

TORONTO STAFF REPORT

May 15, 2003

To: Toronto East York Community Council

From: Director, Community Planning, South District

Subject: Revised Settlement Report
King-Spadina Part II Plan
340 Front Street West
Milkin Holding Limited (Burka Architects Inc.)
097043, 202018, TE CMB 2002 0019
Trinity-Spadina, Ward 20

Purpose:

This report recommends changes to a previously proposed settlement for 340 Front Street West (Clause 19 of Executive Report No. 5, 1997), to accommodate an alternative development proposal.

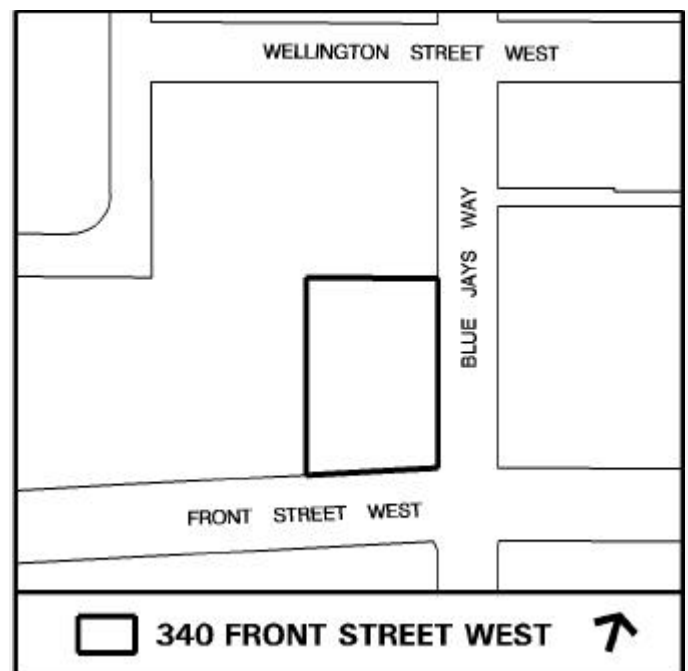
Financial Implications and Impact Statement :

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

Recommendations :

It is recommended that City Council:

- (1) amend the authority of the former Council for the City of Toronto re: Clause 19 of Executive Committee Report No.5, 1997 as it applies to the terms of settlement for 340 Front Street West, as described in this report; and
- (2) authorize appropriate staff to attend the Ontario Municipal Board hearing in support of the settlement agreement.



Background:

Site History

In response to City Council's enactment of new Official Plan Part II Plan and Zoning By-law provisions for King-Spadina on April 30, 1996, site-specific Official Plan referral requests and/or zoning appeals were made regarding nine properties. By January 1997 three referrals/appeals were withdrawn. Of the remaining six properties, City Council has since adopted settlements on five (including 340 Front Street). The City was party to a full OMB hearing on the sixth property known as Festival Hall in May 1997.

At its meeting of January 13, 1997, City Council adopted an OMB settlement package for 340 Front Street West. This settlement secured a particular built form envelope which consists of a 30-metre base building over most of the site, rising to a height of 45 metres, with a 49.75 metre high element at the corner of Front Street and Blue Jays Way. Other terms of the settlement required the provision of a Public Art contribution and the requirement for the conveyance of a 3.0 metre strip of land on the west side of Blue Jays Way for road widening purposes. The settlement also contained Site Plan Approval Guidelines.

The settlement regarding 340 Front Street West was never finalized at the Ontario Municipal Board and the appeal remains outstanding.

Proposal

Since that time, the owner has put forward a new proposal for the site. On October 8, 2002 Milkin Holdings Limited submitted applications for a Zoning By-law Amendment and Site Plan Approval for 340 Front Street West. The original application was for permission to construct a mixed use building containing 510 residential units and ground floor retail. The building envelope consisted of a 70-metre base building with an 84-metre high element at the corner of Front Street and Blue Jay Way. Through discussion with planning staff the applicant has modified the proposal by reducing the overall height. The revised building envelope consists of a 16-metre base building rising to a height of 55 metres with a 68-metre high element at the corner of Front Street and Blue Jay Way. The building would also step down on the north to 45 metres and to the west to 31 metres (refer to Application Data Sheet for project data).

This new proposal has resulted in the owner requesting an amendment to the January 1997 settlement. The applicant is proposing a revised Public Art contribution of \$100,000 and will convey a 3.0 metre strip of land on the west side of Blue Jays Way for road widening purposes. In addition, the owner has agreed to provide \$350,000 for park improvements in the immediate area.

Site and Surrounding Area

The site is located at the northwest corner of Front Street West and Blue Jays Way. The site has an area of approximately 2856.96 square metres. The site is currently occupied by a surface parking lot.

Surrounding Uses includes:

North: 400 Front Street West which extends diagonally from the northeast corner of Spadina Avenue and Front Street West to the southwest corner of Wellington Street West and Blue Jays Way is currently a surface parking lot. This site was also subject to a settlement of an appeal of the King Spadina by-law that resulted in permission for two residential towers. The western tower would have a height of 64 metres at the corner of Spadina Avenue and Front Street West stepping down to 30 metres along Front Street West. The eastern tower would be 45 metres along Blue Jays Way and stepping down to 30 metres along Wellington Street West

South: Cityplace with four residential buildings with heights of 115 metres, 86 metres, 87 metres and 99 metres

East: a commercial building with a height of 64 metres

West: directly west is a surface parking lot and beyond that 400 Front Street West.

Official Plan

The site is located within the King-Spadina Part II Official Plan. Given the Official Plan Amendment to the Part II Plan adopted by Council in 1996 was appealed by the owner of 340 Front Street West, the designation for the site remains Mixed Industrial-Residential Area "A". The designation under Council's 1996 approval is "King-Spadina Reinvestment Area".

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. No hearing date has been set.

Once the Plan comes into full force and effect, it will designate the property as "Regeneration Area". The revised settlement has been reviewed for compliance with the new Plan and conforms. An amendment to the new Plan will not be required.

Zoning By-law

The site is zoned I2 D7 with a 61 metre height limit. By-law 1996-0238 rezoned the site to RA (Reinvestment Area) with a height limit of 30.0 meters. This zoning was appealed by the owner.

Site Plan Control

The site and proposed development are subject to Site Plan control. An application for Site Plan Approval has been filed. It is proposed that the owner enter into an undertaking prior to the issuance of the Board's final order on the settlement.

Comments:

In 1997, the former City of Toronto reached a settlement with the owners of 340 Front Street. Since that time the owners have revised the design of the project and are now actively marketing the site.

The current proposal seeks to increase the overall height of the building to 68 metres from the 49.75 metres in the previous settlement in recognition of the greater heights of existing buildings and approved developments adjacent to the site. In the April 26, 1996 report on King-Spadina (contained in Clause 1, Land Use Report No. 7, 1996), staff acknowledged that the 30 metre height limit was a generalized approach for the area, and that, based on the heights of surrounding buildings, modest height increases might be warranted in site specific instances, subject to further study.

In staff's opinion, the context does warrant this height increase at 340 Front Street West.

- To the south is Cityplace with four residential buildings with heights of 115 metres, 86 metres, 87 metres and 99 metres. The proposed development would provide a transition between the taller buildings south of Front Street and the lower built form context to the north.
- To the west is 400 Front Street West which was also subject to a settlement of King Spadina by-laws. The settlement would permit a 64-metre building at the corner of Spadina Avenue and Front Street West.
- To the east a commercial building with heights of 49 and 64 metres.

The proposed building envelope will have no adverse sunlight impact on open space within the area. It will have a good fit with the approved built form for 400 Front Street West, and the maximum height would be compatible with existing buildings to the east and south and provide a transition from the higher heights south of Front Street to the lower existing built form to the north.

Other zoning variances required by the current proposal are:

- the proposal contains 500 square metres of outdoor amenity space, where 810 square metres is required
- the building façade above 20 metres is not set back 3 metres
- the by-law requires the proposed building to be located within 50 metres of the street, where the proposed building will be 66.2 metres

Elements of the Proposed Settlement

Staff are recommending that Council authorize the revised settlement of the OPA referral and zoning by-law appeal at the Ontario Municipal Board, such settlement to include:

- a site specific by-law generally as illustrated in Attachments 6 and 9;
- conveyance of a 3.0 metre strip of land on the west side of Blue Jays Way for road widening;
- the provision of a Public Art contribution equal to \$100,000.00;
- the provision of a cash contribution of \$350,000 for park improvements in the immediate area, of which \$200,000 shall be payable to the City no later than 30 days after the Board's Order approving the settlement and the remaining \$150,000 payable upon issuance of the first building permit;
- the owner's agreement to the Site Plan Approval guidelines set out in Appendix 10 of this report; and
- the owner's agreement to request the OMB to withhold its final approval of the settlement until the Undertaking has been executed.

These matters are to be secured through a Section 37 Agreement.

Conclusions:

The proposed settlement is still within the framework established by the King-Spadina Part II Plan and the original settlement package. The proposed settlement conforms to the character of the King- Spadina area in both the size of the building and its residential use.

Staff are recommending that Council amend its 1997 authority (Clause 19 of Executive Committee Report No.5) as it applies to the terms of settlement for 340 Front Street West, so that the built form secured is as described in this report.

Contact:

Gregory Byrne, Senior Planner West Section
Telephone: 416-392-0881
Fax: 416-392-1330
E-Mail: gbyrne@toronto.ca

Ted Tyndorf
Director, Community Planning, South District

(p:\2003\upd\pln\te033199.pln) - smc

List of Attachments:

- Application Data Sheet
- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: By-law Envelope
- Attachment 7: Zoning
- Attachment 8: Agency Comments
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Site Plan Approval Guidelines

Application Data Sheet

Combination

Site Plan Approval:	Yes	File Number:	202018
Rezoning:	Yes	Application Number:	TE CMB 2002 0019
O.P.A.:	No	Application Date:	10/08/2002

Municipal Address: 340 Front Street West
Nearest Intersection: Front Street West and Blue Jays Way
Project Description: Residential condominium with ground related retail

Agent:

Deltera Inc.
4800 Dufferin Street
(416) 736-2541

Owner:

Milkin Holdings Limited
7 Dundas Square
(416) 862-2116

PLANNING CONTROLS (For verification refer to Chief Building Official)

Official Plan Designation:	King-Spadina Reinvestment Area*	Site Specific Provision:	
Zoning District:	RA*	Historical Status:	No
Height Limit (m):	30	Site Plan Control Area:	Yes

* under appeal

PROJECT INFORMATION

Site Area:	2856.96	Height:	Storeys:	24
Frontage:	44.08		Metres:	68.81 m
Depth:	63.57		Indoor	Type
Ground Floor GFA:	1230.87	Parking Spaces:	318	
Residential GFA:	30533.4	Loading Docks:	1	G
Non-Residential GFA:	581.0			
Total GFA:	31114.4			

DWELLING UNITS

Tenure Type:	Condominium
Rooms:	0
Bachelor:	38
1 Bedroom:	280
2 Bedroom:	108
3+ Bedroom:	0
Total Units:	426
Total Proposed Density:	10.89

FLOOR AREA BREAKDOWN

	Above Grade
Residential GFA:	30533.4
Retail GFA:	581.0
Office GFA:	0
Industrial GFA:	0
Industrial/Other GFA:	0

COMMENTS

Current Status:	Open	<u>Latest Event</u>	<u>Actual Date</u>
		Suppl. Submission	10/18/2002
		Received	10/08/2002
Data Valid:	October 18, 2002	Planner:	Gregory Byrne Phone: (416) 392-0881
Area:	District - C	Planning Office:	Toronto - South (TE)

Attachment 8 Agency Comments

1. Urban Development Services (Building, April 4, 2003)

Our comments concerning this proposal are as follows:

Description: Build retail store and dwelling building containing 426 units

Zoning Designation: RA* I2 D7 Map: 50G-322

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

Plans prepared by: Burka Varacalli Plans dated: April 4, 2003.

Residential GFA: 30533.4 m²

Non-Residential GFA: 581.0 m²

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 by-law requires limits the height of a building to: in the RA* district 30.0 metres and in the I2 district 61.0 metres, the proposal will have a height of 68.81 metres. (Section 4(2))
2. The by-law requires 852 square metres of indoor residential amenity space and 852 square metres of outdoor residential amenity space. The proposed indoor residential amenity space will be 383 square metres and outdoor residential amenity space will be 810.0 square metres. (Section 4(12))
3. The by-law requires at least 160 bicycle parking spaces for the occupants of the building and 40 bicycle parking spaces for visitors. The proposed plans do not indicate the proposed parking spaces and their dimensions. (Section 4(13)(a) and (c))
4. The proposed use, retail store and dwelling building, is not permitted. (Section 9(1)(f))
5. The by-law requires the portion of the building exceeding a height of 20 metres to be set back at least 3 metres from the street. (Section 12(2) 246(a))
6. The by-law requires a building to be located within 50 metres of the street. The proposed building will be 66.2 metres from front south lot line. (Section 12(2) 246(c))

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.
3. The proposal DOES NOT require the approval of Heritage Preservation Services under the 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 Works and Emergency Services regarding ramp approval and curb cuts.
6. All work within the City's road allowance will require a separate approval by Works and Emergency Services.
7. Information regarding the history of the site indicates the potential presence of substances of environmental concern.
8. The proposal is subject to Development Charges pursuant to By-law 476-1999 as amended. For additional information please refer to the said by-law.
9. The proposal is subject to Education Development Charges, pursuant to the Toronto Catholic District School Board By-law 2001 No. 148. For additional information please refer to the said by-law.

2. Works and Emergency Services (Technical Services, May 22, 2003)

This is in reference to the application submitted on behalf of the owner, Milkin Holdings Limited, for the construction of a mixed-used condominium building at the north-west corner of Front Street West and Blue Jays Way, consisting of 426 residential units and 580 m² of retail space at ground level. A total of 333 parking spaces will be provided in an underground garage and at surface level to serve the residents/tenants of this building.

The comments and conditions provided below are based on Drawing Nos., A201, A202, A302 to A307, and A401 to A404, date stamped by your Department as March 11, 2003 and Drawing Nos. A100, A101 and A301, date stamped April 4, 2003, all prepared by Burka Varacalli Architects.

Please advise us if any changes or modifications are required to the conditions identified below.

Conditions:

1. That the owner be required, to:
 - (a) Convey to the City, at nominal cost, prior to the issuance of a building permit, a 3 m strip of land to the full extent of the site abutting the west limit of Blue Jays Way, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes;
 - (b) Provide and maintain the setback areas and arcades on private property, at elevations compatible with the adjacent sidewalks and paved in materials suitable for pedestrian use, to the full extent of the site abutting Blue Jays Way, as widened, and Front Street West, such areas to be kept free and clear for public use in perpetuity except for the structural columns;
 - (c) Enter into an agreement with the City of Toronto for the granting of the appropriate rights-of-way/easements over the strip of land described in Recommendation No. 1(b), prior to the occupancy of the building, to the satisfaction of the City Solicitor, and pay all costs associated with the preparation and registration of the document inclusive of the preparation of a Reference Plan of Survey;
 - (d) In connection with Recommendation Nos. 1(a) and 1(b) above, submit to the Commissioner of Works and Emergency Services, a Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands to be conveyed to the City, easements and the remainder of the site;
 - (e) Provide and maintain a physical separation between the residents' and the residential visitor/retail parking portion of the underground garage to secure the availability of the resident's parking;
 - (f) Designate individually, the northerly 2 ground-level parking spaces abutting the ramp to the garage as "small car" parking spaces by means of clearly visible signs;
 - (g) Provide and maintain a minimum inside turning radius of 4.5 m, with a minimum outside turning radius of 11.3 m for 2-way traffic, at all turns on the access ramp system;
 - (h) Install and maintain convex mirrors at the following locations:
 - (i) At the base of the ramp and at all right-angle corners in the underground garage;

- (ii) At the northwest corner of the driveway/ramp system, at grade;
- (i) Provide and maintain 1 Type G loading space on site, with a generally level surface;
- (j) Design and construct all driveways and passageways providing access to and egress from the Type G loading space with a minimum width of 3.5 m (4 m where enclosed), a minimum vertical clearance of 4.3 m and minimum inside and outside turning radii of 9 m and 16 m, can enter and exit the site in a forward motion;
- (k) Indicate on the drawings the minimum required 3.5 m widths for the ingress and egress lanes for City solid waste collection vehicles and ensure that the widths are not restricted by the proposed centre median;
- (l) Reduce the length of the southerly traffic island adjacent the Type G loading space by approximately 1.25 m to 1.5 m, to improve the ability to manoeuvre the City's solid waste collection vehicle;
- (m) Construct the Type G loading space and all driveways and passageways providing access thereto to the requirements of the Ontario Building Code, including allowance for and City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures;
- (n) Design and construct driveways and passageways to support the expected loads imposed by fire fighting equipment and surface them with concrete, asphalt, or other material designed to permit accessibility under all climatic conditions;
- (o) Design and construct the fire access routes with a centerline radius of not less than 12 m;
- (p) Provide and maintain for the residential component, a garbage storage room of at least 55 m² in size and a recycling room of at least 50 m² floor area and install and maintain a stationary compactor in the garbage room, or alternatively, a combined garbage/recycling room with a minimum size of 105 m², to be equipped with automated recycling and waste systems (i.e. tri-sorter type). If an automated recycling waste system is not being installed, convenient storage space for recycling materials must be provided on each floor of the building for collection by building maintenance staff;
- (q) Provide and maintain for the retail component, a combined garbage and recycling storage room of adequate size to accommodate the refuse generated (preferably compacted);

- (r) Install and maintain double or overhead doors of a width necessary to accommodate the movement of container bins between the garbage and recycling rooms and the Type G loading space;
- (s) Provide and maintain:
 - (i) A level corridor between the garbage and recycling storage rooms and the Type G loading space, of a width necessary to accommodate the passage of the container bins for collection;
 - (ii) Service connections between the loading space and each retail store established;
- (t) Provide and maintain a reinforced concrete storage collection pad immediately fronting the loading space with maximum slope of 2% and a minimum size of 45 m² with additional adequate space to accommodate the bins from the retail component, where containers are to be placed on collection days only and manoeuvred for safe and efficient collection;
- (u) Design the concrete collection pad at the front of the loading space so that it is flush with the abutting driveway, or with a rolled curb, in order to accommodate large trucks;
- (v) Provide a trained staff-member to be present at all times during collection to manoeuvre the containers onto the collection vehicle and act as a flagperson when the vehicle is reversing;
- (w) Agree to advise all tenants/owners, in writing and in their deeds/leases, of the arrangements in place with respect to refuse collection for the retail and residential components;
- (x) Submit to the Commissioner of Works and Emergency Services, for review and acceptance, a revised Traffic Impact Study;
- (y) Restore any existing vehicular access ramps that are no longer required, to City standards, at no cost to the City;
- (z) Submit to the Commissioner of Works and Emergency Services, at least three weeks prior to the introduction of Bills in Council:
 - (i) Final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed building to enable the preparation of building envelope plans;
 - (ii) A Noise Impact Statement in accordance with City Council's requirements;

- (iii) A site servicing assessment to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
- (aa) Have a qualified Architect/Acoustical Consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement accepted by the Commissioner of Works and Emergency Services;
- (bb) Provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the plan accepted by the Commissioner of Works and Emergency Services;
- (cc) Prior to the issuance of an above grade building permit, submit a Record of Site Condition (RSC), all necessary supporting environmental documents and a Statement from a Professional Engineer (sealed and dated), that based on the environmental RSC and supporting documents, that:
 - (i) The site including the lands to be conveyed to the City for public highway widening purposes, is suitable for its intended use; and
 - (ii) Based on the above information, it is unlikely that there is any off-site contamination on the adjacent rights-of-way that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses;
- (dd) Pay all costs associated with the City retaining a third-party peer reviewer and submit, prior to the issuance of a building permit, a certified cheque payable to the City, in the amount of \$3,000.00, as a deposit towards the cost of peer review;
- (ee) Enter into an agreement, prior to the issuance of an above grade building permit, with the City, should it be determined that remediation of the adjacent right-of-way be required, in which the owner, or the party responsible for the contamination, commit to carrying out a remedial work plan acceptable to the City;
- (ff) Pay for any improvements of the municipal infrastructure in connection with Recommendation No. 1(z)(iii), should it be determined that upgrades are required to existing infrastructure to support this development;
- (gg) Include with the building permit application, drawings to show:
 - (i) A fire access route within 3 m to 15 m of every building face having access openings (unsprinklered buildings);

- (ii) A fire hydrant located no greater than 45 m from a fire department siamese connection;
 - (iii) The proposed central alarm control facility room located near the lobby at the Blue Jays Way entrance;
- (hh) Submit to the Commissioner of Works and Emergency Services, prior to the issuance of a building permit:
- (i) A grading and servicing plan including drainage to show details of the existing and proposed site services, service connections to municipal infrastructure, existing and proposed grades within the site and at the property line inclusive of the portion of the land to be conveyed to the City;
 - (ii) A Stormwater Management Report indicating how the storm run-off from the site is to be addressed; and
- (ii) Submit, revised drawings/additional information with respect to Recommendation Nos. 1(b), 1(e), 1(f), 1(g), 1(j), 1(k), 1(l), 1(o), 1(p), 1(q), 1(r), 1(s), 1(t), 1(u) and 1(x) above, for the review and acceptance of the Commissioner of Works and Emergency Services.
2. That the owner be advised:
- (a) Of the need to receive the approval of the Commissioner of Works and Emergency Services and obtain any necessary construction permits for all work to be carried out within the abutting public rights-of-way inclusive of entering into an easement agreement for the use of the strips of land on private property on Blue Jays Way and on Front Street West for public walkway purposes;
 - (b) The storm water run-off originating from the site should be disposed of through infiltration into the ground and that storm connections to the sewer system will only be permitted subject to the review and acceptance by the Commissioner of Works and Emergency Services of an engineering report detailing that site or soil conditions are unsuitable, the soil is contaminated or that processes associated with the development on the site may contaminate the storm runoff;
 - (c) Of the City's requirement to pay a service charge associated with the provision of City containerized garbage collection;
 - (d) In the event that the on-site person is not available at collection time, the vehicle will leave the site and not return until the next scheduled collection day; and

- (e) Of the need to contact the Solid Waste Management Services Section of Works and Emergency Services for this project to complete the necessary application and waiver forms prior to the commencement of City waste collection.

Comments:

Roads

To provide for possible future road improvements on Blue Jays Way, including the potential establishment of Wellington Street West and Front Street as a one-way pair, a 3 m widening, as shown on Drawing No. A101, is required to be secured along the full extent of the site abutting Blue Jays Way. This is consistent with what was also requested for the development on the abutting site at premises No. 400 Front Street West.

In order to provide for this widening, the applicant must submit a Reference Plan of Survey, in metric units, referenced to the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands required for the widening and the remainder of the site.

Sidewalks/Public Boulevards/Streetscaping

The plans show building setbacks and arcades on both frontages of the site, which can be used to augment the relatively narrow sidewalks on Front Street West and Blue Jays Way. In this regard, the applicant is to grant to the City rights-of-way/easements over the strip of land on private property to be used for pedestrian walkway purposes. These areas must be paved, at no expense to the City, with materials and at elevations compatible with the adjacent sidewalks and be maintained, for perpetuity, free and clear for pedestrian use, except for the structural columns. The drawings submitted with this application must be revised accordingly to indicate this requirement.

Approval for any work within the public right-of-way must be received from this Department. Further revisions to the plans may be required as part of the detailed review of the application for work within the public right-of-way. For further information in this regard, and to discuss application requirements with staff, the applicant should contact Right of Way Management, District 1, Construction Activities at (416) 392-7877.

Any curb cuts that are no longer required to be utilized must be restored to City standards at no cost to the City. All sidewalks are to be continuous across the driveways and the vehicular access ramps constructed as per City Standard No. T-310-050-1.

Parking

As far as can be ascertained, a total of 333 parking spaces is proposed to serve the project. The proposed provision of 333 parking spaces is acceptable in that it satisfies the minimum requirement of the Zoning By-law, estimated at 258 spaces, and is marginally less than the estimated parking demand generated by this project for 341 spaces based on surveyed demand of condominium projects in the City.

At least 26 spaces should be provided and maintained in a physically separated portion of the garage for residential visitors. There would be no objection to the visitor parking supply being used jointly by residential visitors and visitors/tenants/customers of the small retail component of the project. The required physical separation must be designed in a manner which would enable cars to turnaround in the garage, and not have to back up the ramp, out of the garage when all spaces are occupied.

On the basis of truck turning movement diagrams submitted by the applicant's traffic consultant, (date stamped April 4, 2003) moving trucks would drive over portions of the northerly 2 ground level parking spaces abutting the ramp. In order to facilitate this very occasional use, these spaces should be designated as small car spaces, by means of clearly visible signs.

The proposed layout of the ramp to the parking garage parallel to the drive aisle is problematic inasmuch as cars cannot negotiate the 180° turn from the ramp to the visitor spaces to the north thereof. In addition, the configuration of the ramp immediately adjacent to the east west aisle cannot accommodate 2-way traffic. This would create conflicts at the base of the ramp and is unacceptable. The parking garage should be redesigned accordingly. In addition, convex mirrors should be provided at right-angle turns in the aisle system in order to afford drivers a view of oncoming traffic.

Loading

The proposed provision of 1 Type G loading space satisfies the estimated Zoning By-law requirement and loading demand generated by this project for 1 Type G loading space.

The proposed access to the Type G loading space is generally acceptable, however, it appears from the elevation drawings that only a 3.35 m vertical clearance is proposed whereas a 4.3 m vertical clearance is required over the driveway from Blue Jays Way. The applicant is required to submit revised plans clarifying that the minimum vertical clearance will be provided.

In addition, in order to improve visibility for back out manoeuvres by trucks in front of the ramp, a convex mirror should be installed on the ground level at the northwest corner of the driveway/ramp system.

The plans depict a service corridor between the loading space and each retail store to allow for the joint use of the loading space by the retail component of the project. Although acceptable in principle, it will be necessary for doors to be provided at the rear of each retail store, in order to enable deliveries to be made from such corridor.

The Type G loading space is intended to be used for move-in, move-out activity, and in this regard, the applicant's traffic consultant has submitted drawings illustrating that tractor trailers could only access this space by driving forward into this space. Although back-in manoeuvres would be more convenient, given the impracticality of redesigning the structural support system to accommodate back-in manoeuvres, the proposed design is acceptable. We note however, that the proposed concrete collection pad at the front of the loading space should be flush with the

loading space, or designed with a rolled curb so that large trucks can pull forward on this space, to improve the functionality of the space.

Traffic Impact Study

The study entitled “Traffic Impact Study - Proposed Condominium Development 340 Front Street West, City of Toronto” prepared by Marshall Macklin Monaghan and dated March 11, 2003 has been reviewed and there are a number of concerns with the traffic study that will require further analysis by the traffic consultant. The traffic consultant has been advised, under separate cover, of the following concerns:

- The traffic counts utilized by the consultant reflect much lower activity than the counts conducted by this Department in September, 1998. The consultant should undertake new counts or explain this discrepancy;
- The saturation flow values characterized Front Street West/Blue Jays Way intersection as a “Low Activity” intersection instead of a “High Activity” intersection;
- The study should include:
 - consideration of future traffic levels bearing in mind the recent approval of the Front Street Extension;
 - queue analysis for the full-turns access from Blue Jays Way;
 - projections of future increased pedestrian activity, and factor this activity into the analysis; and
 - analysis and/or recommendations with respect to the potential construction of an access driveway immediately north of the site, as permitted by Site Plan By-law 650-91 for the 70 093m² non-residential building permitted on the north side of the site.

Solid Waste and Recycling

Under the Municipal Code, Chapter 309, Solid Waste, the following loading, storage and handling facilities are required in order for this mixed-use development to be eligible for compacted City bulk-lift garbage collection:

- A garbage room equipped with a stationary compactor with a minimum size of 55 m² designed to be used without direct access by residents/tenants and recycling materials storage room with minimum size of 50 m² or, alternatively, a combined storage room of 105 m², equipped with an automated recycling and waste systems (i.e. tri-sorter type);
- A separate garbage and recycling storage room of sufficient size to accommodate the refuse generated (preferably compacted) by the retail component;

- Double doors or an overhead door of a width necessary to accommodate the movement of the container bins to the loading facility for collection, taking into consideration that the 3 cubic yard bins being used have dimensions of 1.32 m (wide) by 1.93 m (length);
- A level corridor of a width necessary to accommodate the passage of the container bins from the storage rooms to the loading facility, taking into consideration that the 3 cubic yard bins being used have dimensions of 1.32 m (wide) by 1.93 m (length);
- A level ($\pm 2\%$) concrete pad in front of the Type G loading space with a minimum size of 45 m², with additional adequate space to be added to accommodate the bins from the retail component, that are to be placed and manoeuvred on collection day;
- A Type G loading space located on the site and designed such that garbage trucks using the loading space are able to enter and exit the site in a forward motion;
- The driveway and passageway providing access to and egress from the Type G loading space must be constructed with a minimum width of 3.5 m (4 m where enclosed), a minimum vertical clearance of 4.3 m and a minimum inside and outside turning radii of 9 m and 16 m; and
- The loading space, driveway and passageway providing access thereto must be designed to the requirements of the Ontario Building Code, including allowance for the City of Toronto bulk lift and rear bin vehicle loading with impact factors where they are to be built as supported structures.

The drawings show that separate garbage and recycling storage rooms will be provided for the residential component as well as a garbage room for the retail component. The dimensions of these rooms, doors, corridor and the collection pad, are not shown as required. The retail “garbage” room which must be of sufficient size to accommodate the refuse generated, must be revised to also include the storage of recycling.

In addition, it appears that the proposed southerly traffic island adjacent the loading space would restrict the manoeuvring ability of the City solid waste collection vehicle. To improve this, the applicant should reduce the length of it by at least 1.25 m to 1.5 m. As well, the applicant is to ensure that the width of the proposed traffic median dividing the in and outbound traffic, does not interfere with the minimum required width of 3.5 m for the City solid waste collection vehicle.

In this regard, the applicant will be required to submit revised drawings to address these requirements.

It is the policy of Toronto City Council to levy a service charge on all new developments, payment of which is a condition for receiving City containerized garbage and recycling collection. The levy is currently \$34.50 per month including taxes multiplied by the number of garbage containers on site. The levy includes the provision and maintenance of City garbage and recycling containers. Should the owner choose to provide private garbage containers, the levy

will still be charged and the containers must meet City specifications and be maintained privately at the expense of the building owner.

Storm Drainage

There are storm sewers available on Front Street West and Blue Jays Way to serve this development.

The applicant will be required to submit, prior to the issuance of an above-grade building permit, a Stormwater Management Report, including grading and drainage plan to show existing and proposed grades and details of the drainage facilities.

City Council's policy requires that storm water run-off be infiltrated into the ground for all new buildings, whenever possible. Therefore, 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. Further information regarding storm drainage can be obtained by contacting Mr. Nhat Nguyen of this Department at 392-8320.

Sanitary Drainage

Sanitary sewers are available on Front Street West and Blue Jays Way to service this project. Pending the conclusions of the site servicing assessment, sanitary sewers may need to be upgraded as noted in Recommendation Nos. 1(z)(iii) and 1(ff).

The application must also submit, prior to the issuance of an above-grade building permit a site servicing drawing detailing the proposed service connections.

Water Supply

Watermains are available on Front Street West and Blue Jays Way to service this project. Pending the conclusions of the site servicing assessment, the watermain may need to be upgraded as noted in Recommendation Nos. 1(z)(iii) and 1(ff).

The application must also submit, prior to the issuance of an above-grade building permit a site servicing drawing detailing the proposed service connections.

Service Connections

A separate application is to be made to this Department for servicing of this site. For further information regarding service connections, the applicant is to contact Ms. Ruth Ann Smith of Water and Wastewater Services at (416) 392-7676.

Fire Services

The site plan should be revised to address the following with respect to Fire Access Route requirements of the Ontario Building Code:

- (i) Fire access route must be within 3 to 15 m of every building face having access points (unsprinklered buildings);
- (ii) Fire access routes shall have a centerline radius of not less than 12 m;
- (iii) The load support shall be sufficient to support the expected loads imposed by fire fighting equipment and shall be surfaced in concrete, asphalt or other material designed to permit accessibility under all climatic conditions; and
- (iv) Fire hydrants must be located no greater than 45 m from a fire department siamese connection and no more than 90 m horizontally from any point along the perimeter of a fire department connection.

These items must be show on the drawings.

Noise

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

Soil Contamination

The applicant is proposing to change the use of this site from a parking lot to residential. As such the applicant will be required to submit a Record of Site Condition that has been acknowledged by the MOE, all environmental site assessment reports and a Statement from a Professional Engineer (sealed and dated) certifying that based on the supporting documents:

- the site including the land to be conveyed for public highway purposes is suitable for its intended use; and
- that it is unlikely there is any offsite hydrocarbon vapours or contamination on the adjacent right-of-ways, that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses.

Should it be determined that remediation of the adjacent right-of-way be required, the owner must enter into an agreement with the City in which the owner, or the party responsible for the off-site contamination, commit to carrying out a remedial work plan acceptable to the City.

The Record of Site Condition is to be acknowledged as having been received by the Ministry of the Environment. The applicant must submit confirmation that the Ministry will not audit the Record of Site Condition or that the Ministry has audited the Record of Site Condition and that the Record of Site Condition has passed the audit.

The applicant will be required to pay all costs associated with the City retaining a third-party review consultant to undertake a review of the submitted environmental reports/documents to ensure that the assessment/remediation has been conducted in a manner consistent with the information provided in the current Ministry of Environment Guidelines, and that soil and

groundwater conditions at the site are suitable for the proposed development. In connection with such costs, the applicant must submit a deposit of \$3,000.00 to cover the cost of a peer review. At the end of the review the City will request additional funds or return the remainder of the deposit depending on the actual cost of the review.

For further information regarding environmental reports and supporting documents contact Richard Saunders of Environmental Services at 416-338-5472.

Construction Permits

As mentioned earlier, any work to be carried out within the public right-of-way requires construction permits inclusive of temporary road occupation permits. For further information, the applicant should contact Right-of-Way Management Section, District 1, Construction Activities at 392-7877.

**Attachment 9
Draft Zoning By-law Amendment**

BY-LAW No. -2003

To amend By-law No. 438-86 of the former City of Toronto, as amended, respecting lands known as 340 Front Street West

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of the definition of *grade* in Section 2 and none of the provisions of Section 4(2), Section 4(12), Section 12(2) 246(a), Section 12(2) 246(c), By-law No. 438-86, as amended, being By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto, as amended, shall apply to prevent the erection and use of a mixed-use building on the lot, provided:
 - (1) the *lot* comprises the lands outlined by heavy lines on Plan 1 attached to and forming part of this By-law;
 - (2) no portion of the mixed use building above *grade* on the *lot* is located otherwise than wholly within the areas delineated by heavy lines and within the *height* limits shown on Plan 2 attached to and forming part of this By-law; but does not prevent the erection or use of:
 - (i) (i) a structure on the roof of the building, used for outside or open air recreation, safety or wind protection purposes, provided that the maximum height of the top of the structure is no higher than the sum of three metres and height limit applicable to the lot as delineated by the heavy lines shown on Plan 2;
 - (ii) no part of the structure is less than two metres from an adjacent outside wall or a vertical projection of the wall;
 - (iii) the structure does not enclose space so as to constitute a form of penthouse or other room or rooms
 - (ii) roof parapets and railings may extend up to 1.80 m above the height limits applicable to the lot as delineated by heavy lines shown on Plan 2;
 - (iii) cornices, balconies, bay windows, ornamental elements and vents may extend up to 0.90 m above the height limits applicable to the lot as delineated by heavy lines shown on Plan 2;

- (3) the development shall have a minimum of 500 square metres of outdoor amenity space and shall have a minimum of 700 square metres of indoor amenity space.
2. The *height* of the development permitted by Section 1 are permitted subject to compliance with the conditions set out therein and in return for the provision by the *owner* of the *lot* of the following facilities, services or matters to the City of Toronto, namely that the *owner* pay to the City before the issuance of the building permit in respect of the lot the sums of:
 1. \$100,000 for Public Art in the surrounding area;
 2. the conveyance of 3.0 m strip of land along the easterly boundary of the lot abutting the west side of Blue Jays Way; and
 3. \$350,000 toward the improvement of local parks in the immediate area, of which \$200,000 shall be payable to the City no later than 30 days after the Board's Order approving the settlement and the remaining \$150,000 payable upon issuance of the first building permit.

and enter into one or more agreements pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters required to be provided by this Section and the agreement or agreements have been appropriately registered against the title of the *lot*.

Attachment 10
Site Plan Approval Guidelines

The owners are advised of the following guidelines that will be applied by the Commissioner of Urban Development Services as part of the Site Plan Approval process:

- pedestrian-oriented uses, in particular street-related retail, should abut the street edges to provide interest at grade; interior entrances to such uses shall be minimized;
- sidewalks and adjacent open spaces and mid-block walkways should be designed to be usable year-round and enhanced through the use of street trees, pedestrian-scale lighting and appropriate landscaping including benches and bicycle parking racks;
- servicing areas should be located away from major pedestrian routes and screened from public view;
- the owner should pay for streetscape improvements on all public frontages (including but not limited to tree planting, lighting, bike racks and pavement improvements), and these improvements shall be designed to City standards;
- if the project is to be phased, an assumption must be made as to which portion of the project will be developed first, and appropriate interim landscaping plans must be provided with the Site Plan Approval application. If the owner later chooses a different phasing sequence, the approved interim landscaping plans may be amended.