

**RE: TE4.7          Request for Direction - 580 to 592 Kingston Rd.****Councillors,**

The City went to court in 1990 to represent residents to confirm designation of this ravine. At that time the City and constituents WON A POSITIVE DECISION AT THE OMB.

The City's Official Plan calls for enhancement to ravine lands by any development, but this project will cause the physical removal of a segment of this ravine, which will be trucked away.

The staff report also asks the applicant to provide a geotechnical report on slope stability, erosion, seepage, substrate issues, a report on forestry issues, a revised Stormwater Management Report, a Site Servicing Plan, and a Site Grading Plan, and many other explanations. It flags a total of 43 ways that the application is inadequate. These 43 explanations should come before a supportive report is provided.

Seven very serious problems are related to Water, 5 are related to forestry. My understanding is that there were originally 48 problems. So far the applicant has only been able to provide answers for 5 of them.

As of about a week ago, staff were awaiting revisions to geotechnical reports, revisions to the Tree Protection Plan, the Ravine Stewardship Plan; and a peer review of the stormwater management plan.

The applicant simply has NOT provided staff with a complete application as required under Bill 51 of the Planning Act. And solutions to 43 problems seem impossible within the site's limitations.

At the Community Council meeting last week the conversation did not seem to centre on the inadequacy of the Developer's application or the legitimate concerns about the ravine and the storm water concerns of neighbouring residents.

Instead there was a lot of discussion suggesting that if the Developer was successful at the OMB, then the OMB was likely to completely ignore the 43

concerns raised by staff in its report that are already on record. The OMB might also ignore all of the concerns raised by the residents and their lawyers too.

I think the OMB is charged with weighing all the evidence on record and rendering a verdict. The residents have a right to have 43 legitimate concerns from the City staff presented and SUPPORTED at the OMB.

The existing reports from the applicant suggest there are storm sewers on Kingston Road. The staff report states that there are NO storm sewers there.

Water generally runs downhill, so the storm sewer system which will carry the load for any run-off will be the system in the bottom of the valley beneath Glen Davis Drive. This system is currently operating beyond its capacity.

The staff report hints at this serious problem when it asks that the applicant's revised reports provide "...all calculations in determining the water balance."

The geotechnical information does not provide a water table analysis. Recent soil samples were taken using hand augers, for a building to be built on sandy wet soil on the side of a ravine.

And It may be that the developer's report overestimated existing stormwater runoff.

The staff report asks for a solution for servicing the soakaway pit. The applicant is depending heavily on this pit to answer most of the storm water concerns. But this soakaway pit cannot be serviced under the current plan, which provides no access to it, due to the very difficult limitations of the site.

The proposal is to build essentially an 8-storey building on a street which the Official Plan designates for 4-storey buildings. It would be erected on sandy soil on a sloping ravine with constituents living below it. The site is also in a parkland priority area, under By-law 1420-2007.

Supplied shadow studies were also incomplete and those that were supplied, are not at all encouraging.

The zoning in the area permits a density of **1.0**, but **2.55** is proposed. It permits 4 storey buildings but 6 or more storeys are proposed. The height limit is **14** metres. The proposed building would be **18.6** metres. It would exceed the Official Plan by **33%** at the front and about **70%** at the back.

IN 1990 This City and this group of neighbours were successful at the OMB protecting parkland, protecting their ravine and protecting against flooding around their homes. These residents have a right to expect City Council to consider carefully whether 43 unanswered problems with a development make for a complete development application.

They deserve to have 43 legitimate concerns presented and SUPPORTED at the OMB, EVEN IF IT MEANS OPPOSING a staff report that inexplicably supports this development.

I urge you to support an amended motion in which City legal will work with constituents to OPPOSE this development at the OMB.

## **TE4.7**

### **Request for Direction - 580 to 592 Kingston Road**

#### **COUNCILLOR MCMAHON MOTION AMENDMENT**

1. City Council authorize the City Solicitor and necessary other parties to attend at the Ontario Municipal Board hearing to OPPOSE the Official Plan Amendment, Zoning By-law Amendment and Site Plan Approval applications for 580 to 592 Kingston Road.
2. City Council authorize the City Solicitor and necessary City staff to take such necessary steps to implement the foregoing.