

CC7.5 - Confidential Attachment 1 - Appendix 3: Conditions of Site Plan Approval
Made Public on June 16, 2015

Re: **Notice of Approval Conditions**
Site Plan Control Application No. 13 189360 ESC 37 SA
1555 Midland Avenue
CON 1 S PT LOT 26
Ward 37 - Scarborough Centre

The City Planning Division Scarborough District, has completed the review of your proposal for a new secondary school to replace David and Mary Thomson Collegiate Institute and Bendale Business and Technical Institute as outlined in the following plans and drawings:

- (a) Overall Colour Site Plan, Drawing No. L1, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (b) Exterior Elevations, Drawing No. A4.01, prepared by Paul Andrew Stevens and Robert Smyth – Architects, dated June 2013, and revised to April 21, 2014, Revision No. 10.
- (c) Exterior Elevations, Drawing No. A4.02, prepared by Paul Andrew Stevens and Robert Smyth – Architects, dated June 2013, and revised to April 21, 2014, Revision No. 5.
- (d) Layout Plan – Site Plan, Drawing No. L4A, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (e) Layout Plan – Site Plan, Drawing No. L5A, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (f) Layout Plan Concrete Paving, Drawing No. L4B, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (g) Layout Plan Concrete Paving, Drawing No. L5B, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (h) Layout Plan, Drawing No. L6, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (i) Layout Plan, Drawing No. L6, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.

- (j) Layout Plan, Drawing No. L7, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (k) Planting Plan, Drawing No. L10, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (l) Planting Plan, Drawing No. L11, prepared by John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (m) Irrigation Plan, Drawing No. L12A, prepared John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (n) Irrigation Plan, Drawing No. L13A, prepared John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (o) Track and Field Layout Plan, Drawing No. L14, prepared John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (p) Track and Field Drain Irrigation Plan, Drawing No. L15, prepared John George – Landscape Architect, dated June 5, 2013, and revised to March 16, 2014, Revision No. 4.
- (q) Roof Plan, Drawing No. A2.05, prepared by Paul Andrew Stevens and Robert Smyth – Architects, dated June 2013, and revised to October 1, 2013, Revision No. 5.

The issuance of the City’s Notice of Approval Conditions letter does not constitute site plan approval. The Chief Planner’s designate, the Director of Community Planning will be in a position to issue approval of the plans and drawings listed herein and to satisfy applicable law requirements of Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*, once the owner has satisfied all of the pre-approval conditions set out herein.

It is the owner’s responsibility to work with the respective City divisions to satisfy the pre-approval conditions set out below. Please note that if the pre-approval conditions are not fulfilled within two (2) years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Chief Planner or his/her designate.

A. PRE-APPROVAL CONDITIONS

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

1. Enter into the City’s standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the owner’s expense.

**ENGINEERING & CONSTRUCTION SERVICES – Lauren Homuth, Engineer,
(416) 396-7805**

2. Amend the Drawings and/or Studies to address the additional 0.51 ha (1.27 acres) land addition to school site and the following comments and resubmit for the review and acceptance by the Executive Director of Engineering and Construction Services:

- (a) Proposed Signage and Pavement Marking Plan Interim Condition, Drawing No. SN-1, prepared by BA Group, dated November 15, 2013, and revised to February 5, 2014:

The owner must provide pavement marking plans in accordance with the Ontario Traffic Manual, Book-11. The plans must clearly illustrate all signage requirements in accordance with Ontario Traffic Manual, Book-5. Pavement marking and signage plans have been provided for the interim condition, however, a pavement marking and signage plan is also required for the ultimate condition.

- (b) Site Servicing Plan, Drawing No. SS-1, prepared by The Sernas Group Inc. (GHD), dated March 2014, revised to March 18, 2014, Revision No. 4:

- The temporary storm sewer easement is to be revised to 9.0m in width per the R-Plan and should not be noted as "Private",
- The notation on the temporary storm sewer noting it as "Private" should be removed as this will be a City sewer, and
- The works within the easement should be denoted as being done as part of a separate application as are the Brockley Drive works.

- (c) Layout Plan – Site Plan, Drawing No. L4A, prepared by John George, dated March 16, 2014, Revision No. 4, and Layout Plan – Site Plan, Drawing No. L5A, prepared by John George, dated March 16, 2014, Revision No. 4:

The applicant is required to resubmit prior to site plan approval, a revised landscape plan showing locations and dimensions of all existing and proposed development related underground and above ground utility services and structures including all municipal infrastructure within the City Right-of-Way. A minimum clearance of 1 metre must be provided and maintained from any hydro street light/utility poles, fire hydrants or other fixtures and the proposed driveway curb returns. If this is not possible, they must be relocated by the utility company or city, as the case may be, at the applicant's expense.

The surface features from the GHD drawings have been shown on the submitted plans noted above however, the underground servicing is not provided within the site including the Stormtech units. The underground

features must be shown as well to ensure there are no conflicts between the site servicing and the landscape works proposed.

There appears to be potential conflict between at least one light standard and catchbasin within the parking lot; and the HyGrade precast bunker/building is on top of the Stormtech unit.

3. Enter into a Consent Agreement for the construction of the future Brockley Drive and underground municipal servicing, to the satisfaction of the Executive Director of Engineering and Construction Services.
4. Provide any and all costs associated with the enactment of all signage requirements for the interim condition. In this regard, the owner must provide a certified cheque in the amount of \$5,000.00 addressed to the Treasurer of the City of Toronto.

CITY PLANNING – Perry Korouvenis, Planner, (416) 396-4927

5. Submit revised drawings showing an enlargement of a minimum of 0.51 ha (1.27 acres) of land to the school site, improved west elevation (facing Midland Avenue), increased landscaping in parking areas, and north-south pedestrian connections from the proposed City child care centre/parkland to the school to the satisfaction of the Director of Community Planning, Scarborough District.
6. Submit a landscape cost estimate for review and if approved submit financial security in the amount of the landscape cost estimate to the Director of Community Planning, Scarborough District in the form of a letter of credit or certified cheque to guarantee the provision of landscape development works as detailed on the approved Landscape Plan.

URBAN FORESTRY – Christine Oldnall, Urban Forestry Planner, (416) 338-5056

7. Submit a Tree Planting Security in the amount of \$5,830.00 to ensure the planting and survival of 10 new trees proposed on the City road allowance.
8. Obtain a Tree Removal Permit to remove two (2) privately-owned trees, identified as Trees #97 and 98 on the Demolition Removals and Tree Protection Plan.

B. POST APPROVAL CONDITIONS

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

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

ENGINEERING & CONSTRUCTION SERVICES

2. Facilities to Provide Access to and from the Land
 - (a) Construct and maintain all engineering works in accordance with the design and drawings prepared by the Professional Engineer, Drawing No. ____, prepared by ____, revision ____, and dated ____.
 - (b) Remove all existing accesses, curb cuts, traffic control sign(s), etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.
3. Off-street Vehicular Loading and Parking Facilities and Access/Driveways
 - (a) Site plan agreement requires the Owner to provide and maintain all that is shown on the plans and drawings.
4. Facilities for the Storage of Garbage and Other Waste Material
 - (a) Construct and maintain all facilities necessary to permit bulk lift, uncompacted City collection of solid waste and recyclable materials in accordance with Chapter 844 of the City of Toronto Municipal Code, Waste Collection.
5. Stormwater Management, Grading and Site Servicing
 - (a) Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report entitled ____, prepared by ____, and dated ____, and Grading Plan, Drawing No. ____, prepared by ____, revision ____, and dated ____.
 - (b) Construct and maintain site servicing indicated on the accepted Site Servicing Drawings No. ____, prepared by ____, and dated ____.
 - (c) Provide certification to the Executive Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.

- (d) Provide certification to the Executive Director of Engineering and Construction Services from the Professional Engineer who designed and supervised the construction, confirming that the site servicing facilities have been constructed in accordance with the accepted drawings.

CITY PLANNING

6. Site lighting to be constructed such that the angle of illumination does not extend onto the adjacent lands or public streets.
7. The owner acknowledges and agrees that all refuse and recycling operations are to be within wholly enclosed areas and that outdoor storage of refuse and recycling materials is strictly prohibited and that enforcement of these outdoor storage restrictions shall remain the sole responsibility of the owner.
8. All mechanical and other equipment located on the roof must be screened or integrated into the profile of the building, to the satisfaction of the Director of Community Planning, Scarborough District, and any changes to the rooflines as denoted on the drawings shall constitute a change to the site plan, which must have prior written approval of the Director of Community Planning, Scarborough District.

URBAN FORESTRY

9. The owner agrees to install protection hoarding and signage, according to the approved Demolition Removals and Tree Protection Plan, prior to the onset of any construction activities. The protection hoarding is not to be altered or removed without authorization from Urban Forestry until all construction activities have been completed.
10. The owner agrees to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the owner.
11. The owner agrees to strictly adhere to the Tree Protection Specifications contained in the approved Demolition Removals and Tree Protection Plan and according to the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees.
12. Upon completion of construction activities, the owner agrees to notify Christine Oldnall, Planner Urban Forestry, at 416-338-5056 prior to the removal of the protection hoarding the trees to be preserved according to the approved Demolition Removals and Tree Protection Plan, to arrange for an inspection of the site.

13. The Owner agrees to be responsible to plant new trees on the subject lands according to the approved Landscape Plan. Upon the planting of the new trees on the subject lands, the Owner agrees to assume the full ownership of and responsibility for the maintenance and health of the private trees and shall take no action or permit any action that will injure, damage, destroy or prevent the trees from maturing to the point that the trunk of the tree measures 30 centimetres in diameter or more, measured at 1.4 metres above ground level.
14. The owner agrees to arrange for the planting of trees on the City road allowance according to the approved Landscape Plan and to the satisfaction of Urban Forestry. Any proposed revisions to the planting plan must first be approved by Urban Forestry.
15. The owner agrees to notify Christine Oldnall, Planner Urban Forestry, at 416-338-5056 within two weeks of tree planting to arrange for an inspection of the site.
16. The owner agrees to maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.
17. The owner agrees to be responsible for the maintenance or replacement of all new tree plantings within the City road allowance. If during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement, the owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation.

The site plan agreement is being prepared by Legal Services. They will forward it to you directly for your execution and return to the City.

Please find attached advisory comments to assist you with your application.

Attached is a copy of the standard form letter of credit required by the City of Toronto. We have found in the past that the failure of applicants to provide the City with a letter of credit in the proper format has resulted in the City's Finance Division rejecting the letter with a resulting delay in the issuance of building permits. Please ensure that the letter of credit follows the format and content verbatim of the sample letter.

Should you have any questions, please contact Perry Korouyenis, Planner at (416) 396-4927.

Yours truly,

Lorna Day
Director, Community Planning,
Scarborough District

(date)

Attachment: Site Plan Advisory Comments
Sample Letter of Credit

cc: Toronto District School Board, 140 Borough Drive, Toronto, ON M1P 4N6
Manager, Plan Examination, Toronto Building (1 set of plans)
Manager, Engineering and Construction Services (2 sets of plans)
Supervisor of Law Clerks, Legal Services (1 set of plans)
Urban Forestry Supervisor, Tree Protection & Plan Review (1 set of plans)

ATTACHMENT: 1

SITE PLAN ADVISORY COMMENTS

The owner is advised that the following approvals and/or permits are required for this development:

Engineering & Construction Services:

1. Access and Servicing

The owner is advised that there is currently no municipal right-of-way, storm or sanitary sewers, or watermain servicing the frontage of the proposed site.

2. Right-of-Way Permits

The owner must obtain an access permit from Transportation Services prior to construction of this project. Other permits/licences associated with construction activities (such as hoarding, piling, shoring etc.) may also be required. The owner is also required to provide a fee of \$723.93 for the access permit. The owner is responsible for obtaining the applicable permits/licences and providing securities and must be advised to contact Right-of-Way Management Section at (416) 396-7505 regarding the site-specific permit/licence requirements and associated securities and obligations.

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

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

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

4. Site Servicing Connections

The owner is required to make application to the Toronto Water Services Division, after the site servicing plan is accepted by Engineering and Construction Services and pay for the installation of City service connections from the property line to the City mains. These shall include one water and one sanitary service connection for each freehold residential unit or each single entity development such as a condominium, co-operative or rental property to be held under separate ownership, plus any necessary storm service connections. The owner is

responsible to provide for the installation of the water, sanitary and any necessary storm service connections from the building to the City services at the property line. For further information, please contact District Operations, Toronto Water, Scarborough District at 311 or 416-392-2489.

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

5. Encroachments

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

6. Municipal Numbering

The owner is advised to contact Mr. John House, Property Records Supervisor, at 416-392-8338 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. Please see: <http://www.toronto.ca/mapping/numbers/index.htm> for details.

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

7. Street Naming Requirements

The owner is advised to contact Mr. Kerry Ferguson, Titles and Status Supervisor, at 416-392-7757 to initiate the street naming process. The owner will be required to follow the City of Toronto's Street Naming Policy which can be found at: http://www.toronto.ca/mapping/street_naming/index.htm.

It should be noted that all public streets, private access roads and private walkways should be named in order to facilitate access to the units fronting these streets, roads and walkways.

8. Construction Management Plan

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

- a) Dust/mud control on and offsite;
- b) Location of truck loading points, trailer parking;
- c) Location of temporary material storage areas;

- d) Access/truck routing;
- e) Provision of hoarding, temporary fencing & covered walkways;
- f) Location and extent of aerial crane operations;
- g) Parking for construction trades; and
- h) Procedure to deal with vermin and rodents.

9. Green Roof By-law

The owner is advised that the Green Roof By-law (By-law No. 583-2009) (Chapter 492 of the City of Toronto Municipal Code) including Article IV the Toronto Green Roof Construction Standard, may be applicable to the proposed development. For further information, please contact Ying Zheng, Toronto Building at 416-396-5033.

10. Energy Efficiency Office

The project may be eligible for a financial incentive for energy efficiency through the Energy Efficiency Office's Better Buildings Partnership. For more information, contact the Energy Efficiency Office at 416-392-1500 or see <http://bbptoronto.ca>.

ATTACHMENT: 2

(PRINTED ON BANK LETTERHEAD)

IRREVOCABLE STANDBY LETTER OF CREDIT

Beneficiary: City of Toronto	Issue Date:
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Letter of Credit Number: Credit Amount (Canadian Funds): Initial Expiry Date:
(12 months following issue date)

We hereby authorize you, the City of Toronto, to draw on **(Bank name, address and branch)** (the "Bank") for the account of **(customer name and address)**, (the "Customer") up to an aggregate amount of \$_____ Canadian Dollars (the "Credit Amount") available on demand up to _____ **(date)** (the "Initial Expiry Date") or a subsequent anniversary date, and is hereby given to you pursuant to an agreement between the City of Toronto, and **(name of customer)**, made in connection with approval of Site Plan Application [list application number] (the "Agreement").

Pursuant to the request of the Customer, the Bank hereby establishes in your favour and gives to you an Irrevocable Standby Letter of Credit in the Credit Amount on which you may draw in whole or in part at any time and from time to time, subject to the terms herein.

A drawing under this Letter of Credit shall be made by you presenting to the Bank, at the address noted below, a demand in writing authorized by the City Treasurer or delegate.

Partial drawings are permitted.

Upon receipt of said demand, the Bank shall pay to you the amount stated in the demand, to be payable to you without inquiring whether you have a right as between yourself and the Customer to make such demand, and without recognizing any claim of the Customer or objection by the Customer to payment by the Bank.

This Letter of Credit will continue up to the Initial Expiry Date but shall be subject to the condition that it shall be deemed to be automatically extended without amendment for one year from the present or any future expiration date hereof, unless 60 days prior to any such expiration date the Bank notifies you by notice in writing delivered to the City of Toronto at the address noted below by registered mail that it shall not renew this Letter of Credit for any such additional period. Upon receipt by you of such notice, you may draw

hereunder, for the available balance of this Letter of Credit by presenting a written demand together with confirmation that the amounts drawn will be retained and used by you to meet obligations incurred or to be incurred in connection with the Agreement. The demand must be authorized by the City Treasurer or delegate.

Bank Name: _____ Countersigned:_____

Address: _____ Countersigned:_____

ADDRESS FOR NOTICE

1. NOTICE TO BANK

(bank to insert full address and contact information)

2. NOTICE TO CITY OF TORONTO

City of Toronto
Corporate Finance Division, Capital Markets
City Hall, 7th Floor, East Tower
100 Queen Street West
Toronto, Ontario, M5H 2N2