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MEMORANDUM

File: 245 Queen St. East. C of A

To: Anita M. MacLeod, Manager, Committee of Adjustment
Toronto and East York Panel, City Planning, 1 W, Toronto City Hall
Attention: Jason Bragg

From: Avi Bachar, PMP, P. Eng., Manager, Development Engineering
Toronto and East York District
Attention: Sebastian Birritteri, P. Eng.

Date: February 19, 2019

Subject: **Address: 245 to 285 Queen St. East, 348-412 Richmond St. East,
78 to 106 Ontario Street and 8-12 Brigden Place**
Consent Application No. B0002/19TEY
Owner: Richmond Residential Limited Partnership
Applicant: Bennett Jones, c/O Andrew Jeanrie
Comments Due Date: Tuesday February 19, 2019 **Ward: 13**

This is in reference to the Committee of Adjustment Consent B0002/19TEY, to permit the severance of the assembled parcels of lands noted above into two Lots – The Retained Lot and the Conveyed Lot.

The lands noted above were assembled into a single ownership and are part of a separate and concurrent Zoning By-law amendment application file 16 118638 STE 28 OZ, to permit the redevelopment of the assembled portion of lands.

The existing properties are currently occupied by various buildings, and the site is crossed by an L-shaped public laneway traversing the site.

The owner has submitted a Draft Reference Plan in conjunction with the subject application, which proposes the following:

Conveyed

Parts 5, 12, 13, 14, 15 & 16, Draft R-Plan.

Parts 5, 12, 13, 14 15 & 16 have a lot frontage of 63.95 metres along Queen Street East, 39.52 metres along Richmond Street East and an area of 5524.0 square metres.

Retained

Parts , 1, 2, 3, 4, 6, 7, 8, 9, 10, & 11, Draft R-Plan.

Parts 1, 2, 3, 4, 6, 7, 8, 9, 10 & 11 have a lot frontage of 66.11 metres along Queen Street East, 13.72 metres along Ontario Street and an area of 3490.6 square metres.

The purpose of this Consent application is the Owner's proposal to start the commencement of development process on the conveyed and retained lots.

The following comments and conditions are based on the drawings and reports submitted in support of the new Committee of Adjustment Consent to Sever application for review, all received electronically by Engineering & Construction Services staff on January 29, 2019:

- Cover Letter, Application for Consent, 245-283 Queen Street E, 348-354 Richmond Street E., and 106-110 Ontario Street,) dated January 03, 2019, Bennett Jones.
- 2019 Committee of Adjustment Application, dated January 02, 2019.
- Zoning Review Waiver, dated January 03, 2019.
- Email correspondence dated January 24, 2019.
- Consent Plan, prepared by Graziani + Corazza, Architects, dated December 21, 2018;
- Survey Plan, All of lots as described on the Survey Plan, prepared by R. Avis Surveying Inc, dated December 21, 2018.
- Draft Reference Plan, Dwg. 66R-, prepared by R. Avis Surveying Inc. dated December 21, 2018.

Please note that there is a current, active Application for this Development Site known as 245-285 queen Street East, 348-412 Richmond Street East, 78-106 Ontario Street and 8-12 Brigden Place, as follows;

- (i) Rezoning Application 16 118638 STE 28 OZ.

This current C of Application to Sever Parcels of land to sever and to retain, is seeming to propose to create two parcels of land for development purposes in advance of any future development designs being reviewed and development application approvals being finalized and accepted.

The comments provided are in regards to a Consent to sever land only, with the understanding that the created lots will continue to operate in their existing condition. Any development proposal within the subject site will be subject to separate development application(s).

Every parcel of land that will be separately conveyable requires its own servicing connection to municipal services, including all associated stormwater management facilities, per the Ontario *Building Code* and the City of Toronto Municipal Code Chapters 681 and 851. Please refer to Comments section of the memo for further information in this regard.

COMMENTS

Engineering and Construction Services

Development Engineering has been advised by City Planning that in regards to the associated Rezoning Application File No.16 118638 STE 28 OZ, City Planning has reached a settlement with the Owner. A confidential report was to be considered by City council on July 23, 2018. As part of the settlement, conditions were to be placed to require the Owner to satisfy all conditions in the Development Engineering memo dated May 7, 2018, prior to the Final Order by LPAT.

If the Owner cannot resolve all issues with the May 2018 submission, then the LPAT cannot issue the Final Order to approve the proposal. The May 7, 2018 memorandum has several outstanding items related to site servicing, existing sewer and watermain capacity, and also items by Fire Services and Solid Waste to be addressed.

This proposed C of A application to sever land is different than the last circulated information (May 2018) for this Development Site. Development Engineering does not have a copy or knowledge of any reached settlement with Owner prior to a Final Order by the LPAT.

The May 2018 circulation Site Plan Dwg. A100, Sweeney and Co, dated March 23, 2018 and MMM Prop. Dev. Plan, shows Bldg. A to Southwest, a Park Block fronting Queen St. E. and Bldg. B to the Northeast.

The current C of A application shows a different configuration, with future Public Park Block now fronting Richmond St.E., and not showing proposed Building A or Building B locations.

The proposed Severance line is located at approx. the half way point of the future mid-block connection and severance line runs through two buildings(261 and 263 Queen St. E.) on the property as they exist today. This is not consistent with the May 2018 development information.

Transportation Services

We have reviewed the submitted documentation and note **the Consent plan illustrates a different layout when compared with the plans submitted with the Rezoning application.**

For example, the future Public park Block, which was shown fronting Queen Street East in the Rezoning site plan is now shown fronting Richmond Street. Moreover, we identified in the Rezoning application, widening is required along the abutting public lanes to satisfy the official plan requirement.

The lane widenings are not illustrated in the Consent plans.

According to the information provided in the letter by the owner's legal consultant, the planning applications have been settled as between the City of Toronto and RRLP and will permit an exciting new mixed-use development with approximately 158,275 square metres of gross floor area over three towers.

RECOMMENDATIONS:

Given that the approved settlement plans have not been provided, we cannot determine whether the Consent to Sever application plans are consistent with the approved settlement plans. As a result, we feel that **this Consent application is premature and recommend that the Committee of Adjustment does not schedule a hearing date for this application at this time.**

Once ECS and Transportation receive confirmation from City Planning that a settlement has been reached and copies of the settlement plans and reports have been provided through the Rezoning application process, the Consent application should be recirculated for review and comment.

BACKGROUND

Engineering and Construction Services

Should this Consent Application to Sever land be shown to be in conformance with an updated settlement development configuration and design, all updated reports and drawing and information shall be circulated by City Planning to all commenting divisions, as per the routine Rezoning Application review stream, for review and comment by all commenting divisions.

Transportation Services

As noted in owner's legal consultant, Bennett Jones LLP, each of the Retained Lot and the Conveyed Lot aligns with a future tower. The Conveyed Lot (shown on the draft Zoning Bylaw and Consent Plan) aligns with the future Building A, as it is identified in the current draft Zoning Bylaw that came out of the settlement with the City. The Retained Lot (also shown on the Consent Plan) aligns with the future Building B, as it is identified in the current draft Zoning Bylaw.

The severance line is located at approximately the half way point of the future mid-block connection discussed above. It is, recognized that this line runs through two buildings on the Property as they exist today.

If you have any questions regarding these comments, please contact Sebastian Birritteri at 416.338.1396.

Prepared by:

Sebastian Birritteri,
Senior Engineer, Development Engineering
Toronto & East York District

Signed by,



Avi Bachar, PMP, P. Eng.
Manager, Development Engineering
Toronto & East York District

SB/

cc: City Planning – Henry Tang
Transportation Services, Traffic Services – Attention: Tabassum Rafique