

**Reply Witness Statement of
Mark Sterling, BES, B.Arch., OAA, MRAIC, MCIP, RPP**

**2376 Dundas Street West
CITY OF TORONTO
Zoning By-law Approval and
Site Plan Approval Applications
O.M.B. Case No. PL121287**

Prepared for:

Dun West Properties Ltd.

Dun West Properties Ltd. has appealed to the Ontario Municipal Board under subsection 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law No. 438-86 of the former City of Toronto to rezone lands respecting 2376 Dundas Street West to permit the development of an 8-storey mid-rise mixed-use building and a 23-storey tower.

6 September 2013

**WITNESS STATEMENT OF
Mark Sterling, MCIP RPP OAA MRAIC**

1. I have reviewed the Witness Statements of Dan Nicholson, Janet Lee and Anne McIlroy.
2. Paragraph 23 of Ms. Lee's Witness Statement refers to shadows that would be cast by the proposed development in the "*Mar21/Sept 21*" period on "*approximately 22 Neighbourhood properties to the northeast of the site at 8:18am located on Wanda Rd, Dorval Rd, Chelsea Ave and Prince Rupert Ave.*"
3. The properties to which Ms. Lee refers are to the north west of the site.
4. The period of time to which Ms. Lee refers: 8:18am is not a time of day for which shadow impacts are typically analysed in the City of Toronto. The City of Toronto's Sun/Shadow Study Terms Of Reference as updated in 2012 (viewed on 04 September 2013 at <http://www.toronto.ca/developing-toronto/pdf/sun.pdf>) indicate that "*Sun/Shadow tests should be done for March 21 and September 21 at the following hours: 9:18 a.m., 10:18 a.m., 11:18 a.m., 12:18 p.m., 1:18a.m., 2:18a.m., 3:18 p.m., 4:18 p.m., 5:18 p.m., and 6:18 p.m. These times allow for the measuring of hours of sunlight windows as described in the Sun, Wind and Pedestrian Comfort Bosselmann/Dunker study.*"
5. In my opinion the reason that Sun/Shadow Studies are not carried out at 8:18 am is that at that time of day even existing low rise buildings in the Neighbourhoods cast relatively long shadows onto adjacent areas of the public realm, onto adjacent properties and open spaces and in many cases onto their own open spaces. As a result, there is no useful information on incremental increases in shadows to be gleaned from studies at this particular time of day.
6. Also in paragraph 23 Ms. Lee states that "*At 5:18 and 6:18pm, 5 houses are shadowed across the rail corridor to the east in the Neighbourhood on Perth and Symington Ave.*"
7. I am unaware of any incremental increase in shadows on properties to the east at 5:18pm in either the September or March periods – based on my review of the shadow studies prepared by Urban Strategies the most recent of which is dated 03 September 2013. There is an incremental increase in shadow at 6:18pm this is located primarily on the street in front of townhouses on the south side of Rankin Crescent and the side yards of properties facing onto Symington Avenue and onto Rankin Crescent.

8. In any event, in my opinion, the metric that Ms. Lee employs in her analysis of “*Shadow Impacts to Neighbourhoods in the morning and evening*” – counting the number of properties that receive additional shadow at any of the times or locations to which she refers in her analysis in paragraph 23 is not useful in measuring what impact from the additional shadow there may be, if any.

All of which is respectfully submitted:

A handwritten signature in black ink, appearing to read "Mark Sterling". The signature is written in a cursive, slightly slanted style.

Mark Sterling, OAA, MRAIC, MCIP, RPP

6 September 2013