets and adjacent neighbourhoods, provide a sensitive transition between areas of differing intensity and scale, and contribute to an attractive and safe pedestrian environment.

The subject lands are also identified on Map 3 - Right-of-Way Widths Associated with Existing Major Streets. Kingston Road is identified as requiring a 36 metre right-of-way from Birchmount Road to east of Morningside Avenue.

Kingston Road at this location is also identified on Map 4 - Higher Order Transit Corridors. Along these corridors, the protection of existing and planned rapid transit networks is given a priority, and new transit lines will be implemented in these corridors over the longer term as needs are identified.

Further, Kingston Road is also identified on Map 5 - Surface Transit Priority Network. The Official Plan promotes increasing transit priority within these corridors to make more efficient use of the existing transportation network through signal priority for buses and streetcars, limiting on-street parking and providing exclusive transit lanes.

The Official Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/introduction.htm

Zoning

The lands are zoned Community Commercial (CC) under the Cliffcrest Community Zoning By-law No. 9396, as amended, which permits uses such as community commercial (auto sales rooms, automobile service stations, banks, business and professional office, commercial storage, custom workshop for sale of goods on premises, frozen food storage and space rental, places of entertainment or recreation, restaurants, tea rooms, cafeterias, taverns retail stores, service shops and agencies, studios, neighbourhood commercial uses and day nurseries.

The site is also part of the new City of Toronto Zoning By-law No. 569-2013, as amended. The property is zoned, Commercial-Residential (CR) which permits a wide variety of uses including but not limited to art gallery, artist studio, automated banking machine, community centre, education use, financial institution, library, massage therapy, medical office, museums, office, park, personal service shop, pet services, police station, post-secondary school, production studio, retail store, veterinary hospital, wellness centre, dwelling units, nursing homes, retirement homes and student residence.

The proposed retail facility is a permitted use under both Zoning By-laws.

Site Plan Control

The proposed development is subject to site plan control approval. As previously noted, the application was filed on July 11, 2014.

Agency Circulation

The following reports/studies were submitted with the application:

- Stormwater Management Report (prepared by The Odan/Detch Group Inc.);
- Traffic Impact Study Update (prepared by BA Group);
- Memorandum Response (prepared by BA Group);
- Geotechnical Investigation Assessment of Infiltration Characteristics (prepared by Haddad Geotechnical Inc.);
- Phase One Environmental Site Assessment (prepared by Pinchin);
- Phase Two Environmental Site Assessment (prepared by Pinchin);
- Arborist Report (prepared by Cosburn Giberson Landscape Architects); and
- Toronto Green Standards Checklist and Statistics for Mid to High Rise Development.

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

Staff met with the applicant and the owner's consulting team to discuss issues throughout the review of the site plan process in an attempt to resolve issues surrounding driveways,

landscaping, elevations, sidewalk reconstruction and land conveyance for road widening purposes. All issues have been resolved except for the matter related to land conveyance.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use/Density Height and Massing

The proposed development is provided for in the *Mixed Use Areas* designation and is permitted in both the Cliffcrest Community Zoning By-law No. 9396, as amended and the City of Toronto Zoning By-law No. 569-2013, as amended. Staff are of the opinion that the proposed development is an appropriate use of the land and that it is compatible with adjacent development in terms of height, massing and density.

Streetscape and Site Improvements

The existing sidewalks along both Kingston Road and Cathedral Bluffs Drive are in poor condition. As part of the redevelopment the owner will be required to reconstruct the sidewalks along both frontages and improve the driveway entrance in accordance with current City of Toronto Transportation Services' standards.

The applicant has worked with Urban Design, Urban Forestry and Community Planning staff to create desirable pedestrian connections, improve bicycle facilities and secure enhanced landscaping along Cathedral Bluffs Drive.

Traffic Impact, Access, Parking

A traffic study and subsequent memorandum were prepared by qualified transportation engineers and reviewed by Transportation Services staff. These documents were found to be acceptable.

There are currently 361 parking spaces provided on the site. The Cliffcrest Community Zoning By-law No. 9396, as amended, requires a total of 254 parking spaces and the City of Toronto Zoning By-law No. 569-2013 requires a total of 243 parking spaces. A total of 280 parking spaces will be provided for the proposed building and the existing plaza which is in excess of the required number of parking spaces under both Zoning By-laws.

Land Conveyance for Road Widening Purposes

Kingston Road in this vicinity is constructed as a divided, six-lane arterial street characterized by one and two-storey commercial plazas, single detached homes, low and medium scale office buildings, infill townhouses, and other low-scale buildings both east and west of the property.

Official Plan Map 3 - Right of Way Widths Associated with Existing Major Streets requires a right-of-way width along Kingston Road of 36 metres (118 feet) from Birchmount Road to east of Morningside Avenue. Through the review of the site plan

control application, staff in Surveys and Mapping identified that a 1.52 metre (5 foot) road widening is required along the site's entire Kingston Road frontage in order for the City to achieve its 36 metre (118 foot) for Kingston Road. As per City's standard conveyance practices of requiring road conveyances to be equally shared between the property owners on either side of the road, land conveyances for some of the properties on the north side of Kingston Road will also be required. The total land area for the road widening requirement from this site is 354.8 square metres (3,819 square feet).

This segment of Kingston Road is identified as a Higher Order Transit Corridor in the City's Official Plan and is also a key component of the City's Surface Transit Network.

The *Planning Act*, Section 114 in the City of Toronto Act and Policy 5.1.3.4 may allow the City to require owners of lands to provide to the satisfaction of and at no expense, or for nominal consideration, to the municipality, lands required for the purpose of widening of highways as shown or as described in the Official Plan. This ability is applied consistently to all applications where right-of-way conveyances are identified.

Staff are of the opinion the City should be securing the right-of-way conveyance along the entire frontage of Kingston Road in accordance with the Official Plan. Achieving the planned 36 metre (118 foot) right-of-way width along Kingston Road will ensure sufficient space for future transit improvements, pedestrian improvements, dedicated bike lanes, improvements to the Kingston Road streetscape and other municipal infrastructure and utilities. As such, staff advised the owner the right-of-way conveyance is to be secured through the current site plan application and conditions of approval.

In accordance with City's Council approved policy, "Development Review Process: Review of Procedures and Updated Triggers for Environmental Site Assessment and Peer Review of Potentially Contaminated Lands being Conveyed to the City under the Planning Act", the lands to be conveyed must be free and clear and remediated to City standards. As part of those standards, the City requires a third party peer reviewer to review and approve all submitted environmental reports.

As part of the site plan review, the City retained the services of a third party peer reviewer, to review the following two studies submitted as part of the Site Plan application:

- Phase One Environmental Site Assessment (Phase I ESA) (prepared by Pinchin); and
- Phase Two Environmental Site Assessment (Phase II ESA) (prepared by Pinchin).

The studies as submitted have identified a contaminant on a small portion of the land. The City's peer reviewer has identified deficiencies in the applicant's Phase I and Phase II ESA reports that would require additional work by the applicant. To date, the owner has not provided the required updated environmental studies nor agreed to convey the required 1.52 metre (5 foot) road widening to the City.

Staff are of the opinion that the entire 1.52 metre (5 foot) conveyance must be dedicated to the City in accordance with its policies for requiring road allowance deficiencies when the *Planning Act* permits and accepting potentially contaminated lands.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS.

Conclusion

Staff are recommending that City Council approve the site plan application in principle subject to the conditions, plans and drawings referenced in Attachment 5: Conditions of Site Plan Approval. Conditions 3.1 through 3.8, in Attachment 5 relate to the required right-of-way conveyance along Kingston Road.

CONTACT

Katrien Darling, Senior Planner
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E-mail: kdarling@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Air Photo
Attachment 2: Site Plan
Attachment 3: North and South Elevations
Attachment 4: East and West Elevations
Attachment 5: Conditions of Site Plan Approval
Attachment 6: Application Data Sheet

Attachment 1: Air Photo





Toronto City Planning

Air Photo

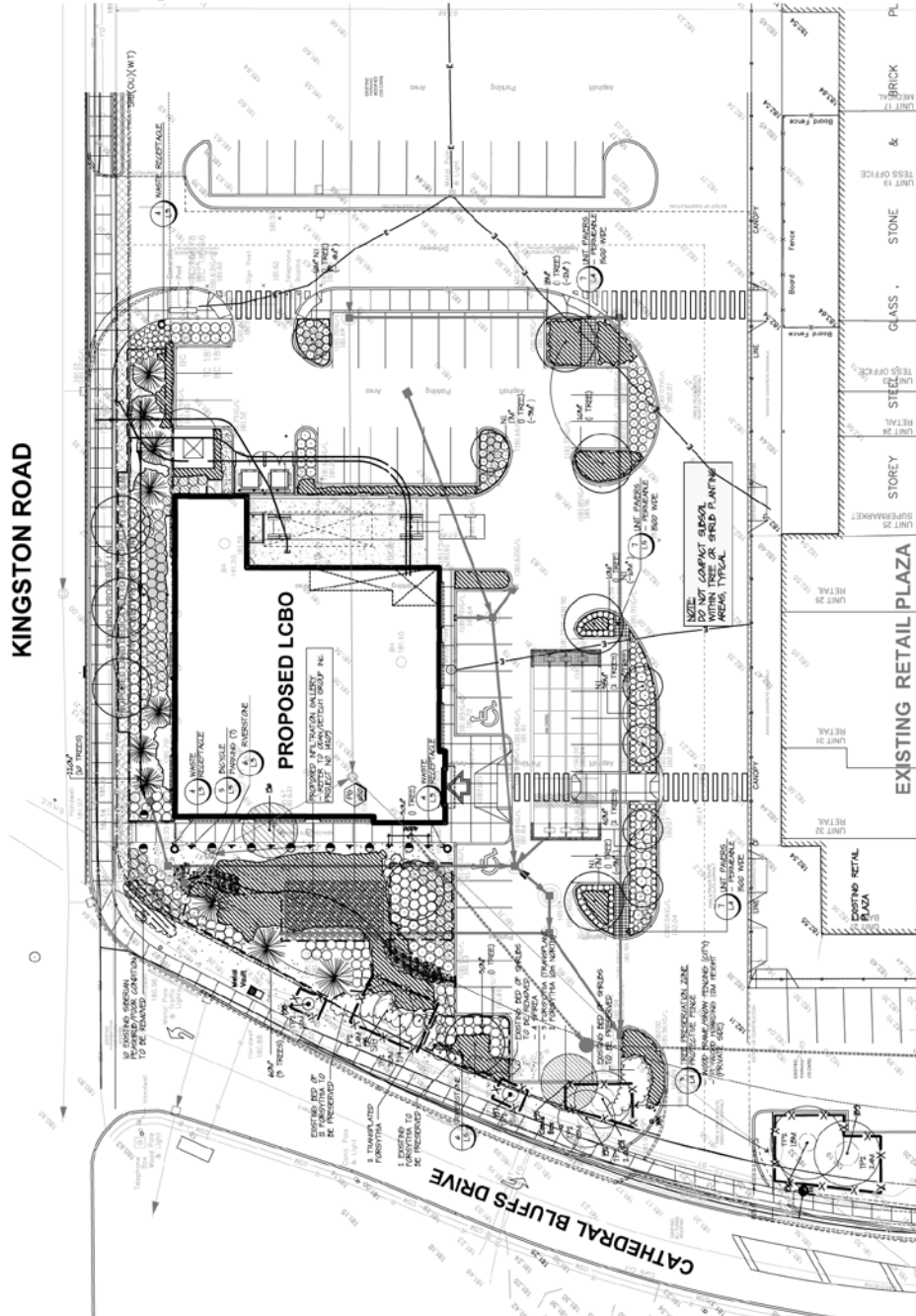
2965 Kingston Road

File # 14 189038 ESC 36 SA

 Location of Application


Not to Scale
Extracted: 05/04/2015

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

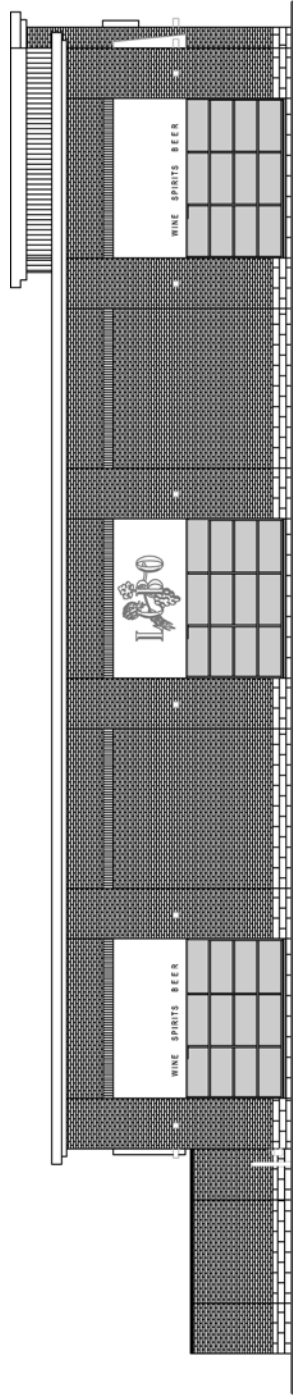
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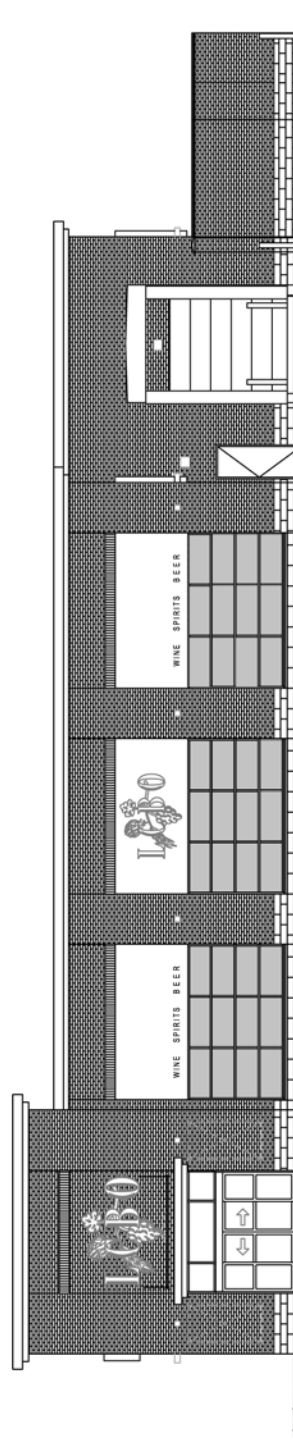
2965 Kingston Road

File # 14 189038 ESC 36 SA

Attachment 3: North and South Elevations



North Elevation
(Kingston Road)



South Elevation

Elevations

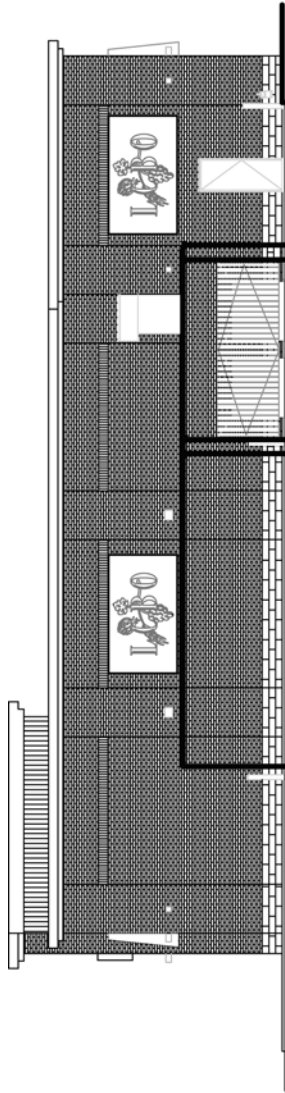
Applicant's Submitted Drawing

Not to Scale
05/14/15

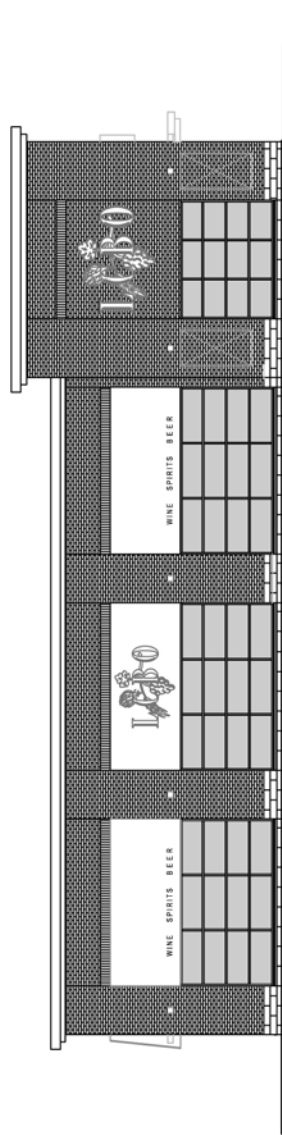
2965 Kingston Road

File # 14 189038 ESC 36 SA

Attachment 4: East and West Elevations



East Elevation



West Elevation
(Cathedral Bluffs Drive)

Elevations

Applicant's Submitted Drawing

Not to Scale
05/14/15

2965 Kingston Road

File # 14 189038 ESC 36 SA

Attachment 5: Conditions of Site Plan Approval

Site Plan Application Number: 14 189038 ESC 36 SA
Municipal Address: 2965 to 3049 Kingston Road (Cliffcrest Plaza)

The proposed development is for a 742 square metre (7,987 square feet) one-storey, stand-alone retail building to be located on the southeast corner of Kingston Road and Cathedral Bluffs Drive.

Plans and Drawings for the above-noted development proposal are noted below:

1. Overall Site Plan, Drawing No. A1-23.1, prepared by Turner Fleischer Architects Inc., Revision No. 5, dated February 24, 2015
2. Site Plan, Drawing No. A1-23, prepared by Turner Fleischer Architects Inc., Revision No. 3, dated February 24, 2015
3. Kingston Road Boulevard Site Plan, Drawing No. A1-23.2, prepared by Turner Fleischer Architects Inc., Revision No. 1, dated February 24, 2015
4. Cathedral Bluffs Drive Boulevard Site Plan, Drawing No. A1-23.3, prepared by Turner Fleischer Architects Inc., Revision No. 1, dated February 24, 2015
5. Elevations, Drawing No. A2-L, prepared by Turner Fleischer Architects Inc., Revision No. 8, dated December 19, 2014
6. Site Driveway & Sidewalk Modifications Functional Plan, Drawing No. DD-1, prepared by BA Group, Revision No 03, dated February 25, 2015
7. Tree Preservation and Landscape Plan, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L1, dated April 17, 2014, Revision No. 4, dated February 26, 2015
8. Notes, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L2, dated April 17, 2014, Revision No. 4, dated February 26, 2015
9. Details, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L3, dated April 17, 2014, Revision No. 1, dated February 26, 2015
10. Details/Tree Survey/Arborist's Report, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L1, dated April 17, 2014, Revision No. 4, dated February 26, 2015
11. Site Driveway & Sidewalk Modifications Functional Plan, prepared by BA Group, Drawing No. DD-1, dated October 3, 2014, Revision No. 3, dated February 25, 2014

SECTION A. REQUIREMENTS PRIOR TO THE ISSUANCE OF THE NOTICE OF APPROVAL CONDITIONS

ENGINEERING & CONSTRUCTION SERVICES – Lauren Homuth, Engineer –
Telephone Number: (416) 396-7805

1. The Owner shall revise the Site Plan, Drawing No. A1-23, prepared by Turner Fleischer, Revision No. 3, dated February 24, 2015; and Overall Site Plan, Drawing No. A1-23.1, prepared by Turner Fleischer, Revision No. 5, dated February 24, 2015 as follows:
 - (a) The first driveway on Cathedral Bluffs Drive south of Kingston Road must be reconstructed in accordance with the City of Toronto T-310.010 standard detail and must provide flared curb returns. This notation must be placed at this driveway entrance on all plans indicating this requirement.
 - (b) All drawings including the Functional Plan must be revised to reflect the driveway details indicated on the overall Site Plan drawing no. A1-23.1.
 - (c) The drawing must clearly denote that the Cathedral Bluffs Drive easterly curb is to be relocated and the pavement to be widened. The drawing must clearly indicate the extent of the works to Cathedral Bluffs Drive and reference the detailed engineering drawing that addresses the proposed work. To satisfy this requirement, a note must be added to the drawing portion of the Site Plan and Overall Site Plan and must reference the drawings which detail this work.
 - (d) The revised Site Plan and Overall Site Plan must clearly illustrate and label that the existing municipal sidewalks along both Cathedral Bluffs Drive and Kingston Road will be removed and replaced with new municipal sidewalks. To satisfy this requirement, a note must be added to the drawing portion of the Site Plan and Overall Site Plan and must reference the drawings which detail this work.
2. The Owner shall revise the Details and Sections, Drawing No. 3 of 3, prepared by The Odan/Detech Group Inc., dated March 2014, Revision No. 5, dated February 24, 2015 as follows:
 - (a) The new note added this submission regarding relocation of the existing fire hydrant must include a note that this relocation is to be completed by Toronto Water at the Owner's expense. This relocation will be done through application to Toronto Water as outlined in the Advisory Comments contained in the Section D: Site Plan Advisory Comments.

CITY PLANNING (including Community Planning, Urban Design, Transportation Planning, and Heritage Preservation Services) – Katrien Darling, Senior Planner – Telephone Number: (416) 396-7721

3. The Owner shall provide a cost estimate to the satisfaction of the Director, Community Planning, Scarborough District for the proposed landscaping as outlined in the following drawing:

Tree Preservation and Landscape Plan, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L1, dated April 17, 2014, Revision No. 4, dated February 26, 2015

SECTION B. DRAFT PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks - Telephone Number: (416) 397-5379

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

CITY PLANNING (including Community Urban Design, Transportation Planning, and Heritage Preservation Services) – Katrien Darling, Senior Planner – Telephone Number: (416) 396-7721

2. The Owner shall provide financial security in accordance with the approved landscape cost estimate to the satisfaction of the Director, Community Planning, Scarborough District, in the form of a Letter of Credit to guarantee the provision of landscape development works as detailed on the following drawing:

Tree Preservation and Landscape Plan, prepared by Cosburn Giberson, Landscape Architects, Drawing No. L1, dated April 17, 2014, Revision No. 4, dated February 26, 2015.

ENGINEERING & CONSTRUCTION SERVICES– Lauren Homuth, Engineer – Telephone Number: (416) 396-7805

3. Widening of Highways that abut on the Land

- 3.1 The Owner shall prepare all documents and convey to the City, at nominal cost, a widening measuring 1.52 metres along the entire Kingston Road frontage of the property and revised corner rounding at the southeast corner of Kingston Road and Cathedral Bluffs Drive in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have dedicated as a public highway, all to the

satisfaction to the Executive Director of Engineering and Construction Services and the City Solicitor.

- 3.2 The Owner shall submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction 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.
- 3.3. The Owner shall pay all costs for registration and preparation of reference plan(s).
- 3.4 The Owner shall retain a Qualified Person to conduct environmental site assessments for the lands to be conveyed to the City.
- 3.5 The Owner shall pay all costs associated with the City retaining a third-party Peer Reviewer including a 7% administrative cost to the City, and submit a certified cheque payable to the City of Toronto in the amount of \$5,000.00, as an initial deposit towards the cost of the peer review to the Executive Director, Engineering and Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City).
- 3.6 The Owner shall submit to the satisfaction of the City's Peer Reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services.
- 3.7 At the completion of the site assessment/remediation process, the Owner shall submit a Statement from the Qualified Person, to the Executive Director, Engineering and Construction Services, for peer review and concurrence that based on all necessary supporting environmental documents:
 - (a) it is unlikely that there is any off-site contamination resulting from past land uses on the development site that has migrated on to adjacent City lands that would exceed the applicable Site Condition Standards and,

(b) the land to be conveyed to the City meets either:

- i) the applicable MOE Generic Site Condition Standards (Tables 1, 2,3, 6,7,8 and 9) for the most environmentally sensitive adjacent land use; or
- ii) the Property Specific Standards (PSSs) as approved by the MOE for a Risk Assessment/Risk Management Plan which was conducted in accordance with the City Policies and Conditions for the Acceptance of Risk Assessed Lands (Clause 18, of Works Committee Report 2, April 25, 26 and 27, 2006).

3.8 The Qualified Person's statement, referenced in 3.7 above, will include a Reliance Letter, that is stamped, dated and signed by the applicant's Qualified Person (the "QP"), as defined in O. Reg. 153/04, as amended confirming that both the City and the City's Peer Reviewer can rely on the environmental documentation submitted and the QP's opinion as to the condition of the site.

4. Facilities to Provide Access to and from the Land

4.1 The Owner must provide a certified cheque, addressed to the Treasurer, City of Toronto, in the amount of \$2,000.00 for the enactment and installation of the required regulatory/enforceable traffic control signage installation of "DO NOT BLOCK DRIVEWAY" at both driveway locations onto Cathedral Bluffs Drive.

4.2 The Owner must make satisfactory arrangements with Transportation Services to pay all costs associated with signal timing optimization including but not limited to hardware modifications, if required for the future A.M. and P.M. peak hours at the intersection of Kingston Road and Cathedral Bluff Drive.

4.3 The Owner must pay for all pavement markings in an amount to be provided upon approval of external road works, to the satisfaction of Transportation Services.

4.4 The Owner must submit a digital copy of the Functional Plan, Drawing DD-1, dated February 25, 2015 prepared by BA Group.

4.5 The Owner must make satisfactory arrangements with Engineering and Construction Services for Work on the City's ROW and provide financial security in the amount of \$137,000.00 as either a certified cheque or letter of credit, submit a 5% engineering and inspection fee in the amount of \$7,740.50 (including HST) in the form of a certified cheque, and provide insurance as required.

The following is a breakdown of the financial security amount of \$137,000.00 required for the work on the City's ROW:

- \$37,000.00 for the installation of a 1.7 metre municipal sidewalk to City specifications along the entire Kingston Road and Cathedral Bluffs Drive frontages of this property; and
- \$100,000.00 for the proposed accesses.

5. Other Conditions

- 5.1 The Owner must enter into a secured Municipal Infrastructure Agreement for the proposed pavement widening along the Cathedral Bluffs Drive frontage.

URBAN FORESTRY – Christine Oldnall – Planner - Telephone Number: (416) 338-5056

6. Prior to Site Plan Approval, the Owner shall submit to Urban Forestry, a Tree Security Deposit in the amount of \$2,626.00 to ensure protection of the three (3) City-owned trees, inventoried as trees no. 192, 197 and 198 in the Arborist report, throughout the construction period.
7. Prior to Site Plan Approval, the Owner shall submit to Urban Forestry, a Tree Planting Security Deposit in the amount of \$1,749.00 to ensure planting and survival of the three (3) new trees to be planted on the City road allowance.

SECTION C. DRAFT POST APPROVAL CONDITIONS

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

The proposed development shall be carried out and maintained in accordance with the plans and drawings referred to herein, to the satisfaction of the City of Toronto.

ENGINEERING & CONSTRUCTION SERVICES– Lauren Homuth, Engineer – Telephone Number: (416) 396-7805

1. Facilities to Provide Access to and from the Land

- 1.1 The Owner shall construct and maintain all engineering works in accordance with the design and drawings prepared by the Owner's Professional Engineer to the satisfaction of Engineering & Construction Services.
- 1.2 The Owner shall remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.

2. **Off-street Vehicular Loading and Parking Facilities and Access/Driveways**
 - 2.1 Site plan agreement requires the Owner to provide and maintain all work shown on the approved plans and approved drawings.
3. **Facilities for the Storage of Garbage and Other Waste Material**
 - 3.1 The Owner shall advise all owners and tenants/future purchasers of the units that refuse and recyclable materials generated by this building will be collected by a private refuse collection firm.
4. **Stormwater Management, Grading and Site Servicing**
 - 4.1 The Owner shall construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report to the satisfaction of the Executive Director, Engineering & Construction Services.
 - 4.2 The Owner shall construct and maintain site servicing indicated on the accepted Site Servicing Drawings to the satisfaction of Executive Director, Engineering & Construction Services.
 - 4.3 The Owner shall provide certification to the Executive Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
 - 4.4 The Owner shall provide certification to the Executive Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the site servicing facilities have been constructed in accordance with the accepted drawings.

CITY PLANNING (including Urban Design, Transportation Planning and Heritage Preservation Services) – Katrien Darling, Senior Planner – Telephone Number: (416) 396-7721

5. The Owner shall install and maintain lighting on the site/lands or on any building or structure thereon in accordance with the approved Site Plan to the satisfaction of Community Planning, Scarborough District
6. The Owner shall install and maintain the landscaping for the lands in accordance with the approved landscape plans and related details to the satisfaction of Community Planning, Scarborough District in consultation with Parks.

7. The Owner shall ensure that all refuse storage is wholly enclosed in a building or structure.

URBAN FORESTRY – Christine Oldnall – Planner - Telephone Number: (416) 338-5056

8. The Owner shall submit to Urban Forestry Supervisor at tppreast@toronto.ca a letter/email and photos documenting that the installed tree protection hoarding and signage has been installed for the City and privately owned trees as prescribed in the approved Arborist Report and Tree Protection Plan and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, and to the satisfaction of Urban Forestry on behalf of the General Manager of Parks, Forestry & Recreation.
9. The Owner agrees to strictly adhere to the Tree Protection Specifications contained in the approved Arborist Report and Tree Preservation Plan and as per the City of Toronto's Tree Protection Policy and Specifications for Construction near Trees.
10. The Owner agrees to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the owner to the satisfaction of Urban Forestry on behalf of the General Manager of Parks, Forestry & Recreation.
11. The Owner agrees to ensure that all tree protection barriers are maintained in good condition, and are not to be moved, altered or removed until all construction activities have been completed and removal of the barriers has been approved by Urban Forestry on behalf of the General Manager of Parks, Forestry & Recreation. Provided the approved tree protection is maintained as specified in the approved Arborist Report and Tree Protection Plan and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction near Trees, the Tree Security Deposit may be released at the completion of construction. If it is discovered that there is unauthorized encroachment within a tree protection zone, or a tree was not protected in accordance with the above noted documents, the deposit will be retained for an extended period. Should the tree's condition decline as a result of construction and/or encroachment the deposit may not be refundable.
12. Upon completion of construction activities, the Owner shall notify Urban Forestry, at tppreast@toronto.ca prior to the removal of the protection hoarding the trees to be preserved according to the approved Tree Protection Plan, to arrange for an inspection of the site.
13. The Owner shall have a qualified company implement and maintain tree planting on the subject land in accordance with the approved plans to the satisfaction of Urban Forestry, on behalf of the General Manager of Parks, Forestry and Recreation. The trees must be planted at the correct depth to ensure survival and they are to be planted after sod has been laid and construction activities have been

completed. Upon the planting of the new trees on the subject land, the owner shall assume the full responsibility for the maintenance and health of the private trees and shall take no action or permit any action that will injure, damage, destroy or prevent the trees from maturing to the point that the trunk of the tree measures 30 cm in diameter or more, measured at 1.4 m above ground level.

14. The Owner shall maintain all new tree plantings within the City road allowance in good condition. If necessary, the Tree Planting Security 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 owner must notify Urban Forestry at tppreast@toronto.ca within two weeks of the trees being planted to start the two year guarantee period. Trees will be inspected during and prior to the end of the renewable guarantee period. At the end of the period, while the trees are in leaf, the owner must notify Urban Forestry at tppreast@toronto.ca to allow for us to confirm if the trees are in good condition. If the trees are in good condition at the end of the period, the City will assume maintenance and ownership of the trees and the deposit will be returned.
15. The Owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of Urban Forestry, on behalf of the General Manager of Parks, Forestry & Recreation. At this time, the owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee.
16. Following the planting of street trees, the Owner shall provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street addresses. The as-installed plant list shall also include tree species, calliper, condition and specific location of the trees by identifying two points of references (i.e., distances in meters from the curb, sidewalk, driveway, utility pole or pedestal).
17. The site shall be developed and maintained in accordance with the approved plans and conditions of approval associated with the Site Plan, Grading Plan, Site Servicing Plan, Landscape Plan, Building Permit and Tree Permit(s)/Approvals. Any proposed revisions/alterations to the approved plans or permits that affect trees must be approved by Urban Forestry on behalf of the General Manager of Parks, Forestry & Recreation.

SECTION D: SITE PLAN ADVISORY COMMENTS

The Tenant is advised that the Green Roof By-law (By-law No. 583-2009) (Chapter 492 of the City of Toronto Municipal Code) including Article IV the Toronto Green Roof

Construction Standard, may be applicable to the proposed development. For further information, please contact Jennifer Nicholls, Toronto Building at Telephone Number 416.396.7291.

ENGINEERING & CONSTRUCTION SERVICES

1. Right of Way Permits

The applicant must obtain an access permit from Transportation Services prior to construction of this project. Other permits/licences associated with construction activities (such as hoarding, piling, shoring etc.) may also be required. The applicant is also required to provide a fee of \$740.22 for the access permit. The applicant is responsible for obtaining the applicable permits/licences and providing securities and must be advised to contact Right-of-Way Management Section at (416) 396-7505 regarding the site-specific permit/licence requirements and associated securities and obligations.

In conjunction with the right-of-way permits, the applicant shall provide an adequate financial guarantee to ensure the satisfactory completion of all required work in the City's rights-of-ways, excluding service connections, pay engineering and inspection fees (5% of the estimated construction cost of the work) and provide public liability insurance.

The applicant is advised that minimum clearances of 2 metres must be provided and maintained between driveway curb returns and street fire hydrants or 1 metre from any hydro/street light/utility poles or other utility fixtures. If this is not possible, the hydrant, utility pole or fixture must be relocated by the pertinent authority at the owner's expense.

2. Engineering and Construction Services Arrangements for Work within the City's Right of Way

The Owner shall enter into the necessary agreement with Engineering and Construction Services for undertaking works within the City of Toronto's public right-of-way. The owner is required to provide all financial security for all work within the City's right-of-way. The owner is required to pay an engineering review and inspection fee of 5% of the estimated construction cost of the required work.

3. Site Servicing Connections

The Owner is required to make application to the Toronto Water Services Division, after the site servicing plan is accepted by Engineering and Construction Services and pay for any hydrant relocations and the installation of City service connections from the property line to the City mains. These shall include one water and one sanitary service connection for each freehold residential unit or

each single entity development such as a condominium, co-operative or rental property to be held under separate ownership, plus any necessary storm service connections. The owner is responsible to provide for the installation of the water, sanitary and any necessary storm service connections from the building to the City services at the property line. For further information, please contact District Operations, Toronto Water, Scarborough District at 311 or 416-392-2489.

Servicing on private property requires plumbing approval under the Ontario Building Code, and accordingly, application for the necessary permits should be made to the Building Division.

4. Municipal Numbering

The applicant is advised to contact Mr. John House, Property Records Supervisor, at 416-392-8338 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted.

Please see <http://www.toronto.ca/mapping/numbers/index.htm> for details.

The municipal addresses will be required for the purpose of setting up the water account with the City of Toronto when application is made for the proposed sewer and or/water service connection (as applicable).

5. Encroachments

Any physical or landscaping features that are proposed in the municipal right-of-way are subject to the requirements of Chapter 743 of the Toronto Municipal Code. Depending on the type of encroachment as specified in Article IV of Chapter 743, it may require an encroachment agreement with the City of Toronto as well as Community Council approval. The applicant is responsible for the costs of installing/planting these encroachments, and the encroachment must be maintained at the owner's expense pursuant to Article V of Chapter 743.

6. Construction Management Plan

A Construction Management Plan is to be received by the Executive Director of Engineering and Construction Services showing the following items:

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

8. Heritage Preservation Services:

- i) In the event that deeply buried archaeological remains are encountered on the subdivision lands during construction activities, the Heritage Operations Unit of the Ministry of Culture is notified immediately at (416) 314-7149 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096.
- ii) In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8404.

9. Urban Forestry

Tree Protection and Removal

1. There are **three (3)** City owned trees identified in the Arborist report as trees no. 192, 197, and 198 that meet the criteria for protection under the City of Toronto's Street Tree By-law. A **Tree Security Deposit** in the amount of **\$2,626.00** is required prior to start of construction to guarantee the protection of the three (3) City trees.

If necessary, this deposit shall be drawn upon to cover all costs incurred by the City of Toronto if the City owned trees require maintenance or removal and replacement as a result of construction activities associated with this project. Provided the tree protection is maintained as specified in the approved Arborist Report and Tree Preservation Plan and in accordance with the City's Tree Protection Policy and Specifications for Construction near Trees, the deposit may be released at the completion of construction. If it is discovered that there is unauthorized encroachment within a TPZ, or a tree was not protected in accordance with the above noted documents, the deposit will be retained for an extended period. Should the tree's condition decline as a result of construction and/or encroachment the deposit may not be refundable.

Tree Planting

2. A **Tree Planting Security Deposit** in the amount of **\$1,749.00** (\$583 x 3 trees) is required for all trees proposed on the City road allowance.

If necessary, the Tree Planting Security 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 owner must notify Urban Forestry at tppreast@toronto.ca within two weeks of the trees being planted to start the two year guarantee period. Trees will be inspected during and prior to the end of the renewable guarantee period. At the end of the period, while the trees are in leaf, the owner must notify Urban

Forestry at tppreast@toronto.ca to allow for us to confirm if the trees are in good condition. If the trees are in good condition at the end of the period, the City will assume maintenance and ownership of the trees and the deposit will be returned.

- i) Urban Forestry advises that removal of City and 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 have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of the trees involved.
- ii) The design shall be organized to avoid conflicts with any existing City road allowance or private trees and proposed planting areas. All new underground utilities and services shall be in a common trench as well. Installation of any proposed utilities shall be done to avoid conflict with any new tree plantings.

10. Toronto Hydro

1. The Owner is advised that 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.
2. The Owner shall make satisfactory arrangements with Toronto Hydro with respect to the existing underground plant and should contact Toronto Hydro for the exact location of the underground cables at 1-800-400-2255 prior to any digging on the site. The Owner shall consult Toronto Hydro and obtain approval from Toronto Hydro’s Customer Construction and Maintenance Department (CCM) before doing any electrical design. Failure to contact Toronto Hydro may cause unnecessary delays to the project.
3. The Owner is advised that a minimum clearance of 1 metre must be provided and maintained from any hydro street light/poles. If this is not possible, the pole(s) must be relocated by Toronto Hydro at the applicant’s expense.

11. Enbridge

1. Prior to the commencement of construction the applicant is to contact the Enbridge Operations
2. In the event that easements are required to service this development, easements will be provided at no cost to Enbridge Gas Distribution Inc. Easements are to be registered on title before the site is serviced.

12. Bell Canada

1. The Owner is hereby advised that prior to commencing any work within the Plan, the developer must confirm that sufficient line-wire communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the developer shall be required to demonstrate to the Municipality that sufficient alternative communication/telecommunication technologies are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (e.g. 911 Emergency Services).
2. The Owner shall grant to Bell Canada any easement that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the applicant/developer shall be responsible for the relocation of such facilities or easements.
3. The Owner is advised that Bell Canada may require 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.
4. If there are any conflicts with existing Bell Canada facilities or easements, the Owner shall be responsible for re-arrangements or relocations.

Attachment 6: Application Data Sheet

Application Type	Site Plan Approval	Application Number:	14 189038 ESC 36 SA
Details		Application Date:	July 11, 2014

Municipal Address:	2965 KINGSTON RD
Location Description:	PLAN M832 BLK A IR EXEMPT IN PART PER BILL #16, SCHEDULE 'F' PG.154. **GRID E3610
Project Description:	Revised submission: Proposed one-storey, stand alone, commercial building having a gross floor area of approximately 742 m ² to be located on the southeast portion of the existing Cliffcrest Plaza site.

Applicant:	Agent:	Architect:	Owner:
TURNER FLEISCHER			CLIFFCREST PLAZA LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	Community Commercial (CC)	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	27782	Height:	Storeys:	1
Frontage (m):	0		Metres:	8.4
Depth (m):	0			
Total Ground Floor Area (sq. m):	7491			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	280
Total Non-Residential GFA (sq. m):	7529		Loading Docks	0
Total GFA (sq. m):	7529			
Lot Coverage Ratio (%):	27			
Floor Space Index:	27.1			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	7529	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Katrien Darling, Senior Planner
	TELEPHONE:	(416) 396-7721