

**Official Plan Amendment, Rezoning and  
Draft Plan of Subdivision -  
62 and 86 Osler Street (Davenport)**

*(City Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, adopted this Clause, without amendment.)*

**The Toronto Community Council recommends the adoption of the following report (August 21, 2000) from the Commissioner of Urban Development Services.**

The Toronto Community Council reports, for the information of Council, that notice of the public meeting was given in accordance with the Planning Act. The public meeting was held on September 7, 2000, and no one addressed the Toronto Community Council.

**The Toronto Community Council submits the following report (August 21, 2000) from the Commissioner of Urban Development Services:**

Purpose:

To recommend approval of Official Plan and Zoning By-law Amendments and conditions of approval for a Draft Plan of Subdivision to permit the construction of 35 townhouses at 62-86 Osler Street.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) the Official Plan for the former City of Toronto, be amended so as to add a new Section 18 provision substantially as set out below:

“18.\_\_\_\_ Lands known as 62-86 Osler Avenue

“Notwithstanding any provisions of this Plan, Council may pass by-laws respecting the lot shown on Map 18., and known in the year 2000 as 62-86 Osler Street, to permit the construction of 35 row houses”;

- (2) the Official Plan, Map 1, Generalized Land Use, for the former City of Toronto, be amended by deleting the “Restricted Industrial Area” designation from the site known as 62-86 Osler Street and replacing it with a “Low Density Residence Area” designation;

- (3) Map 48J-321 of Zoning By-law 438-86, as amended, be amended by redesignating the lands highlighted on Attachment 1 from “12 D2” to “R2 Z 1.0”;
- (4) Map 48J-321 (Height) of Zoning By-law 438-86, as amended, be amended by establishing a 10.0 metre height limit on the lands highlighted on Attachment 1;
- (5) Zoning By-law 438-86, as amended, be amended as it applies to 62-86 Osler Street so as to:
  - (a) exempt the site from Sections 6(3) PART II 2 (front yard setbacks); 6(3) PART II 3 (side setbacks); 6(3) PART II 5 (building depth); PART VII 1 (lot frontage);
  - (b) permit the use of the site for residential purposes provided that:
    - (i) the site contains no more than 35 row houses, each on its own lot;
    - (ii) a minimum of one parking space is provided at the rear of each lot;
    - (iii) no part of any building above grade extends beyond the area shown on Attachment 1; and
    - (iv) the minimum lot frontage is 3.9 metres;
- (6) the Owner enter into an Undertaking under Section 41 of the Planning Act, prior to the issuance of a building permit;
- (7) the Owner submit to the Commissioner of Works and Emergency Services, at least 3 weeks prior to the introduction of a Bill in Council:
  - (a) a digital copy of the final Plan of Subdivision in metric units with all block corners integrated with the Ontario Co-ordinate system and delineating thereon PARTS of the proposed lots and lane;
  - (b) final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed houses to enable the preparation of building envelope plans; and
  - (c) a digital copy of the final site plan in DGN, DWG or DXF formats;
- (8) the Owner submit to, and have approved by the Commissioner of Works and Emergency Services, prior to the introduction of a Bill in Council, a Noise Impact Statement in accordance with City Council’s requirements;
- (9) City Council approve the proposed Draft Plan of Subdivision prepared by Rabideau & Czerwinski, Ontario Land Surveyors, dated July 5, 2000 and date stamped as received on July 17, 2000 and on file with the Commissioner of Urban Development Services, subject to the Owner entering into a Subdivision Agreement in form and content

satisfactory to the City Solicitor and the Commissioner of Urban Development Services requiring the following:

#### Roads, Lanes and Municipal Services

- (i) the Owner convey to the City of Toronto, at a nominal cost, Lane “A” for a public lane as indicated on the Draft Plan of Subdivision prepared by Rabideau & Czerwinski dated July 5, 2000 and date stamped as received on July 17, 2000 and such lands must be free and clear of all encumbrances, save and except for the surface and subsurface public works services and facilities, and utilities, and subject to a right-of-way for access purposes in favour of the Grantor until such time as the said lands have been laid out and dedicated for public highway purposes;
- (ii) the Owner submit for the review and approval of the Commissioner of Works and Emergency Services preliminary grading and servicing drawings to demonstrate the means of servicing proposed for the development and the adequacy of the lane width proposed;
- (iii) the Owner engage the services of a qualified Municipal Consulting Engineer satisfactory to the Commissioner of Works and Emergency Services for the design and field supervision of all surface and underground public works services and facilities;
- (iv) the Owner prepare and submit, for the approval of the Commissioner of Works and Emergency Services, detailed design drawings in accordance with the City’s design policies and specifications for all surface and underground public works services and facilities, including site grading plans in digital and hard copy format;
- (v) the Owner construct all services and facilities in accordance with the approved drawings and specifications;
- (vi) the Owner pay for the required engineering fees for engineering and inspection costs in the amount of 3% of the estimated cost of constructing the lane and any required servicing and all other construction obligations for the Subdivision including the payment of 1.5% at first submission of drawings and details;
- (vii) the Owner provide, upon completion of the work, “as constructed” drawings in mylar and digital formats of all surface and underground public works services and facilities, certified by the Municipal Consulting Engineer that such services and facilities have been constructed in accordance with the approved drawings and specifications;
- (viii) the Owner provide letters of credit in the amount of 100% of the estimated cost for the lane and any required underground municipal services, as determined by

the Municipal Consulting Engineer and approved by the Commissioner of Works and Emergency Services, or such lesser amount as determined by the Commissioner of Works and Emergency Services, prior to the issuance of a building permit or the release of construction of the infrastructure, whichever event is earlier, such letters of credit to be maintained until the completion of the work. These letters of credit may be reduced to 20% of the value of the completed infrastructure as a maintenance guarantee for a period of two years from the date of completion of the work as certified by the Municipal Consulting Engineer and acceptance by the Commissioner of Works and Emergency Services;

- (ix) the Owner construct all utilities underground;
- (x) the Owner re-monument the street limits and block corners upon completion of construction;
- (xi) the Owner submit to and have approved by the Commissioner of Works and Emergency Services information verifying that soil conditions within the proposed public right-of-way are acceptable for use for public highway purposes;
- (xii) the Owner provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development;
- (xiii) the Owner provide and maintain a rodent proof garbage storage and recyclable materials area on private property within each of the townhouses for use between collections;
- (xiv) the Owner, prior to the substantial completion of any building, have a qualified architect/acoustical consultant certify, in writing, to the Commissioner of Works and Emergency Services that each townhouse has been designed and constructed in accordance with the Noise Impact Statement approved by the Commissioner of Works and Emergency Services with respect to that building;

#### Parkland Dedication

- (xv) prior to the registration of the Draft Plan of Subdivision, the Owner convey Block 36 to the City of Toronto for parkland purposes as indicated on the Draft Plan of Subdivision prepared by Rabideau & Czerwinski dated July 5, 2000 and date stamped as received on July 17, 2000;
- (xvi) prior to the registration of the Draft Plan of Subdivision, the Owner provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the parkland dedication lands;
- (xvii) the Owner pay for all associated costs of such conveyance, including any Land Transfer Tax and the preparation and registration of all relevant documents;

- (xviii) the Owner agree that the final location, grading, configuration and development of the parkland to be conveyed be subject to the approval of the Commissioner of Economic Development, Culture and Tourism;
- (xix) the Owner ensure that lands fulfilling the statutory parkland dedication requirement, which are to be conveyed to the City, are free and clear, above and below grade, of all easements, encumbrances and encroachments, unless determined otherwise by the Commissioner of Economic Development, Culture and Tourism;
- (xx) prior to the registration of the Draft Plan of Subdivision, the Owner be responsible for an environmental assessment of the lands to be conveyed as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure the dedicated parkland will, at the time of conveyance, meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. The environmental assessment is to be prepared by a qualified environmental consultant and be acceptable to the Commissioner of Economic Development, Culture and Tourism and the Medical Officer of Health;
- (xxi) prior to the registration of the Draft Plan of Subdivision, the Owner meet the shortfall in the required parkland dedication through a cash-in-lieu of parkland dedication payment;
- (xxii) the Owner be responsible for grading (inclusive of topsoil supply and placement), sodding, all necessary drainage systems, electrical and water connections to the street line and fencing along the southern and western boundary of the conveyed parklands in accordance with Economic Development, Culture and Tourism Department's Specification for Fencing. Such work is to be completed prior to the occupancy of the first dwelling unit and shall be to the satisfaction of the Commissioner of Economic Development, Culture and Tourism. In the event such occupancy is intended to occur between November 15 and April 15, the park improvements must be completed no later than June 15 of the same calendar year as April 15, noted above;
- (xxiii) prior to the registration of the Draft Plan of Subdivision, the Owner post a letter of credit as security for the installation of the above-noted improvements, equal to 120% of the value of the improvements. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above-noted work;
- (xxiv) at the time the parkland has been developed, the Owner provide certification from their landscape architect certifying all work has been completed. At that time, the

submitted letters of credit for park improvements will be released, less 5% which shall be retained for a two-year period as a performance guarantee;

- (xxv) the Owner agree that final design and programming of the conveyed parkland to the City be at the discretion of the Commissioner of Economic Development, Culture and Tourism;
- (xxvi) prior to the registration of the Draft Plan of Subdivision, the Owner provide to the Commissioner of Economic Development, Culture and Tourism a certified cheque in the amount of \$20,000.00 to cover the cost of tree planting on the abandoned rail corridor lands, on the west side of the development site as a landscape buffer between the development site and the future hiking/bicycle trail. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above noted work;
- (xxvii) prior to the registration of the Draft Plan of Subdivision, the Owner provide a street tree-planting plan subject to the approval of the City Forester and the Commissioner of Urban Development Services. That plan shall indicate the species, size, and location of all proposed street trees, location of any roads, sidewalks, driveways, streetlines and utilities;
- (xxviii) prior to the registration of the Draft Plan of Subdivision, the Owner provide a letter of credit for 120% of the value of the street trees;
- (xxix) the Owner be responsible for the cost of supplying and installing the street trees when building the subdivision as per the approved street tree planting plan. There shall be a two-year maintenance period, with an annual inspection involving Urban Forestry and the Owner. At the end of that period, the City shall accept maintenance responsibilities and return the letter of credit;
- (xxx) all stated letters of credit that are to be provided by the owner, unless determined otherwise by the Commissioner of Economic Development, Culture and Tourism, are intended to be in current dollars and accordingly, shall be adjusted, either upwards or downwards, annually, on the anniversary of the date of execution of the associated subdivision agreement, in accordance with change in the Construction Price Index during such one year period. Provided, however, that in no case shall the amount actually payable by the owner at any time be less than the minimal amount set out in that agreement;

#### C.N. and C.P Main Line Requirements

- (xxxi) the Owner construct and maintain an earthen berm a minimum of 2.5 metres above grade at the rear of the property line, having side slopes not steeper than 2.5 to 1, with returns at the ends;

- (xxxii) the Owner construct and maintain an acoustic barrier along the top of the berm of a minimum combined height of 5.5 metres above top-of-rail. The acoustic fence must be constructed without openings and be of a durable material weighing not less than 20 kg per square metre of surface area;
- (xxxiii) the Owner install and maintain a chain link fence of a minimum of 1.83 metres in height along the rear of the property line;
- (xxxiv) the Owner ensure that any proposed alterations to the existing drainage pattern affecting railway property receive prior concurrence from the Canadian National Railway and be substantiated by a drainage report to the satisfaction of the Canadian National Railway;
- (xxxv) the Owner ensure that the following clause is inserted in all development agreements, Offers to Purchase and Agreements of Purchase and Sale or Lease for each dwelling unit within 300 metres of the railway right-of-way: “Warning: Canadian National Railway Company or its assigns or successors in interest has or have rights-of-way within 300 metres from the land the subject hereof. Canadian Pacific Railway Company or its assigns or successors in interest has or have rights-of-way within 75 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR and CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way;
- (xxxvi) the Owner, through restrictive covenants to be registered on title and all Agreements of Purchase and Sale or Lease, provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of the Canadian National Railway;
- (xxxvii) the Owner enter into an Agreement with Canadian National Railway stipulating how their concerns are to be resolved;

## Environmental

- (xxxviii) the Owner immediately conduct a detailed Historical Review of the site to identify all existing and past land uses which could result in negative environmental effects to the site. This report is to be submitted to the Commissioner of Urban Development Services, for the review and approval by the Medical Officer of Health, prior to the issuance of a building permit;
- (xxxix) the Owner conduct a Site and Building audit for the identification of all hazardous materials on the site and in existing buildings, with the removal of these materials being conducted in accordance with the Ministry of Labour and Ministry of Environment guidelines. The report is to be submitted to the Commissioner of Urban Development Services, for review by the Medical Officer of Health, prior to the issuance of a building permit;
- (xl) the Owner conduct a soil and groundwater testing program and produce a Soil and Groundwater Management Plan which characterizes soil conditions and proposes remediation options to be submitted to the Commissioner of Urban Development Services, for review by the Medical Officer of Health, prior to the issuance of a building permit;
- (xli) the Owner implement, under the supervision of an on-site qualified environmental consultant, the Soil and Groundwater Management Plan as stipulated in the report approved by the Medical Officer of Health, and upon completion, submit a report from the on-site environmental consultant, to the Medical Officer of Health, certifying that the remediation has been completed in accordance with the Soil and Groundwater Management Plan, prior to the issuance of a building permit;
- (xlii) the Owner prepare a Demolition and Excavation Dust Control Plan and submit this plan to the Medical Officer of Health for approval, prior to the issuance of a building permit;
- (xliii) the Owner implement the measures in the Demolition and Excavation Dust Control Plan approved by the Medical Officer of Health;
- (xliv) the Owner immediately conduct a Preliminary Ambient Air Quality Assessment to identify potential air quality impacts including those from all proximal sources of air pollutants and construction activities which exist at or near the subject site to be submitted to the Commissioner of Urban Development Services for approval by the Medical Officer of Health, prior to the issuance of a building permit;

Other

- (xlv) the Owner deposit the final Plan of Subdivision, in the appropriate Land Registry Office, such plan to be in metric units with all lot/block corners integrated with the Ontario Co-ordinate System;
- (xlvi) the Owner apply for revised municipal numbering to the Commissioner of Works and Emergency Services, prior to filing a formal application for a building permit, the application for which must be accompanied by a site plan showing the entrances to the proposed houses;
- (xlvii) the Owner provide detailed design drawings to the satisfaction of the Commissioner of Works and Emergency Services of any fencing or structures that are required to satisfy the requirements of CN Rail with respect to measures for rail safety and noise attenuation, prior to the issuance of a building permit, including details of ownership and maintenance;

10. The Owner be advised:

- (a) if the Owner so desires, and subject to the terms of a park occupancy permit, the lands to be conveyed as parkland may be utilized by the Owner for use as a construction staging area. The Owner will be required to enter into a Park Occupation Permit with the Policy and Development Division of the Economic Development, Culture and Tourism Department for the occupation of the park for construction staging purposes. The agreement will outline the details of the park occupancy, restoration and associated fees. The terms of the agreement shall be to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- (b) of the need to receive the approval of and obtain the necessary construction permits from the Commissioner of Works and Emergency Services for all work to be carried out within the abutting public right-of-way;
- (c) that the proposal requires the approval from the Commissioner of Works and Emergency Services regarding ramp approval and curb cuts;
- (d) that all work within the City's road allowance will require a separate approval from the Commissioner of Works and Emergency Services; and
- (e) that the issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.

## Background :

### Site:

The site has an area of 0.6 hectares and is located on the west side of Osler Street between Dupont Street and Cariboo Avenue. It was previously occupied by the Straton Knitting Mills Corporation, a clothing manufacturer.

Abutting the site to the south is a fish wholesaler, auto repair shops, a window manufacturer and a warehouse. To the north, along Cariboo Avenue are additional auto repair shops. Further north is the Canadian Pacific rail line which crosses Osler Street at an at-grade crossing. On the east side of Osler are semi-detached and row house dwellings. To the west is an abandoned spur line and the Canadian Pacific and Canadian National rail lines. The CP line is abandoned and is in the process of being acquired by the City for a biking/hiking lane.

### Proposal:

The site is occupied by several attached 1 to 3 storey industrial buildings. The applicant is proposing to demolish the existing buildings and construct 35 2-storey, 3 bedroom, freehold townhouses. One surface parking space per unit will be provided at the rear of each lot with access from a new public lane.

The applicant is proposing a mix of lot widths ranging in size from 3.9 metres to 4.6 metres. The depth of the lots will be 34.7 metres. The height of the proposed townhouses will be 10 metres and the units range in size from 115.2 m<sup>2</sup> to 126.34 m<sup>2</sup>.

### Current Official Plan and Zoning Designations:

The site is currently designated as a "Restricted Industrial Area" in both the Official Plan and the Junction Triangle Part II Plan. This designation does not permit residential uses. As such, an Official Plan Amendment is required.

The site is currently zoned "I2 D2" which permits a range of industrial uses at a density of 2 times the lot area. As residential uses are not permitted in an "I2" zone, a rezoning is required.

The proposed townhouses are subject to site plan review. It is intended that an Undertaking for the proposal will be completed prior to the issuance of a building permit.

## Comments:

The conversion of the site to residential uses raises a number of issues which are discussed in the following sections of the report.

### Retention of Lands for Industrial Purposes:

The site is occupied by a number of industrial buildings. Sections 9.16, 9.17 and 9.18 of the Official Plan for the former City of Toronto set out Council's policies for ensuring that sufficient

land is available to accommodate existing, new and relocating firms whose operations are suited to a City location.

The Straton Knitting Mills was a major employer in the Junction Triangle area employing 135 workers. When the company decided to relocate its operations, the new owner of the property worked with staff from Economic Development, Culture and Tourism to find a location within the City's boundaries. It was a co-operative approach which enabled the City to maintain its employment base. Straton Knitting Mills will be relocating its operations to 593 Trethewey Drive in September, 2000. The new location will enable the company to improve its operating efficiency and provide for future expansion opportunities. In light of the owner's actions, I am satisfied that the City's objective of ensuring that existing industries can continue to operate in the City has been achieved.

Section 9.18 states that Council will not consider redesignation of industrially designated land so as to permit any non-industrial uses in "Restricted Industrial Areas" without first having considered a study of the area undertaken for the purpose of recommending Part II Plan policies. Issues which the study would be required to address include:

- (a) the number and types of industrial firms and employees in the area that could be adversely affected;
- (b) the impact on any surrounding industrial lands that would not be redesignated; and
- (c) the environmental condition of the lands and the need for soil decommissioning.

Planning staff did extensive work in 1998 in the Junction Triangle Neighbourhood in preparation for proposals to revise the Part II Official Plan. At the request of the community, those results were not finalized into a Part II Plan update. However, the work undertaken by staff acknowledged that the Junction Triangle is an area in transition.

This site is located between the CN and CP rail lines and a stable residential community. Its location provides for a logical extension of the residential community which already exists east of Osler Street, provided that site-specific issues related to built form, environmental impacts and compatibility between future residential and existing industrial uses can be satisfactorily addressed.

#### Impact on Neighbouring Uses:

The proposed development provides an opportunity to extend the existing low density residential neighbourhood further west to the proposed bike and hiking trail. Section 2 of the Junction Triangle Part II Plan states that it is the policy of Council to ensure that future residential development in the Junction Triangle should provide housing primarily for low-to-moderate income households, in a form that physically complements the low-rise street related nature of existing residential buildings. The current proposal would continue the existing street pattern and create lots and low-rise dwellings that are similar in scale to those existing on adjacent residential lands.

The creation of a new public lane at the rear of the townhouses will provide safe and convenient access to parking. Rear yard parking is in keeping with existing parking arrangements within the former City of Toronto and enhances the Osler Street streetscape by maximizing the amount of front yard landscaping.

The total gross floor area of the proposal is 0.83 times the area of the lot which is less than the one times allowed in the Official Plan for “Low Density Residence Areas”. The landscaped open space provision ranges from 45% to 50% which is in keeping with low density residential zoning standards.

Cariboo Street is occupied by several auto repair shops which have co-existed with the residential uses along the east side of Osler Street for many years. To mitigate potential adverse impacts on future residents, a Noise Impact Assessment was submitted to the City for review and was determined to be satisfactory. The main sources of noise are the train traffic along the rail lines and the auto repair shops. The assessment recommended a number of on-site noise attenuation measures to ensure that noise levels are at an acceptable level for future residents. Conditions attached to the approval of the Plan of Subdivision, to be secured through a Subdivision Agreement, will ensure that noise attenuation measures are implemented.

#### Environmental Issues:

The applicant has submitted a Historical Review of the site which identifies all existing and past land uses which could have resulted in negative environmental effects on the site. In addition, the applicant has submitted a Site and Building Audit and a Preliminary Air Quality Assessment for review by the Medical Officer of Health. Soil and groundwater testing has been completed and an Excavation and Dust Control Plan was also recently submitted to the City. Prior to the issuance of a building permit, the Owner is required to submit a report from a qualified on-site environmental consultant to the Medical Officer of Health certifying that the remediation has been completed in accordance with the approved Soil and Groundwater Management Plan. Conditions attached to the approval of the Plan of Subdivision, to be secured through a Subdivision Agreement, will ensure that these required environmental reports will be submitted to the City in a timely manner.

#### Rail Safety Setback and Noise Issues:

The CN Weston Subdivision rail line is to the west of the site. It is classified as a Main Line and is used by VIA Rail and GO Transit for passenger service and CN for freight movements. CN’s policy is to require a distance separation of 30 metres and a 2.5 metre berm. In addition, CN requires an acoustic barrier along the top of the berm with a minimum combined height of 5.5 metres above the top-of-rail to be provided along the CN right-of-way. CN’s requirements will be secured through the Subdivision Agreement. Also in the Subdivision Agreement will be a requirement for a 1.83 metre chain link fence and a warning clause to be inserted in all development agreements, Offers to Purchase and Agreements of Purchase and Sale or Lease of each dwelling unit advising future residents of the existence of both CN and CP’s operating right-of-way.

Parkland Dedication:

The site is subject to a statutory parkland dedication of 5% of the land. As part of this dedication, the applicants are providing a bicycle/hiking path. Since the path is equivalent to 2.75% of the total dedication, the remaining amount will be met through a cash-in-lieu of parkland dedication payment secured through the Subdivision Agreement. It should be noted that the land for the bicycle/hiking path will be conveyed to the City, also through the Subdivision Agreement.

This path will provide an important pedestrian connection to a 6.5 km bike trail being developed by the City. The proposed bike trail will be developed on the abandoned CP rail corridor which abuts the site to the west and will run from Cariboo Street to Dundas Street West. Acquisition of this rail corridor was authorized by the former City of Toronto Council at its meeting of July 14, 1997.

Consultation Process:

On March 27, 2000, a public meeting was held in the community. The community planner, the City's bike trail planner, the parks planner, the owner, the applicant, the Ward Councillors and 7 residents were in attendance. There was general support for the proposal.

Conclusions:

The proposal is an opportunity to expand an existing residential neighbourhood and ensure a greater compatibility of use. The Osler Street streetscape will be improved with the removal of an industrial use. The density and low-rise form of development is in keeping with the surrounding area which is served by shopping, schools and parks.

Contact:

SoMei Quan, West Section

Telephone: (416) 392-1812; Fax: (416) 392-1330; Email: squan0@city.toronto.on.ca

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Application Data Sheet

Site Plan Approval:	No	File Number:	199036
Rezoning:	Yes	Application Number:	CMB19990052
O.P.A.:	Yes	Application Date:	11/22/1999
Municipal Address:	86 Osler St 62 Osler St		
Nearest Intersection:	Southwest corner of Osler Street and Cariboo Avenue.		
Project Description:	To sever the land into 35 lots, create a public lane and build 6 groups of 2 storey townhouses with parking at rear.		

Applicant:	Agent:	Architect:	Owner:
G. Bettencourt Designs Ltd.	G. Bettencourt Designs Ltd.	G. Bettencourt Designs Ltd.	
1112 Dundas St. W.	1112 Dundas St. W.	1112 Dundas St. W.	
Toronto M6J1X2	Toronto M6J1X2	Toronto M6J1X2	
(416) 532-2845	(416) 532-2845	(416) 532-2845	

Planning Controls (For verification refer to Chief Building Official)

Official Plan Designation:		Site Specific Provision:	No
Zoning District:	I2 D2	Historical Status:	No
Height Limit (m):	14	Site Plan Control Area:	Yes

Project Information

Site Area:	5044.29 m <sup>2</sup>	Height: Storeys:	2
Frontage:	160.052	Meters:	10
Depth:	39.66	Indoor	Outdoor
Ground Floor GFA:	2102.88	Parking Spaces:	35      0
Residential GFA:	4205.76	Loading Docks:	0
Non-Residential GFA:	0	Loading Docks Type:	
Total GFA:	4205.76		

Dwelling

Tenure Type: Freehold

Rooms: 0  
 Bachelor: 0  
 1 Bedroom: 0  
 2 Bedroom: 0  
 3+ Bedroom: 35  
 Total Units: 35

Floor Area Breakdown

	Above Grade	Below Grade
Residential GFA:	4205.76	
Retail GFA:	0	
Office GFA:	0	
Industrial GFA:	0	
Industrial/Other GFA:	0	

Total Proposed Density: 0.83

Comments: Application received.

Current Status: Final Report to September 7, 2000 Toronto Community Council

Data Valid:	Aug. 21, 2000	Planner:	SoMei Quan	Phone:	392-1812
Area:	Davenport	Planning Office:	Toronto		

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Appendix A

Comments of Civic Officials

1. Community & Neighbourhood Services - Public Health (December 13, 1999)

Thank you for your request of December 1, 1999 to review and comment on the above referenced site. Staff at Healthy Environments have reviewed the application and offer the following comments.

Comments:

The applicant requests permission to sever the land into 35 Lots, create a public lane and build 6 groups of 2-storey townhouses with parking at the rear. A review of the files available to us indicate that 86 Osler Street is zoned industrial (1949). We have no information on the remainder of this site. Additional information is required by Healthy Environment staff in order to conduct an adequate review of environmental conditions on the site. This should include a Historical Review, Site and Building Audit, Soil and Groundwater Management Plan, Demolition and Excavation Dust Control Plan, and a Preliminary Ambient Air Quality Assessment details of which are described below.

Recommendations:

1. That the owner immediately conduct a Historical Review of the site to identify all existing and past land uses which could have resulted in negative environmental effects to the subject site. This report should be submitted to the Commissioner of Urban Development Services, for review by the Medical Officer of Health, prior to the introduction of a Bill in Council.
2. That the owner conduct a Site and Building Audit for the identification of all hazardous materials on the site and in existing buildings. The removal of these materials must be conducted in accordance with Ministry of Labour and Ministry of Environment guidelines. A report on the site and building audit should be submitted to the Commissioner of Urban Development Services, for review by the Medical Officer of Health, prior to the introduction of a Bill in Council.
3.
  - (i) That the owner shall conduct a soil and groundwater testing program and produce a Soil and Groundwater Management Plan which characterises soil and groundwater conditions and proposes remediation options, to be submitted to the Commissioner of Urban Development Services, for review by the Medical Officer of Health, prior to the introduction of a Bill in Council.
  - (ii) That the owner implement, under the supervision of an on site qualified environmental consultant, the Soil and Groundwater Management Plan as stipulated in the report approved by the Medical Officer of Health, and upon completion, submit a report from the on site environmental consultant to the Medical Officer of Health certifying that the remediation has been completed in accordance with the Soil and Groundwater Management Plan.
4.
  - (i) That the owner prepare an Demolition and Excavation Dust Control Plan and submit this plan to the Medical Officer of Health, prior to the issuance of any permit.

- (ii) That the owner implement the measures in the Demolition and Excavation Dust Control Plan approved by the Medical Officer of Health.
5. The owner shall immediately conduct a Preliminary Ambient Air Quality Assessment to identify potential air quality impacts including those from all proximal sources of air pollutants and construction activities which exist at or near the subject site, to be submitted to the Commissioner of Urban Development Services for approval by the Medical Officer of Health, prior to the introduction of a Bill in Council.

By copy of this letter I have advised the owner/applicant accordingly. If you have any questions, please do not hesitate to contact me at 392-7685.

2. Canadian Pacific Railway (July 10, 2000)

This is in reference to your circulation of January 24, 2000 of the above-mentioned application. The proposed development is located within 75 metres of our North Toronto Subdivision which is classified as a principle main line.

Canadian Pacific Railway is not in favour of residential developments in close proximity to our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that the following requirements be included as Conditions of Subdivision Approval:

1. Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures if required. The Railway may consider other measures recommended by the study.
2. Ground vibration transmission to be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 metres of the nearest track should be protected.
3. A clause should be inserted in all offers to purchase, agreements of sale and purchase or lease and in the title deed or lease of each dwelling, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.

We would appreciate being circulated with all future correspondence related to this application.

3. Canadian National Railway Company (December 30, 1999)

We have reviewed your letter dated December 1, 1999 regarding the above noted application.

Residential development adjacent to the railway right-of-way is not appropriate without impact mitigation measures to reduce the incompatibility. We request that the following comments be included in the Draft Conditions, to be cleared by CN:

1. The Zoning By-law shall require a minimum dwelling setback from the railway right-of-way of 30 metre.
2. The Owner is required to engage a consultant to undertake an analysis of noise and vibration in order to recommend abatement measures necessary to achieve the maximum level limits set by the Ministry of Environment and Canadian National Railway. Upon review and approval of the noise and vibration reports, all recommendations provided should be included in the Subdivision Agreement.
3. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to CN, to the following:
  - (a) Construct and maintain an earthen berm a minimum of 2.5 metres above grade at the rear property line, having side slopes not steeper than 2.5 to 1, with returns at the ends.
  - (b) Construct and maintain an acoustic barrier along the top of the berm of a minimum combined height of 5.5 metres above top-of-rail. The acoustic fence to be constructed without openings and of a durable material weighing of not less than 20 kg. per square metre of surface area.

The Railway may consider other measures, subject to the review of the noise report.
  - (c) Install and maintain a chain link fence of minimum 1.83 metre height along the rear property line.
  - (d) That any proposed alterations to the existing drainage pattern affecting Railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
4. The following warning clause shall be included in the Subdivision Agreement and insert in all Agreements of Purchase and Sale or Lease for each dwelling unit. Provisions must be included in the Subdivision Agreement to ensure that the warning clause survives the release of the Owner's obligations under the Subdivision Agreement and remain on title.

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

5. The Owner shall through restrictive covenants to be registered on the title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
6. The Owner enter into an Agreement stipulating how CN’s concerns will be resolved and will pay CN’s reasonable costs in preparing and negotiating the agreement.

Should Council decide to approve the applicant without incorporating the above requirements, we have no alternative but to request that this application be referred to the Ontario Municipal Board pursuant to the provisions of the Planning Act, R.S.P. 1990, C.P. 13.

We would appreciate the opportunity to review the draft conditions prior to approval, and ultimately, we request receiving copy of the Approved Draft Conditions.

Should you have any further questions, please do not hesitate to contact the undersigned at (416) 217-6466.

4. Economic Development, Culture & Tourism – Economic Development Division  
(August 21, 2000)

Further to the staff comments provided in the memorandum of June 8, 2000, please note the additional comments that follow.

The Community Planning Division’s preliminary report notes that the Official Plan seeks to ensure that existing, new and relocating firms will be able to continue doing business in the City and that the impact on jobs affected by a development application must be addressed. It was also noted that the applicant would attempt to facilitate the relocation of the existing clothing manufacturer at 62 Osler Street.

Straton Knitting Mills is currently located on the Osler Street site. It produces men’s clothing with the London Fog label. The company employs about 135 workers. The applicant has now assisted Straton Knitting Mills to find a new site and the company will be relocating its operation within the City to 593 Trethewey Drive in September 2000.

The applicant, with the support of the City, has created a win-win situation where by the City will retain a major employer. This is particularly important given that fashion/apparel has been identified as one of the City's key competitive economic clusters. The company's new site will allow it to improve the efficiency of its operation and provide for future expansion opportunities. The applicant will be able to add to the City's housing stock and improve the Osler streetscape. The applicant should be commended for taking this approach with respect to assisting the City to maintain its employment base.

With respect to issues of land use compatibility with the other small businesses on Osler Street and Cariboo Avenue, the applicant has met with Economic Development Staff to review the buffering that will be provided by setbacks and landscaping. Staff is satisfied that these measures will be adequate to deal with issues of compatibility.

5. Economic Development, Culture & Tourism - Economic Development Division  
(June 8, 2000)

#### Background

Staff in the Economic Development Division's Central Field Office has reviewed the Official Plan and Rezoning applications for 56 and 86 Osler Street. The Community Planning Division's preliminary report identifies issues related to the retention of industrial lands for employment purposes and the compatibility of the proposed residential uses with adjacent industrial uses. Our comments will focus on these issues.

#### Retention of Employment Lands

With respect to the retention of employment lands, The Economic Development and Parks Committee adopted our November 17, 1999 report on Stimulating Investment in Employment Lands. There is a pressing need to comprehensively address the issue of maintaining a stable employment base and developing mechanisms for further encouraging employment generating investment. Our report notes that ensuring a sufficient long term supply of employment lands and that industrial space is available to allow existing businesses to expand and new businesses to start up is one of the important roles governments play in facilitating economic growth.

We are concerned that the subject applications not be seen, or used, as a precedent in support of further rezoning applications in the area or as a rationale for limiting the operations of the businesses in that area. The businesses in the area play an integral role in the City's economy by adding to the diversity of the employment base, contributing taxes toward the City's operations and providing businesses services which support a number of sectors of the City's economy. At a minimum, creating a precedent for further rezoning applications would result in the loss of jobs in the area and industrial/commercial tax revenues.

An argument that the subject lands are no longer viable for industrial or employment uses must not be used as a justification if these applications are approved. The fact is that these lands would very likely be reused for employment purposes if the existing zoning was maintained. We are confident that this would be the case given that:

- the industrial vacancy rate in the City is now below 5%,
- industrial construction activity has returned to pre-recession levels,
- investors are now beginning to build “spec” industrial buildings again
- many older industrial buildings are being reused for new economy purposes.

The pressure to convert these lands has nothing to do with the demand for industrial space but rather the fact that there is also a strong residential market and the subject lands were purchased at a higher price in anticipation of being able to rezone them for residential purposes.

### Land Use Compatibility

If this application is to be approved, issues of compatibility with the businesses to the north and south of the site must be addressed. The auto body shops on Cariboo Avenue have been a source of land use complaints for a number of years. The complaints are generally related to noise, paint odours and the storage of vehicles waiting repairs. The rubber factory just south of Dupont is a source of heavy truck movements and odours on occasion. It will be crucial to ensure that the applicants realize that the existing businesses may have a negative effect, from time to time, on the proposed residential units and will diminish the ability of future residents to fully use and enjoy their properties. The developers must address issues of land use compatibility and undertake any mitigation measures that may be required.

### Recommendation

The following recommendation is based on our assessment of the area and the application.

- That the developer address issues of land use compatibility and undertake any mitigation measures that may be required.

If you have any questions with respect to the above comments, please contact Mr. Kyle Benham, MCIP at 392-1004.

### 6. Economic Development, Culture & Tourism - Policy and Development (July 17, 2000)

The owner of the above-noted lands has made application to permit the development of the subject lands with 35 freehold townhouse units.

The owner is proposing an on-site parkland dedication of approximately 0.043ac (175.32 m<sup>2</sup>) identified as Block 36 on the Draft Plan of Subdivision prepared by Rabideau & Czerwinski, dated July 5, 2000. This conveyance is equivalent to approximately 2.75% of their statutory 5% parkland dedication for this development. The proposed dedication provides an important pedestrian connection from the development site to the future hiking/bicycle trail which will be developed on the abandoned rail corridor abutting this site to the west. Acquisition of this rail corridor was authorized by City Council of the former City of Toronto, at its meeting held on July 14, 1997.

The shortfall in the required parkland dedication will be achieved through a cash-in-lieu of parkland dedication payment secured through the subdivision agreement. This payment would represent the difference between the statutory parkland dedication requirement and the actual land conveyance made by the applicant and would be based on the market value of the land. The cash payment is to be used for improvements of the conveyed parklands. The landowner will not be entitled to any credits against the parkland development component of the development charges for the aforementioned cash contribution, as it is fulfilling their statutory parkland dedication requirement.

If Toronto City Council decides to approve this application, the following are recommended as this Department's conditions of approval and should be included within the associated agreements for this development.

- Block 36 shall be conveyed to the City of Toronto for parkland purposes as indicated on the Draft Plan of Subdivision prepared by Rabideau & Czerwinski dated July 5, 2000, prior to the registration of the draft plan of subdivision.
- That, prior to the registration of the Draft Plan of Subdivision, the owner provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the parkland dedication lands.
- The owner is to pay for all associated costs of such conveyance, including any Land Transfer Tax and the preparation and registration of all relevant documents.
- The final location, grading, configuration and development of the parkland to be conveyed will be subject to the approval of the Commissioner of Economic Development, Culture & Tourism.
- The lands fulfilling the statutory parkland dedication requirement, which are to be conveyed to the City, are to be free and clear, above and below grade, of all easements, encumbrances and encroachments, unless determined otherwise by the Commissioner of Economic Development, Culture & Tourism.
- Prior to the registration of the Draft Plan of Subdivision, the owner shall be responsible for an environmental assessment of the lands to be conveyed as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure the dedicated parklands will, at the time of conveyance, meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. The environmental assessment is to be prepared by a qualified environmental consultant and acceptable to the Commissioner of Economic Development, Culture & Tourism and Chief Medical Officer of Health.
- The shortfall in the required parkland dedication will be achieved through a cash-in-lieu of parkland dedication payment payable prior to the registration of the Draft Plan of Subdivision.

- The owner will be responsible for grading (inclusive of topsoil supply and placement), sodding, all necessary drainage systems, electrical and water connections to the street line and fencing along the southern and western boundary of the conveyed parklands in accordance with Economic Development, Culture & Tourism Department's Specification for Fencing. Such work is to be completed prior to the occupancy of the first dwelling unit and shall be to the satisfaction of the Commissioner of Economic Development, Culture & Tourism. In the event such occupancy is intended to occur between November 15 and April 15, the park improvements must be completed no later than June 15 of the same calendar year as April 15, noted above.
- Prior to the registration of the Draft Plan of Subdivision, the owner will post a letter of credit as security for the installation of the above-noted improvements, equal to 120% of the value of the improvements. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above-noted work.
- At the time the parkland has been developed, the owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letters of credit for park improvements would be released, less 5% which shall be retained for a two-year period as a performance guarantee.
- Final design and programming of the conveyed parkland to the City shall be at the discretion of the Commissioner of Economic Development, Culture & Tourism.
- Prior to the registration of the Draft Plan of Subdivision, the owner will provide to the Commissioner of Economic Development, Culture & Tourism a certified cheque in the amount of \$20,000.00 to cover the cost of tree planting on the abandoned rail corridor lands, on the west side of the development site as a landscape buffer between the development site and the future hiking/bicycle trail. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above noted work.
- If the owner so desires, and subject to the terms of a park occupancy permit, the lands to be conveyed as parkland may be utilized by the owner for use as a construction staging area. The owner will be required to enter into a Park Occupation Permit with the Policy and Development Division of the Economic Development, Culture & Tourism Department for the occupation of the park for construction staging purposes. The agreement will outline the details of the park occupancy, restoration and associated fees. The terms of the agreement shall be to the satisfaction of the Commissioner of Economic Development, Culture & Tourism.
- Prior to the registration of the Draft Plan of Subdivision, the owner shall provide a street tree-planting plan subject to the approval of the City Forester and the Commissioner of Urban Development Services. That plan shall indicate the species, size, and location of

all proposed street trees, location of any roads, sidewalks, driveways, streetlines and utilities.

- Prior to the registration of the Draft Plan of Subdivision, the owner shall provide a letter of credit for 120% of the value of the street trees.
- The owner will be responsible for the cost of supplying and installing the street trees when building the subdivision as per the approved street tree planting plan. There shall be a two-year maintenance period, with an annual inspection involving Urban Forestry and the owner. At the end of that period, upon acceptance, the City shall accept maintenance responsibilities and return the letter of credit.
- All stated letters of credit that are to be provided by the owner, unless determined otherwise by the Commissioner of Economic Development, Culture and Tourism, are intended to be in current dollars and accordingly, shall be adjusted, either upwards or downwards, annually, on the anniversary of the date of execution of the associated subdivision agreement, in accordance with change in the Construction Price Index during such one year period. Provided, however, that in no case shall the amount actually payable by the owner at any time be less than the minimal amount set out in that agreement.

In view of the conveyance of parkland, that City Council will authorize an amendment to exempt the owner's lands from Toronto Municipal Code, Chapter 165, Article 1, Conveyance of lands for Parks Purposes enacted pursuant to Section 42 of the Planning Act to exempt therefrom such development as is permitted and only to the extent permitted by the Zoning By-law Amendment. Should the owner apply for and receive permission to develop residential or commercial densities in excess of those presently permitted in the Zoning By-law Amendment, then the owner may, respecting those increased densities and as a condition of receiving such increased densities, be required to transfer further lands for parks purposes or pay monies in lieu thereof in accordance with the City's aforementioned Municipal Code provisions enacted pursuant to Section 42 of the Planning Act which are then applicable.

7. Ministry of Municipal Affairs and Housing - Provincial Planning and Environmental Services Branch (December 15, 1999)

I am writing in response to your letter of November 22, 1999, regarding the above-noted amendment.

The Ministry has reviewed the proposed amendment and we have no objection to the proposed townhouse development.

If you have any questions, please feel free to contact John Taylor at 585-6058.

8. Toronto Catholic District School Board (March 28, 2000)

Further to your request for comments, please be advised that students residing in the proposed development could be accommodated in permanent facilities at St. Rita Catholic School (JK-8) and Brother Edmund Rice Catholic Secondary School (9-OAC).

Should you require any additional information regarding this matter, you may contact Joe Ruscitti at 222-8282, extension 2281.

9. Urban Development Services - Buildings (February 23, 2000)

Our comments concerning this proposal are as follows:

Description: Sever the land into 35 lots, create public lanes and build 6 groups of 2 storey row houses with open parking at rear (Total of 35 row houses)

Zoning Designation: I2 D2 Map: 48J21

Applicable By-law(s): 438-86, as amended

Plans prepared by: G Bettencourt Designs Ltd. Plans dated: March 2000

Residential GFA: 4206 m<sup>2</sup>

Zoning Review

The list below indicates where the proposal does not comply with the City’s Zoning By-law 438-86, as amended, unless otherwise referenced.

1. The proposed use, Row Houses, is not permitted. (Section 9(1)(f))
2. The by-law does not permit residential gross floor area. (Section 9(3) PART 2)
3. The by-law requires a building or structure to be setback 3.5 metres from the centre line of a public lane. Section 4(14)(a))

Other Applicable Legislation and Required Approvals

1. The proposal requires Site Plan approval under Section 41 of the Planning Act.
2. The proposal requires conveyance of land for parks purposes, or payment in lieu thereof pursuant to Section 42 of the Planning Act.

The proposal DOES NOT require the approval of Heritage Toronto under the

3. Ontario Heritage Act.
4. The issuance of any permit by the Chief Building Official will be conditional upon the proposal's full compliance with all relevant provisions of the Ontario Building Code.
5. The proposal requires the approval of City Works Services regarding ramp approval and curb cuts.
6. All work within the City's road allowance will require a separate approval by City Works Services.

10. Urban Development Services - Municipal Licencing and Standards (January 31, 2000)

I have reviewed the Noise Impact Statement dated January 17, 2000 prepared by Aiolos Engineering Corporation, for the above noted Rezoning Application, and find it satisfactory.

As you are aware, the Noise Impact Statement is one of a number of reports required to process your application. At the time of preparation, final construction designs may not be completed. Therefore, on approval of the application and when construction plans are finalized, I require a letter from your architect or acoustical consultant which certifies that the building plans accompanying your building permit application are in conformity with the Noise Impact Statement, with particular reference to the impact of any H.V.A.C. equipment on neighbouring properties.

Please direct any inquiries to Mr. J. Prashad of the Noise Section.

11. Works and Emergency Services – Technical Services (August 15, 2000)

This is in reference to the application by Greg Bettencourt Design Ltd. on behalf of 995347 Ontario Inc, for the Rezoning and approval of a Draft Plan of Subdivision for a proposed 35-unit freehold townhouse development located on the west side of Osler Street, north of Dupont Street. One parking space is proposed per unit, with access off a new 5 m wide public lane to be constructed around the perimeter of the site.

Comments:

General

The applicant will be required to enter into a standard subdivision agreement with the City for this development and be subject to its requirements. This agreement sets out the general requirements of the City for the development of a subdivision. More particular comments for this site are included in this report.

## Survey Requirements

The proposal is to sever the lands into 35 lots, create a public lane and construct six groups of two-storey freehold townhouses with parking at the rear.

The owner is required to apply for revised municipal numbering prior to obtaining a building permit the application for which must be accompanied with a site plan showing the entrances to the proposed houses with sufficient detailed information to allow for building envelope plans to be incorporated into the City's land information system.

## Parking

The proposed provision of 35 surface parking spaces off the new public lane satisfies the estimated parking demand and Zoning By-law requirement for 35 spaces for residents, and is acceptable.

The estimated peak visitor parking demand generated by the development for 9 spaces will likely take place on the street, consistent with the housing units directly across the street from the development. Given that the site has 150m frontage on Osler Street, it is not anticipated that the proposed housing development will place undue stress on street parking in the area.

## Municipal Servicing/Proposed Lane

The existing City water distribution and sewer systems with regard to sanitary sewage are adequate to accommodate the change in land use. With respect to the storm water, it is the policy of City Council to require the infiltration of storm water run-off into the ground for all new buildings, whenever possible. Roof drains and pumped weepers are to be discharged to the surface. Storm connections to the City sewer system will only be permitted if it can be demonstrated that infiltrating storm water into the ground is not feasible.

Individual sewer and water connections must be provided for each of the townhouses.

The plans submitted do not indicate any existing and proposed grades for this development and for the adjacent properties. This information is required to be submitted to the Department to determine whether this site can be properly serviced and developed. In addition, a preliminary servicing scheme is to be submitted indicating the servicing of the individual units and any proposed underground services and utilities for the site.

The applicant is proposing to construct a 5 m wide public lane at the rear of the proposed townhouses, which will provide vehicular access to the parking within each of the units. Please note that the final width of this lane may be required to be adjusted should there be any retaining structures required to meet surrounding grades. The construction of this lane must be carried out to City standards and specifications. It is noted that this lane must be constructed in concrete and not in asphalt as indicated on the applicant's drawings.

For further information in this regard, please contact Mr. Leo Chow at 392-7660. Further comments and additional recommendations may be forthcoming upon the review of those plans.

Following acceptance of the above preliminary grading and servicing scheme, the applicant will be required to submit detailed drawings by a consulting engineer acceptable to Works and Emergency Services indicating:

- The method and locations of services for the individual units within the site;
- the design of any surface and underground facilities;
- plan profiles of the proposed lane including its drainage facilities
- a storm water management plan;
- details of any remedial works required on Osler Street due to this development; and
- a detailed grading and drainage plan, including analysis of the impacts on the adjacent properties.

#### Environmental Issues

As this site is currently occupied by a clothing manufacturer, we are aware that Environmental Studies identifying all existing and past land uses which could result in negative environmental effects, and the required environmental remediation measures are currently being reviewed by the Medical Officer of Health. In this regard, the owner is to provide a copy of such studies to and for this Department's review and comment to ensure that the land upon which the 'public' lane is to be built is suitable for public highway purposes.

#### Noise Impact Statement

The owner is required to submit a satisfactory Noise Impact Statement for this development.

#### Railway Lands and Bike Trail

As the site abuts railway lands, the owner is to provide the City evidence that they have satisfied the requirements of Canadian National Railways with respect to the provisions of safety and noise attenuation for this residential development. Should it be determined that some form of noise or safety provisions are required, the owner must submit to this Department for the approval of the Commissioner of Works and Emergency Services, detailed design drawings for same as well as provide information as to the future ownership of the structure.

In connection with the development for this site, the applicant is being required to convey land, or cash payment in lieu of land for parks and public recreation purposes. In this regard, the proposed pedestrian connection to the future bike trail, shown to be within the site on the plans submitted with this application, are in keeping with that requirement. As you are aware, staff of Economic Development, Culture and Tourism, have been dealing with the applicant on this matter and their comments in this respect were provided to you in their memorandum dated July 17, 2000.

## Refuse Collection

Solid Waste Management Services will provide curbside collection of household garbage, and recyclable materials and organic yard waste generated by this development in accordance with the provisions of the Municipal Code, Chapter 309, Solid Waste, from set out points in front of each property. Storage of materials in rodent resistant locations within private property is required between collections.

## **Work Within the Public Right-of-Way**

The proposal includes the construction of private approaches, planting of trees installation of vehicular access ramps to service the parking (on private property) at the rear of the townhouses and the removal of obsolete ramping. Approval for any work to be carried out within the public right-of-way must be received from this Department. For further information, the applicant should contact Right-of-Way Management Section, District 1, Construction Activities at 392-7877.

It is noted that the maximum width of private approaches within private property and public right-of-way, is not to exceed 1.0 m.

## **Recommendations:**

As a result of the foregoing, it is recommended that:

1. The owner be required, as a condition of approval of the plans and drawings for the project, to:
  - (a) Enter into a subdivision agreement with the City for this development;
  - (b) Provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development;
  - (c) Provide and maintain a rodent proof garbage storage and recyclable materials area on private property within each of the townhouses between collections;
  - (d) Submit to, and have approved by the Commissioner of Works and Emergency Services, prior to the introduction of a Bill in Council, a Noise Impact Statement in accordance with the City Council's requirements;
  - (e) Prior to the substantial completion of any building, have a qualified architect/acoustical consultant certify, in writing, to the commissioner of Works and Emergency Services that each townhouse has been designed and constructed in accordance with the Noise Impact Statement approved by the Commissioner of Works and Emergency Services in respect to that building;

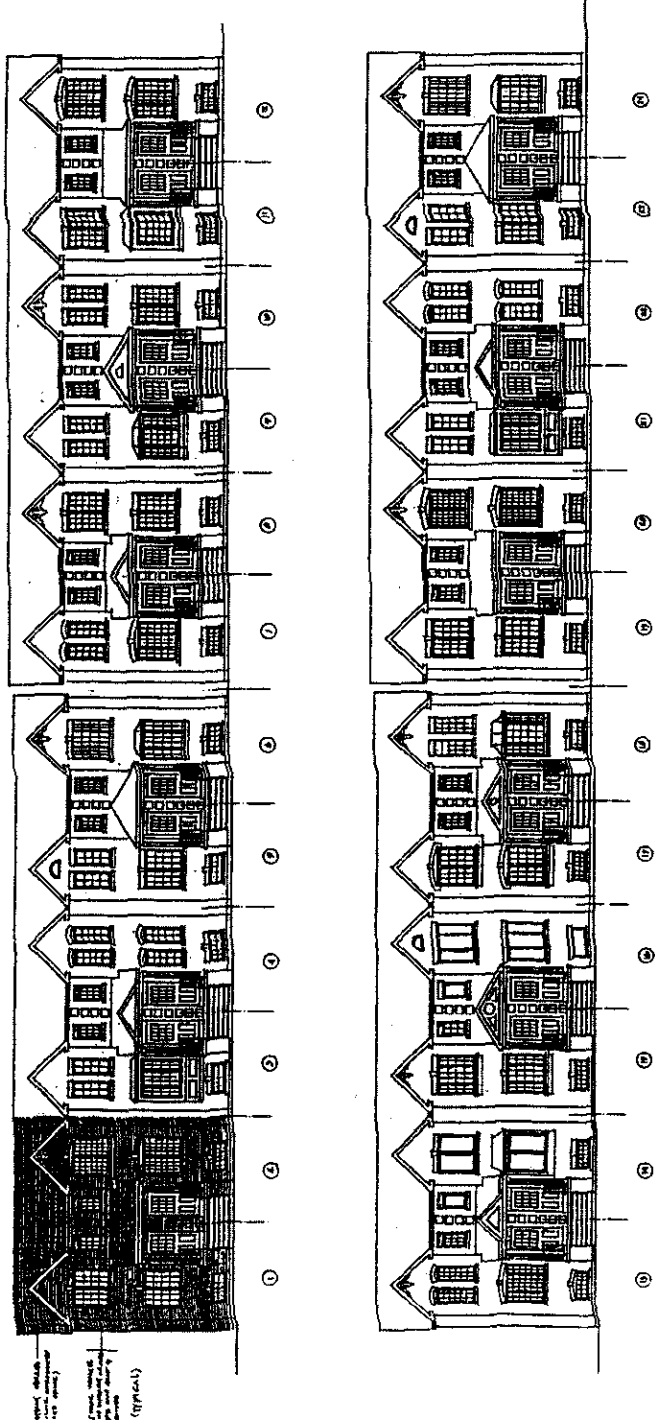
- (f) Submit to, for the review and approval of the Commissioner of Works and Emergency Services, a Draft Plan of Subdivision;
- (g) Submit to the Commissioner of Works and Emergency Services:
  - (i) A digital copy of the final plan of subdivision in metric units with all block corners integrated with the Ontario Co-ordinate system and delineating thereon PARTS of the proposed lots and lane;
  - (ii) Final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed houses to enable the preparation of building envelope plans;
  - (iii) A digital copy of the final site in DGN, DWG or DXF formats; and such plans should be submitted at least 3 weeks prior to the introduction of bills in Council;
- (h) Apply for revised municipal numbering to the Commissioner of Works and Emergency Services, prior to obtaining a building permit, the application for which must be accompanied by a site plan showing the entrances to the proposed houses;
- (i) Submit for the review and approval of the Commissioner of Works and Emergency Services preliminary grading and servicing drawings determine demonstrate the means of servicing proposed for the development and the adequacy of the lane width proposed;
- (j) In connection with the servicing of the lots and construction of a new public laneway, including the installation of any required municipal services and utilities:
  - (i) Engage the services of a qualified Municipal Consulting Engineer satisfactory to the Commissioner of Works and Emergency Services for the design and field supervision of all surface and underground public works services and facilities;
  - (ii) Prepare and submit, for the approval of the Commissioner of Works and Emergency Services, detailed design drawings in accordance with the City's design policies and specifications for all surface and underground public works services and facilities, including site grading plans in digital and hard copy format;
  - (iii) Construct all services and facilities in accordance with the approved drawings and specifications;

- (iv) Agree to pay for the required engineering fees for engineering and inspection costs in the amount of 3% of the costs of constructing the lane and any required servicing and all other construction obligations for the Subdivision including the payment of 1.5% at first submission of drawings and details;
  - (v) Provide, upon completion of the work, “as constructed” drawings in mylar and digital formats of all surface and underground public works services and facilities, certified by the Municipal Consulting Engineer that such services and facilities have been constructed in accordance with the approved drawings and specifications;
  - (vi) Provide letters of credit in the amount of 100% of the estimated cost for the lane and any required underground municipal services, as determined by the Municipal Consulting Engineer and approved by the Commissioner of Works and Emergency Services, or such lesser amount as the Commissioner of Works and Emergency Services may approve, prior to the issuance of a building permit or the release of construction of the infrastructure, whichever event is earlier, such letters of credit to be maintained until the completion of the work;
  - (vii) This letter of credit may be reduced to 20% of the value of the completed infrastructure as a maintenance guarantee for a period of two years from the date of completion of the work as certified by the Municipal Consulting Engineer and acceptance by the Commissioner of Works and Emergency Services;
  - (viii) Construct all utilities underground;
  - (k) Re-monument the street limits and block corners upon completion of construction;
  - (l) Submit to and have approved by the Commissioner of Works and Emergency Services information verifying that soil conditions within the proposed public right-of-way, is acceptable for use for public highway purposes; and
  - (m) Satisfy the requirements of Canadian National Railways with respect to measures for public safety and noise attenuation for this development and, should it be determined by Canadian National Railways that some measures are required, provide detailed design drawings to the satisfaction of Works and Emergency Services of any fencing or structures prior to the issuance of a building permit, including details of ownership and maintenance.
2. That the owner be advised of the need to receive the approval of and obtain the necessary construction permits from the Commissioner of Works and Emergency Services for all work to be carried out within the abutting public right-of-way.

12. Works and Emergency Services - Fire Prevention (December 2, 1999)

Please be advised that when the pertinent requirements of the Ontario Building Code have been applied relative to this project, our Department may be deemed as satisfied.



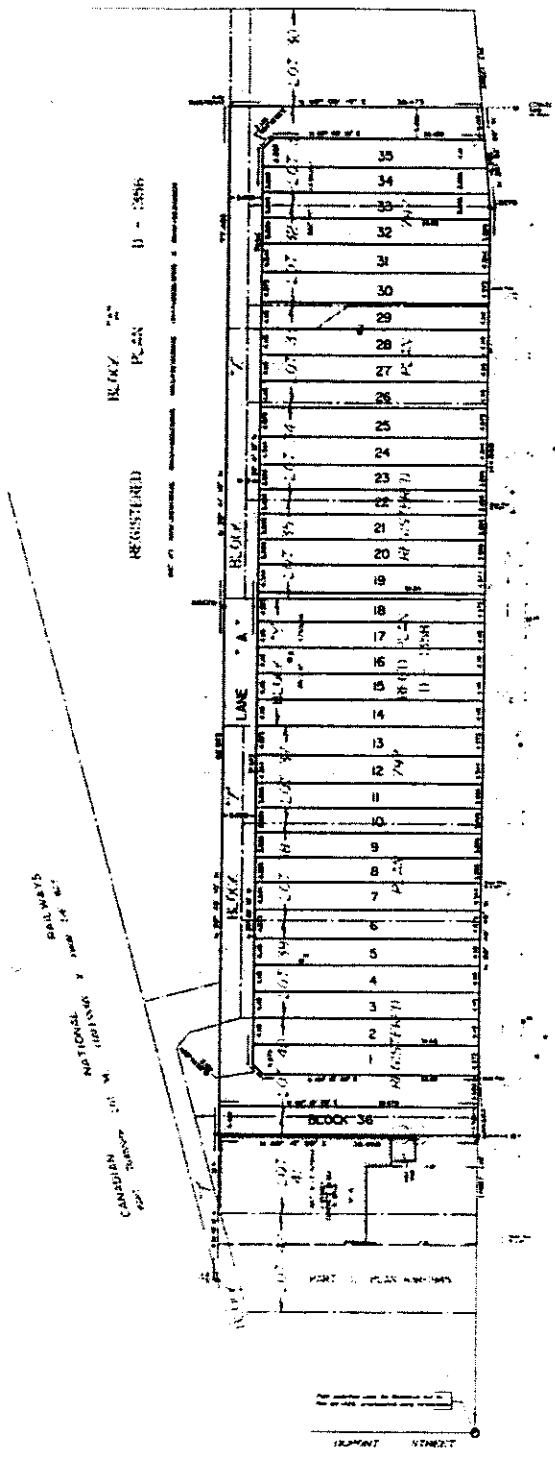


Notes:  
 1. All elevations are to be shown as shown.  
 2. All elevations are to be shown as shown.  
 3. All elevations are to be shown as shown.  
 (approx.)

Next to Scale  
 08/16/00  
 Attachment **2**

**62 & 86 Osler Street**  
 File # TCC-E199036 & 499043

**Elevation**  
 Applicant's Submitted Drawing



**Subdivision Plan**

Applicant's Submitted Drawing

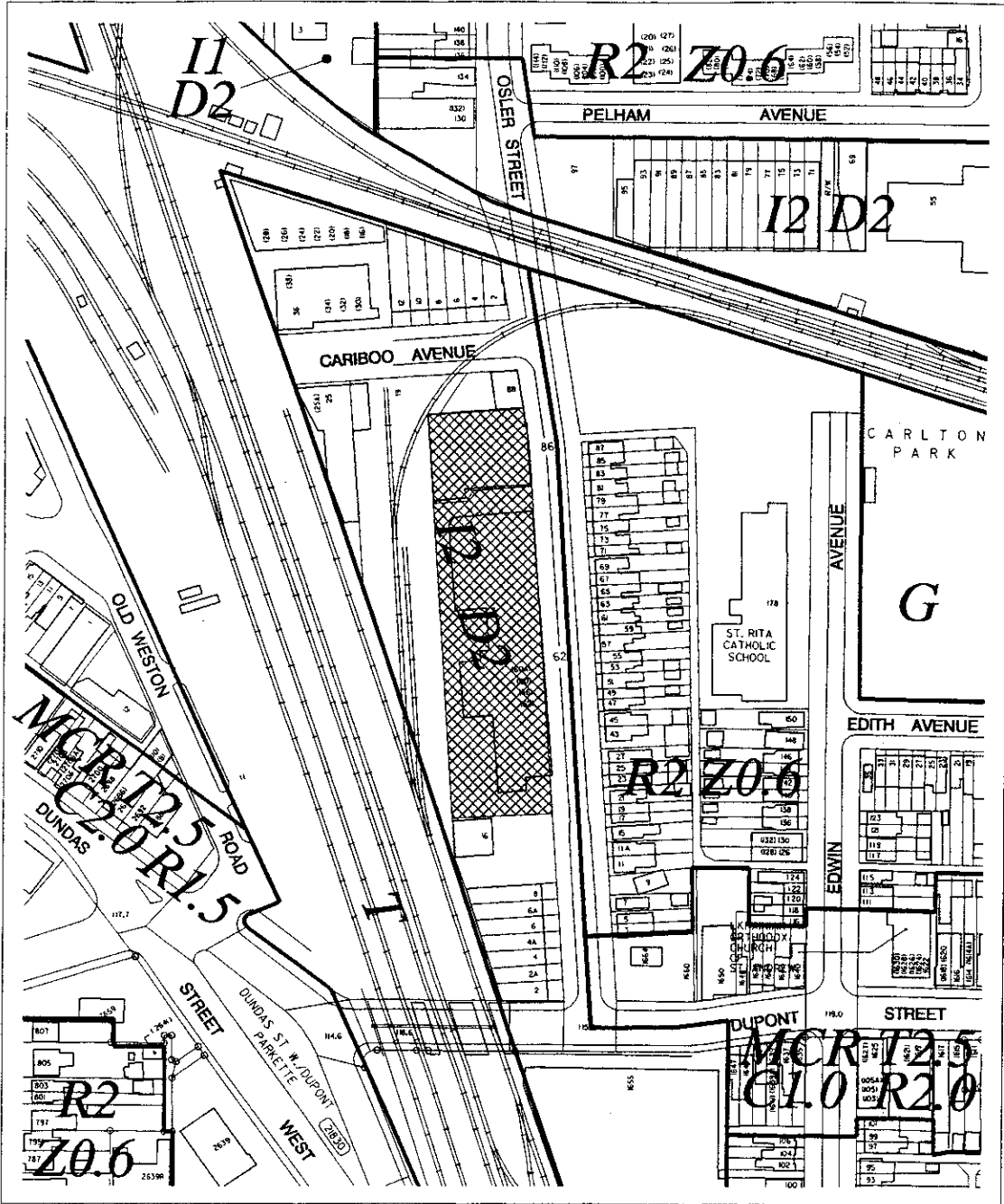
**62 - 86 Osler Street**

File # TCC-S199036 & 499043

Not to Scale  
08/16/00



Attachment



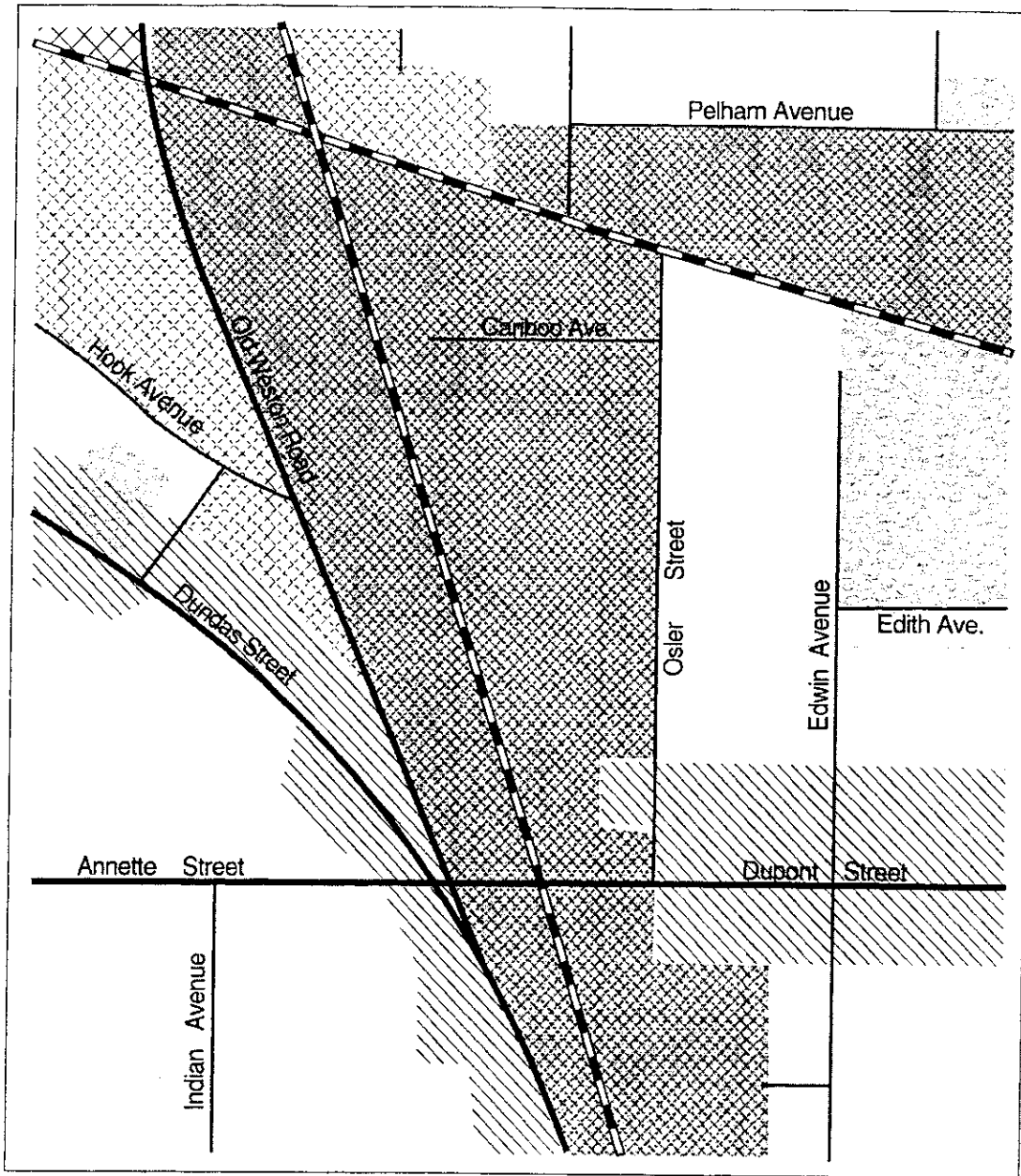
**Toronto** Urban Development Services  
Zoning

62-86 Osler Street  
File # TCC-199036 & 499043

- G Parks District
- R2 Residential District
- MCR Mixed-Use District
- I1 Industrial District
- I2 Industrial District
- T Industrial District

↑ Attachment 4

Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 22/12/99 - EM



- |                                      |                             |
|--------------------------------------|-----------------------------|
| Restricted Industrial Areas          | General Industrial Areas    |
| Med. Density Mixed Com. Res. Areas   | Low Density Residence Areas |
| Open Space                           |                             |
| Mixed Industrial - Residential Areas |                             |



Not to Scale

Extracted 08/22/00 - Gb