STAFF REPORT
ACTION REQUIRED

580 to 592 Kingston Road – Official Plan Amendment, Zoning Amendment and Site Plan Applications - Request for Direction Report

Date:	January 26, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32 – Beaches-East York
Reference Number:	09-192003 STE 32 OZ 09-192015 STE 32 SA

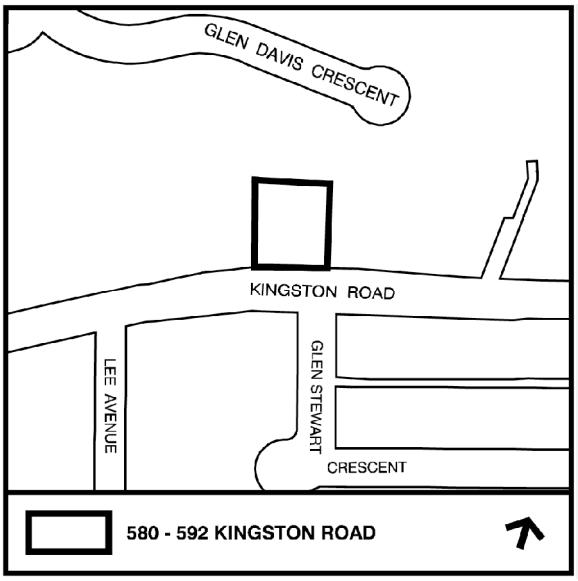
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a 6-storey, 47-unit apartment building with underground parking at 580 to 592 Kingston Road.

The applicant has appealed the Official Plan and Zoning By-law Amendment and Site Plan Approval applications to the Ontario Municipal Board due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A pre-hearing has been scheduled for March 21, 2011.

This report seeks Council's direction with respect to the Official Plan and Zoning By-law Amendments and Site Plan Approval given that a Final Report has not yet been submitted.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor and necessary City staff to attend at the Ontario Municipal Board hearing in support of the Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval applications for 580 to 592 Kingston Road, provided that the applicant provides the additional information requested and makes revisions to the plans that show the matters outlined in Attachment 7, to the satisfaction of the Chief Planner and Executive Director of City Planning, City Solicitor, the Manager of Development Engineering, Toronto and East York District and the Supervisor of Ravine and Natural Protection;

2. City Council authorize the City Solicitor and necessary City staff to take such necessary steps to implement the foregoing.

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

DECISION HISTORY
A preliminary report was before Toronto and East York Community Council on February 9, 2010. At that meeting, TEYCC adopted the recommendations in the Preliminary Staff Report which directed staff to schedule a community consultation meeting together with the Ward Councillor. A Community Consultation meeting was held on March 29, 2010.

ISSUE BACKGROUND

Proposal
The proposal is for a 6-storey apartment building with 47 units and a total gross floor area of 4,392 square metres. The proposal includes 51 parking spaces in a two level underground garage accessed from a shared driveway with the existing apartment building located at 600 Kingston Road. The Application Data Sheet is attached (Attachment 6).

Site and Surrounding Area
The property is located on the north side of Kingston Road, west of Main Street. The property is currently occupied by three single detached houses and a converted residential building with individual rooms. The property is level along the Kingston Road frontage and slopes down northward into the Glen Stewart Ravine.

Lands surrounding the property include:

North: Glen Davis Ravine and semi-detached houses located on Glen Davis Crescent.

West: Semi-detached houses and 3 to 5-storey apartment and multiplex buildings.

East: An 8-storey apartment building with 68 units.

South: Semi detached houses and 3 to 7-storey apartment buildings.

Provincial Policy Statement and Provincial Plans

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

The PPS indicates that development and land use patterns which may cause environmental or public health and safety concerns will be avoided. The PPS also indicates that natural heritage features and areas will be protected from incompatible development. Development and site alteration may be permitted in significant woodlands or valleylands or on adjacent lands provided it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

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 majority of the property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. "Low scale local institutions" play an important role in the rhythm of daily life in *Neighbourhoods* and include such uses as places of worship.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. Specifically, Policy 5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

a) patterns of streets, blocks and lanes, parks and public building sites;
b) size and configuration of lots;
c) heights, massing, scale and dwelling type of nearby residential properties;
d) prevailing building type(s);
e) setbacks of buildings from the street or streets;
f) prevailing patterns of rear and side yard setbacks and landscaped open space;
g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
h) conservation of heritage buildings, structures and landscapes.

Further, Policy 5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

Section 3.4 of the Plan contains policies related to the Natural Environment. The Plan identifies that a careful assessment of impacts of new developments in areas near the natural heritage system is required. The Plan identifies that the City's natural environment should not be compromised by growth, insensitivity to the needs of the environment or neglect. Proposals for development will be required to assess their impact on the natural environment by restoring, enhancing and extending the natural heritage system, natural features and their functions.

Zoning

At its meeting of August 25 - 27, 2010, City Council adopted a new city-wide Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the appeals are ongoing, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to By-law 1156-2010.

This site is zoned R4 Z1.0 by the former City of Toronto Zoning By-law 438-86 and R(d1.0)(x683) under Zoning By-law 1156-2010. The zoning permits a variety of residential uses, including apartment buildings, at a density of 1.0 times the area of the lot. The height limit is 14 metres.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant has submitted a Site Plan Control approval application which has been processed concurrently with the Official Plan Amendment and Zoning By-law Amendment Application.

Ravine Control

The property is located adjacent to and extends into the Glen Davis Ravine. The application includes a Ravine Stewardship Plan that would look at replanting much of the ravine area with native species.

Reasons for Application

A site specific amendment to the Official Plan is required as the proposal is taller than the 4 storey maximum identified in Section 4.1.1 of the *Neighbourhoods* policies.

An amendment to the Zoning By-law is required to permit the scale and density of the building requested for this site.

Community Consultation

On March 29, 2010, a community consultation meeting regarding the subject proposal was held at Centre 55. Approximately 50 members of the public attended the meeting. City Planning staff presented an overview of the planning process and the applicant presented their proposal. Issues were raised by the public in relation to the height of the building, potential shadow issues, impact on the ravine, concern respecting impact of additional headlights shining onto their homes, overall lighting, and stormwater management.

The majority of those in attendance at the meeting were opposed to the proposed development, however, several members of the public expressed their support for the proposal and viewed it as a positive contribution to the neighbourhood.

There were additional on-site meetings held with local residents that were arranged by the former Ward Councillor.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and will be used to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed development is consistent with the PPS and does not conflict with the Growth Plan.

Official Plan

The Toronto Official Plan designates most of the site as N*eighbourhoods* and a small portion of the site at the rear as *Natural Areas*. A large portion of the site is within the natural heritage system as shown on Map 9 of the Plan. The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have a high priority in City building decisions.

Lands designated *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses. While interspersed walk-up apartments that are no higher than four storeys may be permitted, new apartment buildings in excess of 4 storeys are not permitted in *Neighbourhoods*. Therefore, the proposed 6-storey apartment building requires an Official Plan Amendment.

The Plan provides that areas identified as *Natural Areas* will be maintained primarily in a natural state while allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions; and conservation projects, public transit, public works and utilities for which no reasonable alternatives are available, and that are designed to have only minimal adverse impacts on natural features and functions.

The proposed development is consistent with the overall intent of the Official Plan and meets the development criteria contained for development in *Neighbourhoods*, and will have minimal adverse impacts on *Natural Areas*. It will be located in a neighbourhood that consists of a mix of housing types, including apartment buildings, ranging in height from three to eight stories. The adjacent portion of the Glen Davis Ravine, including the area designated *Natural Areas* will be replanted and maintained in accordance with a Ravine Stewardship Plan to be approved by the Supervisor of Ravine and Natural Feature Protection of Urban Forestry.

Land Use

The proposed residential use is appropriate for the portion of the site designated *Neighbourhoods*. The *Neighbourhoods* designation in the Official Plan allows for a range of residential uses. A multi-unit residential building, as opposed to detached houses, semi-detached houses or townhouses, is also appropriate as there are a number of apartment buildings on adjacent properties and in the surrounding neighbourhood. The R2 zoning designation permits apartment buildings.

Given this immediate context and the existence of other apartment buildings within the neighbourhood, with heights ranging from 3 to 8 stories, a 6-storey apartment building is appropriate and consistent with the neighbourhood character.

Height, Massing

The apartment building is to have a height of 12.8 metres to the top of the fourth storey with an overall height of 18.6 metres to the top of the sixth storey. The top two storeys have been stepped back on all sides and are proposed to incorporate less masonry and more glass, to support the appearance of a smaller building mass from the street and properties to the north. The 18.6 metre height to the top of the building is shorter than the 22.0 metre height of the neighbouring apartment building to the east.

To provide an appropriate side yard transition to the neighbouring 2-storey semi-detached dwellings to the west, the side yard setback increases beyond a building depth of 14 metre and an additional stepback of the building occurs at the 4 storey height. While the apartment building has an overall proposed depth of 22.4 metres, all of the parking is provided within two levels of an underground garage, unlike the apartment building to the east, which has a large parking structure with a large retaining wall within the ravine area.

Light, View and Privacy

The applicant's originally proposed a development that encroached further into the ravine and provided for direct access down into the ravine portions of the property by future tenants, both of which contributed to privacy concerns for neighbouring properties. The revised submission provides adequate privacy, sunlight and views for neighbouring residential properties, through a number of mitigating design and landscaping elements, while ensuring appropriate separation distances and setbacks from adjacent buildings.

To address concerns that a six storey, multi-unit building may result in a loss of privacy for residents in the dwellings to the rear of the site, the applicant has been requested to construct the balcony railing of an opaque material to diminish overlook impacts. The fifth and sixth stories have been set back to decrease the mass of the building from of the Glen Davis Crescent properties. The proposed retaining wall at the rear of the building will be a living/vegetated wall to improve its appearance from the properties to the rear and will partially obscure the view of the underground garage that is accessed from the rear of the proposed development. A 1.5 metre wide planter box will also be installed along the north edge of the property to increase privacy for adjacent properties and to discourage future residents from actively using the replanted ravine portions of the property.

Streetscape

There are five townhouse units located on the Kingston Road frontage of the building, each having a small veranda with individual entrance. The entrance to the lobby of the apartment building is provided off Kingston Road in the middle of the building. Although there are individual townhouse units at grade, the applicant has been requested to revise the landscape drawings to show a harmonious landscape treatment for the entire frontage of the property. This landscape treatment will discourage the use of the individual unit's frontages for uses more commonly associated with rear yards.

Access, Parking and Loading

The proposed apartment building provides a total of 51 parking spaces; 45 for residents and 6 visitor spaces. The parking total satisfies the By-law requirement for visitor spaces and exceeds the minimum

requirement for residents spaces. Access to the two levels of underground parking is provided off the driveway associated with the neighbouring apartment building at 600 Kingston Road. The owner has secured a right-of-way/easement over the driveway to gain access to the rear of the proposed building where a new driveway will extend easterly to provide access to the underground garage and loading area.

The loading and service area will be located at the rear of the building, and will encroach within a portion of the two-way driveway while in use. Although a totally independent loading space is normally preferred, the provision of the separate loading space would result in an unacceptable encroachment into the ravine lands. While the loading space is in use, access to the parking garage will be reduced to one-way. The owner will be required to provide an appropriate warning system for drivers while the loading space is in use.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 47 residential units on a site of 0.1723 hectares (1,723m^2). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.06266 hectares (626.6m^2). However, a cap of 10% applies and hence the parkland dedication would be 0.01723 hectares (172.3m^2).

The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 0.01723 hectares (172.3m^2) would not be of a useable size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Ravine Protection

Staff of Urban Forestry – Ravine and Natural Feature Protection has reviewed the proposal and advise that they do not object to the applications in principle pending the submission of Geotechnical Reports and further revisions to both the Tree Protection Plan and Ravine Stewardship/Planting Plan.

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 will be required to meet Tier 1 of the TGS.

Required Revisions

Attachment 7 contains a series of comments from civic officials which must be addressed through revisions and the provision of further information from the applicant. Staff have reviewed these comments with the applicant and the applicant has advised that they will make all of the required changes and will provide all of the requested additional information. Until the revisions have been made and the additional information is provided, the City is unable to prepare Draft By-laws and to determine all of the appropriate conditions for the granting of Site Plan Approval. Should the Ontario Municipal Board approve this application, the Board Order and associated by-laws should be withheld until (a) all of the requirements listed in Attachment 7 have been met, (b) the City does a complete Zoning By-law review under both Bylaws 438-86 and 1156-2010 to determine appropriate by-law standards and schedules, and (c) the applicant enters into a Site Plan Agreement with the City, all to the satisfaction of the City Solicitor.

Conclusion

Staff support, in principle, an Official Plan and Zoning By-law amendments and the Site Plan Approval. However, this support is subject to the applicant satisfying the matters listed in Attachment 7.

CONTACT

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SIGNATURE

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Gregg Lintern, MCIP, RPP, Director
Community Planning, Toronto and East York District

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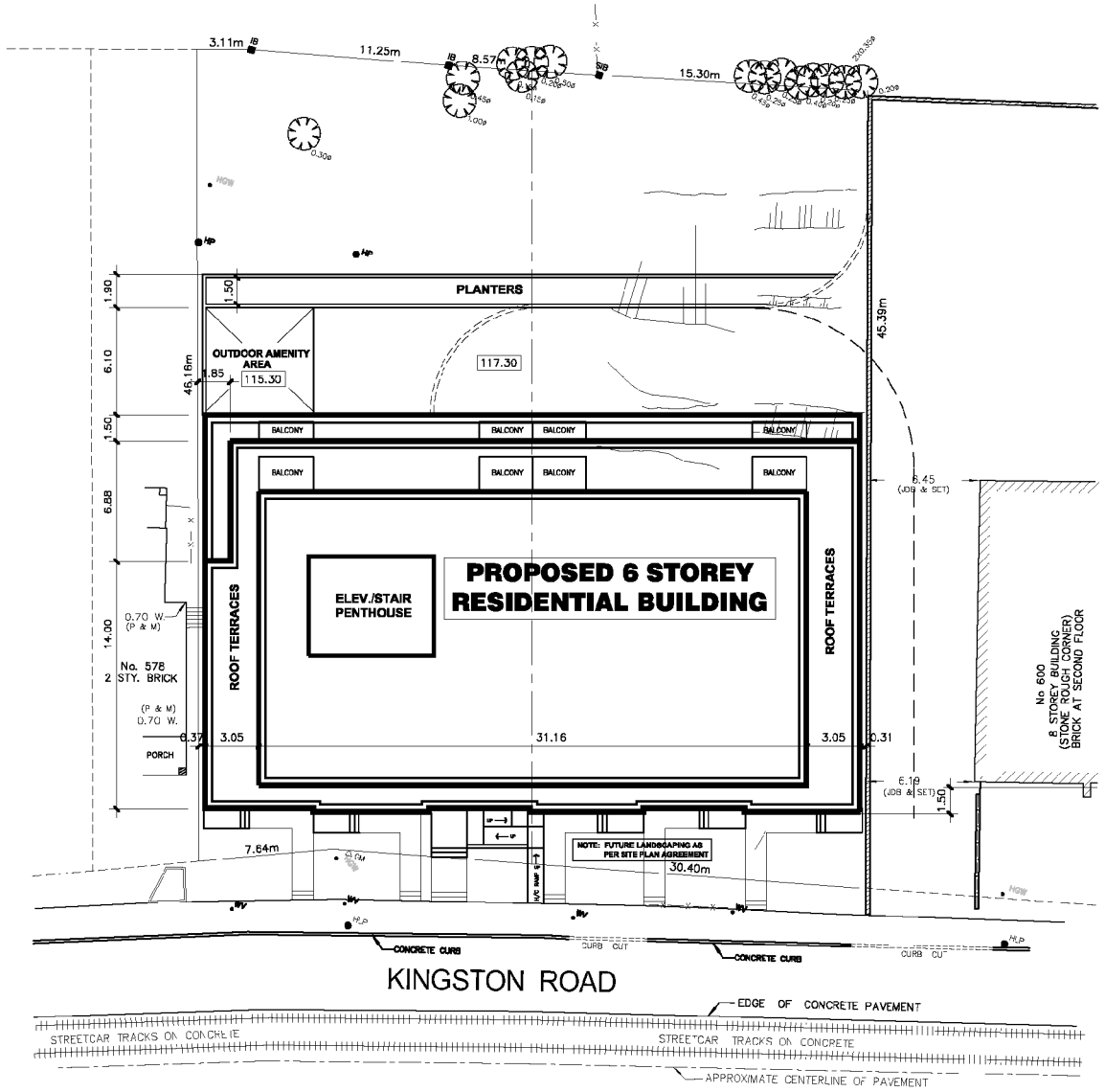
ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning (438-86)
Attachment 5: Zoning (1156-2010)
Attachment 6: Application Data Sheet
Attachment 7: Required Additional Information and Revisions to Plans

Attachment 1: Site Plan



Site Plan

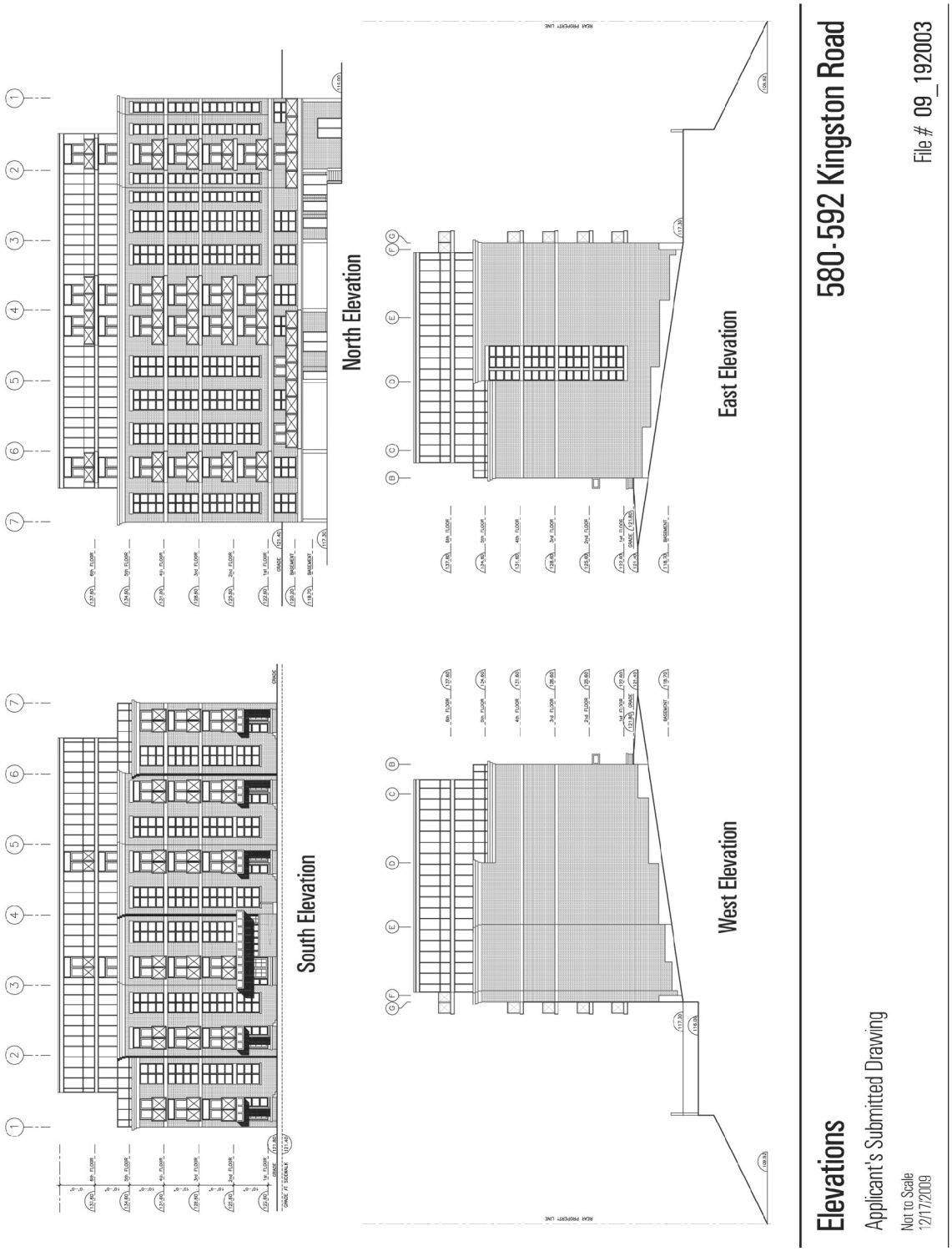
Applicant's Submitted Drawing

Not to Scale
12/07/2010

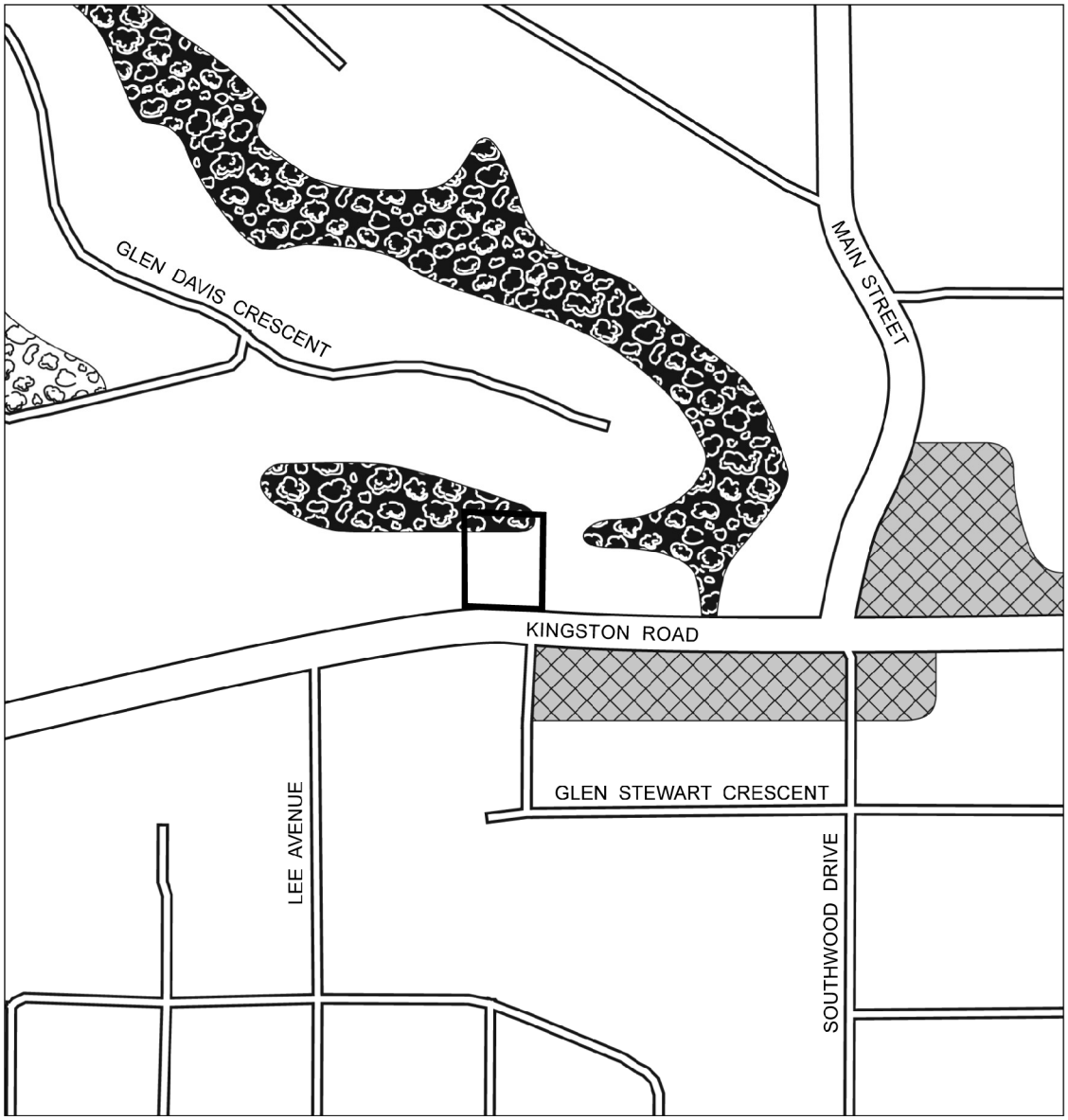
580-592 Kingston Road

File # 09_192003

Attachment 2: Elevations



Attachment 3: Official Plan



TORONTO City Planning
Official Plan

580-592 Kingston Road

File # 09_192003

Site Location
Neighbourhoods
Mixed Use Areas

Parks & Open Space Areas
Natural Areas
Parks

Not to Scale
12/17/2009

Attachment 4: Zoning (438-86)



TORONTO City Planning

Zoning

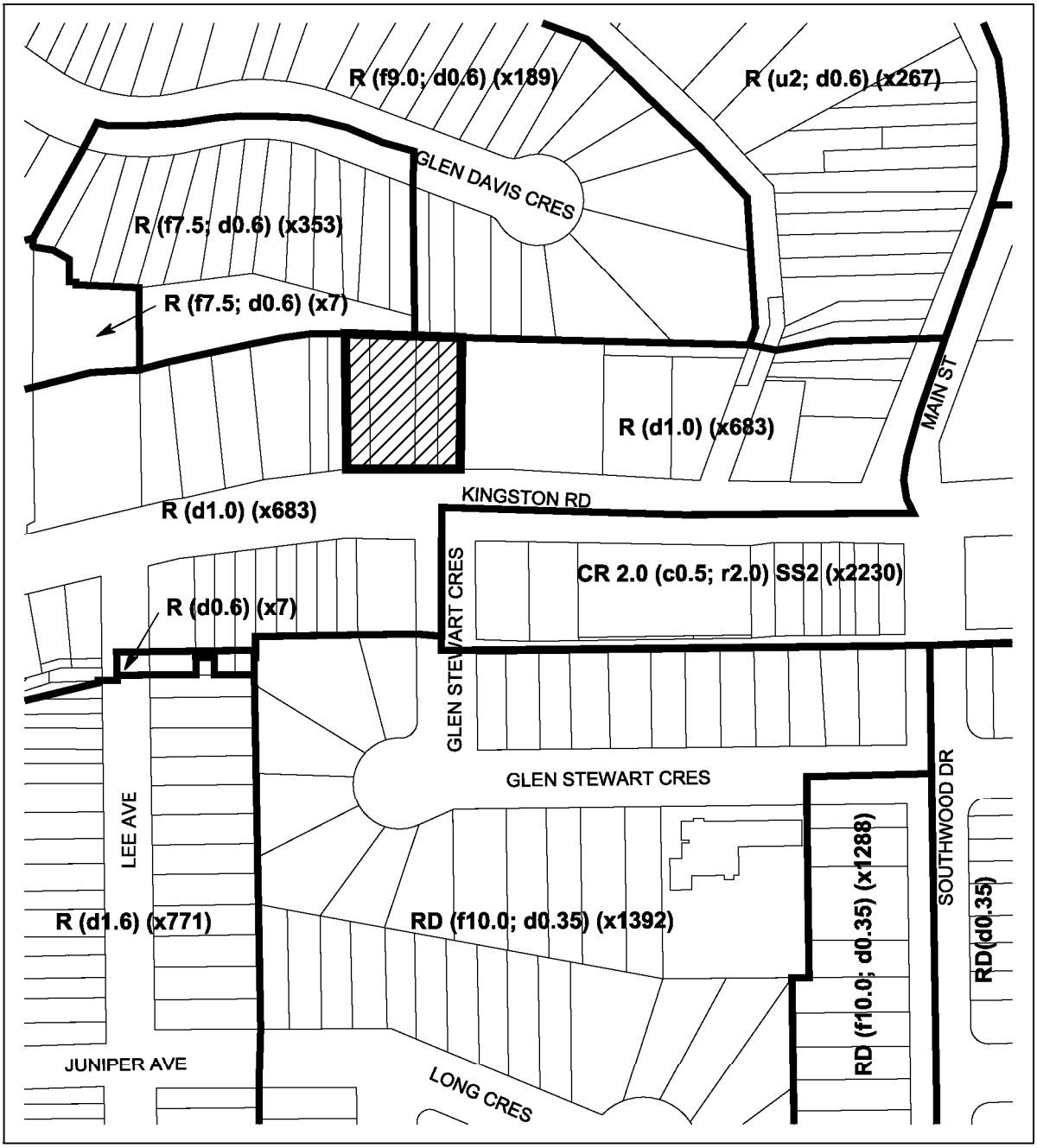
580 - 592 Kingston Road

File # 09_192003

R1 Residential District
R1S Residential District
R2 Residential District
R4 Residential District
MCR Mixed-Use District

Not to Scale
Zoning By-law 438-86 as amended
Extracted 12/17/2009

Attachment 5: Zoning (1156-2010)



TORONTO City Planning

580-592 Kingston Road

Zoning-City of Toronto By-law 1156-2010

File # 09 192003

Location of Application
R Residential
CR Commercial Residential

Not to Scale
01/20/11

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	09 192003 STE 32 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 27, 2009

Municipal Address:	580 to 592 KINGSTON RD
Location Description:	PL 422 PT LT4 CON 1 FROM BAY **GRID S3205
Project Description:	OPA and Zoning By-law Amendment application - 6 storey - 47 unit condominium apartment development with 2 levels below grade parking containing 51 parking spaces.

Applicant:	**Agent:**	**Architect:**	**Owner:**
Chadwin and Company Limited			Edzar Investments Ltd

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	NA
Zoning:	R4 Z1.0	Historical Status:	NA
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1722.64	Height:	Storeys:	6
Frontage (m):	38		Metres:	18.6
Depth (m):	57.3			
Total Ground Floor Area (sq. m):	805.2			**Total**
Total Residential GFA (sq. m):	4392.31		Parking Spaces:	51
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4392.31			
Lot Coverage Ratio (%):	46.7			
Floor Space Index:	2.55			

DWELLING UNITS **FLOOR AREA BREAKDOWN** (upon project completion)

			Above Grade	**Below Grade**
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	4392.31	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	24	Office GFA (sq. m):	0	0
2 Bedroom:	18	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	47			

CONTACT: PLANNER NAME: Leontine Major, Senior Planner
TELEPHONE: (416) 397-4079

Attachment 7: Required Additional Information and Revisions to Plans

Development Engineering:

1. Comply with the loading space requirements of the zoning bylaw;

2. Provide acceptable documentation that the proposed loading space will operate in a manner that trucks can enter and exit the proposed street system in a forward motion with all turning activity contained entirely on-site.

3. Submit a revised site servicing assessment to determine the storm water runoff, sanitary flow and water supply demand resulting from this development to demonstrate how this site can be serviced; and to determine whether the existing municipal infrastructure is adequate to accommodate the proposed development which addresses the following:

    i) Provide a geotechnical report to check for the viability of the soils to infiltrate up to the 100-year design storm.

    ii) Provide a geotechnical report to check if there are any slope stability issues with having the soakaway pit and infiltration trenches in this location.

    iii) The report and drawing should coincide and be clear if a storm connection is required. As there is no existing storm sewer on Kingston Road, the applicant must show that the post development 100-year storm and post development design sanitary discharge does not exceed the predevelopment 2 year allowable storm and predevelopment sanitary discharge.

    iv) Provide more information with respect to the existing retaining wall for 600 Kingston Road at the driveway location. It appears that some external drainage may be captured and should be accounted for in the report.

    v) Provide hydrant testing and a water demand analysis to determine that the existing watermain on Kingston road can adequately service this development.

    vi) Provide all calculations in determining the water balance.

4. Designate a minimum number of six parking spaces, by means of clearly visible signs and/or pavement markings for the exclusive use of residential visitors. These spaces must be physically separated from the resident portions of the parking supply.

5. Clearly illustrate on the site plan the layout and the design details of the entrance to the premises from the shared driveway off Kingston Road.

6. Include a notation on the appropriate plans stating that convex mirrors will be installed and maintained at all right-angled turns within the underground parking garage, positioned such that motorists are provided with clear views of on-coming traffic.

7. Provide documentation with respect to the shared right-of-way/easement to provide vehicular access to the subject site, executed between the owner of the subject site and the abutting property on the east known as 600 Kingston Road.

8. The fire access route must be within 3 to 15 m of every building face having access openings (unsprinklered buildings).

9. The fire hydrant should be located no more that 45 m from a fire department Siamese connection.

10. The fire hydrant should be located no more than 90 m horizontally from all points along the perimeter of the building face(s) required to face a street.

11. Clarify if the ground floor layout has also changed.

12. Clarify if the building is to be sprinklered.

13. As the building appears to be equipped with a single chute, revise the drawings to show a tri-sorter.

14. Revise the drawings to illustrate and annotate the compactor within the garbage/recycling/organics room.

15. Show that the ground level units to have access to the chute.

16. Provide double doors 2.2 m wide or an overhead door leading to the loading facility from the storage room.

17. Revise the drawings to show the dimensions of the garbage/recycling/organics room.

18. Clarify why there are two garbage rooms illustrated on the sub-Basement Level (Dwg. A2).

19. Provide a level (+-2%) 8 inches reinforced concrete Type G loading space, which has minimum dimensions of 13m long x 4m wide with an unencumbered vertical clearance of 6.1m for the entire loading area.

20. Revise the drawings to show the vertical clearance of the Type G loading space.

21. Provide and maintain a level (+-2%) concrete pad abutting the front of the Type G loading space where containers can be placed and manoeuvred for safe and efficient collection. This pad should be configured in such a manner as to allow efficient manoeuvring of containers during collection.

22. Revise the drawings to show the minimum unencumbered vertical clearance for the entire loading area including the concrete pad abutting the front of the Type G loading space to

be 6.1m. The revised drawings must annotate and illustrate, complete with dimensions, the concrete staging pad abutting the front of the Type G loading space.

23. Provide a notation on the Site Plan stating that a trained on-site staff member will manoeuvre bins for the collection driver and also act as a flagman when the truck is reversing. In the event the on-site staff member is unavailable at the time the City collection vehicles arrival at the site, the collection vehicle will leave the site and not return until the next scheduled collection day.

24. Show the access driveways must be a minimum of 6m wide at the point of ingress/egress to the site and a minimum of 4.5m throughout the site with a minimum overhead travelling clearance of 4.4m.

25. Revise the drawings to show the site designed in such a way as to allow the collection vehicle to enter the site, collect the waste materials and exit without the need to backup onto a public road. A turn around area allowing for a three (3) point turn of not more than one truck length or an approved drive through access route are acceptable options for accommodating this requirement.

26. Revise the drawing to show the turning radius to be a minimum of 9.5m inside and 14m outside. These radii must be observed entering, exiting and travelling throughout the site.

27. If the loading area/egress routes are over supported structures, i.e. over an underground garage or a mechanical shaft, the facility must conform to the following:

    i. Design Code – Ontario Building Code;

    ii. Design Load – City of Toronto bulk lift vehicle in addition to Building Code Requirements; and

    iii. Impact Factor – 5% for maximum vehicular speeds to 15km/h and 30% for higher speeds

28. If the collection vehicle is required to drive onto or over a supported structure (such as an underground parking garage or intake/outtake grills) the City of Toronto must be provided with a letter certified by a qualified Engineer that the structure can safely support a fully loaded collection vehicle weighing 35,000 kilograms.

29. Submit a revised Stormwater Management Report, Site Servicing Plan, Site Grading Plan, to the satisfaction of the Executive Director of Technical Services.

30. Provide a maintenance schedule for the stormwater management facilities in the stormwater report.

31. Submit grading and landscape plans showing the locations and dimensions of all existing and proposed development related underground and above ground utility services and structures within the City rights-of- way.

32. Provide more information regarding the retaining wall and provide more grading information and cross sections.

33. Show cross sections of the service laterals to the City mains.

34. Remove the stair encroachments within the right-of-way.

Urban Forestry Ravine & Natural Feature Protection

35. The applicant shall submit a Geotechnical Report to Urban Forestry (RNFP) for review and approval, which includes all proposed structures, including swimming pools, decks, patios, and retaining walls etc. proposed for construction, including removal and/or re-configuration of existing structures, prepared and certified by a Geotechnical Engineer, in order to confirm the following issues are addressed, as related to the protected area, and associated slope/valley features:

    i. Slope stability (given the proposed structures on the tableland; the factor of safety, the stable gradients of each distinct soil substrate, and pertinent cross-sections);
    ii. Potential for slumping owing to groundwater seepage or outflow;
    iii. Potential for soil erosion / slope failure resulting from surface runoff;
    iv. Foundation and/or siting alternatives for the proposed structures (based on bearing capacity of foundation substrate, allowable load from construction) and recommended method and corresponding depth within the specific site conditions and with respect to the proposed structures.

36. Trees nos. T5 and T6 have been proposed for removal in the arborist report. These trees provide some visual screening from the proposed development to the existing houses to the rear. The plans shall be revised to retain these trees and protective fencing shall be modified accordingly.

37. The applicant shall submit a revised planting plan to Urban Forestry (RNFP) for review and approval that incorporates the following revisions:

    i The tree planting proposes three (3) trees species (basswood, black maple and hemlock). Urban Forestry (RNFP) requires that some of the black maple and basswood be substituted with other shade tolerant species to add additional diversity.
    ii RSP-1 date stamped November 27, 2009, showed the location of a soak-away pit, infiltration gallery and swale that was required to management stormwater. These features are not shown on the current plan but should be added if they are still

being proposed. If these elements are no longer proposed a revised plan that shows updated SWM feature must be provided.

iii The balance of trees not planted on site shall be dealt with through the payment of cash in lieu to undertake planting at locations off-site. A total of 21 additional native replacement trees will be required. This number takes into consideration the proposed planting of the larger shrubs on site. The cash in lieu payment is $586.00 per tree not planted on site.

Urban Forestry Tree Protection and Plan Review

38. The owner shall revise the Landscape Details plan to indicate that the owner shall plant all new trees within the Kingston Road City road allowance to the satisfaction of the General Manager of Parks, Forestry & Recreation and in accordance with the following details:

    1. Planting Detail for Balled and Burlapped Trees in Turf, Detail No. PD - 101.

39. The owner shall revise the Landscape Plan to indicate the planting of large growing shade tree species such as: Red oak (*Quercus rubra*), white oak (*Quercus alba*), accolade elm (*Ulmus accolade*), Redmond linden (*Tilia x euchlora)*. Please be aware that multiple species are preferred in all locations when appropriate and columnar species are not acceptable. It should be noted that all species of maple and ash trees should not be proposed for planting due to the over planting of maple species and the City's restriction on the planting of all ash species. The revised Landscaping Plan is required to indicate the planting of all new trees in an area with a minimum 30 cubic meters of soil per tree.

City Planning Division

40. The owner shall retain a consultant archaeologist, licensed by the Ministry of Culture and Tourism under the provisions of the Ontario Heritage Act (R.S.O 1990 as amended) to carry out a Stage 1 – 2 archaeological assessment of the entire development property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stage 3-4). The assessment is to be completed in accordance with the 2009 Final Draft – Standards and Guidelines for Consulting Archaeologists, Ministry of Culture and Tourism. Should the archaeological assessment process continue beyond a Stage 2 assessment, any recommendations for Stages 3- 4 mitigation strategies must be reviewed and approved by Heritage Preservation Services prior to commencement of the site mitigation.

41. The owner shall incorporate significant archaeological resources and findings into the proposed development through either in situ preservation and interpretation where feasible, or commemorate and interpret the resources through exhibition development on site including, but not limited to, commemorative plaquing.

42. The owner shall revise the drawing to show a more significant stepback of the rear of the building above the 4 storey height.

43. The owner shall eliminate some or all of the individual walkways to the ground floor units on the Kingston Road frontage of the building and eliminate the private patios to provide for additional soft landscaping.