

3291, 3293, 3295 Birchmount Road – Rezoning and Subdivision Applications – Final Report

Date:	May 13, 2008
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 39 – Scarborough-Agincourt
Reference Number:	07 266628 ESC 39 OZ and 07 266636 ESC 39 SB

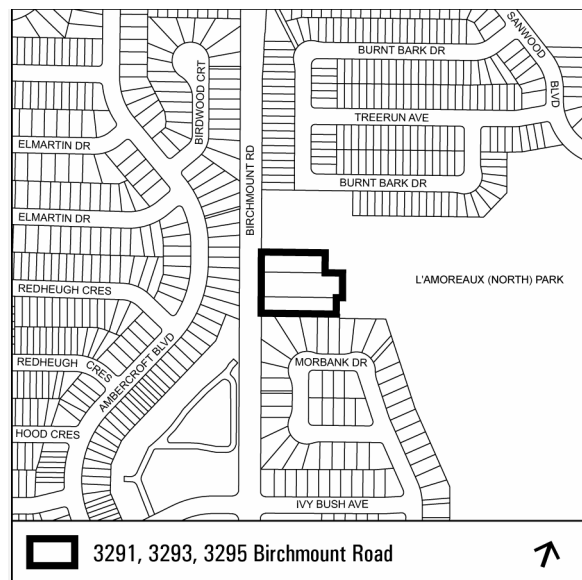
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applicant proposes eighteen (18) single detached residential lots on a new cul-de-sac within a draft plan of subdivision at 3291, 3293, and 3295 Birchmount Road and an amendment to the zoning by-law to permit the draft plan of subdivision.

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

This report reviews and recommends approval of the application to amend the zoning by-law. This report also recommends that the Chief Planner approve the draft plan of subdivision.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the zoning by-law for the Steeles Community substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 4.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.
3. City Council recommend to the Chief Planner that the draft plan of subdivision be approved, generally as illustrated on Attachment No. 1, subject to:
 - (a) the conditions of approval as generally listed in Attachment No. 6, 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 modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the ongoing technical review of the development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report was considered by Scarborough Community Council in January 2008. Council directed that staff hold a community consultation meeting with notice for the meeting to be sent to landowners and residents within 120 metres of the site and extended to include those on Morbank Drive, Ambercroft Boulevard, and Burnt Bark Drive in the area of the site.

ISSUE BACKGROUND

Proposal

The applicant proposes to amend the zoning by-law and obtain draft subdivision approval for 18 single-detached dwelling units on a new public cul-de-sac off Birchmount Road (See Attachment No. 1: Draft Plan of Subdivision).

Site and Surrounding Area

The development site has a frontage of approximately 74.6 metres (244.6 feet) along Birchmount Road with an area of 0.671 hectares (1.6 acres). The site was previously occupied by three single-detached dwellings and associated accessory buildings at the rear of the property. An application to demolish the three buildings was approved by

Scarborough Community Council on November 27, 2007; demolition was completed shortly thereafter.

Surrounding Land Uses

North: Parkland (L'Amoreaux North Park)

West: Single-detached residential development backing onto Birchmount Road

East: Parkland (L'Amoreaux North Park)

South: Single-detached residential development along Morbank Drive

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.

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 proposal is consistent with the PPS. The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated Neighbourhoods within the Toronto Official Plan on Map 19 – Land Use Plan. Neighbourhoods are considered stable areas made up of a variety of lower-scale dwelling types. Policies and development criteria aim to ensure that physical changes to the established neighbourhoods are sensitive, gradual, and generally “fit” the existing physical character.

Infill development policies are outlined in Section 4.1.5 – Neighbourhoods. These policies state that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular, patterns of streets, blocks and lanes, size and configuration of lots, height, massing, scale and dwelling type of nearby residential properties, prevailing building types, setbacks of buildings from streets and adjacent properties, and continuation of built-form or landscaping features that contribute to the physical character of the neighbourhood. No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The subject lands are partially located within the Natural Heritage system as shown on Map 9 within the Toronto Official Plan. The policies related to the Natural Heritage system are intended to protect and enhance significant natural features within the City and assess the impact of development on these features.

Zoning

The subject lands are zoned Single-Family Residential (S) and School and Open Space District Park (SC and O-DP) as shown in Attachment No. 3: Zoning. The Single-Family Residential (S) Zone permits Correctional Group Homes, Group Homes, and Single-Family Dwellings. Each parcel may contain one dwelling and each lot shall have a minimum frontage of 13.5 metres and a minimum lot area of 450 square metres.

The School and Open Space District Park (SC and O-DP) Zone permits Day Nurseries, Schools, and Major Open Space District Park Uses. A District Park may provide specialized facilities serving several communities which may include in addition to the Neighbourhood and Community Park Uses, such uses as greenhouses, botanical gardens, zoological gardens, bandstands, bowling greens, and refreshment rooms. There are no performance standards associated with the School and Open Space District Park (SC and O-DP) Zone.

Site Plan Control

The lands are not subject to site plan control.

Ravine Control

A portion of the lands along the park edge are subject to the Ravine Protection By-law, which requires the applicant to obtain an approval to injure or destroy trees or affect the grading within this area from the Director of Urban Forestry. The appropriate City staff and the Toronto and Region Conservation Authority have been consulted through the review of the application.

Reasons for Application

The proposed lots within the draft plan of subdivision do not meet the performance standards within the in-force zoning by-law and are not a permitted use in the School and Open Space District Park (SC and O-DP) zone. As such, a zoning by-law amendment is required for the lot size, minimum frontage, performance standards, and use. The plan of subdivision is necessary to create the proposed lots, and to create the new public right-of-way.

Community Consultation

Prior to submission of a formal application, the applicant initiated pre-consultation meetings with the Ward Councillor and City staff to discuss potential development issues and concepts for the site. The Ward Councillor organized an information meeting with the community on June 4, 2007. Initial proposals for townhouses were not generally accepted by the community. Prior to formal submission of the application, the proposal was amended to include only single-detached dwelling units.

A community consultation meeting on the rezoning and draft plan of subdivision was held on February 26, 2008, attended by the Ward Councillor, the owner and their representatives, Community Planning staff, and about twenty (20) members of the public.

Questions ranged from the facing distance to properties along Morbank Drive, fencing type between new and existing residences, proposed value of the new residences, tree planting along the edges of the new lots, the number of lots proposed, downspout connections, finish grades of lots abutting Morbank Drive, the start date of construction, the number of parking spaces proposed, the deletion of the walkway to the park, and the specifications for the fencing abutting lots on Morbank Drive.

Correspondence was received by the City Planning Division regarding concerns about rooming houses and over-crowding of local schools in the neighbourhood.

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

Draft Plan of Subdivision

The Official Plan contains policies that are supportive of development within established neighbourhoods provided the new development respects and reinforces the existing physical character of the neighbourhood.

The draft plan of subdivision proposes eighteen (18) single detached residential dwelling lots on a public cul-de-sac extending eastward from Birchmount Road. The cul-de-sac does not connect with any existing local streets.

The proposed lots within the draft plan of subdivision have a minimum frontage of 9.42 metres (31 feet) to 10.0 metres (33 feet) and a lot area of between 250 square metres (0.06 acres) and 320 square metres (0.08 acres). Front yard setbacks are proposed to be 3.5 metres to the front porch and 5.6 metres to the garage. Rear yard setbacks are a minimum of 7.0 metres. Side yard setbacks are proposed to be 1.2 metres and 0.6 on each side.

The proposal is a more compact form of development compared to the existing development pattern to the south. The development will function as its own enclave within the broader context and is consistent with current infill development patterns within the City of Toronto. Community Planning staff are satisfied that the proposal is compatible with the character of the neighbourhood and that the draft plan of subdivision is acceptable.

Zoning

The proposed use of the subject lands for single family dwelling units is appropriate and consistent with the Official Plan, the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe.

The proposed amendments to the zoning by-law are intended to implement the proposal submitted by the applicant. Prior zoning for the property reflected large, estate lots and School and Open Space standards that could not be applied to a compact development plan.

The amendments to the zoning by-law propose a maximum ground floor area of 50% of the lot area, front yard setbacks of 3.5 metres to the front porch and 5.6 metres to the garage, rear yard setbacks of a minimum of 7.0 metres, side yard setbacks of 1.2 metres and 0.6 on each side, and a maximum building height of 11 metres for lots 1 to 13.

In 2006, the zoning by-law was amended to require minimum front yard landscaping requirements for single family dwellings. The minimum requirement is 50% of the front yard is to consist of landscaping. The proposal does not meet this standard and as such, requires an amendment to the by-law to permit 45% front yard landscaping on lots 1 to 6 and 14 to 18. Lots 7 to 13 are proposed to contain 25% front yard landscaping (see Attachment 2: Draft Siting Plan.) The reduction to 25% front yard landscaping is due to the pie-shaped lot configuration on the cul-de-sac and the single-detached built form. Preliminary proposals included townhouses that may have complied with front yard landscaping requirements; however, this proposal was not acceptable to neighbourhood residents who preferred single-detached dwelling units with two-car garages. As a condition of draft plan of subdivision approval, staff will require the submission of a front yard landscaping plan to ensure that opportunities for landscaping are maximized.

Staff are of the opinion the amendments to the zoning by-law are appropriate.

Urban Design

The applicant submitted a conceptual streetscape elevation as part of the application. The proposed streetscape consists of a range of two and three storey dwellings with recessed garages and prominent front entrances. Third floor levels have been included in a mansard roof design that minimises the overall height of the structure and provides for better compatibility with adjacent two storey dwellings that also form part of the streetscape. Lots 1 and 18 include a side elevation that will front onto Birchmount Road and will be finished with windows in order to provide an improved presentation to the street.

Planning staff have requested a street tree planting plan as a condition of draft plan of subdivision approval.

Traffic Impact

A Traffic Impact Study completed by BA Transportation Consultants was submitted as part of the application and circulated to Technical Services and Transportation Planning staff for review. According to their findings, the proposed development will generate approximately 22 and 23 two-way trips during the weekday morning and afternoon peak hours, respectively. The development will have a negligible effect on the local road network.

Servicing

A Servicing and Stormwater Management Feasibility Report by Masongsong Associates Engineering Limited was submitted as part of the application. Servicing for the subdivision is proposed to extend through L'Amoreaux District Park to connect with the truck sewers running south-east through the park. Parks, Forestry, and Recreation staff initially expressed concern about servicing through the park and requested an assessment of alternative servicing routes. It was determined no reasonable alternative could be found and Parks, Forestry, and Recreation subsequently agreed to the provision of servicing through the park conditional on compensation in the amount of approximately \$23,000.00 for the disruption.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people.

Parks, Forestry and Recreation staff has advised that the development site is not subject to the alternate rate park levy. The parkland contribution that would apply to this site is 5%. The required parkland dedication will be satisfied through cash in lieu.

Recommended Conditions of Draft Plan of Subdivision Approval

The proposed draft plan of subdivision approval conditions address the technical requirements of the development including among other matters, the construction of a street, service, storm water management facilities, street tree planting, and urban design matters. Staff recommend that Council support the draft plan of subdivision and recommend to the Chief Planner that the draft plan of subdivision be approved.

Ravine By-law and Natural Heritage System

The lands are subject to the Ravine By-law and the Natural Heritage System policies within the Official Plan. Staff have consulted with Urban Forestry (Ravine Protection) and Toronto and Region Conservation Authority (TRCA) staff with regards to the application.

TRCA staff have advised that there is no top-of-bank adjacent to the subject lands and therefore, minimum setback requirements within the Official Plan from the top-of-bank do not apply. Urban Forestry (Ravine Protection) staff have advised that they will require

compensation for the loss of trees within the protected ravine area at a ratio of 3 to 1. Satisfaction of ravine protection requirements and tree planting will be formalized as a condition of draft plan of subdivision approval.

Toronto Green Development Standard

The City's Green Development Standard encourages the use of 'green' development techniques with an aim to promote sustainable development. The proposed development includes the use of environmentally sensitive materials and construction methods consistent with the Green Development Standard.

Development Charges

It is estimated that the development charges for this project will be \$199,476. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Christopher Dunn, Community Planner
Tel. No. (416) 396-5004
Fax No. (416) 396-4265
E-mail: cdunn@toronto.ca

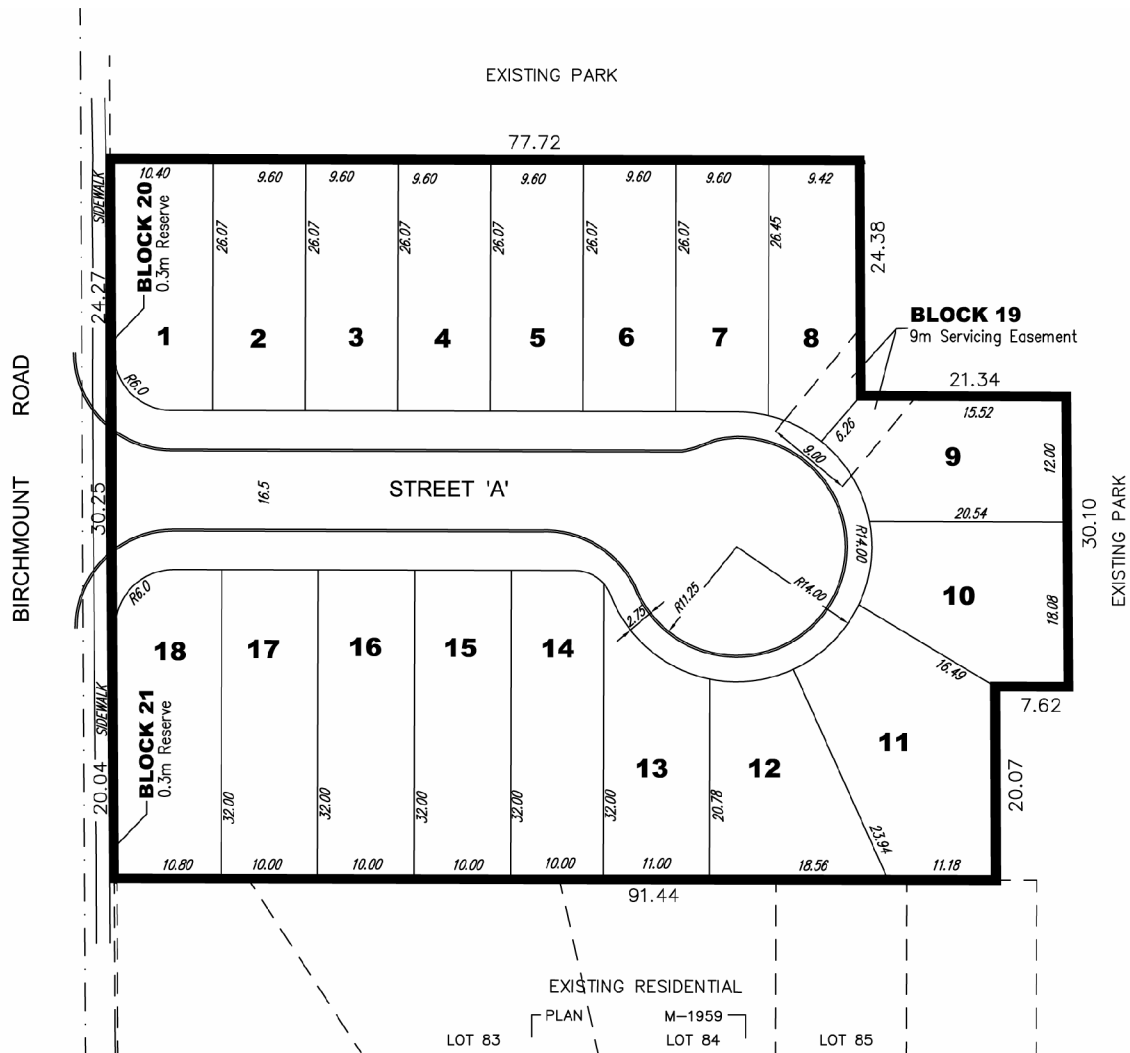
SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Draft Plan of Subdivision
Attachment 2: Draft Siting Plan
Attachment 3: Zoning Map
Attachment 4: Draft Zoning By-law Amendment
Attachment 4: Application Data Sheet
Attachment 6: Draft Plan of Subdivision Conditions

Attachment 1: Draft Plan of Subdivision



Draft Plan of Subdivision

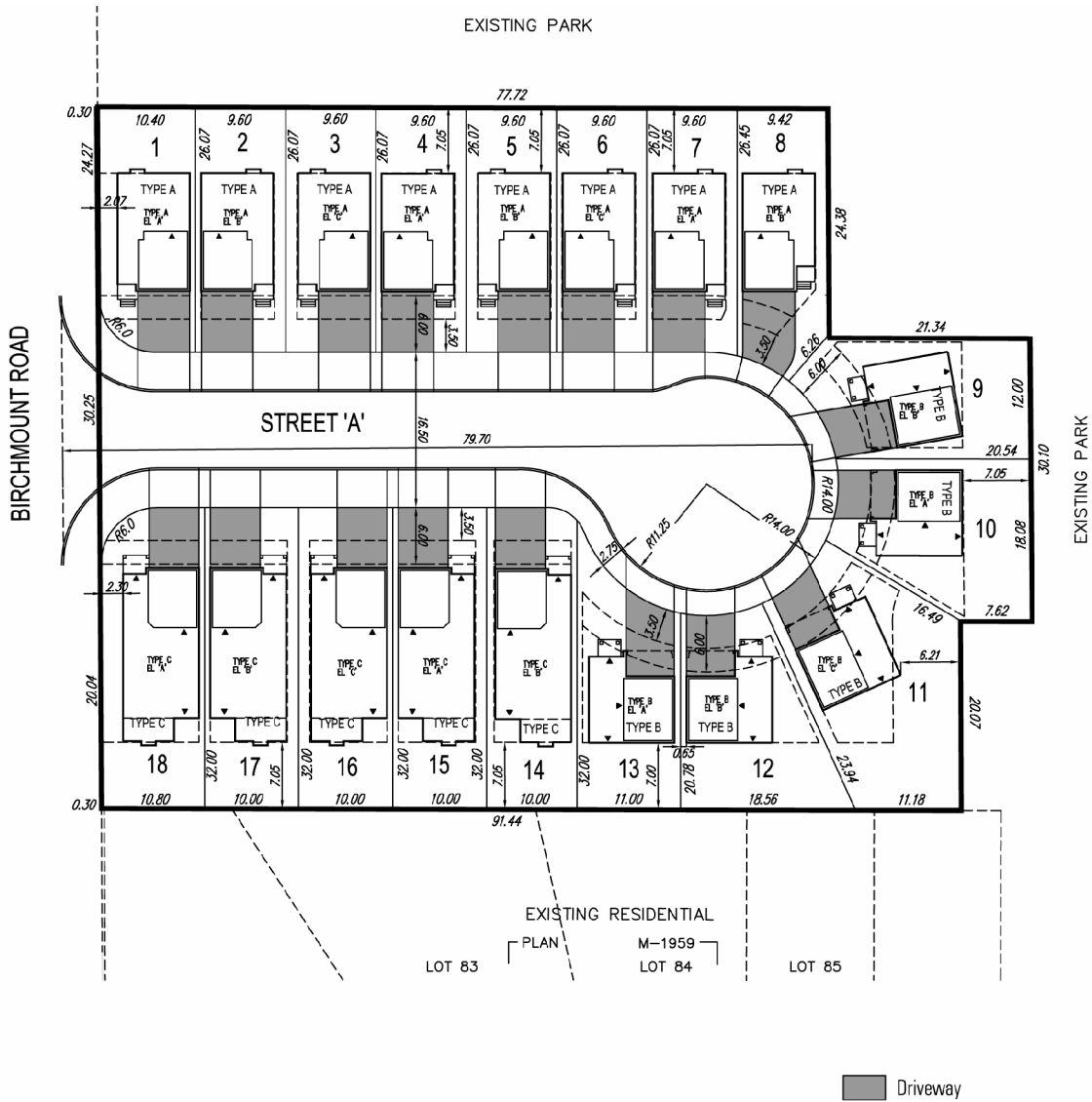
3291, 3293, 3295 Birchmount Road

Applicant's Submitted Drawing

Not to Scale
M/D/08

File # 07-266628 0Z

Attachment 2: Draft Siting Plan



Lot Siting Plan

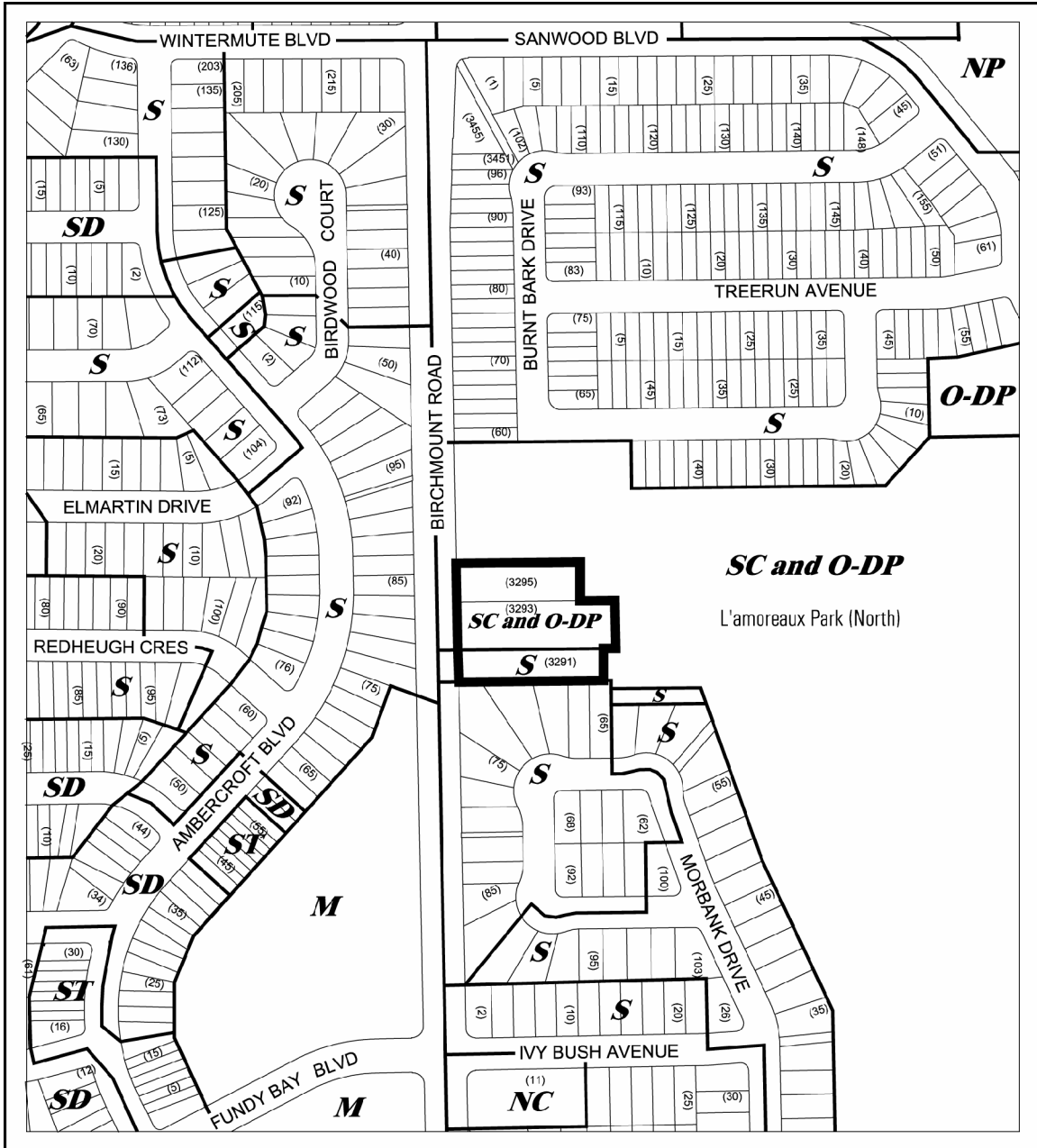
3291, 3293, 3295 Birchmount Road

Applicant's Submitted Drawing

Not to Scale
05/21/08

File # 07-266628 0Z

Attachment 3: Zoning Map



TORONTO City Planning
Division
Zoning

3291, 3293, 3295 Birchmount Road

File # 07-266628 0Z

S Single Family Residential
SD Semi-Detached Residential
ST Street-Town House Residential
M Multiple-Family Residential

NC Neighbourhood Commercial
NP Neighbourhood Park
O-DP Open Space District Park
SC School

Steeles Community By-law
Not to Scale
05/12/08



Attachment 4: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the former City of Scarborough Steeles Community Zoning By-law No. 16762, as amended, with respect to the lands municipally known as, 3291, 3293, 3295 Birchmount Road

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 Steeles Community Zoning By-law No. 16762 is amended by deleting the existing zoning and substituting new zoning on the subject lands as shown on Schedule ‘1’ attached hereto and forming part of this By-law, together with the following letters and numerals:

S-1-35-70-80X-80Y-108-199-215

S-1-35-70-80X-80Y-109-199-215

S-1-35-70-80X-80Y-108-199

2. **SCHEDULE “B”** of the Steeles Community Zoning By-law No. 16762, **Performance Standards Chart**, is amended by adding the following Performance Standards:

70. Minimum building **setback** 3.5 m from the street line. Minimum building **setback** of 5.6 m from the street line for that part of the **main wall** containing vehicular access. Minimum 2.0 m **flankage yard**.

80Y. Minimum 7.0 m from rear lot lines.

108. A minimum of 45% of the front yard shall be maintained as landscaping.

109. A minimum of 25% of the front yard shall be maintained as landscaping.

199. 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.
215. Maximum building height of three stories and 11 m (excluding basements.)

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

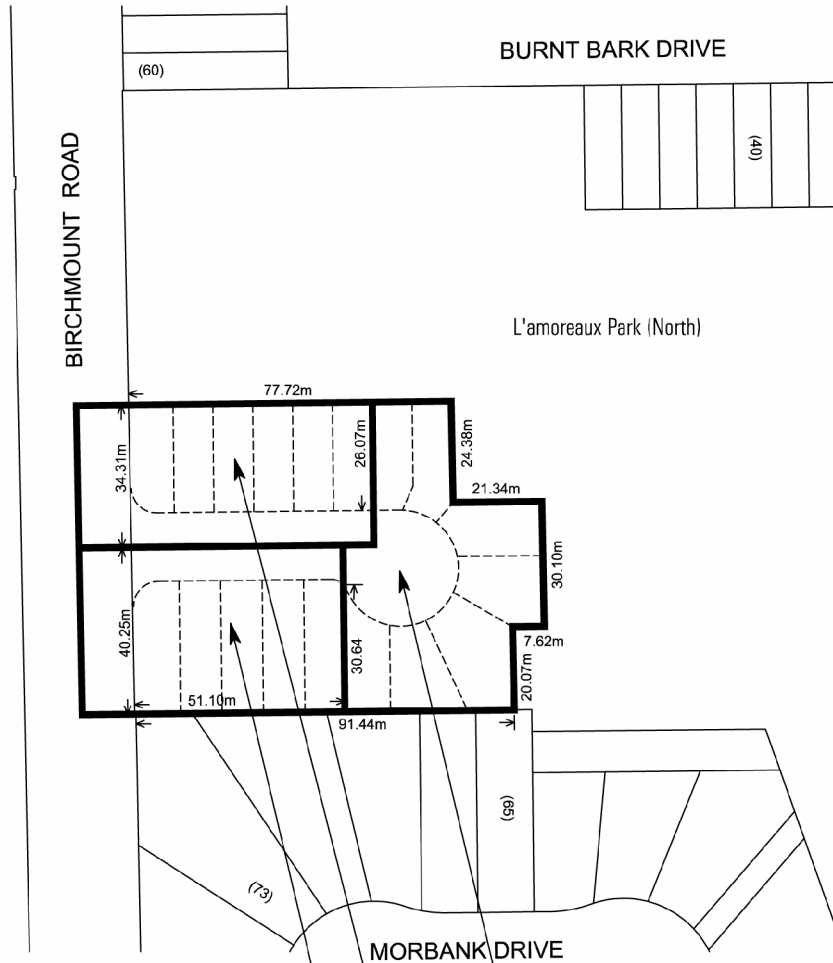
ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'

Lot 30

Con. 4



- S-1-35-70-80X-80Y-108-199
- S-1-35-70-80X-80Y-108-199-215
- S-1-35-70-80X-80Y-109-199-215



Zoning By-Law Amendment

3291, 3293, 3295 Birchmount Road

File # 07-266628 OZ

 Area Affected By This By-Law

Steeles Community By-law
Not to Scale
05/21/08



Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	07 266628 ESC 39 OZ
Details	Rezoning, Standard	Application Date:	October 2, 2007

Municipal Address: 3291 BIRCHMOUNT RD
 Location Description: PL 2020 PT LT26 RP64R-5858 PT 5 **GRID E3903
 Project Description: Zoning by-law amendment to permit 18 single dwelling units.

Applicant:	Agent:	Architect:	Owner:
WESTON CONSULTING GROUP			RED BARN INVESTMENTS INC

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	S-Single Family, SC-School & O-DP-Open Space District Park	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	6709	Height:	Storeys:	2-3
Frontage (m):	74.5		Metres:	10.0 m – 11.0 m
Depth (m):	98.72			
Total Ground Floor Area (sq. m):	1984.5			Total
Total Residential GFA (sq. m):	4006.63		Parking Spaces:	36
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4006.63			
Lot Coverage Ratio (%):	29.6			
Floor Space Index:	0.6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Freehold		Above Grade	Below Grade
Tenure Type:	Freehold			
Rooms:	0	Residential GFA (sq. m):	4006.63	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:	18	Institutional/Other GFA (sq. m):	0	0
Total Units:	18			

CONTACT: **PLANNER NAME:** **Christopher Dunn, Community Planner**
TELEPHONE: **416 396-5004**

Attachment 6: Draft Plan of Subdivision Conditions

SENATOR HOMES CONDITIONS – MAY 13, 2008

CITY OF TORONTO CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL SUBDIVISION APPLICATION 07-266636 ESC 39 SB DRAFT PLAN PREPARED BY WESTON CONSULTING GROUP INC. FOR PART OF LOTS 26 AND 27 REGISTERED PLAN 2020 CITY OF TORONTO

1. This approval shall relate to the above-noted plan by Weston Consulting Group Inc. dated August 8, 2007.
2. The Owner shall execute the City's standard subdivision agreement, and shall satisfy all of the pre-registration conditions contained therein.
3. The Owner shall provide to the Director of Community Planning, Scarborough District, a Statement of Account from Revenue Services Division, Finance Department, confirmation of payment of all outstanding and current taxes.
4. The Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.
5. The approval of this plan of subdivision will lapse if the subdivision is not registered within five (5) years of the date of draft plan approval.

CITY PLANNING

6. Prior to registration of the plan of subdivision, the Owner shall submit a landscape plan for the front yards of each lot to the satisfaction of the Director of Community Planning, Scarborough District.

TECHNICAL SERVICES

7. Prior to registration of the plan of subdivision, the Owner shall agree to illustrate and convey all noted property and/or roadway requirements.
8. Prior to registration of the plan of subdivision, the Owner shall convey and dedicate all proposed public roads, turning circles, corner roundings, walkways, and 0.3 metre reserved to the City as a Public Highway, to the satisfaction of the Executive Director, Technical Services.

9. 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 soil condition and compliance with the current criteria for the Ministry of Environment's guidelines for use at contaminated sites in Ontario.
10. Prior to acceptance of engineering drawings, the Applicant must provide a composite utility plan, signed off by each of the utility companies and the City of Toronto Parks, Forestry, and Recreation Division.
11. Prior to the registration of the plan of subdivision, the Owner shall revise the draft plan as per Technical Service's comments dated April 17, 2008.

URBAN FORESTRY

12. Prior to any work commencing on the subject lands, the Owner shall construct temporary fencing along the entire boundary of the subdivision that abuts City owned parkland to the satisfaction of the General Manager of Parks, Forestry, and Recreation.
13. Prior to any work commencing on the lands, the Owner shall install and maintain sediment control fencing along all boundaries of the subdivision that abut City parkland during construction, to the satisfaction of Parks, Forestry, and Recreation. The sediment control fencing shall be covered with filter fabric and the bottom of the filter fabric must be held firmly to the ground with clear stone to prevent migration of sediments from the subdivision onto adjacent parking.
14. Prior to the occupation of any dwelling within the subdivision, the Owner is required to construct and install a 1.8 metre high, black vinyl coated chain link fence, without gates, along the entire boundary of the subdivision that abuts City owned parkland to the satisfaction of the General Manager or Parks, Forestry, and Recreation.
15. Prior the registration of the draft plan of subdivision, the Owner will provide a letter of credit equal to 120% of the value of the chain link fence to the satisfaction of the General Manager of Parks, Forestry, and Recreation.
16. Upon completion of the construction of the 1.8 metre high, black vinyl coated chain link fence, along the entire boundary of the subdivision that abuts City owned parkland, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for the fencing 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.
17. Prior to the registration of the Draft Plan of Subdivision, the owner acknowledges and agrees to compensate the City for allowing the service connections to be

- located within City parkland. The compensation is to be in the form of a cash payment and/or the Owner completing improvement to the L'Amoreaux Park. The details and timing of the compensation will be determined prior to registration of the Draft Plan of Subdivision and will be to the satisfaction of the General Manager of Parks, Forestry, and Recreation.
18. Prior to the registration of the Draft Plan of Subdivision, the owner will provide a letter of credit equal to 120% of the value of the improvements to L'Amoreaux Park and/or provide the cash payment, to be determined, as compensation for the service connections being located within City parkland.
 19. Upon completion of the improvements to L'Amoreaux Park, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for the improvements to L'Amoreaux Park 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.
 20. The owner will be responsible to complete all restoration work of any parkland affected by the installation of service connections within L'Amoreaux Park. The details and timing for the completion of the restoration work shall be determined prior to the registration of the draft plan of Subdivision.
 21. Prior to the registration of the draft plan of subdivision, the Owner will provide a letter of credit equal to 120% of the value of the restoration work for the parkland that would be affected by the installation of the service connections within L'Amoreaux Park.
 22. Upon completion of the restoration work within L'Amoreaux Park, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for the restoration work 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.
 23. The Owner acknowledges and agrees that the stockpiling of any soils, machinery, and/or materials abutting City parkland is prohibited.
 24. The owner will ensure that the grading and drainage for all Lots and Blocks within the proposed subdivision is compatible with the abutting City parkland. The lot grading and drainage plans shall be to the satisfaction of Technical Services and Parks, Forestry, and Recreation.
 25. The Owner acknowledges and agrees to pay a five percent (5%) cash-in-lieu of parkland dedication payment immediately following registration of the draft plan of subdivision, or in any case, not after the issuance of any building permit, in

fulfilment of the statutory parkland dedication requirement to the satisfaction of the General Manager of Parks, Forestry, and Recreation.

26. The Owner agrees to include the following clauses in all Offers of Purchase and sale and/or Rental Agreements, to the satisfaction of Parks, Forestry, and Recreation:

“Lots abutting City owned parklands, open space, or valley lands maintained by the City will prohibit the installation of any form of screening or fencing along the abutting property lines other than the 1.8 metre black vinyl chain link fence (or other material as determined by Parks, Forestry, and Recreation) required by the City.

Lots abutting City owned parkland, open space, or valley lands maintained by the City will prohibit gates or private access onto parkland, open space, or valley lands.

Lots abutting City owned parkland, open space, or valley lands maintained by the City will include a warning clause that there may be a trail in the abutting parkland, open space, or valley lands.”

27. Prior to the registration of the draft plan of subdivision, the owner shall submit a revised Natural Heritage Impact Study and Arborist’s Report to the satisfaction of the General Manager of Parks, Forestry, and Recreation.
28. Prior the registration of the draft plan of subdivision, the Owner will provide a letter of credit equal to 120% of the value of natural heritage enhancements to the satisfaction of the General Manager of Parks, Forestry, and Recreation.

ENBRIDGE GAS DISTRIBUTION INC.

29. 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.

TORONTO DISTRICT SCHOOL BOARD

30. The Owner shall enter into an agreement to 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 contact (416) 394-7526.”

These signs shall be to the TDSB's specifications and erected prior to registration or the issuance of any building permit.

31. The Owner shall include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), 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 bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area.”