

TORONTO STAFF REPORT

March 21, 2006

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Subject: Final Report
Rezoning Application 05 112029 ESC 44 OZ and
Plan of Subdivision Application 05 112043 ESC 44 SB
Proponent: Women Religious Project Neighbourhood Housing
4331 Lawrence Ave East (southeast of Hainford Street terminus)
Ward 44 - Scarborough East

Purpose:

This report reviews applications to amend the Zoning By-law and a proposed Plan of Subdivision to permit the development of 68 semi-detached dwelling units (Attachment 1) on City lands located at 4331 Lawrence Avenue East, southeast of the Hainford Street terminus. The report recommends approval of the proposal with modifications deleting 8 dwelling units, to permit the development of a total of 60 semi-detached dwellings, as shown on the revised Subdivision Plan (Attachment 7) prepared by Planning staff.

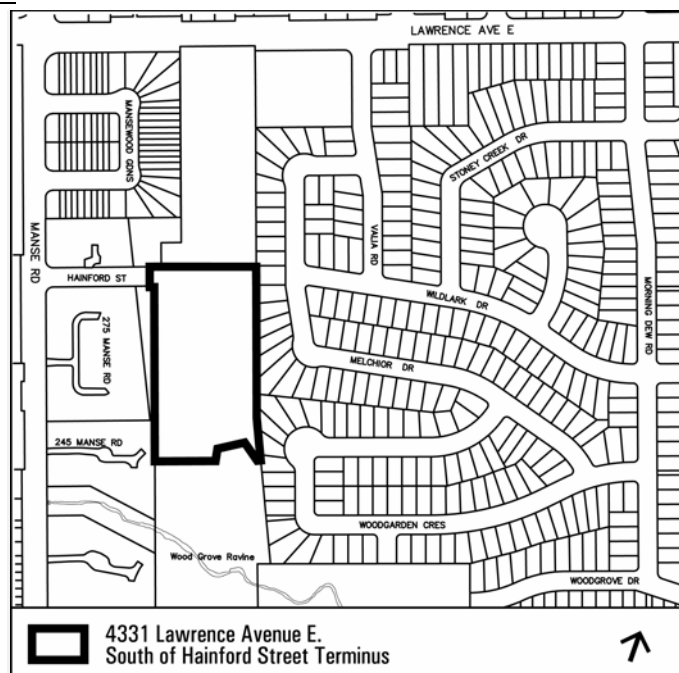
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law for the West Hill Community substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8;



- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
- (3) recommend to the Chief Planner that the draft plan of subdivision, as modified by staff, be approved generally as illustrated on Attachment 7 – Staff’s Recommended Plan of Subdivision, subject to:
 - (a) the conditions as generally listed in Attachment 9, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration of any phase thereof; and
 - (b) such revisions to the proposed plan of subdivision or such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development; and
- (4) request Urban Forestry staff to begin discussions with the Toronto & Region Conservation Authority regarding an appropriate replanting proposal for the City lands located south of Danzig Creek.

Background:

Site History

The subject lands were designated ‘Residential Neighbourhood Uses’ in the original 1957 Scarborough Official Plan. Through Official Plan Amendment No. 47 adopted by Scarborough Council in February 1962, however, a future transportation corridor (then referred to as the Lakeshore Expressway, part of a larger network of planned expressways approved by the former Metropolitan Toronto) was established through the West Hill Community Secondary Plan area. The new route was intended to link the Gardiner Expressway downtown and Q.E.W. to the west with Highway 401 to the east.

Notwithstanding this particular change to the Plan, the original West Hill Community Zoning By-law No. 10327 was also enacted at the same February 1962 Council meeting, establishing Single-Family Residential zoning on the subject and neighbouring lands, generally requiring a minimum lot frontage of 12.2 m (40 ft.) and minimum lot area of 464 square metres (5,000 square feet).

In subsequent years, Metro Toronto proceeded to acquire significant portions of the new corridor, now referred to as the Scarborough Expressway (Scarborough Transportation Corridor, or STC), through purchase and/or expropriation, including substantial portions of the corridor in Scarborough including the subject lands.

Planned expressway extensions through Toronto fell into disfavour and generated heated public debate through the 1970’s and early 1980’s. In 1984 the former City of Scarborough commenced a comprehensive study of the STC and adopted Official Plan Amendment 643, which replaced the STC with a Special Study Area designation. It was not until Metro Toronto

withdrew its appeal of that redesignation that Planning staff were in a position to undertake the phased series of detailed studies for the entire corridor.

The corridor lands in the vicinity of Lawrence Avenue East and Manse Road were included in the Phase 1 study, which was undertaken in the mid 1990s. There was public participation, including the establishment of a community working group, which met on numerous occasions. On May 27, 1997 Scarborough Council adopted the findings of the study and again designated the lands Low Density Residential through Official Plan Amendment 983. The Single-Family Residential (S) zoning of the lands was amended by By-law 25138 on June 10, 1997, to provide for one dwelling per lot on a registered plan, with a holding provision relating to further development. Through this same Official Plan Amendment, the land use map for the West Hill Community was amended by extending the Open Space designation along Danzig Creek, introducing a Neighbourhood Park designation on both sides of Coronation Drive, and by introducing the provision for a walkway from Lawrence Avenue south to the Canadian National Railway line at the bottom of Manse Road.

The City land between Lawrence Avenue and the ravine has remained largely vacant until City Council on October 1, 2 and 3, 2002 approved an application by the City of Toronto to amend the West Hill Community Secondary Plan and Zoning By-law to permit a combined police station and ambulance facility on the south side of Lawrence Avenue East, east of Manse Road, immediately north of the subject site (Attachment 2 – Part 1). The site plan for that development was finalized in December of 2004 and the facility is now open.

Women Religious Project Neighbourhood Housing (WRP) approached the Let's Build program, now the Affordable Housing Office, expressing an interest in developing an affordable ownership initiative on City-owned property. The Affordable Housing Office identified the subject property as a possible site for development (Attachment 2 – Part 2). City Council on June 22, 23 and 24, 2004 considered Report 5 of Policy and Finance Committee containing three reports that responded to Council decisions regarding the disposition of this site.

The Clause 3 report from the Chief Administrative Officer, adopted without amendment, reported on the feasibility of WRP's affordable home ownership project on the subject lands, appropriate business arrangements between WRP and the City, and the need for usual development approvals.

The Clause 4 report from the Commissioner of Corporate Services (Real Estate) recommended that the subject lands be declared surplus and offered to WRP, subject to Council approving the feasibility of the affordable housing project. The status of these negotiations will be reported on separately by the Affordable Housing Office in a separate report to Policy and Finance Committee.

Lastly, the Clause 2 report from the Chief Administrative Officer reported on the results of working group meetings with area residents ("Report on the Wood Green Ravine Working Group Process"). The report recommended Council commit to the affordable housing development on this site and advised that matters such as tree preservation and connection to the ravine should be addressed through the development review process, which will be discussed

later in this report. The WRP development applications were subsequently submitted to the City in March of 2005.

A Preliminary Staff Report was considered by Scarborough Community Council on May 3, 2005 outlining the details of the original application consisting of a total of 76 units with a mix of townhouses and semi-detached units. At that meeting Community Council adopted recommendations directing staff to schedule a community consultation meeting together with the Ward Councillor, and that the notice for the Public Meeting be given in accordance with the regulations under the Planning Act. Community Council amended the notice area for the community consultation meeting by expanding it to the area of Lawrence Avenue East to Coronation Drive and Homestead Road to Morning Dew Road, with the costs to be borne by the applicant. Community Council also added recommendations directing staff to: conduct further community consultation meetings should the Ward Councillor deem them to be necessary; work with the applicant to reduce the density so that it conforms to the West Hill Secondary Plan which allows for low density residential detached and semi-detached homes on site; and that prior to scheduling of the community consultation meeting, staff create a site plan consistent with City Council's unanimous direction to preserve as many trees as possible.

Proposal

The development applications submitted in March 2005 proposed 76 residential housing units on approximately 2.15 hectares of City owned vacant land. The proposed units were comprised of 24 semi-detached dwellings, located at the eastern most edge of the site abutting existing single-detached dwellings and a total of 52 townhouse units occupying the remainder of the site.

Following community consultation, a revised development proposal was submitted to the City in September 2005 proposing a total of 34 lots with 68 residential housing units. The proposed dwelling units are all semi-detached dwellings with a floor area of approximately 130 square metres (1,400 square feet). All proposed residential dwellings are 2-storey freehold units, each with 2 parking spaces consisting of one enclosed garage space and a second tandem space located in the driveway. Access to the subject property would be achieved through the extension of Hainford Street eastward. The proposed new road for the development is a 16.5 metre (54 feet) public right-of-way. At this same time, the applicant requested withdrawal of the application to amend the Official Plan as it was no longer required due to the deletion of the townhouse units.

This site has been identified for the development of affordable housing pursuant to the Council approved Housing First Policy. WRP Neighbourhood Housing and Habitat for Humanity have formed a partnership in order to facilitate this affordable ownership housing proposal. Under this partnership, 25 percent of the units would be built by Habitat for Humanity for affordable housing using a volunteer labour approach, no more than 25 percent would be WRP market housing units, and no less than 50 percent would be WRP affordable housing units. WRP has retained the Daniels Group to construct its units.

Further project information and details are contained on the attached Plan of Subdivision, Elevations/Floor Plans and Application Data Sheet (Attachments 1, 3, 4).

Site and Surrounding Area

The subject site is approximately 2.15 hectares in size, it is currently vacant and comprises a part of larger City lands (Attachment 2 – Part 2). The property is known municipally as 4331 Lawrence Avenue East and has many trees and vegetation located throughout the entire site.

The land to the north of the subject site is occupied by the new 43 Division Police Station and 26 Station Ambulance Facility (Attachment 2 – Part 1), while the land to the south is a vacant natural open space and park area, known as the Woodgrove Ravine which includes a portion of Danzig Creek (Attachment 2 – Part 3). To the immediate west of the site is a vacant triangular shaped property that is privately owned and just west of this parcel is a residential townhouse development zoned Multiple-Family Residential (M). To the east of the development site there are single-detached residential homes zoned Single-Family Residential (S). The Heron Park Community Centre is located nearby at the southwest corner of Lawrence Avenue and Manse Road.

Scarborough Official Plan

The site is designated as Low Density Residential within the West Hill Community Secondary Plan (Attachment 5). This designation permits detached and semi-detached dwellings. The secondary plan also identifies a public walkway passing through the site.

Residential Goals within the Official Plan speak to promoting a diversity of residential environments within the City, to meet the needs of the City's diverse age, income and social groups and lifestyles. The provision of an adequate supply of housing in an appropriate mix of densities, unit types and cost shall be encouraged.

Official Plan policies provide that Council maintain the stable residential character of existing neighbourhoods and communities. New development proposals shall have regard for compatibility with adjacent land uses and designations, particularly with regard to dwelling unit type, density and height.

Policies also encourage the provision of sufficient housing to meet the City's share of the need for housing for lower income households.

Affordable housing policies of the Scarborough Official Plan call for providing a full range of housing to meet the needs of Scarborough's population which will promote a healthy relationship between housing supply and demand. In order to enable at least 25% of new housing to be affordable housing, the plan provides that Council will pursue maintaining a healthy supply of sites planned and zoned for housing, but not yet developed; ensure that development standards, including minimum unit sizes and parking requirements, remain reasonable; and consider reducing parking requirements, provided that adjacent activities, neighbourhoods, and public streets are adequately protected.

The south end of the site abuts the Woodgrove Ravine. This ravine area is designated as Open Space and is subject to Environmental Impact Zone (E.I.Z.) and Ravine Protection policies. Open Space areas enhance the urban environment by providing separators or “breathing spaces” for active or passive recreational use or simply for visual enjoyment. Lands within an E.I.Z. will be subject to environmental protection measures for the stability of slope, storm drainage and setbacks from the top of bank. Development within, or abutting, a ravine or watercourse outside the E.I.Z. shall have regard for the natural environment with respect to slope stability, storm water drainage, vegetation and setbacks from the top of the bank.

New Toronto Official Plan

At its meeting of November 26, 27 and 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 Plan is now before the Ontario Municipal Board. The hearing commenced on June 13, 2005 and will continue on March 27, 2006.

Once the Plan comes into full force and effect, it will designate these lands as “Neighbourhoods”, which are physically stable areas providing for a variety of lower scale residential uses. Policies and development criteria aim to ensure that physical changes to established Neighbourhoods will be sensitive, gradual and generally “fit” the existing physical character. New development will respect and reinforce the general physical patterns and character of established Neighbourhoods, with particular regard to the size and configuration of lots, heights, prevailing building types and patterns of front, side and rear yard setbacks, and landscaped open space.

Housing policies within the new City of Toronto Official Plan call for providing and maintaining a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods to meet the current and future needs of residents. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

The Plan provides that where appropriate, assistance will be provided to encourage the production of affordable housing either by the City itself or in combination with senior government programs and initiatives, or by senior governments alone. Municipal assistance may include in the case of affordable ownership housing provided on a long term basis by non-profit groups, especially low rise family housing, measures such as: land at or below market rate, fees exemption and other appropriate forms of assistance.

The Danzig Creek ravine area to the south of the development site falls within the City’s natural heritage system (NHS). The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions. The impacts of new development in areas near the natural heritage system are to be carefully assessed. Where the underlying land use designation provides for development in or near the NHS, development will: recognize natural heritage values and potential impacts on the natural ecosystem as much as reasonable in the context of other objectives for the area; and minimize adverse impacts and when possible, restore and enhance

the natural heritage system. All proposed development in or near the NHS will be evaluated to assess the development's impacts on the NHS and identify measures to mitigate negative impacts on and/or improve the natural heritage system.

Zoning

The subject land is zoned Single-Family Residential (S) Zone with a Holding (H) provision (Attachment 6). The underlying single-family zoning category permits single-family dwellings, however, the holding provision does not allow the subject land to be used for any purpose in that zone category until the (H) is lifted. There is an exception that applies to this land allowing only passive recreation and a bicycle path prior to the removal of the (H).

The Zoning By-law specifies that the Holding (H) provision may only be removed when a Draft Plan of Subdivision has been submitted to the satisfaction of Council, and when such matters as road improvements, infrastructure and servicing have been satisfactorily addressed. Furthermore, the zoning by-law states that the Draft Plan needs to provide pedestrian linkages, ensure compatibility with existing development and preserve the wood lot surrounding Danzig Creek, which is located south of the site.

Site Plan Control

The subject parcel does not fall within an area subject to site plan control approval. Additionally, Official Plan policies exclude single-detached and semi-detached dwelling types from site plan control.

Ravine Protection

The property does not fall within an area subject to Ravine Control. The abutting lands to the south (Part 3 – Attachment 2) in and around Danzig Creek do fall within a ravine protection area.

Tree Preservation

There are trees and vegetation located throughout the entire lands. The applicant has submitted an arborist report and tree preservation plan, which has been reviewed by Urban Forestry staff and is discussed later in this report.

Reasons for the Application

Single-family residential uses are permitted on this property subject to the removal of the holding provision and addressing certain matters related to the hold. A Zoning By-law Amendment is required in order to permit semi-detached dwellings, to implement the necessary zoning standards to regulate the new development and to permit development without a holding designation. The plan of subdivision is necessary to create the proposed new lots, blocks and for the extension of Hainford Street and the creation of a new public street. The applicant will also be required to submit an application for Part Lot Control or Consent in order to create the individual land parcels for semi-detached dwellings.

Community Consultation

A Community Consultation Meeting was held on Tuesday, June 28, 2005 to present and discuss the proposal for 76 units consisting of 52 townhouses and 24 semi-detached dwelling units. As per Community Council's amended recommendations, notice was given to those within the area bounded by Lawrence Avenue East to Coronation Drive and Homestead Road to Morning Dew Road. Approximately 150 members of the public attended along with the Ward Councillor, Toronto & Region Conservation Authority staff, representatives from the neighbouring 43 Division Police Station, various City staff, and the applicant's team.

There were a number of issues raised by residents at the community consultation meeting. One of the main issues of concern was the loss of trees on site, which residents believe would negatively impact the community. Residents expressed that the loss of tree canopy would reduce the air quality in the immediate area because of the close proximity to the heavy industries located to the south in the Coronation Drive Employment Area. Residents wanted to know why an alternate site had not been selected without as many trees because the removal of all trees from this site would result in the loss of natural habitat for wildlife living in the area.

Concern was expressed that the lot sizes being proposed were too small resulting in limited or no opportunity for tree replacement planting. Residents were of the opinion that replanting small trees would not adequately compensate for the removal of larger more mature trees.

Residents commented that there were rat problems within the area during the construction of the new 43 Division Police / Ambulance Station.

Residents wanted to know what the proposed 'dry pond' was and how dry ponds operated. Residents wanted to know if the dry ponds could become breeding areas for mosquitoes and west Nile virus, particularly with the loss of bat habitat in the area. Residents asked if there were any safety related issues for area children when the ponds would have water in them.

Residents who abut the site have commented on how their backyards and basements experience wetness when it rains, particularly in the spring.

Concerns were expressed over the potential for traffic problems as a result of this development. The signalized intersection of Manse Road and Lawrence Avenue was cited as having long wait times and as being prone to accidents. Manse Road was identified as having significant amounts of traffic when the schools in the area are operating and as a result of truck traffic from the factories to the south.

Residents were concerned about separation and privacy from the proposed new development from their existing homes. Particular concerns were expressed over the rear yard setbacks and 10.5 metre (34 feet) height of the proposed dwellings.

Concerns were raised with respect to safety in the area and that adding additional homes and walkways to parks could result in safety issues if not designed properly.

Planning received approximately 40 letters of concern and objection to the original 76 unit proposal from area residents. Issues raised in the letters are reflective of those from the community consultation meeting discussed above. Additional issues identified from letters include concerns over how the storm water detention ponds on the police station lands contain water, and how there is water ponding on the development site.

Area residents did not feel that the proposal presented was compatible or fit with the existing neighbourhood, and wanted to see the lands remain vacant or converted into a City park. Some residents suggested that if any development were to even be considered on this property, it should be single-detached dwellings on larger lots.

Concerns were expressed that the schools were presently at capacity and overcrowded, and residents wanted to know what impact the proposed development would have on area schools.

Some area residents did not approve of the proposed walkway in the form of a sidewalk through the new development and wanted to see it along the eastern edge of the property abutting the existing rear yards. Residents to the east of the site want to be able to open their backyard gates and have direct access to the walkway and the subject lands. A portion of the subject land appears to be manicured and maintained by area residents.

Residents wanted to know if it was possible to adequately provide water and sewer service to the proposed new development without negatively impacting the service to the existing surrounding neighbourhoods.

Residents from the abutting townhouses to the west expressed concern about residents of the new development walking through their rear yards as a short-cut to Manse Road. Also, there were comments made suggesting that the area had poor public transportation and that the approval of any development in the immediate area would add to that problem.

Some area residents are concerned about the impact of permitting additional homes north of the Coronation Drive Employment District. Questions were raised as to how this would impact evacuation procedures should a serious accident occur within the employment area. In particular, one of the industries in this area expressed concern over added traffic and removal of trees.

The President of the Manse Valley Community Association also put forward a submission on behalf of the community association, which commented extensively on the applicant's original proposal for 76 units. The submission highlights many concerns and strongly objects to the proposed development. The association's position is that the site should remain in a natural state and that any development on this site is inappropriate resulting in a negative impact on the community. The complete submission is on file and available in the Planning Department. Some of the issues raised through the submission were as follows:

- (i) Seamless Development – Concerned that small homes and lots do not provide any quality of life for the new residents, and encroaches on privacy of existing residents.

- (ii) Green Space Protection – The proposed development would preclude retention of most of the trees on-site and proposed tree replanting would not make up for the loss of all trees and vegetation on site.
- (iii) Flooding & Highland Creek Impact – There are ground water problems in the area and the proposed development will only make matters worse. During snow melt or during heavy rain water will find its way onto adjacent properties, into Danzig Creek and then into Highland Creek.
- (iv) Walkway Connection – Concern that the walkway has been routed through the new subdivision and that existing residents to the east will not have direct access from their backyards.
- (v) Traffic Flow – Concerns that the additional vehicles using Hainford Street and Manse Road will add to the traffic problems and present safety problems to school children and during any emergency evacuation.
- (vi) Recreational Facilities –Residents would lose this property as a recreational space. The WRP development does not have a park or playground as a component of the development.

Following the June 28, 2005 community consultation meeting, and in response to concerns and issues raised by the local community and the Ward Councillor, the proposal was revised by reducing the number of dwelling units and removing the townhouses. The applicant submitted a revised proposal for a total of 68 semi-detached units on September 28, 2005.

On January 11, 2006, WRP and members of their consultant team met with members of the Manse Valley Community Association Executive, the local Ward Councillor and Planning staff to discuss the revised 68 unit proposal. At that meeting, and as per Scarborough Community Council's added direction requesting further community consultation be conducted if deemed necessary by the Ward Councillor, it was requested that an additional community consultation meeting should be scheduled to present the revised 68 unit semi-detached proposal to the community and obtain their comments.

A second Community Consultation Meeting was held on February 15, 2006. Approximately 130 residents attended along with the Ward Councillor, various City staff, Toronto & Region Conservation Authority staff, a representative from the neighbouring 43 Division Police Station, and the applicant's team.

Concerns raised at the second community consultation meeting were similar to and in keeping with those raised at the initial consultation meeting. The main issue once again was the preservation of this site as green space. Residents commented that there was wildlife in the area, including white tailed deer, and that the loss of this site would negatively impact the wildlife.

Traffic and the impact of the new development were raised as an issue, including traffic volumes, types of vehicles, and the operation of the Manse/Lawrence intersection. There was concern regarding area traffic and safety as it relates to evacuation of the area in case of a serious accident within the employment district to the south.

Water ponding problems on the development site and existing drainage problems off site being experienced by abutting homeowners was raised as an issue.

There was concern from some area residents about the comments received from the Toronto & Region Conservation Authority and that the applicant had not addressed these matters. Issues raised in the TRCA comments related to ecology, groundwater impacts and stormwater management.

One area resident asked WRP if they would agree to remove the 8 units at the south end of their plan in order to reduce the overall unit count and preserve trees and vegetation in that area.

Area residents wanted to know why WRP has not explored other sites that have been suggested to them for development of affordable housing as alternatives to this site.

Residents had questions related to the sale of the land by the City to WRP, selection criteria for those families moving in, the cost of the new homes and how these units would be secured as affordable in the long term.

Planning received approximately 9 letters of concern and objection to the revised 68 unit proposal from area residents after the February 15, 2006 community consultation meeting, which included many of the concerns outlined above.

Agency Circulation

The applications were circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

During the review of the applications, residents have expressed that this property is important to the local community as it serves as a place where neighbours meet within the community, a recreational space, and a place where residents can enjoy the natural environment. The proponent, WRP Neighbourhood Housing, has indicated that their goal is to provide affordable housing compatible with the established community. Each dwelling unit is important to WRP as it provides one more additional family with a home and a place to live. There has been extensive community consultation with all stakeholders. Participants in this process have been very involved and passionate about the issues.

This is an infill development site that has been anticipated for residential development in the Scarborough Official Plan and new Toronto Official Plan. This has been reaffirmed by Council when the lands were declared surplus and committed to affordable housing development. Staff has been working with the applicant, the community and the local Ward Councillor in order to try and find a balance between competing interests and still provide for an appropriate development. Planning staff has considered the extensive input from the community, held consultation with various stakeholders and has completed its evaluation of the WRP proposal.

As a result, planning staff are recommending approval of the proposal, but with a modification to the plan of subdivision, which deletes 8 units at the south end of the site abutting the existing ravine. It is staff's opinion that the deletion of these units provides for an appropriate development of the lands. The objectives achieved by deleting these 8 units includes: preserving an open space area for tree replanting and preservation; retaining these lands in public ownership and consolidating them with the ravine to the south also owned by the City; and non-privatization of the ravine area with individual backyards. These objectives help to mitigate environmental impacts resulting from this development. The applicant has indicated that they are not in agreement with the modifications to the plan of subdivision proposed by staff. They have advised that it would render the project financially unfeasible. The reasons for planning staff's recommendations are outlined in detail in the following sections of this report.

Tree Preservation & Open Space

The issue that seemed to be the most important to residents at community meetings, through letters, and e-mails was the need to protect the existing open space and trees on site. Residents view this site as a very important part of their community.

The arborist report submitted by the applicant and dated February 2005 indicates that there are approximately 1,267 trees of various sizes on the subject site. Included in this total tree count are approximately 126 Staghorn Sumach which Urban Forestry considers to be large growing shrubs rather than trees. Taking this into consideration, the total number of trees on site would be approximately 1,141. This total number includes all trees ranging in size from less than 1 centimeter in diameter to 61 centimeters in diameter. A number of the trees that are regenerating on site are located very close together and if left, not all will survive. While maturing and competing for resources, natural selection will result in the death of some of these trees.

The Private Tree By-law regulates injury or removal of privately owned trees which measure 30 centimeters in diameter or more as measured 1.4 metres above ground level. The By-law does not protect trees that are less than 30 centimeters in diameter. Of the total number of trees on site, there are 32 trees that qualify for protection under the City's Private Tree By-law. There are 7 trees that have been identified as being in poor condition, which would leave 25 trees in good condition that are subject to the Private Tree By-law. These trees are scattered throughout the site. There are an additional 5 trees within 6 metres of the subject lands on adjacent private property to the east of the development site that are also protected under the Private Tree By-law.

The applicant has indicated that they would be preserving 2 trees on site that qualify for protection under the Private Tree By-law, one of which is located within the rear of proposed Lot 28 and the other is located within Block 36 to be used as a walkway connection (Attachment 1). The remainder of the 30 trees subject to the Private Tree By-law would be removed, as well as all other trees on site. Urban Forestry practice requires the applicant to provide 3 replacement trees for every tree removed under the Private Tree By-law. The applicant would be required to replant approximately 90 trees, above and beyond any public boulevard tree planting requirements. The applicant's most recent landscaping plan provides replacement tree planting at approximately a 1:1 rate for a total of 32 trees. The tree preservation and on-site replanting proposal by the applicant does not meet Council's direction outlined in Policy and Finance

Committee Report 5, Clause 2, considered by City Council on June 22-24, 2004, to preserve existing vegetation on the development site and provide for planting of replacement vegetation within the development.

Notwithstanding that a total of 32 trees qualify for protection under the Private Tree By-law and that the site does not fall within an area protected by the Ravine By-law, the City has taken a holistic approach to reviewing the value of this site as a natural area enjoyed by local residents and as a home to wildlife. The 'Report on the Wood Green Ravine Working Group Process' that went to Policy and Finance Committee as Report 5, Clause 2, consisted of recommendations specific to the preservation and planting of vegetation. The report recommended that through the development review process City staff should pay specific attention to, "the preservation of existing vegetation on the development site where practical and feasible" and "requirements for the planting of replacement vegetation within the development". Furthermore, when the Preliminary Staff Report was considered on May 3, 2005 by Scarborough Community Council, staff was directed to preserve as many trees as possible.

The recommended deletion of the 8 semi-detached units located at the south end preserves approximately 0.15 hectares (0.36 acres) of natural area allowing for a number of tree preservation and replanting opportunities that do not exist with the applicant's 68 unit proposal. The preservation of this area in its natural state would also allow for the protection of approximately 164 existing trees ranging in size from less than 1 centimeter in diameter to 32 centimeters in diameter. This area would preserve 19 trees that are 10 centimeters or greater with one significant tree to be protected under the Private Tree By-law, a 32 cm diameter ash tree, located between proposed Lots 14 and 15 (Attachment 1). This area also has the potential for planting approximately 450 trees of a variety of species and sizes. There are also many young trees growing within the 10 metre buffer area abutting these 8 units. If the 8 units were deleted and the land preserved in its natural state, it would offer a greater buffer and protection for the ravine area, consistent with the environmental policies of the existing and new Official Plans.

The grading required for the development, the installation of new roads and underground utilities, and the building footprints leave little opportunity to retain significant trees on site, unless a specific parcel of land is set aside for preservation. The deletion of the 8 units at the south end of the site achieves a number of objectives. This area would allow for the preservation of a number of existing trees, it provides a large replanting area to plant better quality trees, and it would further buffer the Danzig Creek Ravine area located to the south (Part 3 -Attachment 2). In order to ensure the protection of this natural area, City staff has recommended this section be zoned as 'Major Open Spaces (O)'. This ensures that the area is not developed for residential purposes with private backyards onto the ravine area and it retains these lands in public ownership consolidating them with the ravine lands to the south. The public would have open access to the ravine area along the entire south end of proposed Street 'A' (Attachment 7). This is consistent with direction from Policy and Finance Committee Report 5, Clause 2 recommending that through the development review process, City staff pay specific attention to the connection to the ravine and abutting parkland, and that staff work to ensure that any future development interfaces with the parkland to the south and the existing buffer area. This approach is also supported by staff of Urban Forestry.

In order to maximize tree canopy, the majority of replacement trees should be large growing shade trees to be planted on-site where feasible. There is room for a total of 42 large growing species to be planted at the rear of 30 of the proposed lots with sufficient spacing. The applicant's landscape plan currently does not indicate tree planting of any trees within the rear yards of Lots 1-11 (Attachment 1) along the eastern most edge of the site abutting the existing single-detached dwellings because of a 3 metre storm sewer easement requirement in that location by Technical Services. Technical Services has indicated that they will permit tree planting in the rear yards of Lots 1-11 in the area of the easement, however future owners must be made aware that if trees are required to be removed for maintenance within the easement, a smaller caliber replacement tree will be planted. Staff has included a condition of draft approval requiring the applicant to include a warning clause to be registered on title advising of this matter.

In addition to the tree planting to be undertaken by the applicant, Planning staff has been in discussions with Urban Forestry staff, and the Toronto and Region Conservation Authority regarding potentially replanting and enhancing the natural area located to the south of Danzig Creek (Part 3 –Attachment 2). This area is identified as a 'Meadow' within the City of Toronto's Natural Heritage System and would provide a large area for replanting and increasing the size of the forested area. Urban Forestry staff estimates that an area of approximately 1 acre (0.4 hectares) south of Danzig Creek can be replanted with approximately 2,000 stems consisting of various trees and shrubs. Urban Forestry also estimates that there is room to accommodate additional replanting in the 10 metre buffer area just south of the dry pond. Urban Forestry has advised that there are funds available for replanting south of Danzig Creek and that this can commence during the fall of 2006 or spring of 2007.

Planning staff are of the opinion that the deletion of the 8 units achieves the directions contained in the "Wood Green Ravine Working Group Process" report by preserving existing vegetation on the development site, planting of replacement vegetation within the development, and the connection between the ravine and open space area to that of the development. The modifications to the plan of subdivision as suggested by staff also address Community Council's added recommendation requesting that staff create a plan consistent with City Council's unanimous direction to preserve as many trees as possible. As a condition of draft plan approval, staff will require the applicant to submit revised tree protection and replanting plans, reflecting the removal of the 8 units and retention of those lands as open space.

Wildlife

Unlike the lands to the south, the subject lands have not been identified as part of the City of Toronto's overall Natural Heritage System in the new Official Plan and do not fall within a Toronto & Region Conservation Authority Area of Interest. The underlying Scarborough Official Plan designation is currently Low Density Residential and Neighbourhoods within the new City of Toronto Official Plan. The land has remained vacant over the years and tree and shrub growth has naturally occurred over time as would happen on any site. The property has always been contemplated to be used as either a Transportation Corridor or for some form of residential development, which has been reflected in the Official Plan designation and Zoning of

this property historically. The applicant's proposal in its present form would result in the elimination of all vegetation and trees on-site with the exception of 2 trees.

Residents have raised concern over the removal of trees on site and how the loss of vegetation will impact the wildlife in this area. The removal of trees will reduce the amount of natural habitat within the area. Planning staff's recommendations will limit the impact, while still providing for an appropriate residential development. The elimination of 8 units at the south end of the development abutting the existing ravine would preserve approximately 0.15 hectares (0.36 acres) from being developed. This area would then be protected by zoning it open space, increasing the size of the treed area which is contiguous to the ravine to the south and replanting this area as previously suggested. This site connects into a larger overall natural heritage system as shown within the new City of Toronto Official Plan, and includes links to natural areas such as Woodgrove Ravine Park, Beechgrove Ravine Park, Janellen Park and the Highland Creek valley system. Similarly, there is an area of approximately 1 acre (0.4 hectares) to the south of Danzig Creek that could be replanted.

The Toronto and Region Conservation Authority (TRCA) was circulated for comment as part of the development review process, despite the fact that the subject lands do not fall within their area of authority. The TRCA had concerns with the methods that were used to undertake the inventory work in the revised Wildlife Assessment prepared by the applicant's consultant because of the time of year the field work was done, and some of the assumptions in the report speaking to the displacement of species and use of this area by wildlife. Planning staff's recommended modifications to the plan of subdivision help to mitigate impacts on area wildlife by preserving the south end of the development site. Further replanting on these lands and on lands south of the ravine will enhance the natural heritage system.

The modifications to the plan and suggested replanting are in keeping with natural heritage system policies in the new Official Plan by recognizing natural heritage values and potential impacts on the natural ecosystem, and minimizing adverse impact and restoring and enhancing the natural heritage system.

Housing Form and Density

Area residents raised concern that the proposed semi-detached dwellings are not compatible with the existing single-detached dwellings to the east and that there were too many homes being proposed for this site. The proposed development consists of semi-detached dwellings with a floor area of approximately 130 square metres (1,400 square feet). There are single-detached residential homes immediately abutting the development to the east. To the west and northwest of the development there are a variety of multiple-family developments in the form of townhouses on private streets. The proposed semi-detached dwellings are an appropriate transition in housing form located inbetween existing single-detached dwellings and townhouse dwellings.

The applicant's initial proposal, which included an application to amend the Official Plan, contemplated a total of 76 units with 52 townhouses and 24 semi-detached dwellings. The proposal had a net density of approximately 61 units per hectare (25 units per acre). The

Preliminary Staff Report that was considered on May 3, 2005, was amended by Community Council by adding recommendations directing staff to work with the applicant to reduce the density so that the plan conforms to the West Hill Community Secondary Plan. The Low Density Residential designation of the West Hill Secondary Plan provides for only detached and semi-detached dwellings and does not include townhouses.

In response to this direction, the applicant submitted their revised proposal of 68 semi-detached units having a density of approximately 55 units per hectare (23 units per acre). Townhouses are no longer part of the development proposal and as a result the proposal now complies with the West Hill Community Secondary Plan. Additionally, by decreasing the density and revising the proposal to include only semi-detached homes on larger lots, this provides greater opportunity for tree replanting on private property in the rear yards.

Staff is however recommending that the number of units be further reduced to a total of 60 semi-detached dwellings in order to meet a number of objectives explained earlier in this report. The density of the site with the removal of 8 units at the south end would still be approximately 55 units per hectare (23 units per acre) as these lands would be removed from the net calculation of density. As noted earlier, the applicant is not in agreement with this recommended change. They advise that it would render the project financially unfeasible.

The proposed housing form and density is in keeping with the residential goals of the Scarborough Official Plan, including Section 2.4.1.3 which speaks to maintaining the stable residential character of existing neighbourhoods and communities. The proposed development is compatible with adjacent land uses and designations with regard to dwelling unit type and density.

Similarly, the proposal is in keeping with the policies of the new Official Plan 'Neighbourhoods' designation, which are considered physically stable areas made up of residential uses in lower scale buildings.

Lot Sizes

The single-detached dwellings immediately to the east of the proposed development on streets such as Melchior Drive, Wildlark Drive, Morning Dew Road, Valia Road and Woodgarden Crescent have lots of varying sizes with the typical lot having a frontage of approximately 15 metres (50 feet) and an area of approximately 464 square metres (5,000 square feet). The development of single-detached dwellings to the west on Mansewood Gardens also has lots of varying sizes, which are much smaller with the typical lot having a frontage of 6.1 metres (20 feet) with minimum lot areas of approximately 183 square metres (1,969 square feet). The condominium townhouse development at 275 Manse Road has townhouse units with a minimum width of 4.6 metres (15 feet) and the townhouse development at 20 Hainford Street has condominium units with a width of 4.7 metres (15.4 feet), with each unit in the development having their own rear yard amenity areas of approximately 5 metres (16 feet) plus common areas.

Each of the proposed new lots within the WRP development would have two semi-detached dwellings with each unit on a parcel of land having a minimum frontage of 7.2 metres (24 feet) and minimum area of 176 square metres (1,900 square feet). There is a transition in intensity of housing form as we move from the singles on larger lots to the proposed semi-detached dwellings on the WRP site and finally to the townhouses abutting Manse Road. This provides for an appropriate variety of lot sizes and transition, fits with the existing neighbourhood and is compatible development.

The proposed lot sizes are in keeping with the development criteria of the Neighbourhoods designation within the new Official Plan, which speaks to respecting and reinforcing the physical patterns and character of established Neighbourhoods with particular regard to the size and configuration of lots.

Privacy & Separation

The zoning by-law performance standards being requested and site design provide for appropriate separation and privacy between the proposed new development and the existing single-family dwellings to the east and multiple-family dwellings to the west. The relationship of the proposed new semis (Lots 1-11 – Attachment 7) with that of the existing single-detached homes to the east is a backyard to backyard relationship with adequate separation. The proposed new dwellings and existing single-family detached dwellings are each required to have minimum rear yards of 7.5 metres (25 feet) and together provide for a separation of a minimum 15 metres (50 feet) between buildings. Additionally, Planning staff has included, as a condition of subdivision approval, that the applicant construct a 1.8 metres (6 feet) wood privacy fence along the eastern edge of the property. As part of the review of the landscaping plan and tree replanting plan, Urban Forestry Services is requiring on-site private landscaping within the rear yards of the proposed lots, which will provide further screening.

An area resident commented that the proposal does not provide fencing along the west side of the proposed new Street 'A'. Fencing is not recommended along the west side of the site as it will be part of the public right-of-way. The proposed semi-detached units on lots 23-30 (Attachment 7) fronting in a westerly direction towards the existing townhouse development at 275 Manse Road have sufficient separation for privacy. The building faces are separated by a public right-of-way, vacant private property which could be developed, a landscaping berm on the townhouse lands and rear amenity area of the townhouse units. In addition and as part of a composite utility plan, Urban Forestry and Community Planning staff have requested that the applicant provide tree planting along the public boulevard at the west end of the property boundary.

Height

The initial proposal requested a height of 10.5 metres and two-storeys, which is 1.5 metres (5 feet) above the 9 metre (30 feet) maximum allowed on the abutting single-detached homes to the east. Overlook, privacy and screening were raised as issues by area residents. The height has been reduced for the semi-detached dwellings requesting a total height of 9.5 metres and 2-storeys. The homes to the east are predominantly one-storey dwellings. The subject lands are naturally higher than the abutting homes to the east, however, the applicant has advised that the

proposed grades will be in keeping with the grade of the surrounding community. As a result, the increase in height of 0.5 metres (1.6 feet) over the 2-storeys and 9 metres currently permitted to the east, would not have an adverse impact on the abutting homes and is acceptable.

Urban Design

Urban Design policies of the official plan state that a high level of urban design will be promoted to encourage an attractive living and working environment, and a sense of community pride. Attractive streetscapes will be promoted through the co-ordination of site, building and landscape design, on and between individual sites.

Urban Design staff has reviewed the submission by WRP and has requested that the elevations be further articulated to provide variety in the elevations of the semi-detached dwellings in order to provide interest and character to the streetscape.

As this site does not fall within an area subject to site plan control and official plan policies exempt semi-detached dwellings from site plan approval, the applicant will be required to submit an architectural streetscape plan addressing Urban Design's concerns. A condition of draft plan approval has been included in order to secure these revisions.

Affordable Housing

The Scarborough Official Plan speaks to Council encouraging the provision of sufficient housing to meet the City's share of the need for housing for lower income households and to promote a diversity of residential environments, to meet the needs of the City's diverse age, income and social groups and life styles.

Similarly, the new Official Plan encourages a full range of housing, in terms of tenure and affordability. Policies also include where appropriate, assistance to encourage the production of affordable housing either by the City itself or in combination with others. This assistance can include, in the case of affordable ownership housing provided on a long term basis by non-profit groups, especially affordable low rise family housing, land at or below market rate and fees exemption.

Providing for affordable housing development at this location is in keeping with policies as outlined in both the Scarborough and new City of Toronto Official Plan. This area has access to public transportation with nearby bus service, is well served by parks, there are community facilities located within the vicinity, and the proposal will be integrated within the established neighbourhood.

At its meeting of June 22, 23 and 24, 2004, City Council instructed staff to negotiate an Agreement of Purchase and Sale with WRP to enable the development of affordable home ownership housing for this site. Those negotiations have been completed and staff are planning to report out on the results of the negotiations through a report to the Affordable Housing Committee on April 10, 2006. The report would proceed to the Policy and Finance Committee on April 11 and to City Council on April 25, 2006. The Agreement of Purchase and Sale deals

with the purchase price of the land, issues of the affordability of the homes to prospective buyers, and the selection of homeowners.

Traffic Impact, Parking & Access

Residents were concerned about the impact of the proposed development on area traffic. A Traffic Impact Assessment prepared by Marshall, Macklin, Monaghan was submitted in support of this proposal, and reviewed by Transportation Services and Transportation Planning staff. The applicant's study concluded that the projected traffic volumes associated with the WRP development will have minimal impacts on local area intersections. The intersections of Manse Road / Lawrence Avenue and Hainford Street / Manse Road are operating at good levels of service and are expected to continue with the addition of this development and on the basis of forecasted traffic volumes. There will be minimal traffic related impacts as a result of this development and staff concurs with the findings of the Traffic Impact Assessment. The traffic study was undertaken considering the initial proposal for 76 dwelling units. This report is recommending approval of 60 dwelling units, which would further reduce any traffic related impacts. Transportation planning staff also conducted a review of the City's accident data and found that the intersection of Lawrence Avenue and Manse Road is functioning at an appropriately safe level.

Residents were also concerned about large vehicle traffic within the area consisting of trucks and buses. There is existing truck traffic traveling to and from the Coronation Drive Employment District located south of the proposed WRP development that must either use Coronation Drive, Manse Road, or Beechgrove Drive to gain access to Lawrence Avenue or Morningside Avenue. Transportation Planning staff conducted an area visit in June of 2005 and observed truck traffic revealing that it represented approximately 2%-3% of the traffic stream.

During Transportation Planning staff's visit, it was observed that there was local bus traffic on Manse Road during the morning period between 7:30am-9am and between the 4pm-6pm period. The bus traffic consisted of Toronto Transit Commission buses and larger school buses with some smaller school buses operating into the residential areas and the Heron Park Community Centre. Heron Park Junior Public School advised that the school is served by one small bus 3 times daily, while Joseph Brant Senior Public School advised that they do not have bussing. The schools close at 3:30 pm and 3:00 pm respectively, so that any traffic related to school closing hours do not occur at the same time as the evening commuter peak traffic hours of 4pm-6pm. The amount of bus and truck traffic generated in this area along Manse Road is not excessive and would not be negatively impacted by the proposed development.

The applicant has provided two parking spaces for each semi-detached dwelling unit. Each unit will have one enclosed garage parking space and one space located on the driveway leading to the garage. The proposed number of spaces would provide an adequate number of parking spaces for the development. Additionally, there will also be the availability for visitor parking on the new public street.

Safety concerns have been raised by residents with respect to the impact of traffic on pedestrians. There is a crosswalk located along Manse Road roughly between Joseph Brant Senior Public

School and Heron Park Junior Public School that provides an area for pedestrian crossing. Additionally, there are sidewalks located on both sides of Hainford Street and both sides of Manse Road from Lawrence Avenue down to Coronation Drive. There is Toronto Transit Commission service in the area with stops located at the northwest corner of Manse and Lawrence, at the southeast corner of Manse and Lawrence and at Hainford and Manse, which can be traveled to by sidewalk.

Emergency Evacuation

The subdivision plan was circulated to the City of Toronto Fire Department for comment. Residents were concerned about Hainford Street being blocked off and emergency vehicles not being able to access the development. The Fire Department indicated that they have no concerns with the proposed development as Hainford Street and the new proposed Street 'A' are both public streets with sufficient rights-of-way of 18.5 metres (60 feet) and 16.5 metres (54 feet) respectively. The streets are of an adequate width and turning radius for emergency vehicle access. Fire Department staff were consulted to determine if there are any safety concerns with the proposed new development should a major accident occur within the Coronation Drive Employment District. Fire Department staff indicated that there are existing residential homes in the general area, with many neighbourhoods located much closer to the industries than the WRP site. Should an accident result which necessitates evacuation, the proposed new residents would be evacuated by the proper emergency services as would any neighbourhood within the area. The proposed new development does not cause Fire Services reason for concern.

Walkway

The West Hill Community Secondary Plan identifies a public walkway through the subject site. The walkway stretches from Lawrence Avenue East southwards to Coronation Drive and then continues southwest towards the base of Manse Road and the Canadian National Railway tracks (Attachment 5). As outlined in Policy and Finance Committee Report Number 5, Clause 4 considered by City Council on June 22-24, 2004, the walkway was envisioned to be located at the east end of the site, however, the walkway could be incorporated into a residential development plan by accommodating a connection within a public road right-of-way.

During the development of the new 43 Division Police and Ambulance Facility located immediately north of the subject site, a 6 metre (20 feet) pedestrian public walkway was identified along the eastern edge of the police station. This walkway is intended to continue into and through the WRP development and southward into the ravine and open space area to the south of the subject development site. The walkway from the police/ambulance station connects into the WRP development site through Block 36 at the northeast corner of the property (Attachment 1). The walkway continues through the development as a public sidewalk along the new public street and then connects to the City owned ravine/open space area to the south through Block 35 (Attachment 1). The deletion of the 8 units at the south end of the site would abut walkway Block 35 and provide a larger interface between the subdivision and the open space area to the south.

Urban Design staff, in consultation with Community Planning, reviewed the proposal from a Crime Prevention Through Environmental Design perspective (CPTED) and determined that having the walkway through the new development would have less of an impact on the abutting residential homeowners to the east in terms of privacy and separation. Securing the connection in the form of a sidewalk on either sides of Street 'A' is safer from a CPTED perspective as it offers eyes on the street and a lit public right-of-way. Urban Design policies within the Scarborough Official Plan state that development will be encouraged to provide a safe, attractive and comfortable pedestrian environment, including where appropriate, frequent and convenient pedestrian connections between buildings, transit stops and the public sidewalk. The proposed walkway complies with the policies of the Official Plan as it achieves these objectives.

There are currently 11 single-family homes from Woodgarden Crescent and Melchior Drive that abut the proposed development to the east. Some of these homes have gates with direct access from their rear yards onto the subject lands and have been using the subject lands for their own private use. Common City practices do not permit privatization of City owned lands by allowing residents to have access gates, lawn furniture, gardens, and manicured private areas on City owned lands, such as in this case. By having the walkway through the community, it eliminates any current privatization of City owned lands, and provides for a safer, lit pedestrian connection through the community.

Residents located in the townhouses west of the proposed development at 245 and 275 Manse Road raised concern about new residents trespassing onto their properties to gain access to Manse Road. As mentioned above, there will be a sidewalk through the proposed new community and along the extended portion of Hainford Street allowing residents to walk to Manse Road.

As part of Policy and Finance Committee Report 5, Clause 2, considered by City Council on June 22-24, 2004, it was recommended that through the development review process staff pay specific attention to the connection to the ravine and abutting parkland; and to secure public access through the site and connection to the walkway east of the police station and the surrounding community. The walkway through the proposed new development and connections at the northeast and south end of the site addresses these recommendations.

Parkland / Recreation Facilities

Residents indicated that there is not enough parkland within the area and the development of this property would eliminate valuable recreational space within the community. The general area of Manse Road and Lawrence Avenue is well served by parkland. There are a number of parks located within 1 kilometer of the Hainford Street terminus. Natural park areas for passive recreation include, but are not necessarily limited to: Manse Road Park, Woodgrove Ravine Park, Grey Abbey Ravine, and East Point Park. In addition to passive recreational opportunities, there are a number of facilities such as Heron Park Community Centre and Megan Park within the area that provide for active recreation with amenities like swimming pools, skating arenas, and softball diamonds. There are also a number of local public schools within 1 kilometer of the site that also provide for recreational opportunities. There are both passive and active

recreational opportunities available to residents in this area. Although the subject land is used by area residents for passive recreational uses, the site is not designated or zoned as a park.

Servicing and Storm Drainage

The watermain on Manse Road has adequate capacity and pressure to accommodate the development of these lands. The developer will be required to construct a second watermain along Hainford Street to provide a looped watermain system for proposed Street "A" within the subdivision.

City Technical Services staff have reviewed the development proposal to ensure that there is appropriate sewer capacity to accommodate the proposed new development. The review of the sanitary sewer system has shown that with the addition of this development in the area there is adequate capacity in the existing system.

As with all new developments, the design of the storm drainage system must conform to Technical Services requirements. Also, any drainage into local creeks would have to be reviewed and approved by the Toronto & Region Conservation Authority. The TRCA provided comments related to stormwater management requesting that water be discharged at a level 1 water quality treatment, which is consistent with Technical Services requirements. Both major and minor storm events will be contained within the development and released at a controlled rate into the municipal system. Stormwater runoff from the development will be contained and controlled through the grading of the properties and storm sewer network constructed within the development and not be permitted to flow onto adjacent properties. The applicant will be required to submit a Stage 2 Stormwater Management Report for review and acceptance by Technical Services staff with the first submission of engineering drawings. A condition of draft plan approval has been included to ensure this requirement.

The mineral thicket swamp referenced in the TRCA comments is approximately located in the area of Lots 16-19 & 34 (Attachment 1). A mineral thicket swamp is an area of vegetation that is generally wet in the spring and dries by mid summer, and it will not be retained as part of this development. TRCA has stated that it is important to consider the function of the local recharge relative to base flow in the nearby system. In order to ensure that the post-development infiltration matches existing conditions, staff have added a condition of draft approval requesting a water balance analysis and mitigation plan as part of the stage 2 stormwater management report. In addition, the applicant will also be required to provide an analysis of whether maintenance to the existing headwall and flow channel to the watercourse is required as part of the stage 2 stormwater management report.

Dry Pond

There is a 'dry pond' proposed as part of the development to be located at the southeast corner of the lands. The purpose of the dry pond is to capture stormwater runoff and hold the water for a minimum period of time, which unlike wet ponds, do not always have permanent pools of water. Detention of stormwater allows the gradual release of water into the system over time during periods of heavy rain. Residents raised safety concerns about area children falling into the dry

pond and not being able to escape. Technical Services staff has indicated that the dry pond will be moderately graded in such a manner that the sides are not steep and safety concerns are minimized. Dry ponds can serve as an open space area with opportunities for tree planting and walkways around the edges. As part of staff's recommended changes to the plan, the dry pond area would be contiguous to the open space area to the west providing for a larger natural space for the enjoyment of residents and wildlife, and allowing for additional landscaping and replanting in that area. Staff have included a condition of draft approval requiring the applicant to submit a landscaping plan for the dry pond area.

Flooding / Water Ponding

Residents along Melchior Drive and Woodgarden Crescent have expressed concerns about ponding and flooding within their backyards. A storm sewer was built within the backyards of these properties on Melchior and Woodgarden that abut the proposed development site. There is a 3 metre easement at the rear of these properties. The storm sewer was designed to convey storm water drainage from a contributing area to the northwest and down to Danzig Creek. There are two catchbasins with one located at the rear of 58 Melchior Drive and the other at 64 Woodgarden Crescent, and an intake structure at 62 Melchior Drive (Lot 169, Plan 5441). The properties were originally graded away from the dwellings and a swale was constructed along the rear of these properties to provide a method of conveying the storm water to these catchbasins.

It appears that over time, fences, sheds and flower beds have been placed in backyards thus obstructing the flow of storm water along the rear yard swale to existing catchbasins. With no outlet available, stormwater will back-up causing ponding upstream of these obstructions. Furthermore, fill material has been brought into backyards by residents with the apparent intent to absorb water in the backyards. Rather than aiding in absorbing the water, this material appears to have contributed to the obstruction of the design drainage route along the rear property lines.

It is the opinion of Technical Services staff that the reported drainage problems in the backyards of homes along Woodgarden Crescent and Melchior Drive are primarily caused by blockage and alteration of the drainage system, which was designed and constructed to provide adequate surface drainage for the subject properties. To alleviate the drainage problems occurring, homeowners should re-establish the swales at the rear of the properties so that storm water is allowed to flow into the available catchbasins.

As indicated previously, stormwater runoff from the WRP development will be contained and controlled through the site grading and storm sewer network within the development and the site will be graded in order to maintain the overland flow route at the northeast corner of the site. Water from this development will not be permitted to impact adjacent properties. It is anticipated that the proposed WRP development may have some positive impacts on the drainage situation within the area as any water that may have been draining eastwards from the WRP land will be contained and dealt with on-site.

Concerns were raised at the community meeting that the subject lands are wet and that the basements of any potential new homes would also be wet. The Toronto and Region

Conservation Authority has stated that a shallow water table is expected to be present in this area. Dewatering may be required to maintain dry basements and this matter is typically dealt with at the construction stage of development. The owner will be required to ensure that adequate drainage measures are in place prior to construction and post-construction.

F.J. Horgan Filtration Plant Watermain

Toronto Water is responsible for the treatment, pumping, transmission, storage and distribution of safe drinking water to residents and businesses in Toronto and part of York Region. In order to meet current safe drinking water demands and projected growth for the City and Region, a Joint Optimization Study was carried out in 2003. This study was completed in 2004 and identified the need to expand the F.J Horgan Filtration Plant, located at 201 Copperfield Drive just east of Manse Road, and construct a new transmission watermain from the Plant to the Ellesmere Reservoir / Pumping Station at 2950 Ellesmere Road.

The City recently undertook a Class Environmental Assessment (EA) Study to determine the preferred route for the 2250 mm diameter watermain needed to provide additional water supply to Toronto and York Region. The preferred route for the watermain through this portion of West Hill abuts the subject lands along the western most property boundary of the subject lands.

Residents have raised concern that there is a lot of development within the West Hill area, which impacts the community negatively as a result of frequent construction. Toronto Water has indicated that in order to minimize impact on local area residents, they will endeavor to coordinate schedules with WRP in order that the watermain can be constructed at the same time.

Soil / Groundwater Contamination

The City's peer reviewer concurred with the developer's consultant that there was no evidence of soil or groundwater contamination on this site. The owner will be required to provide the City with a copy of an accepted Record of Site Condition for the subject lands from the Ministry of the Environment. A condition of draft plan approval has been included to ensure that this is addressed.

Public Health

Some residents are concerned about the water ponding situation on area properties and how this relates to mosquitoes and the potential for west nile virus. The proposal was circulated to the West Nile Control Section of Public Health in order to comment on the development in the above context. Public Health staff believes that with the development of the lands and proper controlled drainage of water through site grading and a storm sewer network, the potential pooling of water on the subject lands would not be an issue. The dry pond area would not pose any serious risk as it is designed to hold water only for limited periods of time during heavy rain storms.

The Manse Valley Community Association was concerned about the fact that a large number of trees would be removed from the site, thus reducing the bat population in the area who feed on

mosquitoes, and therefore leading to an increase in west nile virus. Public Health staff has stated that although bats do eat mosquitoes, they are not the main diet of bats (less than 1 percent). The main diet of bats consists of moths and beetles and bats are not ideal for mosquito control.

In addition to the comments discussed above, Public Health has requested that the applicant provides a 'Dust Control Plan' to control dust during any demolition, soil excavation or during soil remediation activities. This requirement has been included as a condition of draft approval as a component of a construction management plan.

Rodents

Residents had commented that they had noticed an increase in the number of rats within the community during the development of the police station. Any matters related to rats within the City should be appropriately dealt with through the current City of Toronto Rat Investigation and Control Program. All rat related complaints or request for service can be phoned in to the "Rat Hotline" at 338-RATS.

School Capacity

The Toronto District School Board advises that there is insufficient space in the local schools to accommodate students anticipated from this proposed development. As part of the subdivision process, the TDSB has requested standard conditions of approval be included, which require the applicant to post signs on site and include warning clauses on title advising purchasers of the status of local area school accommodation. Principals from Heron Park Jr. PS, Joseph Brant Sr. PS, Sir Oliver Mowat Collegiate Institute, the area Trustee and Superintendent were all copied on the comments received from the TDSB. The Toronto Catholic District School Board (TCDSB) was also circulated advising of the proposed development, however, comments were not provided by the TCDSB.

Alternative Sites for Development

Residents have questioned WRP Neighbourhood Housing as to why they have not accepted suggestions for alternate development sites. WRP has stated that they are committed to the development of this project and are not currently pursuing options for alternate sites. WRP has been involved with this particular site for development since September 2000 when this land was first identified to them as a potential site for their affordable home ownership initiative. Planning staff are required to review the development application for the lands which an application has been submitted.

Residents have also suggested that the rear portion of the police/ambulance station lands be severed and included as part of the WRP development proposal. This in turn would allow the development to be shifted northwards allowing for the preservation of the south end of the site contiguous to the ravine. The suggested changes would result in a loss of parking spaces for the police station and would require a redesign of the entire parking area as the existing storm water detention ponds at the south end would have to be removed to accommodate any homes in that area.

Planning staff consulted with representatives from the Police Department who indicated the new police station has a high demand for parking and they are currently using their entire parking lot.

Zoning By-law Performance Standards

The applicant is requesting a zoning category that would permit semi-detached dwellings. The applicant is proposing two units per lot on a registered plan. Lot sizes are proposed with a minimum frontage of 14.4 metres (47 feet) with a depth of approximately 24.5 metres (80 feet), with each dwelling unit on a parcel of land having a minimum frontage of 7.2 metres and area of 176 square metres. Performance standards being requested to regulate the development include provisions such as: a minimum building setback of 3 metres (10 feet) from the street line to the dwelling and 6 metres (20 feet) to the garage, minimum rear yard setback of 7.5 metres (25 feet), minimum 0.9 metres (3 feet) side yard setback on one side and 0 metres on the other, a maximum building coverage of 46%, a maximum building height of 9.5 metres (31 feet) and two-storeys, and removal of the maximum total floor area per dwelling unit requirement.

The lands subject to the WRP development proposal do not include all City lands north of the ravine that are zoned Single-Family Residential (S) Zone with a Hold. There is a remnant City parcel of approximately 0.61 acres (0.25 hectares) located between the Danzig Creek area zoned Major Open Spaces (O) and the south end of the WRP lands, which staff are recommending be zoned Major Open Spaces (O) Zone. In order to ensure continuous open space zoning between the south end of the WRP land and Danzig Creek, staff recommend rezoning this remnant parcel as Major Open Spaces (O). The proposed zoning by-law does not include a holding provision as the conditions associated with the holding provision have been addressed. The draft zoning by-law has been included as an attachment to this report (Attachment 8).

Development Charges

It is estimated that the Development Charges for this project would be up to a maximum of \$146,130. Development Charges would only apply to the market value component of the development which would be up to 25% of the total number of units. The Affordable Housing Office has indicated that the affordable housing units would be exempt from Development Charges. This is an estimate and the actual charge would depend on the number of market units, and is assessed and collected upon issuance of the building permit.

Conclusions:

This is an infill site that has been anticipated for development. Council has confirmed this by declaring the lands surplus and committing to an affordable home ownership housing development. The site is designated for residential use in the current Scarborough Official Plan and new City of Toronto Official Plan, and the proposal conforms to both Plans. There has been extensive community consultation and as a result the proposal has been revised through the planning process from the original proposal of 76 units down to 68 units. The proposed development consisting solely of semi-detached units is compatible and allows for an appropriate transition in housing form within the community and sufficient lot sizes. Planning staff

recommend modifications to the plan of subdivision to delete 8 units at the south end of the site in order to provide for a balance between environmental and affordable housing objectives. The resulting development consisting of a total of 60 semi-detached units allows for a viable residential development while still addressing environmental matters. The proposal as modified by Planning provides for an appropriate development and represents good planning.

Contact:

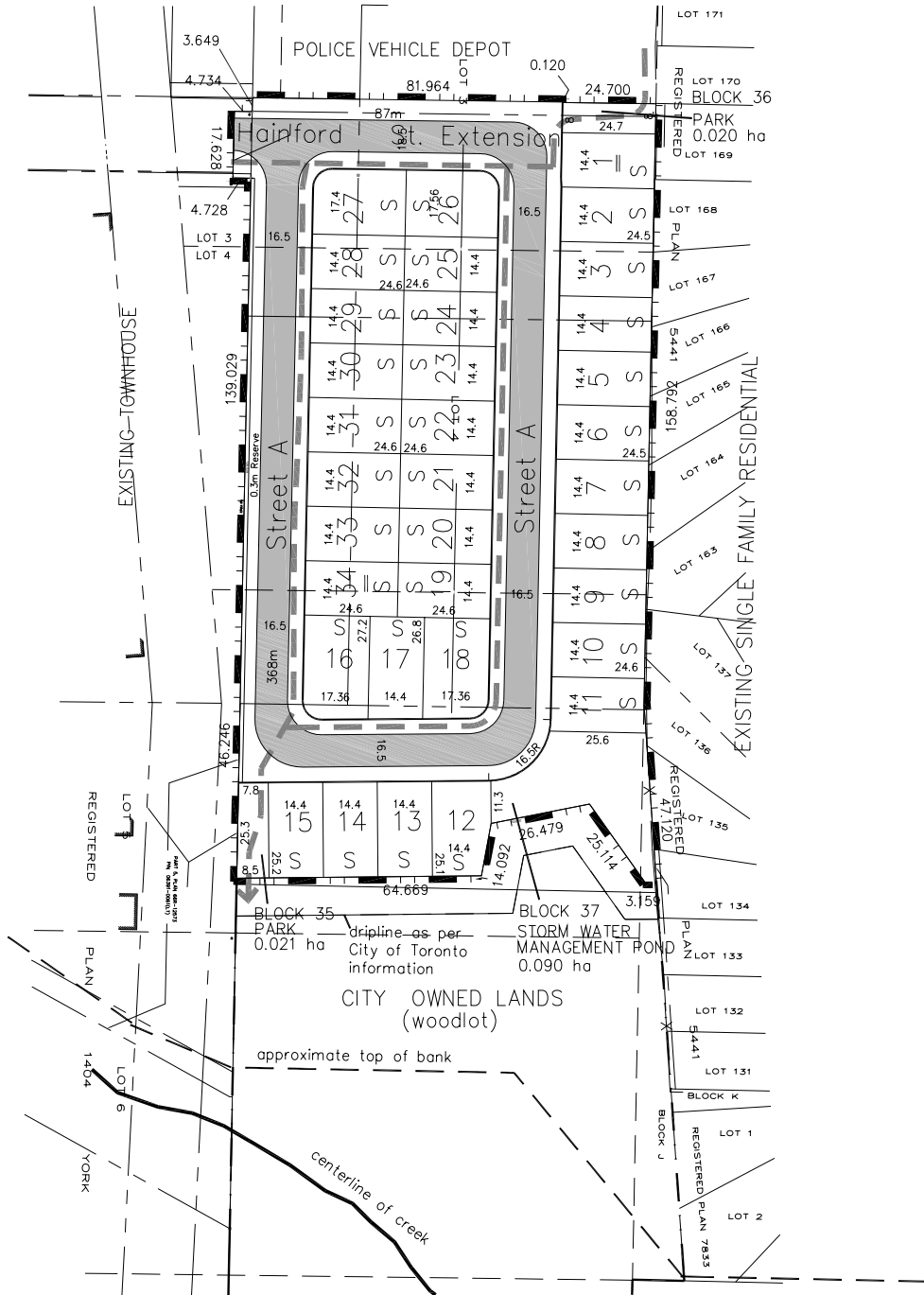
John Andreevski, Planner
Ph: (416) 396-5279
Fax: (416) 396-4265
Email: jandree@toronto.ca

Allen Appleby, Director
Community Planning, Scarborough District

List of Attachments:

Attachment 1: Applicant's Subdivision Plan
Attachment 2: Context Plan
Attachment 3: Elevations / Floor Plans
Attachment 4: Application Data Sheet
Attachment 5: West Hill Community Secondary Plan
Attachment 6: West Hill Community Zoning By-law
Attachment 7: Staff's Recommended Subdivision Plan
Attachment 8: Draft Zoning By-law Amendment
Attachment 9: Conditions of Draft Plan of Subdivision Approval

Attachment 1: Applicant's Submitted Subdivision Plan



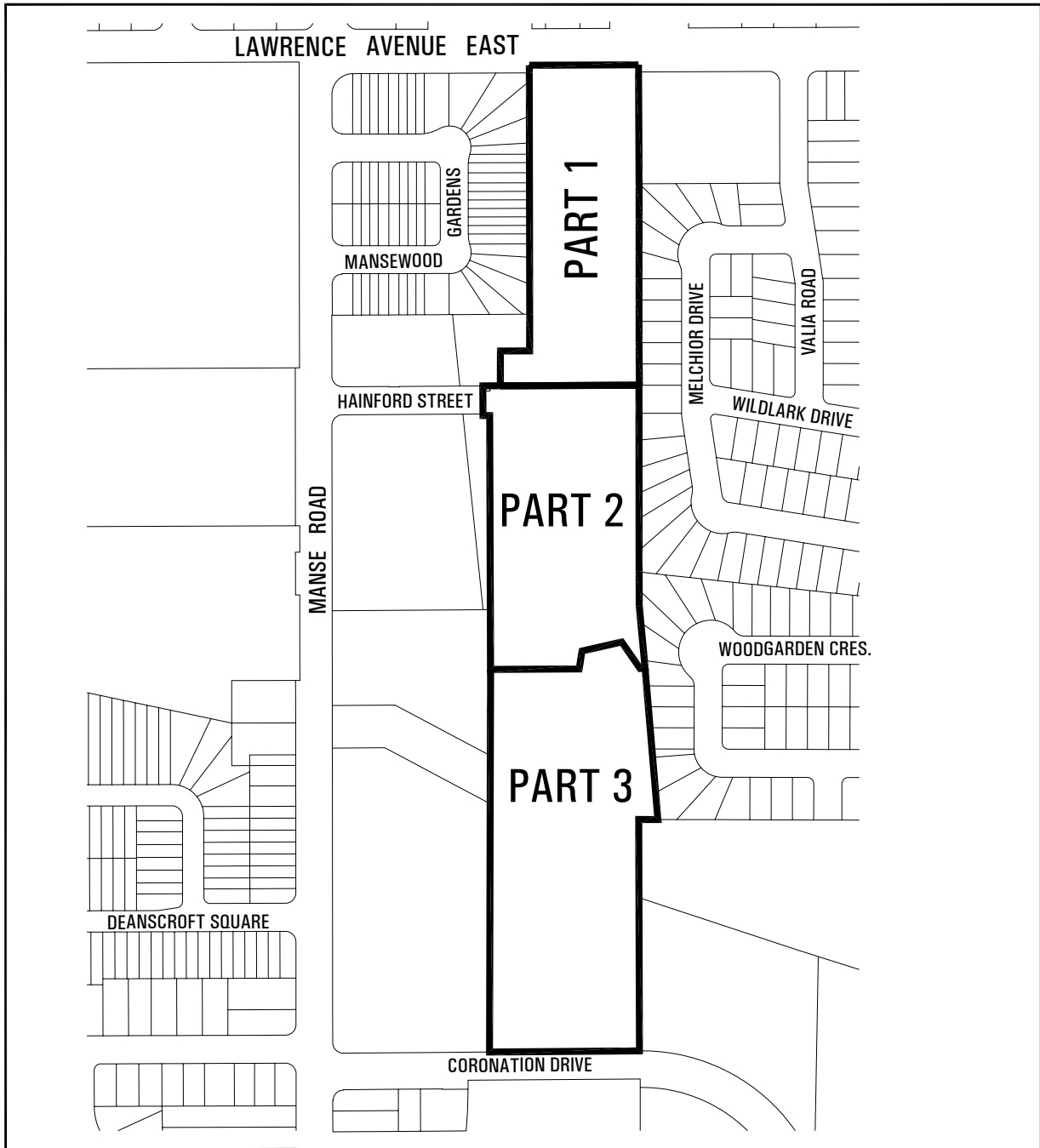
Subdivision Plan
Applicant's Submitted Drawing

Not to Scale
10/7/05 

4331 Lawrence Avenue East
(S/E of Hainford Street Terminus)

File # 05-112029 OZ, 05-112043 SB

Attachment 2: Context Plan

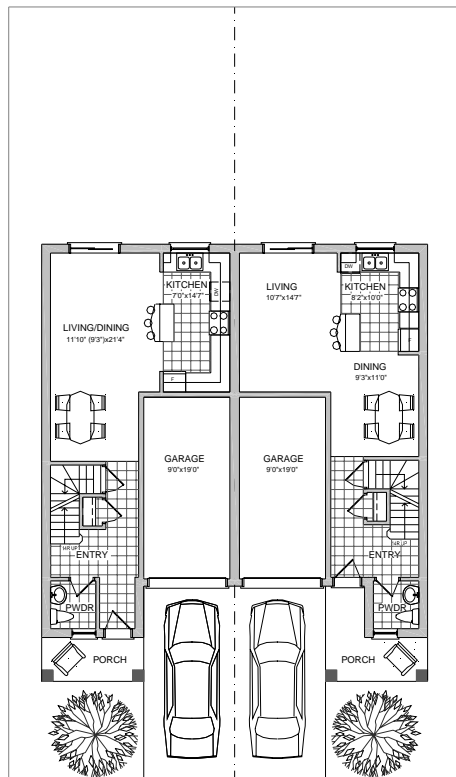


Attachment 3: Elevation and Floor Plan



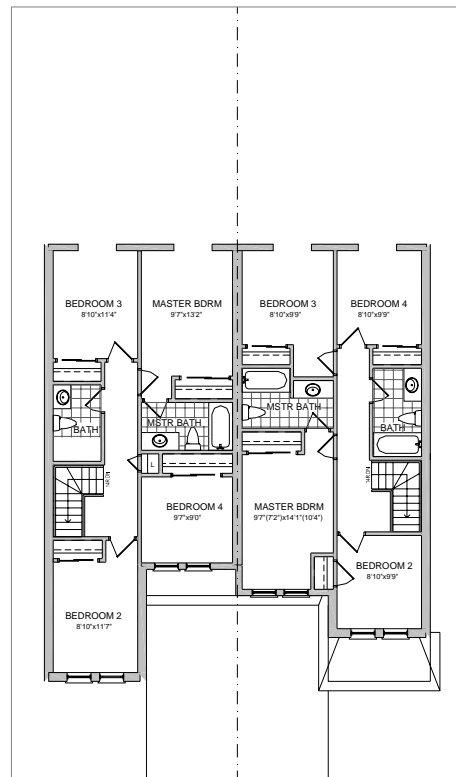
Front Elevation

TYPICAL SEMI DETACHED HOUSES



TYPE S-A 591 SQ.FT. TYPE S-B 569 SQ.FT.

GROUND FLOOR PLAN



TYPE S-A 810.5 SQ.FT. TYPE S-B 788 SQ.FT.

SECOND FLOOR PLAN (3 BDRM)

TYPE S-A 1401.5 SQ.FT. (W/O BASEMENT)
TYPE S-B 1357.0 SQ.FT. (W/O BASEMENT)

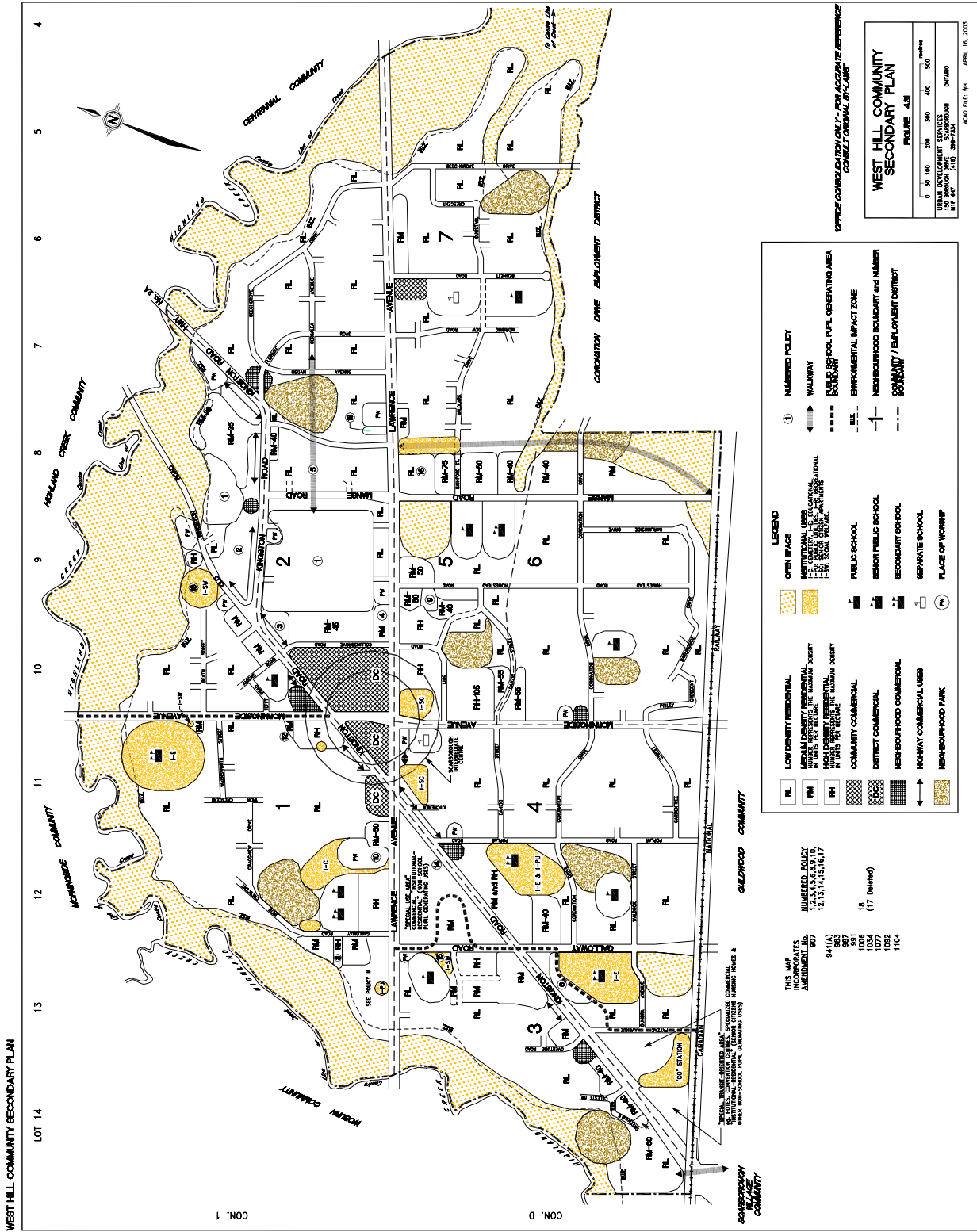
Elevation and Floor Plan
Applicant's Submitted Drawing

Not to Scale
3/24/05

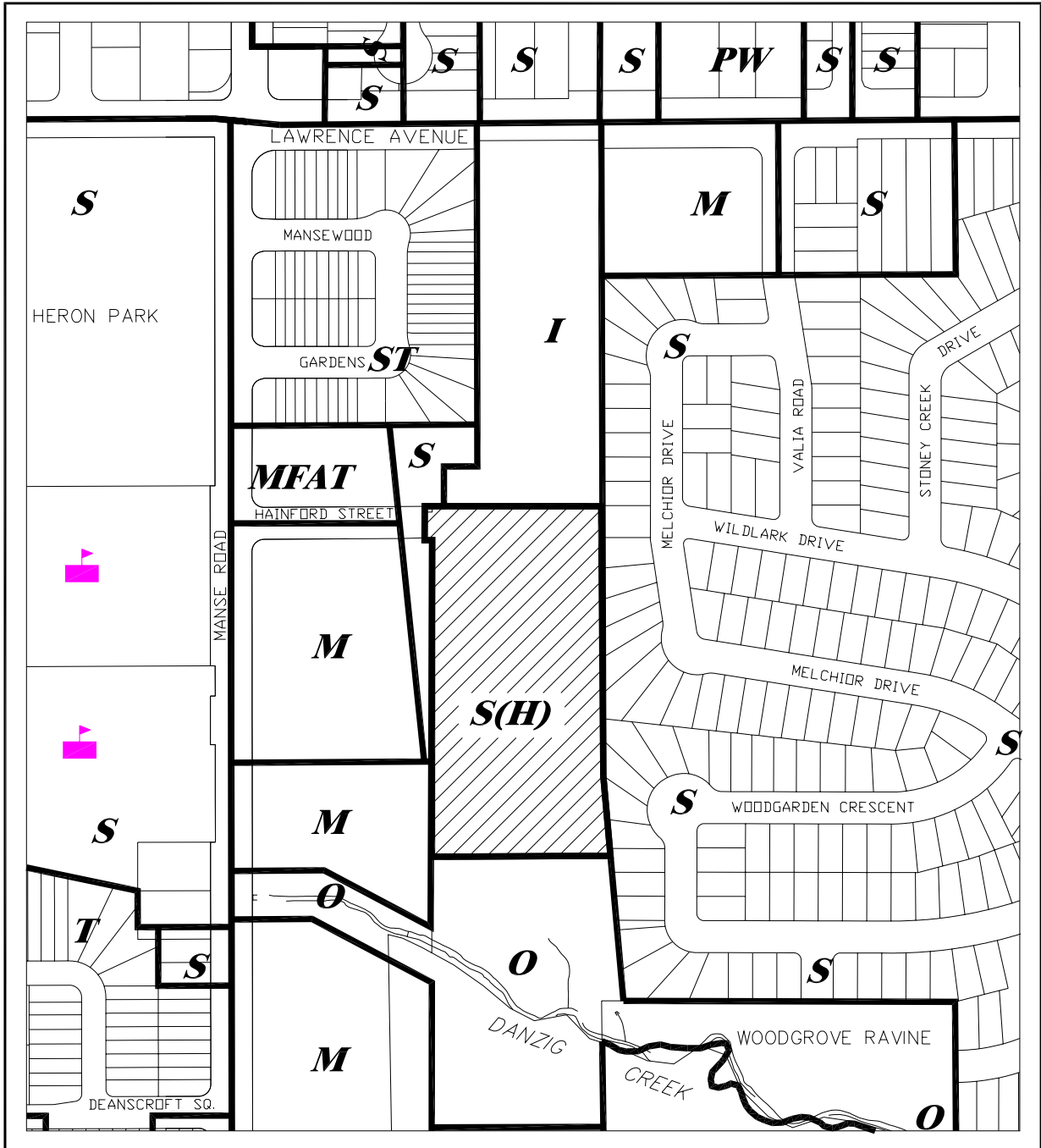
4331 Lawrence Avenue East
(S/E of Hainford Street Terminus)

File # **05_112029_02, 05_112043_SB**

Attachment 5: Official Plan (Map)



Attachment 6: Zoning (Map)



TORONTO Urban Development Services
Zoning

E of Manse Rd./S of Lawrence Ave.

File # 05_112029_OZ, 05_112043_SB

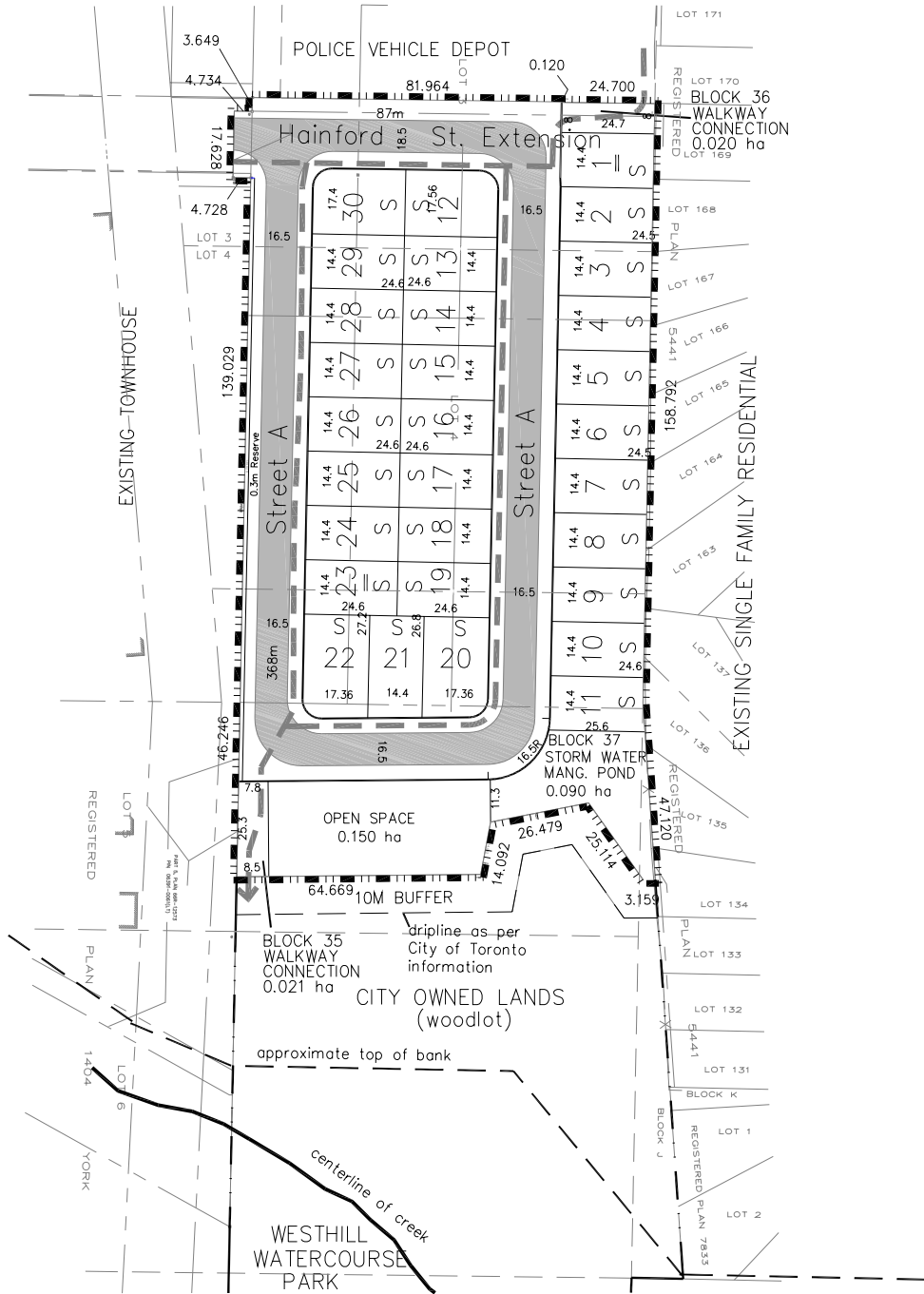
- S** Single-Family Residential
- T** Two-Family Residential
- ST** Street Townhouse Residential
- M** Multiple-Family Residential
- MFAT** Multiple-Family Apartment Terrace Apartment

- O** Major Open Space
- I** Institutional Uses
- PW** Place(s) of Worship
- (H)** Holding Provision (see clause IV- General Provisions, Sub-Clause 1.2)

West Hill Community Bylaw
 Not to Scale
 3/24/05



Attachment 7: Staff's Recommended Subdivision Plan



Subdivision Plan
Staff's Recommended Subdivision Plan

4331 Lawrence Avenue East
(S/E of Hainford Street Terminus)

Not to Scale
10/7/05

File # 05-112029 OZ, 05-112043 SB

Attachment 8: Draft Zoning By-Law

Authority: Scarborough Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2004
Enacted by Council: ~, 2004

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2004

**To amend former City of Scarborough Zoning By-law No. 10327, as amended,
with respect to the lands municipally known as 4331 Lawrence Avenue East
(southeast of Hainford Street terminus)**

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. **Schedule ‘A’** of the West Hill Community Zoning By-law is amended for the lands outlined on the attached Schedule “1” by deleting the existing Single-Family Residential (S) Zone and Holding (H) Provision, and replacing them with Two-Family Residential (T) and Major Open Spaces (O) Zones, so that the amended zoning reads as follows as shown on Schedule “1”:

T – 262 – 403 – 506 – 605 – 606 – 607
O

2. **SCHEDULE “B”, PERFORMANCE STANDARD CHART**, is amended by adding Performance Standards 262, 506, 605, 606, and 607 as follows:

SIDE YARD

262. Minimum 0.9 metres **side yard** building setback from lot lines other than street lot lines and 0 metres from the common lot line coincident with the common wall shared by **dwelling units**.

INTENSITY OF USE

506. Maximum two **dwelling units** per lot as shown on a Registered Plan with each **dwelling unit** on a parcel of land having a minimum frontage of 7.2 metres and minimum area of 176 square metres.

MISCELLANEOUS

605. Maximum **coverage** for all buildings and structures shall be 46% of the area of the **lot** or parcel.
 606. Maximum building **height** of 9.5 metres.
 607. A garage (minimum inside dimensions of 3 m by 6 m) shall be attached to each **dwelling unit**.
3. **SCHEDULE “C”, EXCEPTIONS MAP**, is amended by deleting and then replacing Exception Number 27, and adding Exception Number 98 as shown on Schedule “2”.
 4. **SCHEDULE “C” EXCEPTIONS LIST**, is amended by deleting and then replacing Exception Number 27, and adding Exception Number 98 as follows:
 27. Notwithstanding the definition of **Main Wall** within **CLAUSE V – INTERPRETATION (f) Definitions**, gables and bay windows may also project a maximum 0.7 metres into a required rear yard or street yard.
 98. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Section 15. **Regulations for Single-Family, Two-Family and Street Townhouse Dwellings**, Subsection 15.3. Maximum total **floor area** per **dwelling unit**, shall not apply.

ENACTED AND PASSED this ~ day of ~, A.D. 2004.

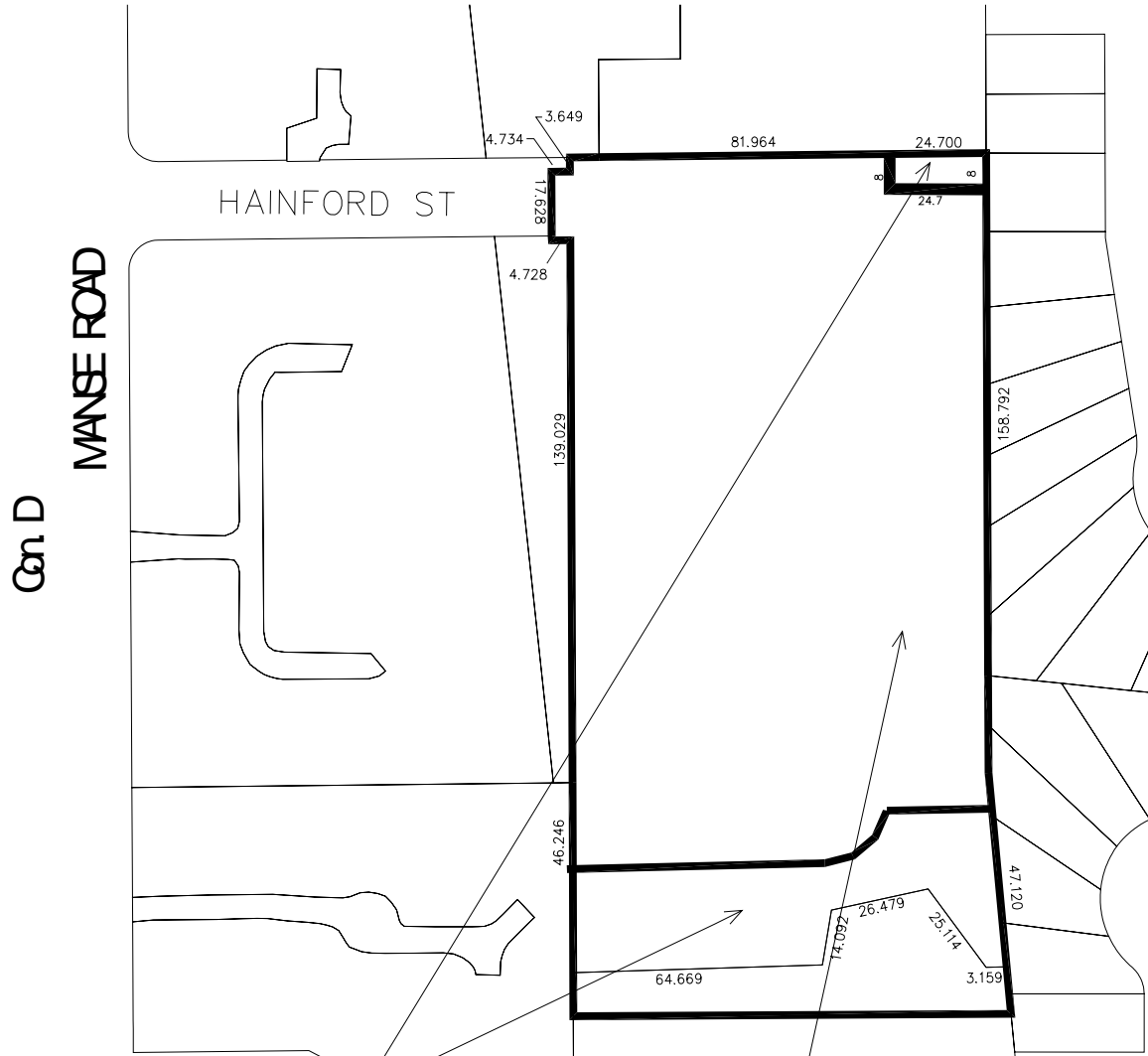
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 8



T-262-403-506-605-606-607

Toronto City Planning Division
Zoning By-Law Amendment

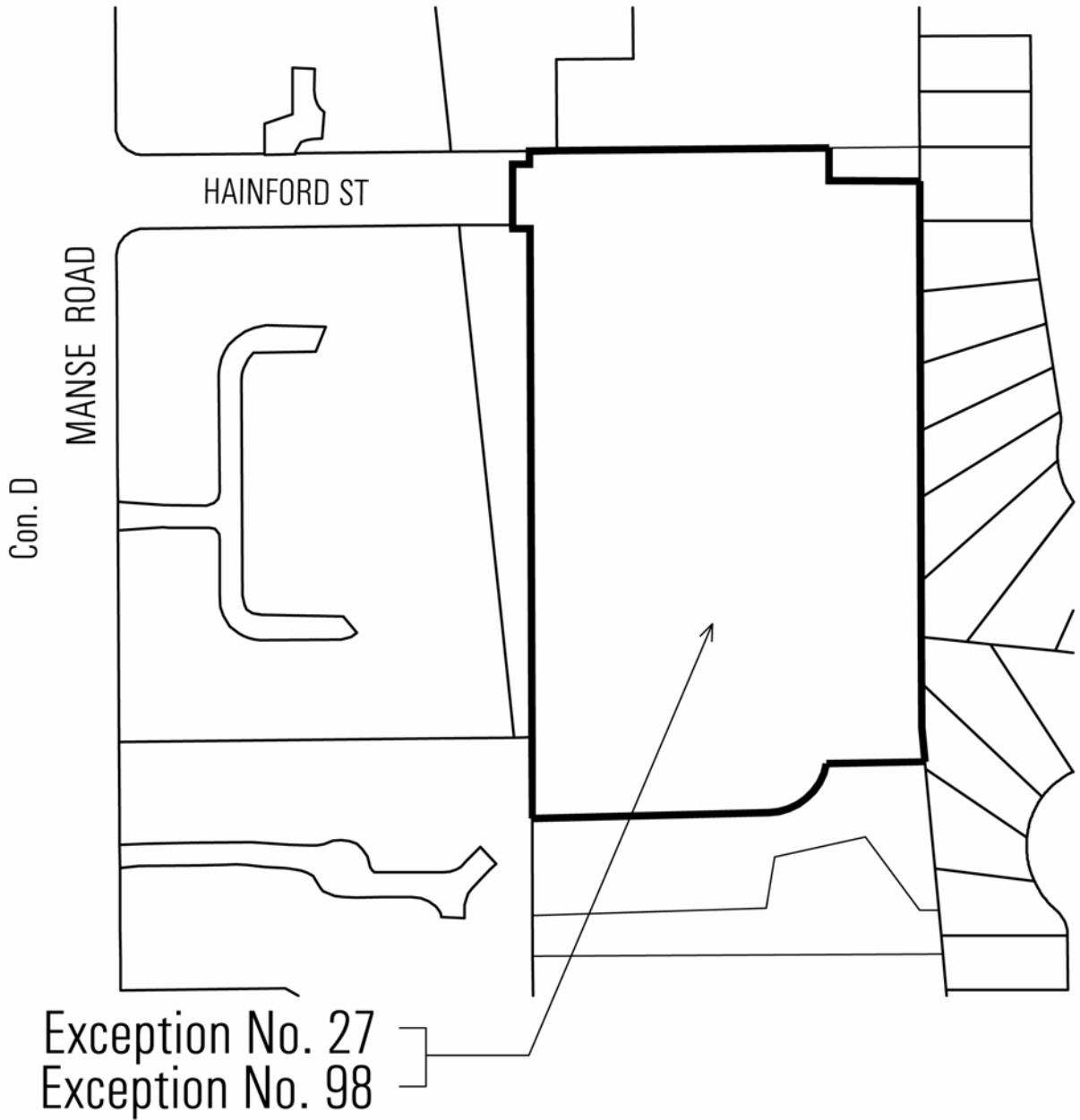
4331 Lawrence Avenue East
File# 05-112029 OZ, 05 112043 SB

 Area Affected By This By-Law

West Hill Community By-law
Not to Scale
3/17/06


Schedule '2'

Lot 8



Attachment 9 – Conditions of Draft Plan Approval

**CITY OF TORONTO
CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL**

**SUBDIVISION APPLICATION 05 112043 ESC 44 SB
DRAFT PLAN OF SUBDIVISION PREPARED BY BOUSFIELDS INC., DATED
AUGUST 11, 2005, AS REDLINED BY THE CITY OF TORONTO**

**4331 LAWRENCE AVENUE EAST
(SOUTHEAST OF HAINFORD STREET TERMINUS)
WRP NEIGHBOURHOOD HOUSING**

1. The Owner shall enter into the City's standard residential Subdivision Agreement in a form and content to the satisfaction of the City Solicitor.

ZONING

2. Prior to the registration of the plan of subdivision, the subject land is to be zoned in accordance with the use proposed on the draft plan of subdivision, to the satisfaction of the Chief Planner and Executive Director.

TECHNICAL SERVICES

3. The Owner shall agree in the subdivision agreement, to construct all sidewalk(s), roads, and utilities throughout the subdivision to the satisfaction of the Executive Director of Technical Services.

Roadways

4. The Owner shall agree in the subdivision agreement to construct the extension of Hainford Street and the construction of proposed Street "A" within the subdivision as fully serviced public rights-of-way, to City of Toronto specification and to the satisfaction of the Executive Director of Technical Services.
5. The Owner shall agree in the subdivision agreement that the Hainford Street extension and proposed Street "A" must be conveyed to the City of Toronto as Public Highways. All costs of the conveyance are the responsibility of the owner and shall be to the satisfaction of the Executive Director of Technical Services.
6. The Owner shall agree in the subdivision agreement, that the proposed extension of Hainford Street must provide a municipal sidewalk on both sides of the Hainford Street extension and on one side of proposed Street "A", to the satisfaction of the Executive Director of Technical Services.

7. The Owner shall agree in the subdivision agreement, to pay for all costs associated with the installation/alteration of all municipal street signage requirements to accommodate the subdivision, to the satisfaction of the Executive Director of Technical Services.
8. The Owner shall include the following warning clause in the subdivision agreement to the satisfaction of the City Solicitor:

“Purchasers are advised that private driveway windrow clearing and sidewalk snow clearing will not be provided by the City for streets with less than 18.5 metre rights-of-way and/or with sidewalks adjacent to the curb.”

9. Prior to the registration of the plan of subdivision, the Owner is to provide a 0.3 metre reserve along the western limit of the site where it abuts proposed Street “A”, to the satisfaction of the Executive Director of Technical Services.

Servicing

10. The Owner shall agree in the subdivision agreement, to construct all external services needed to the development lands at their sole cost, to the satisfaction of the Executive Director of Technical Services.
11. The Owner shall agree in the subdivision agreement, to comply with the practices set out in the Stage 1 Storm Water Management Report prepared by David Schaeffer Engineering Limited, dated February 2005, or an approval equivalent to, all to the satisfaction of the Executive Director of Technical Services.
12. The Owner shall agree in the subdivision agreement to provide a Stage 2 storm water management report for review and acceptance with the first engineering submission. A water balance analysis and mitigation plan should be included in order to ensure that the post-development infiltration matches existing conditions. In addition, the owner will be required to provide an analysis of whether maintenance to the existing headwall and flow channel to the watercourse is required, as part of the Stage 2 storm water management report, all to the satisfaction of the Executive Director of Technical Services, in consultation with the Toronto and Region Conservation Authority.
13. Prior to the registration of the plan of subdivision, the Owner shall agree to provide a street lighting plan to the satisfaction of the Executive Director of Technical Services.
14. The Owner shall agree in the subdivision agreement to provide street lighting and appurtenances in accordance with the approved street lighting plan to the satisfaction of the Executive Director of Technical Services.

Composite Utility Plan

15. Prior to registration of the draft plan of subdivision, the Owner shall submit a composite utility plan, prepared by a licensed municipal servicing engineer, who shall co-ordinate, on

behalf of the City and to City standards, all utility company installation proposals within the public right-of-ways. This same consulting engineer shall provide a composite utility plan, indicating the utility company's installations of services within the municipal road allowances created and/or extended to service this development. Such plan shall be prepared to the satisfaction of the Executive Director, Technical Services.

Storm Water Management Pond – Block 37

16. The owner shall agree in the subdivision agreement to construct Block 37 as a storm water management pond as detailed in the Stage 1 and Stage 2 Storm Water Management Reports, to the satisfaction of the Executive Director of Technical Services.
17. Prior to the registration of the plan of subdivision, the Owner agrees to submit a landscaping plan for the storm water management pond (Block 37), to the satisfaction of the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation.
18. The owner shall agree in the subdivision agreement to implement the approved landscaping plan for the storm water management pond (Block 37), to the satisfaction of the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation.

Easements

19. Prior to the registration of the plan of subdivision, the Owner agrees to provide any easements deemed necessary by the Executive Director of Technical Services for utilities, drainage and servicing purposes to the appropriate authorities in order to service the subdivision, including but not limited to, a 3 metre storm sewer easement along the east property line.
20. Prior to the registration of the plan of subdivision, the Owner agrees to make satisfactory arrangements, financial and otherwise, including easements, with a telecommunication provider for the delivery of telecommunication services to the subdivision.
21. Prior to the registration of the plan of subdivision, the Owner agrees to make satisfactory arrangements, financial and otherwise, including easements, with a natural gas provider for the delivery of gas services to the subdivision.
22. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements, financial and otherwise with a hydroelectric provider including, amongst other matters the following regarding the installation of an underground hydro and street lighting system, to the satisfaction of the Executive Director of Technical Services and Toronto Hydro:
 - a. Underground civil and electrical system for the development;
 - b. The provision of adequate space within the development for transformers, tap boxes and any other hydro equipment of the local distribution company;
 - c. Architectural plans and elevations showing meter base locations to all units, and

- d. Any existing electrical feeds to any existing or demolished buildings on the property must be removed at the developer's expense.

Walkway

23. The Owner shall agree in the subdivision agreement to construct a public walkway within the subdivision and walkway connections as part of Block 35 and Block 36, to the satisfaction of the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation.
24. The Owner shall agree in the subdivision agreement, that Block 36 is to be graded for an overland flow route to an existing intake structure located within an easement at 62 Melchior Drive (Lot 169, Registered Plan 5441), to the satisfaction of the Executive Director of Technical Services.

Record of Site Condition

25. Prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner shall provide to the City's Technical Services Division a copy of an accepted Record of Site Condition (RSC) satisfactory to the Ministry of the Environment.

Additional Financial Requirements

26. Prior to the registration of the plan of subdivision, the Owner agrees to pay to the City the following:
 - (a) \$300.00 per hydrant for fire hydrant maintenance
 - (b) \$40.00 per lot for geodetic surveys and aerial mapping; and
 - (c) \$10.00 per lot for traffic signs

PARKS

Parkland Dedication (Blocks 35 & 36)

27. Prior to the registration of the draft plan of subdivision, the Owner will convey Blocks 35 and 36 on the proposed plan of subdivision for parkland purposed to the City. The City hereby acknowledges that the location and configuration of these lands on the plan are in partial fulfilment of the statutory parkland dedication equal to 5% the site area/value. The Owner agrees that the shortfall will be addressed through cash-in-lieu of parkland dedication payment to the City prior to the issuance of a building permit on the site, or through the conveyance of additional lands on site which are to the satisfaction of the General Manager of Parks, Forestry and Recreation. Should any part or all of the proposed units meet Council's policies for non-profit housing, those units will be exempt from the parkland dedication requirement that would otherwise apply as per said policy. Those identified units will be proportionately removed from the site's overall gross area when the parkland dedication requirement is calculated.

28. The Owner shall agree in the subdivision agreement, that any area of Block 36 which was declared conditionally surplus by Parks, Forestry & Recreation, as identified in Policy and Finance Committee Report 5, Clause 4 (Parts 3, 4 and 9 on Sketch PMC-99-005e), will be excluded from the calculation of the statutory parkland dedication.
29. The Owner shall agree in the subdivision agreement that the final location, configuration, design, development and programming of the parkland to be conveyed to the City of Toronto will be to the satisfaction of the General Manager of Parks, Forestry and Recreation.
30. The Owner shall agree in the subdivision agreement to pay for the cost of the dedication of the parkland, including the preparation and registration of all relevant documents.
31. Prior to the registration of the plan of subdivision the Owner agrees to provide the City Solicitor, with all legal descriptions and applicable reference plans of survey required for the completion of the dedication to the satisfaction of the City Solicitor.
32. Prior to the registration of the draft plan of subdivision, the Owner agrees to ensure, to the satisfaction of the City Solicitor, that the lands to be dedicated as parkland to the City will be free and clear, above and below grade, of all easements, encumbrances and encroachments except those existing on the lands that are for the benefit of the City.
33. Prior to the registration of the plan of subdivision, the Owner shall be responsible for an environmental assessment of the lands to be dedicated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the parkland dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant acceptable to Technical Services, Development Engineering Division shall prepare the environmental assessment. Prior to transferring the Parkland to the City, the environmental assessment may be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the "Peer Reviewer"), and the conveyance of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Technical Service section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

Temporary Fencing

34. The Owner shall agree in the subdivision agreement that prior to the conveyance of the parkland (Blocks 35 & 36), the owner is responsible for the installation of temporary fencing around the conveyed park blocks and their maintenance until such time as the development of the park blocks occurs, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

35. The Owner shall agree in the subdivision agreement that prior to the issuance of a building or site grading permit, the Owner is required to install and maintain sediment control fencing along all boundaries to the City owned parkland. Such fencing is to be covered with filter fabric during construction, to the satisfaction of the General Manager of Parks, Forestry and Recreation. The bottom of the filter fabric must be held firmly to the ground with clear stone to prevent migration of sediments from the development site onto adjacent City owned parkland.

Base Park (Blocks 35 & 36)

36. The Owner will be responsible for the construction and installation of Base Park Improvements to the dedicated parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation, including the following:
- (i) Grading (inclusive of 150 mm topsoil supply and placement);
 - (ii) City standard fencing where deemed necessary;
 - (iii) All necessary drainage systems
 - (iv) Electrical and water connections to the street line where deemed necessary;
 - (v) Street trees along all public road allowances, which abut City owned parkland

Details of when such work is to be completed are to be finalized prior to the registration of the draft plan of subdivision and shall be to the satisfaction of the General Manager of Parks, Forestry and Recreation. No credit will be given towards the statutory Parkland Dedication requirement or the Parks and Recreation component of the Development Charges for the costs associated with these base park improvements.

37. Prior to the registration of the draft plan of subdivision, the Owner will post a Letter of Credit as security for the installation of the base park improvements, equal to 120% the value of the base park improvements, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Grading of Lots Against Park

38. Prior to the registration of the draft plan of subdivision, the Owner will ensure that the grading and lot drainage for the development site are compatible with the grades of the City owned parkland to the north and south of the site which will be subject to the approval by the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation.

Park Development

39. The Owner shall agree in the subdivision agreement that they will be responsible for the design, construction and installation of improvements above and beyond the Base Park improvements to Block 36 to the satisfaction of the General Manager of Parks, Forestry and Recreation.

40. Prior to the registration of the draft plan of subdivision, the Owner will be required to prepare and submit a landscape plan for the proposed park blocks (Block 35 & Block 36) to the satisfaction of the General Manager of Parks, Forestry and Recreation. All costs associated with the design, construction and supervision of the construction of the park will be at the Owner's expense.
41. The Owner shall agree in the subdivision agreement that the total obligation with respect to the design and installation of Parkland Improvements will not exceed the aggregate amount of the Park Development Component (5.34%) of the Development Charges for all dwellings in the subdivision.
42. Prior to the registration of the draft plan of subdivision, the Owner will provide a Letter of Credit equal to 120% the value of the Parkland Improvements above and beyond the Base Park Improvements, based on the approved landscape plan. The Owner will receive an equal credit against the Park Development Component (5.34%) of the Development Charges for the Cost of the parkland improvements provided over and above the Base Park Improvements. No credit will be applied towards the statutory parkland dedication requirement.
43. The Owner shall agree in the subdivision agreement that at the time the parkland has been developed, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letters of credit for park improvements will be released subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, less 20% which will be held for a two year period as a performance guarantee.
44. The Owner shall agree in the subdivision agreement that all plans, budgets, Development Charge credit, and letters of credit will be to the satisfaction of the General Manager of Parks, Forestry and Recreation.
45. The Owner shall agree in the subdivision agreement that they will be responsible for the development of the park block(s) to base park condition and for the design and installation of the parkland improvements above and beyond base park condition. The Owner will attempt to complete the development of the parkland on or about the date of occupancy of the dwelling units closest to the parkland. But in any event, the parkland must be complete and delivered to the City no later than 1 year after the date of issuance of any occupancy permit for any dwelling on the Plan of Subdivision.

Park Occupation

46. The Owner shall agree in the subdivision agreement that stockpiling of any soils or materials on City owned parkland is prohibited.

Letters of Credit

47. The Owner shall agree in the subdivision agreement that all Parks related Letters of Credit that are to be provided by the Owner, unless determined otherwise by the General Manager of Parks, Forestry and Recreation, are intended to be in current dollars and accordingly, shall

be adjusted either upwards or downwards, annually, on the anniversary of the date of execution of the associated subdivision agreement, in accordance with the change in the Statistics Canada Quarterly, Capital Expenditure Price Statistics during such one year period. In no case shall the amount actually payable by the Owner at any time be less than the minimal amount set out in that agreement.

BOULEVARD TREES

Street Tree Planting Plan

48. Prior to the registration of the plan of subdivision, the Owner shall provide a street tree planting plan, in conjunction with a composite utility plan that indicates the species, size, and location of all proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities. The street tree planting plan shall be to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Executive Director, Technical Services.

Street Tree – Letter of Credit

49. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit equal to 120% of the value of the street trees, to guarantee the planting and maintenance by the Owner of the new street trees for a period of two years after the planting date, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Street Tree Planting Requirements

50. The Owner shall agree in the subdivision agreement to contact the Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her designate prior to commencement of street tree planting. The Owner further agrees to plant the street trees as per the approved street tree planting and composite utility plans, to the satisfaction of the General Manager of Parks, Forestry and Recreation and the Executive Director, Technical Services. There shall be a two-year maintenance period, with an annual inspection involving Urban Forestry and the Owner (and their agents). At the end of the two-year maintenance period, if the street trees are in good condition, the General Manager of Parks, Forestry and Recreation shall accept maintenance responsibilities, and return the Letter of Credit. The Owner acknowledges that any trees requiring removal will be replaced, maintained and guaranteed by the Owner for an additional two-year period.

Warning Clause – Street Tree Planting

51. The Owner shall agree in the subdivision agreement to ensure that there shall be no wording in any Agreement of Purchase and Sale and/or Rental Agreement for any lands within the plan of subdivision that states or creates an expectation that there will be a tree in front of each residential lot, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Tree Protection

52. The Owner shall agree in the subdivision agreement to protect the four city-owned Norway Maples located on Hainford Street in accordance with the approved Arborist Report and Tree Preservation Plan to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Tree Protection Barriers and Signage

53. The Owner shall agree in the subdivision agreement that prior to any site work, the Owner agrees to install tree protection barriers and signage to the satisfaction of the General Manager of Parks, Forestry and Recreation, and to maintain barriers in good repair until removal has been authorized by the General Manager of Parks, Forestry and Recreation.

Tree Protection Letter of Credit

54. Prior to the registration of the plan of subdivision, the Owner must provide a tree protection security deposit to secure the protection of the 4 City-owned Norway Maples during construction and landscaping in close proximity to these trees, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

RAVINE AND TREE PROTECTION AND REMOVAL

55. Prior to the registration of the plan of subdivision, the Owner agrees to submit a revised Arborist Report prepared by a Certified or Registered Arborist or Registered Forester, and a Tree Protection Plan which indicates the location of existing trees that meet the criteria of the Private Tree By-law, Toronto Municipal Code Chapter 813 Trees Article III, and Ravine By-law, Toronto Municipal Code Chapter 658 Ravine Protection to be prepared to the satisfaction of the General Manager of Parks, Forestry and Recreation.

It is understood and agreed that the revised Arborist Report and Tree Preservation Plan:

- a) be prepared in conjunction with the Subdivision Grading and Building Siting Control Plan which indicates above and below ground services. This plan must show trees proposed for removal, trees to be preserved and tree protection zones;
- b) be prepared by a qualified arborist or other tree professional satisfactory to the General Manager of Parks, Forestry and Recreation;
- c) indicate the surveyed location of all City owned street trees, and private trees having a diameter of 30cm or greater, species, size and condition of the trees identified and shown on the approved draft plan; and
- d) identify and evaluate which trees are to be preserved and the methods to be implemented to protect the trees during construction activities associated with the subdivision, as well as identify and evaluate trees proposed for removal and the reasons for their removal.
- e) will include a continuous plywood tree protection barrier, as well as sediment control along the entire property boundary at the south limit of the proposed development site, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

56. Prior to the registration of the plan of subdivision, the owner shall submit a lot drainage and house siting control plan showing itemized methods of protecting trees during construction, such plans must be completed to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with the Executive Director of Technical Services.
57. Prior to the registration of the plan of subdivision, the owner shall submit a site grading, servicing and landscape plan, with the location of surveyed trees having a diameter of 30cm or greater accurately plotted on the plans. The location of tree protection zones must also be indicated around the trees that are to be retained and protected, all to the satisfaction of the General Manager of Parks, Forestry and Recreation.
58. The Owner shall agree in the subdivision agreement that prior to the issuance of a building permit, the Owner shall make applications to the City, under the Private Tree By-law, Toronto Municipal Code Chapter 813 Trees Article III, for any trees proposed to be removed as outlined in the Arborist Report. Such applications shall include house siting plans.
59. The Owner shall agree in the subdivision agreement that privately owned trees that are the subject of an application made under the Private Tree By-law, Toronto Municipal Code Chapter 813 Trees Article III, will not be removed until permitted construction activities commence which warrant the removal of the trees.
60. The Owner shall agree in the subdivision agreement to protect all existing trees associated with the subdivision for which approval to remove or injure has not been granted in accordance with the Arborist Report and Tree Preservation Plan.
61. The Owner shall agree in the subdivision agreement to install tree protection barriers to the satisfaction of the General Manager of Parks, Forestry and Recreation, and to maintain the barriers in good condition until all construction has been completed and removal has been authorized by the General Manager of Parks, Forestry and Recreation.

The Owner further agrees:

- a. to instruct a qualified Arborist or other tree professional satisfactory to the General Manager of Parks, Forestry and Recreation, to monitor tree preservation in accordance with the Arborist Report and Tree Preservation Plan until submission of the Site Certificate of Compliance.
- b. to notify all builders, contractors and agents of all requirements of this clause where any part of the subdivision will be carried out by them on behalf of the Owner.
- c. to provide brief status reports to Urban Forestry Services at specified times as a condition of approval to remove trees under Toronto Municipal Code Chapter 813 Article III and Chapter 658.

62. Prior to the registration of the plan of subdivision, the Owner agrees to submit details of a permanent fence for the area north of the ravine lands, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

TREE PLANTING – PRIVATE PROPERTY AND RAVINE AREAS

63. Prior to the registration of the plan of subdivision, the Owner agrees to submit a planting plan for private property and within the ravine area, to the satisfaction of the General Manager of Parks, Forestry and Recreation.
64. The Owner shall agree in the subdivision agreement that tree planting plans are to include a minimum of three trees to be planted on private property or within public areas, to replace every privately owned tree that is included for removal in an Application to Injure/Destroy Trees, to the satisfaction of the General Manager of Parks, Forestry and Recreation.
65. The Owner shall agree in the subdivision agreement that once all site works are complete, including sodding where required, planting will be implemented and completed in accordance with the approved planting plan, to the satisfaction of the General Manager of Parks, Forestry and Recreation.
66. The Owner shall agree in the subdivision agreement to include a warning clause in any Agreement of Purchase and Sale and/or Rental Agreement for Lots 1-11 along the eastern most edge of the site abutting Registered Plan 5441, that because of a 3 metre storm sewer easement requirement by Technical Services, future owners must be made aware that if trees are required to be removed for maintenance within the easement, smaller caliper replacement tree will be planted, to the satisfaction of the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation.
67. Prior to the registration of the plan of subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clause set out above has been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware smaller caliper replacement trees will be replanted if trees are required to be removed from the easement.

SCHOOL BOARD

68. Prior to the registration of the plan of subdivision, the Owner shall erect and maintain signs, at points of egress and ingress of the development site, advising that;

“The Toronto District School Board makes every effort to accommodate students locally. However, due to residential growth, sufficient accommodation may not be available in this area for all students. Students may be accommodated in facilities outside the area until adequate funding or space becomes available.

For information regarding designated school(s), please call (416) 394-7526.”

The owner agrees and undertakes that these signs shall be to the Board's specifications.

69. The Owner shall agree in the subdivision agreement to include the following warning clauses in all Offers of Purchase and Sale of residential units the following warning clause for a period of ten years following registration of the subdivision plan that:

“Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if busing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bused from home to school, but will meet the bus at designated locations in or outside of the area”.

ARCHEOLOGICAL ASSESSMENT

70. The Owner shall agree in the subdivision agreement to immediately notify the Heritage Operations Unit of the Ministry of Culture, as well as the City of Toronto, Heritage Preservation Services Unit in the event that deeply buried archeological remains are encountered on the property during construction activities.
71. The Owner shall agree in the subdivision agreement to immediately contact the Ministry of Culture, and the registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services in the event that human remains are encountered during construction.

FENCING PLAN

72. Prior to the registration of the plan of subdivision, the Owner shall provide the City with a fencing plan to the satisfaction of the Chief Planner & Executive Director, the Executive Director of Technical Services and the General Manager of Parks, Forestry and Recreation. The fencing plan must illustrate a wood privacy fence a minimum of 1.8 metres in height located along the rear yards of Lots 1 to 11.
73. Prior to the registration of the plan of subdivision, the Owner is to provide the City with a Letter of Credit as security for the construction and installation of the wood privacy fence, equal to 120% of the value of the fence construction, to the satisfaction of the Chief Planner & Executive Director. If abutting property owners to the east advise in writing that they do not wish to have a fence erected, then the owner will not be required to erect a fence along that portion of the property.

CONSTRUCTION MANAGEMENT PLAN

74. Prior to registration of the plan of subdivision or prior to commencement of any construction activities, the owner agrees to submit a Construction Management Plan for review and acceptance, to the satisfaction of the Executive Director of Technical Services and the Medical Officer of Health. The construction management plan shall include the following:
- i. Dust/mud/sediment control on and off-site;
 - ii. Location of truck loading points and trailer parking;
 - iii. Location and height of temporary storage areas;
 - iv. Access/truck routing;
 - v. Provision of hoarding and temporary fencing;
 - vi. Details of piling and shoring activities;
 - vii. Estimated period of construction;
 - viii. Control of storm run-off, including any siltation control devices which may be required;
 - ix. Parking management plan for employee/construction vehicle parking; and
 - x. Provisions for the removal of debris in a timely manner.

URBAN DESIGN

75. Prior to the registration of the plan of subdivision, the Owner shall submit architectural streetscape plans for review and acceptance, to the satisfaction of the Chief Planner and Executive Director.
76. The Owner shall agree in the subdivision agreement to implement the accepted architectural streetscape plans.

MODIFICATIONS TO DRAFT PLAN OF SUBDIVISION

77. Prior to draft approval of the plan of subdivision, the owner shall be required to modify the draft plan of subdivision as follows:
- i. Remove Lots 12-15 from residential development;
 - ii. Identify the 3 metre storm sewer easement along the east property line;
 - iii. Identify 5 metre street line corner roundings on both sides of Proposed Street "A" where it intersects Hainford Street;
 - iv. Identify all outside corners of right-angle change in the road alignments with outside street radii of 15 metres in addition to boulevard width; and
 - v. Provide changes to sidewalk location if deemed necessary by City staff.

OTHER

78. The Owner shall agree in the subdivision agreement to complete or comply with any other requirements by the City acting reasonably that results from the City's examination and

review of all requisite plans, drawings, reports and submissions required by the City to facilitate this development.