

3. The proposed height remains within the maximum zoning height of 17.0 m.
4. There have been slight adjustments to the ground floor level gross floor area.
5. The increase in *Gross Floor Area* results in a slightly higher lot coverage of 92.2% as opposed to 89%.

At the request of Councillor Robinson, our client has spent the last 6 months working with the community to refine the plan and the attached proposal reflects the consensus reached among the community stakeholders and is considered as an improvement by all parties.

With respect to the zoning bylaw, changes to the maximum *Gross Floor Area* in the bylaw are necessary for two reasons: First, we have corrected what we believe to have been an incorrect calculation respecting the original site plan. Upon reviewing the previous zoning bylaw, our client's land use planners noted that while the term *Gross Floor Area* was used in the bylaw, the calculation (based upon the previous site plan) appears to have been based upon the Zoning Bylaw definition of *Gross Leasable Floor Area*. Consequently, while the original proposal included 6,831 square metres of *Gross Floor Area*, several areas below grade were not included in that calculation. The simplest way to address this anomaly and provide for the increase in retail area would be to reference *Gross Leasable Floor Area* in the by-law as we believe was originally intended. The revised zoning bylaw would include a maximum *Gross Leasable Floor Area* of 6840 square metres. Alternatively, if the City wishes to continue to use *Gross Floor Area*, the new *Gross Floor Area* calculation is 7,723.78 square metres, including all below grade stairwells, shafts, and mechanical areas. Given the building envelope is "shrink wrapped" in the OMB order, there is no material difference in using one term versus another.

In addition to the foregoing changes, we also note the following improvements in the proposal reflected in the attached site plan drawings and revised bylaw:

6. More parking is provided in the new proposal. The original approved plans showed 193 spaces. Trinity proposes 203 spaces. This is in compliance with the parking requirements of the Zoning By-law.
7. More barrier free parking spaces are provided than shown under the original proposal (5 spaces versus 4 spaces previously provided).
8. The taxi stand has been relocated so as not to conflict with the loading area servicing the tenant to the south. By relocating the taxi stand to the north of the loading dock each area is now able to function completely independent of the other, significantly improving safety.
9. An agreement has been reached with Mrs. Dreher (a party to the OMB proceedings) to preserve the existing cedar hedge on Rappert Avenue. The landscape treatment at the west façade fronting onto Rappert Avenue contemplates the retention of the cedar hedge; if the cedar hedge does not survive it will be replaced by our client.
10. The northerly exhaust shaft servicing both subterranean parking levels has been relocated to the east closer to Bayview Avenue to help mitigate noise.
11. In order to better address the interface with Mount Hope Cemetery to the north, Trinity will construct a wrought iron fence along the north property line and implement sign and vision glass requirements to better address the interface with the cemetery property.

In our view, the new proposal represents a minor change to the original proposal but delivers an improved development for both Trinity and the community.

We would appreciate it if you would seek direction at the July City Council meeting for authorization to consent to the modifications to the site plan (allowing for any minor modifications as may be required and agreed upon by the parties without having to seek further Council direction) and zoning bylaw at the Ontario Municipal Board.

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1860 BAYVIEW ORIGINAL OMB RENDERING

CORNER VIEW AT BROADWAY & BAYVIEW
1860 BAYVIEW AVENUE
TORONTO, ON



TRINITY'S RENDERING (NEW)

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CORNER VIEW AT BROADWAY & BAYVIEW

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JUNE 18 2013

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