

**262 Dean Park Road – Zoning and Subdivision Applications – Final Report**

<b>Date:</b>	August 23, 2007
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward No. 44 – Scarborough East
<b>Reference Number:</b>	File Nos. 07 101100 ESC 44 OZ & 07 101103 ESC 44 SB

**SUMMARY**

The applicant has filed zoning by-law amendment and draft plan of subdivision applications to permit 33 single detached residential lots at 262 Dean Park Road. These applications were made after January 1, 2007, and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

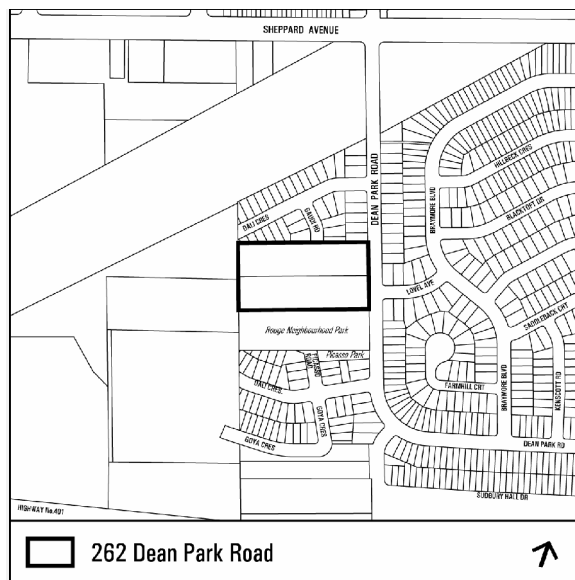
The proposed land use is consistent with the Neighbourhoods policies in the Toronto Official Plan. The proposal respects and reinforces the physical character of the surrounding neighbourhood. The zoning by-law amendment will allow for appropriate residential development on the subject lands.

This report reviews and recommends approval of the application to amend the zoning by-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the zoning by-law for the Rouge Community substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 3.



2. City Council recommend to the Chief Planner that the draft plan of subdivision be approved, generally as illustrated on attachment 1, subject to:
  - (a) the conditions as generally listed in attachment 5, which except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration; and
  - (b) such revisions to the proposed plan of subdivision or additional or modified conditions as the Chief Planner may deem appropriate to address matters arising from the on-going technical review of the development.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant has filed applications to amend the Rouge Community Zoning By-law No. 15907 and for draft plan of subdivision approval to permit an infill residential development on the subject lands. The proposal will facilitate the creation of 33 single detached residential lots, seven of which front onto Dean Park Road while the remainder of the proposed lots front onto the proposed extension of the existing public road (Gaudi Road). One lot has been removed from the draft plan previously proposed. The dwellings proposed to front onto the extension of Gaudi Road range from 176.50 m<sup>2</sup> (1900 ft<sup>2</sup>) to 241.50m<sup>2</sup> (2600 ft<sup>2</sup>) and the proposed dwellings on Dean Park Road range from 260.12 m<sup>2</sup> (2800 ft<sup>2</sup>) to 278.70 m<sup>2</sup> (3000 ft<sup>2</sup>). The proposal also contains 14 part blocks to be consolidated with the part blocks of the adjacent landowner to facilitate future residential development. A small park to be consolidated with a draft approved park is also proposed at the southeast end of the site.

### **Site and Surrounding Area**

The subject lands are located on the west side of Dean Park Road, south of Sheppard Avenue East. The site is approximately 2.01 ha (4.97 ac) in size. The lands are generally flat and rectangular in shape and many trees currently exist on the site. The 3 structures at the west end of the site which include a small 1-storey residential dwelling, a storage building and garage will be demolished to facilitate the proposed development.

North: Single family residential uses.

South: Vacant lot with draft plan of subdivision approval; and further south are single-detached residential dwellings.

East: Dean Park Road; further east are single-detached residential dwellings.

West: Vacant lot with draft plan of subdivision approval

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The proposal is at a density and scale that is appropriate for the site. The development is in close proximity to good public transit along Sheppard Avenue and Meadowvale Road. The project makes efficient use of existing municipal infrastructure that already exist close to the subject lands.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The applications are consistent with the policies of the PPS and the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

In the Toronto Official Plan the subject lands are located within a 'Neighbourhoods' land use designation. 'Neighbourhoods' are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low-scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in 'Neighbourhoods'.

New development will respect and reinforce the existing physical character of the neighbourhood, including in particular heights, massing, scale and dwelling type of nearby residential properties.

The proposal complies with the policies of the Toronto Official Plan.

## **Zoning**

The subject property is within an Agricultural Uses (AG) zone in the Rouge Community Zoning By-law No. 15907. The 'Agricultural Uses' zoning category permits Agricultural Uses and Day Nurseries. The site is subject to Exception No. 33 which, under an additional uses provision, permits single family dwellings in accordance with prescriptive performance standards.

The developed lands surrounding the area have been zoned Single Family Residential (S) and Semi-Detached Residential (SD).

## **Site Plan Control**

The lands are not subject to site plan control.

## **Reasons for Application**

The site is zoned Agricultural Uses (AG) and is subject to Exception No. 33, which permits single family dwellings. This exception includes ground floor area provisions, side yard setbacks and minimum lot frontages and depths. A zoning by-law amendment is required to rezone the subject lands for residential uses and to form appropriate performance standards given the scale of the development.

## **Community Consultation**

A community consultation meeting was held on May, 2, 2007. As directed by Scarborough Community Council, staff gave notice of the community consultation meeting to all landowners and residents within an expanded notification area bounded by Sheppard Avenue and Meadowvale Road, Highway 401 and the HEPC (Hydro Corridor). Planning staff, the local Ward Councillor, the owner and applicant and 23 members of the public were in attendance. Residents expressed concern about the impact of the development on the accommodation capacities of area schools. Some residents voiced concerns about the adequacy of parkland provided and the traffic impacts of the proposal and also lot area and built form compatibility with the surrounding neighbourhood. The City Planning Division received 3 letters from the public, generally expressing concern about the adequacy of parkland and the loss of some wildlife.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and conditions of draft plan approval.

## **COMMENTS**

### **Natural Habitat/Trees**

Local area residents voiced concerns over the loss of natural habitat. The applicant filed a preliminary arborist's report including a tree inventory plan which was reviewed by Urban Forestry staff. The report identifies 94 trees that are on the site or within 6 metres

of the site. Most of the trees are on private property and 61 (65%) of the trees qualify for protection under the private tree by-law.

Due to the nature of the proposal most trees in the area to be built up will be removed. Urban Forestry staff have indicated that three replacement trees will be provided for every tree to be removed on private property that qualifies for protection under the private tree by-law. If replacement can not be accommodated on site, cash-in lieu of the trees may be accepted. As the preliminary arborist's report is incomplete staff require a complete arborist's report including tree preservation plan, grading plans and a replanting plan. As a condition of draft plan of subdivision approval, staff will require the applicant to provide a complete arborist's report with a tree preservation plan, grading plans and a replanting plan to indicate which trees will be preserved or replaced. (see Attachment 5: draft plan of subdivision conditions).

### **Open Space/Parkland**

A few residents raised concerns about the adequacy of parkland space associated with the development. The applicant is required to dedicate 5% of the residential lands to be developed for parkland use. The applicant will convey a 5% parkland dedication. The development is not located in an area underserved by Parks. Dean Park which is approximately 650 metres south and east is about 3.74 ha (9.24 acres) in size and contains baseball diamonds, tennis courts along with open space.

There is a draft approved plan of subdivision (55T 85008) immediately south of the proposed park which includes a parkland dedication of 0.65 ha (1.61 acres). The two parks will be consolidated to create a 0.74 ha (1.82 acres) park in the future to serve new and existing residents. This will improve the supply of parks space in the area when it is built.

### **Parkland walkway**

A 3 metre wide walkway connection between lots 13 and 14 was proposed, in part, for parkland access. The applicant also proposed to have underground servicing and sanitary pipes under the walkway. The proposal has been revised to exclude the walkway; however, the Technical Services Division will retain a 6 metre easement over lots 13 and 14 (see Attachment 1: draft plan of subdivision). Parks, Forestry and Recreation staff and Technical Services staff are satisfied with the removal of the walkway connection and that sufficient access exists from Dean Park Road to the new park for future residents of the subdivision.

### **School Capacity**

Some residents expressed concern about the impact of the development on local area schools. The Toronto District School Board has advised that there is sufficient space at the local schools (John G. Diefenbaker Public School and West Hill Collegiate); to accommodate students from this proposed development.

The Toronto District Catholic School Board (TDCSB) advised that the local schools are over-subscribed and could not accommodate additional students. As a condition of draft

plan of subdivision approval the TDCSB will require a warning clause in purchase and sale agreements and/or lease agreements that notifies future purchasers that students requiring Catholic School education may need to be accommodated in school facilities outside the area. A sign to the same effect will be required to be posted on the property during construction.

### **Traffic Impact**

Residents expressed concern about the traffic impacts of the proposal on existing traffic conditions.

Transportation Services staff indicate that during the 'morning rush' hour, there is a very high volume of northbound lefts that pass through the intersection of Dean Park Road and Sheppard Avenue and that traffic is significantly reduced at this intersection outside of peak times.

The intersections of Idagrove Gate and Sheppard Avenue, and Dean Park Road and Meadowvale Road are alternative 'morning rush' hour exit routes onto major arterials during increases in traffic at peak times.

Transportation Planning staff are satisfied that the scale of development proposed does not warrant a traffic impact study and that the proposal will not adversely affect the surrounding road network.

### **Density, Massing, Lot Size**

Infill residential development must respect the character of the surrounding area. The residents expressed the desire to ensure that the development was compatible with the lot sizes, frontages and setbacks in the surrounding area.

The proposal is comprised of 33 single detached residential dwellings and has lot sizes, front, rear and side yard setbacks that are comparable to the existing built form and zoning permissions in the surrounding neighbourhood.

The subject site is surrounded by single detached residential dwellings to the north and an approved draft plan of subdivision to the west and south of the site. The proposed lots fronting onto Dean Park Road have a minimum lot area of 375 m<sup>2</sup> (4,037 ft<sup>2</sup>) and the lots proposed to front onto the extension of Gaudi Road will have a minimum lot area of 293 m<sup>2</sup> (3,154 ft<sup>2</sup>). The lots on the east side of Dean Park Road to the north of the site have lot areas that average 561 m<sup>2</sup> (6040 ft<sup>2</sup>) and the lots to the south of the proposal on the east side of Dean Park Road are an average of 385 m<sup>2</sup> (4,143 ft<sup>2</sup>). The lots on the east side of Gaudi Road are approximately between 461 m<sup>2</sup> (4962 ft<sup>2</sup>) and 506 m<sup>2</sup> (5447 ft<sup>2</sup>) and the lots on the west side are between 512 m<sup>2</sup> (5511 ft<sup>2</sup>) and 548 m<sup>2</sup> (5899 ft<sup>2</sup>). Lots on area streets in the immediate vicinity of the proposal such as Braymore Boulevard and Sudbury Hall Drive have average lot sizes of 296 m<sup>2</sup> (3,186 ft<sup>2</sup>) and 402 m<sup>2</sup> (4,327 ft<sup>2</sup>) respectively. The surrounding neighbourhood east of Dean Park Road has an average lot size of 390 m<sup>2</sup> (4,198 ft<sup>2</sup>).

The proposed lots on Dean Park Road will have frontages a minimum of 12.85 metres (42 feet) and the lots on the proposed extension of Gaudi Road will generally have 9.75 metre (32 feet) frontages with the part blocks closest to the existing lots on Gaudi Road proposed to have over 12 metre (40 ft) frontages when consolidated with the lands to the north. The lot frontages on the east side of Dean Park Road to the north of the site average 15.24 metres (50 ft) and the lot frontages to the south of the proposal on the east side of Dean Park are an average of 11.28 metres (37 ft). The lot frontages on Gaudi Road are 14.72 metres (48 ft). There are several lots with 9.14 metre (30 feet) frontages in close proximity to the site (along Braymore Boulevard), and the average lot frontage for the surrounding area is approximately 10.9 metres (36 feet).

The proposal contemplates rear yard setbacks of 7.5 metres. The existing dwellings in the area have rear yard setbacks ranging between 6 and 7.5 metres with the majority at 7.5 metres. The side yard setbacks proposed are identical to the setbacks in the immediate area.

Planning staff are satisfied that the proposal is compatible with the character of the surrounding neighbourhood and that the draft plan of subdivision is acceptable.

### **Servicing**

A Functional Servicing Report has been submitted in support of the application. The Technical Services Division reviewed and accepted the report. Other technical matters will be dealt with through proposed conditions of draft plan of subdivision approval.

### **Heritage Preservation/Archaeology**

An Archaeological Assessment was filed as a part of the application. The assessment details that a total of 12 artifacts were recovered during the process of excavations and the site was registered with the Ministry of Culture after the field assessment. The archaeological report indicated that the artifact yields on the subject lands are considered low and further work would not be meaningful. However, Heritage Preservation Services staff will require the applicant to obtain clearance from the Ministry of Culture and Heritage Preservation Services prior to any on site soil disturbance (see Attachment 5: draft plan of subdivision conditions).

### **Subdivision Plan**

The draft plan proposed is comprised of 33 lots, the consolidation of part blocks with adjoining lands, the extension of a public road, and a park block.

The proposed lots vary in shape but are generally rectangular in shape. The part blocks that exist will be consolidated with adjacent undeveloped lands to create additional lots and permit the orderly development of the lands.

The design of the adjacent approved draft plan of subdivision 55T-85008 to the west incorporated the proposed extension of the public road from the subject site. The proposed extension of Gaudi Road runs south and west. A temporary turning circle will be constructed at the south end of the proposed extension of Gaudi Road until the

intended connection with the future Picasso Road can occur (see Attachment 1 draft plan of subdivision).

The proposed park block is adjacent to a draft approved parkland block. Immediately south of the draft approved park block is an existing parkette (Picasso Park).

### **Development Charges**

It is estimated that the development charges for this project will be \$354,110.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Green Development Standard**

The applicant has not submitted a Green Development Standard checklist. However, staff will require the submission of the appropriate information prior to the release of draft plan of subdivision approval.

### **CONTACT**

Jeffery Sinclair, Assistant Planner

Tel. No. 416-396-7685

Fax No. 416-396-4265

E-mail: jsincla@toronto.ca

### **SIGNATURE**

---

Allen Appleby, Director  
Community Planning, Scarborough District

### **ATTACHMENTS**

Attachment 1: Draft Plan of Subdivision

Attachment 2: Zoning Map

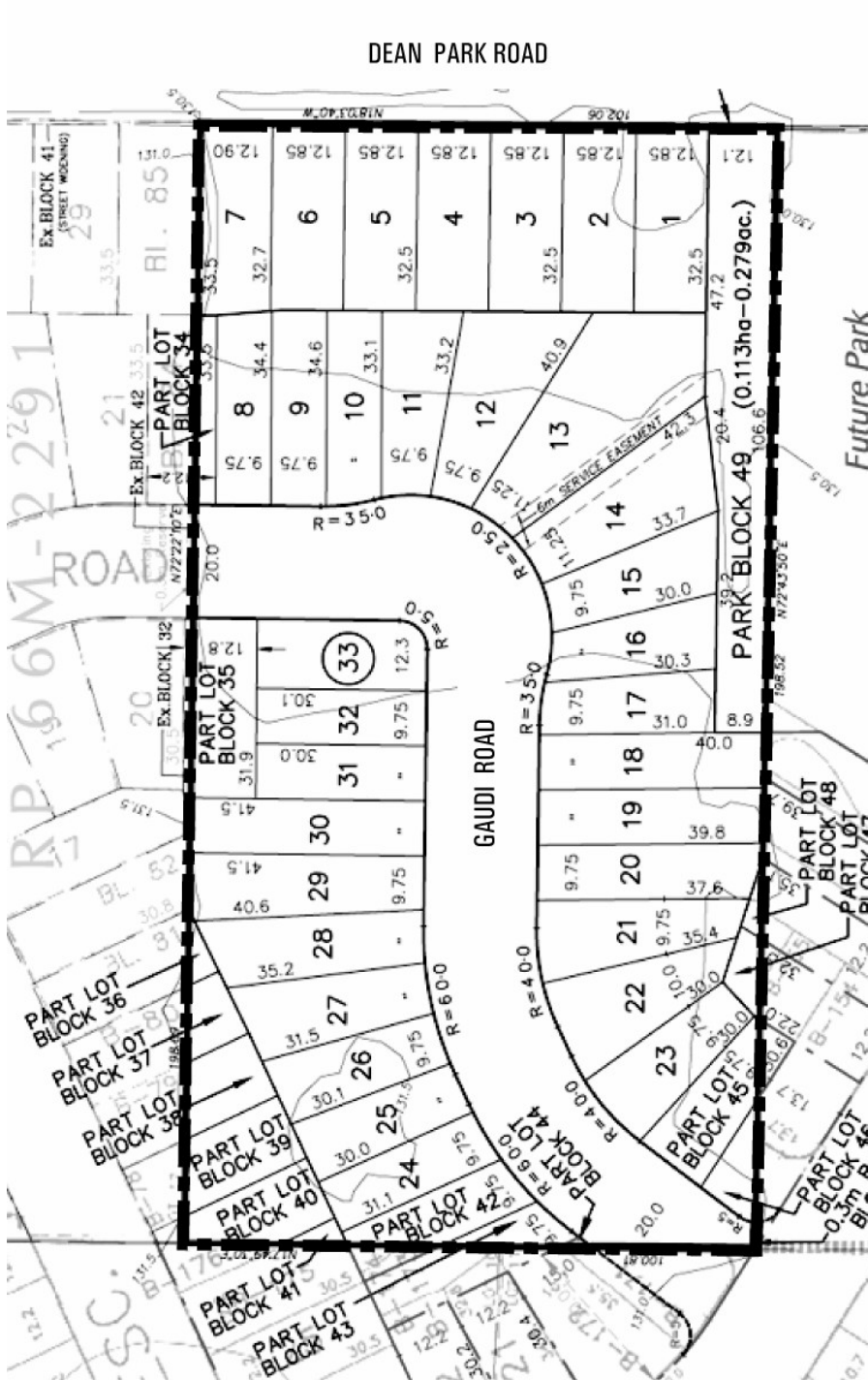
Attachment 3: Draft Zoning By-law Amendment

Attachment 4: Application Data Sheet

Attachment 5: Draft Plan of Subdivision Conditions



# Attachment 1: Draft Plan of Subdivision



262 Dean Park Road

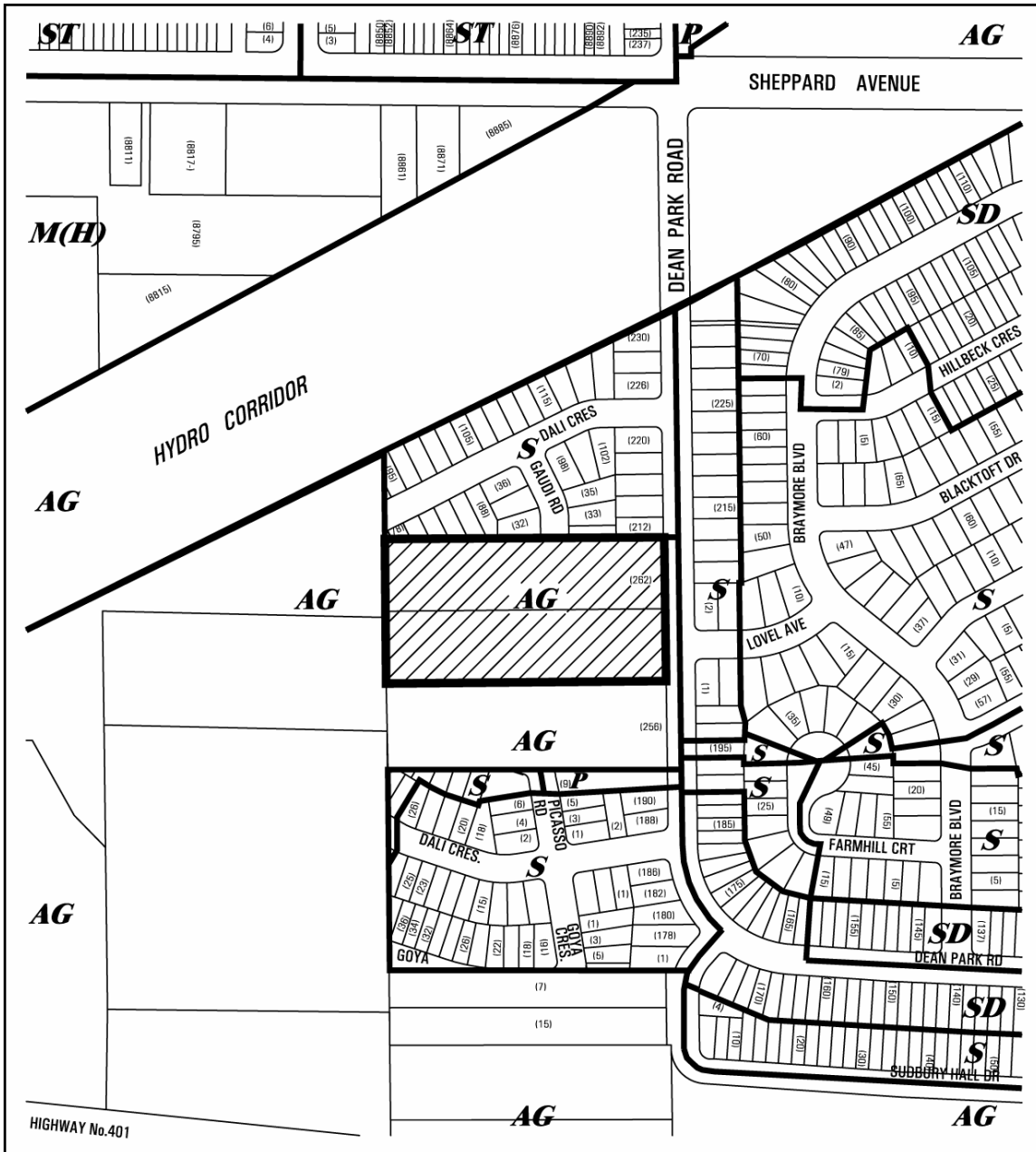
Draft Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale  
08/22/07

File # 07-101100 OZ; 07-101103 SB

## Attachment 2: Zoning Map



**Toronto** City Planning  
Division  
**Zoning**

262 Dean Park Road  
File # 07-101100 OZ; 07-101103 SB

**S** Single Family Residential  
**SD** Semi-Detached Residential  
**ST** Street Townhouse Residential

**P** Parks  
**AG** Agricultural Uses  
**M** Industrial Zone  
**(H)** Holding Provision

Rouge Community & Rouge Employment District Bylaws  
Not to Scale  
08/22/07



### Attachment 3: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 2007  
Enacted by Council: ~, 2007

#### CITY OF TORONTO

Bill No. ~

#### BY-LAW No. ~-2007

**To amend the Rouge Community Zoning By-law No. 15907, as amended,  
With respect to the lands municipally known as,  
262 Dean Park Rd, located within the Rouge Community**

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 Rouge Community By-law is amended by deleting the existing Agricultural Uses (AG) Zone designation on the lands as outlined on the attached Schedule ‘1’ and replacing it with the following zone category and performance standards so that the amended zoning reads as follows:

S-1-113-225-331-400-479-481

S-1-113-225-331-400-479-480

P

2. **SCHEDULE “B”, PERFORMANCE STANDARDS CHART**, is amended by adding

#### MISCELLANEOUS

479. Height of dwellings shall not exceed 10 metres and 2 storeys.

480. One single family dwelling per lot as shown on Registered Plan having a minimum frontage of 9.70 metres on a public street and a minimum area of 290 square metres.

481. One single family dwelling per lot as show on a Registered Plan having a minimum frontage of 12.50 metres on a public street and a minimum area of 375 square metres.

3. **SCHEDULE “C” EXCEPTIONS MAP**, is amended by deleting Exception Number 33 and replacing it with Exception Number 45 as outlined on the attached Schedule ‘2’
4. **SCHEDULE “C” EXECEPTIONS LIST**, is amended by adding the following Exception Number 45 to the lands as shown on Schedule "2" of the attached by law
  45. no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
    - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
    - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

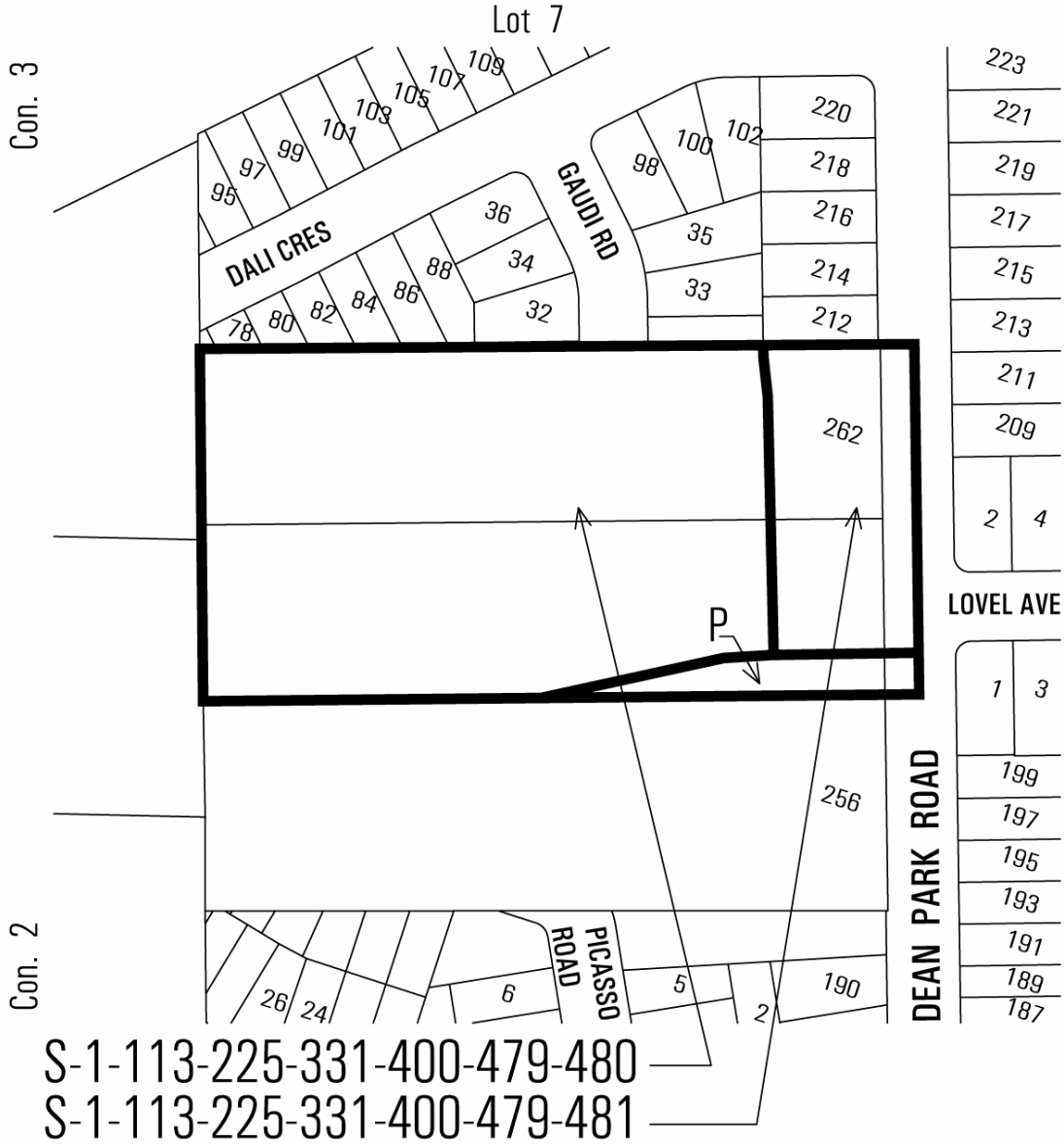
ENACTED AND PASSED this ~ day of ~, A.D. 2007.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'



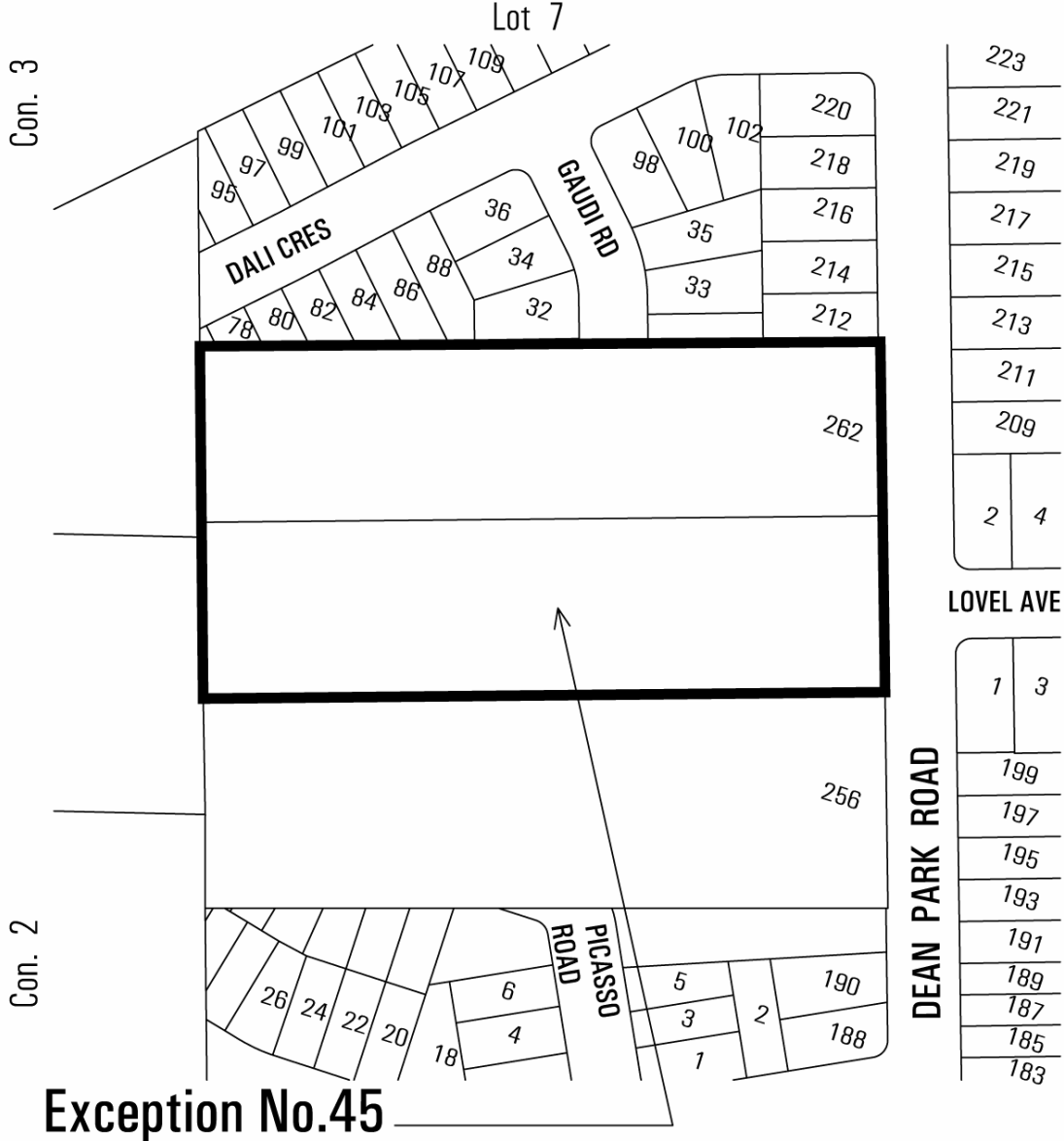
**TORONTO** City Planning Division  
**Zoning By-Law Amendment**

262 Dean Park Road  
 File # 07-101100 OZ and 07-101103 SB

 Area Affected By This By-Law

Rouge Community Bylaw  
 Not to Scale  
 09/07/07  


Schedule '2'



Exception No.45

**TORONTO** City Planning Division  
**Zoning By-Law Amendment**

262 Dean Park Road  
 File # 07-101100 OZ and 07-101103 SB

 Area Affected By This By-Law

Rouge Community Bylaw  
 Not to Scale  
 09/07/07  


### Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	07 101100 ESC 44 OZ
Details	Rezoning, Standard	Application Date:	January 8, 2007

Municipal Address: 262 DEAN PARK RD, TORONTO ON M1B 3M1  
 Location Description: PL 279 BLK F PT LT16 \*\*GRID E4401  
 Project Description: To permit 33 single detached dwellings, 14 part blocks, a public road and a park.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
TUNNEY PLANNING INC			PARK LANE BAYVIEW HOMES INC

**PLANNING CONTROLS**

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	AG-Agricultural Uses	Historical Status:
Height Limit (m):		Site Plan Control Area: N

**PROJECT INFORMATION**

Site Area (sq. m):	20109.99	Height:	Storeys:	2	
Frontage (m):	102.06		Metres:	10	
Depth (m):	198.5				
Total Ground Floor Area (sq. m):	0				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	0	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	0				
Lot Coverage Ratio (%):	0				
Floor Space Index:	0				

**DWELLING UNITS**

**FLOOR AREA BREAKDOWN** (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	33			

**CONTACT:**      **PLANNER NAME:**      **Jeffery Sinclair, Planner**  
**TELEPHONE:**      **416-396-7685**

## **Attachment 5: Draft plan of subdivision conditions**

**CITY OF TORONTO  
CONDITIONS OF DRAFT PLAN APPROVAL  
AUGUST 24, 2007  
SUBDIVISION APPLICATION 07 101103 ESC 44 SB  
DRAFT PLAN OF SUBDIVISION PREPARED BY TUNNEY PLANNING INC  
DATED DECEMBER 2006 AND REVISED AUGUST 2007 DRAWING DP-1**

### **262 DEAN PARK ROAD**

1. The owner shall execute the City's Standard Residential Subdivision Agreement, and shall satisfy all of the pre-registration conditions contained therein..
2. The owner shall provide to the Director of Community Planning Scarborough District, confirmation that the taxes have been paid in full.
3. The zoning by-law implementing the Official Plan is in full force and effect.
4. The approval of this plan of subdivision will lapse if the subdivision is not registered within 5 years of the date of draft plan approval.

### **ROADWAYS**

5. The owner shall convey and dedicate all proposed public roads, turning circles, corner roundings and 0.3 metre reserves to the City of Toronto as public highway, to the satisfaction of the Executive Director of Technical Services.
6. Prior to the registration of the plan of subdivision, the owner agrees to construct and dedicate as public right-of-way, at no cost to the City, the proposed extension of Gaudi Road from the southerly limit of the existing Gaudi Road to the westerly limit and extension of temporary turning circle to the satisfaction of the Executive Director of Technical Services.
7. The proposed extension of Gaudi Road shall be designed and constructed in accordance to the City Standards with a 20 metre right of way and provide for a pedestrian sidewalk on one side.
8. The applicant is required to make satisfactory arrangements for the lifting of a 0.3 metre reserve known as Existing Block 42 on the Registered Plan 66M-2291.
9. A temporary turning circle with a curb radius of 12.5 metres and a street line radius of 15.25 metres must be provided at the southerly limit of this proposed road extension and must be provided to the satisfaction of the Executive Director, Technical Services.



10. The owner shall convey to the city, free of charge, a 0.3 metre (1 ft) reserve along the turning circle at the south limit of Gaudi Road to the satisfaction of the Executive Director of Technical Services.
11. Prior to the registration of the draft plan of subdivision, the owner is required to identify the lands adjacent to and westerly of part block 46 at the south end of the proposed extension of Gaudi Road on the M-Plan and convey these lands to the City of Toronto to the satisfaction of the Executive Director of Technical Services
12. The proposed public roadway including a street line radius (corner roundings) must be conveyed to the City of Toronto, for a nominal sum, free and clear of any and all encumbrances. The owner shall submit to the Executive Director of Technical Services, for review and deposit in the Land Registry Office, a draft Reference Plan of Survey must be in metric units and integrated into the Ontario Co-ordinate System with co-ordinate values shown on the plan, and delineating thereon by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant easements. The applicant must contact the Supervisor of Property Records at (416)-392-8338 in this regard. All registered costs and costs to prepare the reference plan (s) must be paid by the owner.
13. The owner is responsible for all costs associated with the installation and/or alteration of municipal street signage required for this subdivision to the satisfaction of the Executive Director of Technical Services Division.

#### **ENVIRONMENTAL SITE ASSESSMENT FOR LANDS BEING CONVEYED TO THE CITY**

14. The applicant must provide an environmental report and 'Record of Site Conditions' (RSC), for the lands to be transferred to the City. The report must present the soil condition and compliance with the current criteria of the Ministry of Environment's guidelines for use at contaminated sites on Ontario.
15. Prior to the earlier of the release for construction of Services or the registration of the Plan of subdivision, the owner agrees to submit Environmental Assessment Reports and a remedial action Plan to the City and further receive the City's peer review concurrence, pertaining to all lands conveyed to the City, in fee simple and as easements interests, both internal and external to the subdivision lands for third party peer review and acceptance. The owner agrees to pay all costs associated with the City retaining a third party reviewer and submit a certified cheque payable to the City of Toronto in the amount of Five Thousand Dollars (\$5000.00) as a deposit towards the cost of the peer review, and to make further deposits in the specified amount as required by the City from time to time, all to the satisfaction of the Executive Director of Technical Services.

## **UTILITIES /COMPOSITE UTILITY PLAN**

16. Prior to registration of the plan of subdivision, the owner shall submit a composite utility plan prepared by a licensed municipal engineer, who shall co-ordinate, on behalf of the City, Parks Forestry and Recreation's sign off and all utility companies sign off on the plan to the satisfaction of Technical Services and in conformity to all relevant laws, by-laws and specifications.
17. A minimum clearance of 1 metre must be provided and maintained from any utility fixtures in public road allowance. If this is not possible, such fixtures must be relocated at the applicant's expense. The reinstatement of any existing curb cuts/utilities is to be completed at the applicant's expense.

## **SIDEWALKS/PUBLIC BOULEVARD/STREETSCAPING**

18. The pedestrian sidewalk within this subdivision must be 1.7 metres wide and must continue along the east side of Gaudi Road with the existing sidewalk as per City Standard T310.010-2

## **STREET LIGHTING**

19. Prior to the registration of the draft plan of subdivision, the Owner shall make satisfactory arrangements financial and otherwise (including providing easements), with Toronto Hydro, regarding the installation of the electrical distribution system for the subdivision including a street lighting system

## **DRIVEWAY ACCESS AND SITE CIRCULATION**

20. The owner shall agree that all lot layouts shall create street frontages such that no driveway entrance shall overlap with the adjacent driveway approach within the boulevard. All driveway entrances shall be constructed to the satisfaction of the Director of Technical Services

## **SOLID WASTE & RECYCLING**

21. The city and owner shall acknowledge in the subdivision agreement that these 33 single detached dwellings will qualify for the City's curbside door to door collection services.

## **STORM DRAINAGE**

22. Prior to registration of the draft plan of subdivision a Phase 1 and Phase 2 Stormwater management report is required for the subdivision to the satisfaction of the Director of Technical Services.

23. The owner will be required to obtain permission from the Parks, Recreation and Forestry Division for the location of the storm sewer crossing Block 49.
24. The major storm drainage system will require a method of controlling and channelling the flow across the park Block 49 that is acceptable to the Parks, Recreation and Forestry Division.
25. The owner will be required to provide, in the purchase and sale agreements and/or lease agreements a warning clause advising the homeowner of their responsibility for upkeep and maintenance of rear yard catchbasins, drainage swales and catchbasin lead (i.e connections) located on private property.
26. The owner is required to submit a Phase 2 Stormwater Management report addressing water quality and quantity, with the first submission of engineering drawings addressing how stormwater quality and quantity targets will be met to the satisfaction of the Executive Director of Technical Services.

### **SERVICE CONNECTIONS**

27. The owner shall agree in the subdivision agreement that each dwelling unit is to have separate sanitary and water service connection as per the Sewer Use By-law. The storm water from the eaves troughs are to drain over the ground to recharge the groundwater, no direct connection to the storm sewer pipes are to be made.

### **EASEMENTS**

28. The owner is to provide construction and maintenance easement on Lots 13 and 14 for a 6 metre wide easement in total to the satisfaction of the Executive Director of Technical Services Division.
29. The owner agrees to provide such easements as deemed necessary by the Executive Director of Technical Services Division.
30. The owner agrees that the dimensions, agreements conveyance and stewardship of all easements required by Technical Services will need to be to the satisfaction of the Executive Director of Technical Services Division.

### **TORONTO CATHOLIC DISTRICT SCHOOL BOARD**

31. Prior to final registration of the plan of subdivision, the owner agrees to provide it's Solicitors confirmation to the City advising that the clauses set out in the section below have been included in all applicable offers of purchase and sale and/or lease agreements to ensure that future occupants are aware of school accommodation conditions.

32. Prior to registration of the draft plan of subdivision, The owner agrees to include in all offers of purchase and sale or lease the following warning clause for a period of 10 years to the satisfaction of the Toronto Catholic School Board:

“Despite the best efforts of the Toronto Catholic School Board, sufficient accommodation may not be available in local Catholic schools from the development area and students may need to be accommodated in school facilities outside the area.

33. The purchaser or tenant acknowledge that school bus service for students if required will be from designated school bus stops located within or outside of the development area”

### **PARK DEVELOPMENT**

34. Prior to the registration of the draft plan of subdivision, the Owner will convey Block 49 (Park Block) on the draft Plan of Subdivision dated December 11, 2006 and revised August, 2007, prepared by HPC Limited Surveyors, to the City of Toronto for parkland purposes. The City hereby acknowledges that the location and configuration of these lands on the plan of subdivision is in fulfillment of the 5% statutory dedication requirements. The Owner agrees that any shortfall will be achieved through a cash-in-lieu of parkland dedication payment to the City immediately following registration of the draft plan of subdivision, or any case prior to issuance of building permits, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

35. Prior to the registration of the draft plan of Subdivision, the Owner shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for the parkland dedication lands.

36. The Owner shall pay for the costs of such dedication and the preparation and registration of all relevant documents.

37. The Owner shall ensure that lands to be dedicated as parklands to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments except for those existing already on lands that are for the benefit of the City of Toronto, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.

38. Prior to conveyance of the parkland to the City, 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 the 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 Owners 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 Services section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

39. Prior to conveyance of Parkland the owner shall be responsible for the installation and maintenance of temporary fencing, to the satisfaction of the General Manager of Parks, Forestry and Recreation around Block 49 until such time as the development of Block 49 occurs.
40. Prior to registration of the draft plan of subdivision, the Owner will be responsible for the construction and installation of to the dedicated parklands (Block 49) to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following:
  - a) Grading (inclusive of 150mm topsoil supply and placement);
  - b) Sodding;
  - c) City Standard fencing, where deemed necessary;
  - d) Buffering/screening between the park and adjacent uses;
  - e) All necessary drainage systems;
  - f) Electrical and water connections to the street line where deemed necessary; and
  - g) Street trees along all public road allowances, which abut City owned parkland.
41. Details of base park improvements 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 shall be given towards the Parks and Recreation component of the Development Charges for the cost associated with the above noted base park improvements.
42. Prior to the registration of the draft plan of subdivision, the Owner will post a certified cheque as security for installation of the base park improvements, equal to 120% of the value of the base park improvements to the satisfaction of the General Manager of Parks, Forestry and Recreation.
43. The Owner shall attempt to complete the base park improvements on or about the date of occupancy of the dwelling units closest to the parkland. But in any event, the parkland must be completed and delivered to the City no later than 1 year after the occupancy of any dwelling on the Plan of Subdivision or at the discretion of the General Manager of Parks, Forestry and Recreation.
44. At the time the base park improvements have been completed, the Owner will provide certification from their landscape architect certifying all work has been completed. At

this time, the submitted letter of credit for park improvements will be released subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, less 20% of the total value which will be retained for a two year period as a performance guarantee.

45. At the time of conveyance, the General Manager of Parks, Forestry and Recreation may elect to receive cash-in-lieu of some or all of the elements of Base Park Improvements.

## **PRIVATE TREES**

46. Prior to registration of the plan of subdivision, the owner agrees to submit a revised complete arborist's report prepared by a certified or registered arborist's or registered Forester, a tree preservation plan and a replanting plan which indicates the location of existing trees that meet the criteria of the private tree by-law, to be prepared to the satisfaction of the General Manager of Parks Forestry and Recreation.
47. It is understood and agreed that the revised Arborist's Report and Tree preservation plan will:
  - a. be prepared in conjunction with the grading plan and building siting plan which indicates above and below ground services. This plan must show trees proposed to be removed, trees to be preserved and tree protection zones;
  - b. 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 of the approved plan of subdivision; and
  - c. 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.
48. Prior to the registration of the plan of subdivision, the owner must submit a lot drainage and house siting control plan showing itemized methods of protecting trees during construction, such plan must be completed to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with the Director of Technical Services
49. 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, for any trees proposed to be removed.
50. The owner shall agree in the subdivision agreement that privately owned trees that are the subject of an application under the Private Tree By-law, will not be removed until permitted construction activities commence which warrant the removal of the trees.

51. The owner shall agree to protect all existing trees associated with the subdivision for which approval to remove or injure has not been granted by the General Manager or Parks Forestry and Recreation.
52. 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.

### **STREET TREES**

53. The owner agrees to plant trees in accordance with the approved landscape plan.
54. The owner agrees to advise Parks Forestry and Recreation in writing of the planting date prior to planting the street trees.
55. The owner acknowledges and agrees to maintain the street trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation is satisfied with the newly planted trees. The owner acknowledges that at the end of the two year guarantee that Parks Forestry and Recreation should be contacted in writing to inspect the trees; and should any newly planted trees require replacement, the tree shall be replaced immediately and shall have an additional two year maintenance period placed on the new planting.

### **NATURAL GAS**

56. The owner shall agree to grade all streets to final elevation prior to the installation of the gas lines and provide the necessary field survey information required for the installation of the gas lines, all the satisfaction of Enbridge Gas Distribution.

### **BELL CANADA**

57. The Owner shall agree in the subdivision agreement, in words satisfactory to Bell Canada or any other telecommunication provider to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to financial servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
58. Prior to the registration of the draft plan of subdivision the owner must confirm with Bell Canada that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication within the proposed development and if communication/telecommunication infrastructure is deemed insufficient by BELL CANADA within the proposed development the owner agrees to pay for the

connection to and/or extension of the existing communication/telecommunication infrastructure.

## **CANADA POST**

59. The owner agrees to provide from its Solicitors confirmation to the City advising that a clause is included in all offers of purchase and sale, that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
60. The owner will provide Canada Post Corporation with the exact location of Community mailboxes on servicing plans to the satisfaction of the Canada Post Corporation.
61. The owner agrees to design community mailboxes and associated concrete pad to the satisfaction of Canada Post and the Executive Director of Technical Services.
62. The owner agrees to determine suitable locations for temporary Community mailboxes on servicing drawings and to provide mailboxes that can be utilized by Canada Post until such time as permanent mailboxes are provided.
63. The owner agrees to provide the exact locations of community mailboxes on servicing drawings to the satisfaction of Canada Post

## **ARCHEOLOGICAL ASSESSMENT**

64. No demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.

## **CONSTRUCTION MANAGEMENT PLAN**

65. 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 Division. The Construction Management Plan is to include the following:
  - a) Dust/Mud/Sediment Control on and off site;
  - b) Location of truck loading points and trailer parking
  - c) Location and height of temporary storage areas
  - d) Access/truck routing
  - e) Provision of hoarding and temporary fencing
  - f) Details of piling and shoring activities
  - g) Estimated period of construction;
  - h) Control of storm run-off, including any siltation control devices which may be required;



- i) Parking management plan for employee/construction vehicle parking;
- j) Provision for the removal of debris in a timely manner and;
- k) Procedure to deal with vermin and rodents

