

February 4, 2025

Memo to: Kaitlyn Graham, Project Manager, Development Planning
From: Sasha von Kursell, Parks Planning & Policy Coordinator
CC to: Michelle Dobbie, Manager Park & Natural Heritage Planning
File Numbers: OPA-24-0008 and ZBLA-24-0015
Official Plan Amendment and Zoning By-law Amendment
Related File: PRE-23-0038
Location: 24 Brookside Road
Owner: MONAGE CORP.
Applicant: Andrew Ferancik, WND Associates Limited.

Application:

A request for approval of Official Plan and Zoning By-law Amendment applications to permit a high-density residential development comprised of a 23 storey apartment building on a six (6) storey podium with a gross floor area of 17,015 square metres (183,148 square feet) and a density of 7.33 Floor Space Index, containing 207 residential apartment dwelling units and 186 parking spaces on the subject lands.

General Comment:

1. We continue to note, the applicant's consultants' reference and denote "agreed upon" limits of development and rely on past commitments from the TRCA in establishing the limits of development and buffers. The applicant has submitted a new development proposal and new applications for Official Plan and Zoning By-law Amendments, and these Planning Act applications will be reviewed under the current policy regime. Furthermore, although the TRCA provides technical expertise and have their own approval and permitting authority, the City is the approval for the Planning Act applications and is not bound to agreements, present or past, made between the applicant and the TRCA.
2. PNHP continues to disagree with the report's principle to "maximize the developable area on the site" to determine the limits of the features and buffers to the features. This tenet is contrary to the Environment First principal of the all the applicable legislation, policy and supporting background reports. The Natural Heritage Report should seek to avoid or minimize negative effects of development on the features, as well as seek to expand the extent and connectivity and improve the ecological function of the Greenway per the direction of applicable policy.

Official Plan and Zoning Bylaw Amendment Applications

3. The Natural Heritage Evaluation (NHE) provides observations regarding the vegetation community between the 2012 Significant Woodland edge and 2023 staked edge based on an October 2, 2024 site visit. The report estimates that native ground cover is approximately 10% of the area and the sited technical documents indicate that ten percent is the threshold to determine if the area should be excluded. It is unclear from the report whether the native tree species in this area cover less than 10% of the ground and represent less than 100 stems of any size per-hectare, or more, and the NHE should provide conclusive evidence to support the on-site observations.

4. The NHE notes the presence of non-native invasive species and should include recommendations to improve the overall health and quality of the woodland by proposing strategies to increase the population of native species and reduce the presence of invasive and non-native species.
5. The City does not have a “Buffer Averaging” policy and cannot support a buffer of less than 10m to the edge of the Significant Woodland. All development should be outside the 10m Buffer.
6. The NHE notes there is a “considerable amount of garbage” in the woodland. The NHE should include recommendations to remove the garbage.
7. The NHE notes a small pocket where wetland conditions are present, the City’s OP includes policy to protect all wetlands regardless of size or designation. The report should provide further details on the wetland and the protection measures needed to preserve this feature.
8. The NHE provides a recommendation for replanting based on the number of trees that are proposed for removal within the proposed buffer. The compensation for tree removals will be based on the City’s tree compensation methodology. The tree compensation will be in addition to the restoration of the buffer and woodland.
9. The Agency Consultation section of the NHE is outdated and should only include the consultation relevant to the current applications.
10. The development, as shown, proposes a 0 m setback along the western edge where the development will abut the natural heritage system. PNHP staff note that the applicant should include space within the development limits to allow for construction access to the building’s subsurface and above ground structures as the City does not support disturbances within the NHS.
11. We note a drawing showing tiebacks, piers and other engineering elements needed to construct the subsurface structures was not included with the submissions. Please note, the City does not allow tiebacks, piers, etc. to encroach into the natural heritage lands. The applicant’s consultants should ensure the building can be constructed without using tiebacks along the western edge of the development.
12. The Updated Flood Hazard Analysis report appended uses the TRCA’s historic flood mapping, the report should be updated to use and include the most current mapping.
13. The proposed development will either injure or obliterate trees that are either co-owned or on the neighbouring properties. Please note that the City’s review of this report does not authorize the applicant to injure or destroy a co-owned/boundary tree or tree on the neighbouring property without obtaining the consent of the neighbour tree owner or boundary tree co-owner. It is the applicant’s responsibility to obtain necessary consent from the neighbour to injure their trees. We will need a copy of the consent for trees 426 and 425 for our files prior to approving the zoning.
14. A minimum soil volume of 30 cubic metres per tree and a minimum 1.5 metres of topsoil is required in landscape beds over the proposed underground parking structure.
15. The Zoning By-law Amendment should seek to increase the available space within the site at grade for tree planting and other landscaping.

Advisory Comments:

16. The applicant will be required to convey the Natural Heritage Lands to a public agency through the site plan application, per Policies 3.2.1 (8) and 3.2.2.3 (8) of the City’s Official Plan.

17. The applicant will be required to install a 1.5 m high black vinyl chain link fence within the Natural Heritage Lands where it abuts the limits of development - see the City's Standards and Specifications Manual, which is available online, for the fence detail.
18. The applicant will be required to submit a landscape plan that implements the recommendations to improve the ecological quality of the natural heritage lands.
19. Prior to conveyance of the Natural Heritage Lands, the applicant will be required to remove any dead or hazardous trees from the lands.
20. Prior to conveyance of the Natural Heritage Lands, the applicant will be required to remove all man-made structures, old fencing, garbage, debris, etc. from the lands that will be conveyed.
21. We note the Environmental Site Assessment (ESA) and RSC indicates the intended property use is "residential". Please provide confirmation that the Natural Heritage Lands also meet the standards for the intended use.

I trust this is of assistance. Should you require any further information regarding our comments, please contact the undersigned.

Sincerely,

SIGNED

Sasha von Kursell MURP, MCIP, RPP

Parks Planning & Policy Coordinator

Parks & Natural Heritage Planning

Planning and Building Services