

**250 Danforth Road – Zoning & Subdivision Applications
– Final Report**

Date:	May 21, 2009
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 35 – Scarborough Southwest
Reference Number:	08 214113 ESC 35 OZ & 08 214119 ESC 35 SB

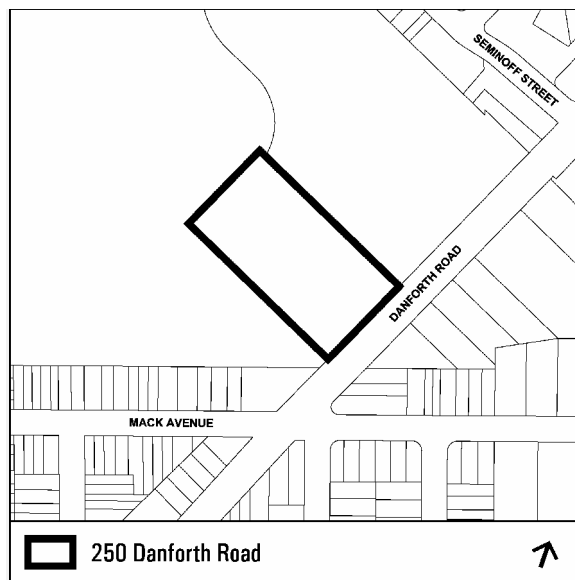
SUMMARY

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.

This application proposes a zoning by-law amendment and draft plan of subdivision application to permit the redevelopment of the site with between 45 and 51 townhouse units at 250 Danforth Road.

The proposed land use is consistent with the Mixed Use Area and Neighbourhood policies of the City’s Official Plan. The proposal implements objectives of the Warden Woods Community Secondary Plan. The zoning by-law amendment will allow for the appropriate development of the site, compatible with the surrounding development.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Warden Woods Community Zoning By-law No. 950-2005 substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 5.
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. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an agreement and make the following payments, pursuant to Section 37 of the Planning Act:
 - (a) a cash contribution, in a form satisfactory to the Chief Financial Officer and City Treasurer, of \$1,500.00 per residential unit (for a minimum of 50 units) to be used as a contribution towards the Warden Woods community centre, or to parks in the Warden Woods Community, or to parks in the vicinity of the Warden Woods Community;
 - (b) pre-payment of \$39,167.18, in a form satisfactory to the Chief Financial Officer and City Treasurer, for the Indoor Recreation Facilities Portion of the Parks and Recreation Component of the City's Development Charges; and
 - (c) pre-payment of \$26,275.47, in a form satisfactory to the Chief Financial Officer and City Treasurer, for the Outdoor Park Portion of the Parks and Recreation Component of the City's Development Charges.
4. That in accordance with the delegated approval under By-Law No. 229-2000, City Council be advised that the Chief Planner may approve the draft plan of subdivision, as generally illustrated on Attachment No. 2, subject to:
 - (a) the conditions 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 of any phase thereof;
 - (b) such revisions to the proposed subdivision plan 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
 - (c) draft plan approval not being issued until the necessary zoning is in full force and effect.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council adopted the Warden Woods Secondary Plan, OPA No. 1145 to the Scarborough Official Plan, in October of 2005. On May 26, 2008, the Ontario Municipal Board approved a modification to the Toronto Official Plan, to add the Warden Woods Community Secondary Plan. The Secondary Plan provides a comprehensive framework to guide the co-ordinated development of a new residential and mixed use neighbourhood with adequate community facilities, excellence in urban design, and a balanced transportation system.

ISSUE BACKGROUND

Proposal

The applicant has applied for an amendment to the zoning by-law to permit the redevelopment of the site with between 45 and 51 townhouse units. The proposed townhouse units will be contained within six blocks. The block fronting on Danforth Road would be zoned to permit either 14 rear lane townhouses or up to 20 stacked townhouses. Parking for the townhouses fronting on Danforth Road would be in the form of rear garages and would be accessed from an extension of Dairy Drive or from a 6 metre wide lane. The remaining five blocks would permit 6 metre wide on-street townhouses, which will front onto the extension of Bamblett Drive, and will consist of 31 units. The proposed public streets would be extensions of streets in Registered Plan 66M-2455 to the north and west. Each unit will have a parking space integral to the unit in a garage and a space to park an additional vehicle in the driveway leading to the garage. There is also a public walkway proposed, connecting pedestrians within the proposed subdivision to Danforth Road.

Refer to the Proposed Draft Plan of Subdivision – Attachment No. 2 and the Application Data Sheet – Attachment No. 4 for additional project information.

Site and Surrounding Area

The subject property is rectangular in shape and is approximately 1.2 hectares (3.0 acres) in size and is located on the north side of Danforth Road, east of Warden Avenue in the Warden Woods Community. The property is a remnant industrial parcel within a new and growing residential community.

The surrounding land uses in the vicinity of the site can be described as follows:

North: zoning approved for approximately 348 dwelling units at 300 Danforth Road;

East: existing industrial and commercial uses;

South: existing residential and five new townhouses proposed at 240 Danforth Road, and employment lands on the south side of Danforth Road; and

West: registered plan (66M-2455) of subdivision for approximately 224 dwelling units at 651 Warden Avenue.

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 frontage of the site is designated as a Mixed Use Area in the Toronto Official Plan – Warden Woods Community Secondary Plan. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks, open spaces and utilities.

Development within Mixed Use Areas will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- provide for new jobs and homes;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes; and
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Mixed Use Areas are intended to create and provide an attractive, comfortable and safe pedestrian environment. They are to have access to schools, parks, community centres,

libraries, and childcare, and take advantage of nearby transit services. They are to provide good site access and circulation and an adequate supply of parking for residents and visitors, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

The interior of the site is designated as Neighbourhoods in the Toronto Official Plan – Warden Woods Community Secondary Plan. 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.

The Warden Woods Community Secondary Plan establishes a framework to guide the coordinated development of new mixed use and residential neighbourhoods with all the ingredients for success including adequate community facilities, excellence in urban design, and a balanced transportation system. The intent of the Secondary Plan is to support private and public investment in the creation of a new community, integrated with the surrounding residential communities and ravine system, and to establish compatible interfaces with residual and abutting employment areas.

The applicant's proposal complies with the City's Official Plan and implements the objectives of the Warden Woods Community Secondary Plan.

Zoning

The subject property is zoned Industrial (M) in the Oakridge Employment District Zoning By-law No. 24982. The industrial zone permits day nurseries, educational and training facility uses, industrial uses, offices, excluding medical and dental offices, places of worship, and recreational uses. As well, this zone states that "all uses shall be conducted wholly within an enclosed building." Refer to Zoning Map – Attachment No. 3.

Site Plan Control

The property is subject to site plan control. An application has not yet been submitted.

Reasons for Application

The zoning by-law amendment is required to permit the change of use from an industrial zone to a residential zone. The draft of plan of subdivision is required to create the residential development blocks, the public rights-of-ways, and the public walkway.

Community Consultation

A community consultation meeting on the zoning by-law amendment application and draft plan of subdivision was held on February 11, 2009, attended by the Ward Councillor, the owner's representatives, Community Planning staff, and approximately five members of the public. The public was generally supportive of the development applications.

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 of subdivision approval.

COMMENTS

Land Use

The proposed land use featuring a variety of townhouse forms is consistent with the City's Official Plan policies for this site. The frontage of the subject property is designated as a Mixed Use Area, while the interior of the site is designated Neighbourhoods. Both land use designations permit a variety of residential uses, such as the proposed townhouses.

The site is also subject to the Warden Woods Community Secondary Plan and Warden Woods Community Urban Design Guidelines and Conceptual Master Plan. Buildings in the Warden Woods Community Secondary Plan area will frame the edges of streets and parks, promote community identity at prominent locations, and support a pedestrian friendly environment. The Urban Design Guidelines encourage mid-rise buildings from four to eight storeys to locate along the Warden Avenue and Danforth Road frontages. The applicant is requesting dual zoning for the residential block along the Danforth Road frontage to permit either 14 rear lane townhouses or up to 20 stacked townhouses. Both of these built form options can be found along the Warden Avenue and Danforth Road frontages in the surrounding Warden Woods Community.

The proposed development is compatible with the surrounding development and is appropriate for this area.

Road / Lane Pattern and Connectivity

The applications propose public road extensions connecting to Bamblett Drive and to Dairy Drive in Registered Plan 66M-2455 to the north and west thereby providing appropriate pedestrian and vehicular connections for the site and surrounding neighbourhood. Both City Planning and Transportation Services divisions have no concerns with the proposed road network.

The adjacent property to the north-east at 300 Danforth Road has submitted a revised zoning by-law amendment (Application No. 09 110484 ESC 35 OZ). The concept plan submitted with the zoning application identifies a proposed new road connection to the property at 250 Danforth Road. While there is no indication that such a connection is required, it is important to ensure that the interface between these two adjacent development sites is properly coordinated. The applicant has provided a deferred development block (Block 11) to allow the City and the 300 Danforth Road applicant to further assess whether a road connection is desirable and for the neighbouring property owner to purchase this block, if necessary. An appropriate draft plan of subdivision condition will be included.

Block 5 on the draft plan of subdivision will be zoned to allow it to be constructed as either stacked townhouses or rear-lane townhouses. If it is to be stacked townhouses then it would be a standard condominium project and all driveways will be private. If it is to be developed with rear-lane townhouses, a 6 metre wide public lane will be established at the north-east portion of Block 5 to provide vehicular access to some of the townhouses fronting on Danforth Road. This can be accomplished in conjunction with either a part lot control application or a consent application to create the townhouse parcels, with a pre-condition requiring dedication of the public lane to the City and a development agreement for its construction.

Traffic Impact

A traffic assessment prepared by BA Group Transportation Consultants was submitted in support of this application. According to BA's findings, the proposed development would function satisfactorily in terms of traffic access and circulation. Traffic volumes attributable to the 250 Danforth Road development can be supported by the area road network without undue impacts. City Planning and Transportation Services divisions have found this report to be acceptable.

Servicing

The applicant has submitted a Functional Servicing and Stage 1 Stormwater Management Report in support of the proposal. The report and associated servicing drawings have been reviewed by Technical Services Division. Revisions to the report are required and will be addressed in the Stage 2 Servicing and Stormwater Management Report. This report is required as a condition of draft plan approval.

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 the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.00 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law No. 1420-2007.

The application proposes between 45 and 51 dwelling units on a net site of 0.936 hectares (9,360 m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1420-2007, the parkland dedication would be 0.0666 hectares (666 m²) for a minimum of 50 dwelling units, which equates to 7.1% of the site. Parks, Forestry and Recreation requests a site parkland cash-in-lieu contribution based on a dedication of 0.0666 hectares (666 m²), which is the maximum required size under the alternate rate by-law.

Parks, Forestry and Recreation are not pursuing an on-site parkland dedication for the subject site because it would be too small to be functional. Also the proposed development is located near a newly constructed public park of sufficient size to accommodate the park needs of this development. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permits. This parkland

payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

Urban Forestry

Urban Forestry has reviewed the submitted landscape plans and has determined that further improvements are required. A landscape plan acceptable to Urban Forestry, in conjunction with a composite utility plan, is required as a condition of draft plan approval.

School Capacity

The Toronto District School Board (TDSB) advises that there is insufficient space at 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 school accommodation. The Toronto Catholic District School Board was also circulated advising of the proposed development, however, they did not provide comments.

Section 37

The Warden Woods Community Secondary Plan outlines policies with respect to Section 37. Section 37 will apply to increases in height and density as set out in the zoning by-law. Agreements pursuant to Section 37 of the Planning Act may be used to secure facilities and matters relating to community benefits. Section 37 community benefits will be selected on the basis of local community needs, the nature of the development application, any implementing guidelines or plans adopted by Council and the strategic objectives and policies of the Warden Woods Community Secondary Plan.

The Section 37 agreement for this development should secure the provision and delivery of an up-front cash payment equal to \$1,500 per residential unit (for a minimum of 50 units) to be used as a contribution towards the Warden Woods community centre, or to parks in the Warden Woods Community, or to parks in the vicinity of the Warden Woods Community. This represents a total contribution of \$75,000.00. The agreement should also secure the pre-payment of the indoor and outdoor recreation facilities portion of the Parks and Recreation component of the development charges. The owner will be given a credit towards the pre-paid development charges at the building permit stage.

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 streets, lanes and sidewalks, servicing, stormwater management facilities, street tree planting, and urban design matters. Staff recommends that Council support the draft plan of subdivision and recommend to the Chief Planner that the draft plan of subdivision be approved.

Residential Reserve Blocks

Four residential reserve blocks have been provided for and are to be combined with reserve blocks on Registered Plan Plan 66M-2455. The size and location of the reserve blocks have the appropriate dimensions and configuration to provide for the orderly development of the lands.

Industrial Interface

The adjacent site to the north-east (300 Danforth Road) supports a 1 to 2 storey industrial building of approximately 18,000 square metres. Ranka Enterprises uses the building to manufacture clothing and assemble winter boots. A discount clothing store was located at the front of the building. The rear portion of the building has been demolished. The only remaining use is the “Bollywood” South Asian restaurant which provides eat-in, catering and take-out services. The site has also been rezoned to remove industrial permissions and provide for residential development. Appropriate conditions of draft plan approval requiring the owner to place warning clauses on title with respect to odour may be required.

Toronto Green Standard

Council has adopted the Toronto Green Development Standard, and staff will pursue the implementation of the standard through the future site plan approval application(s).

Development Charges

It is estimated that the development charges for this project will be \$501,891.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Perry Korouyenis, Planner

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Fax No. (416) 396-4265

E-mail: pkorouy@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Conceptual Site Plan/Subdivision Plan

Attachment 2: Proposed Draft Plan of Subdivision

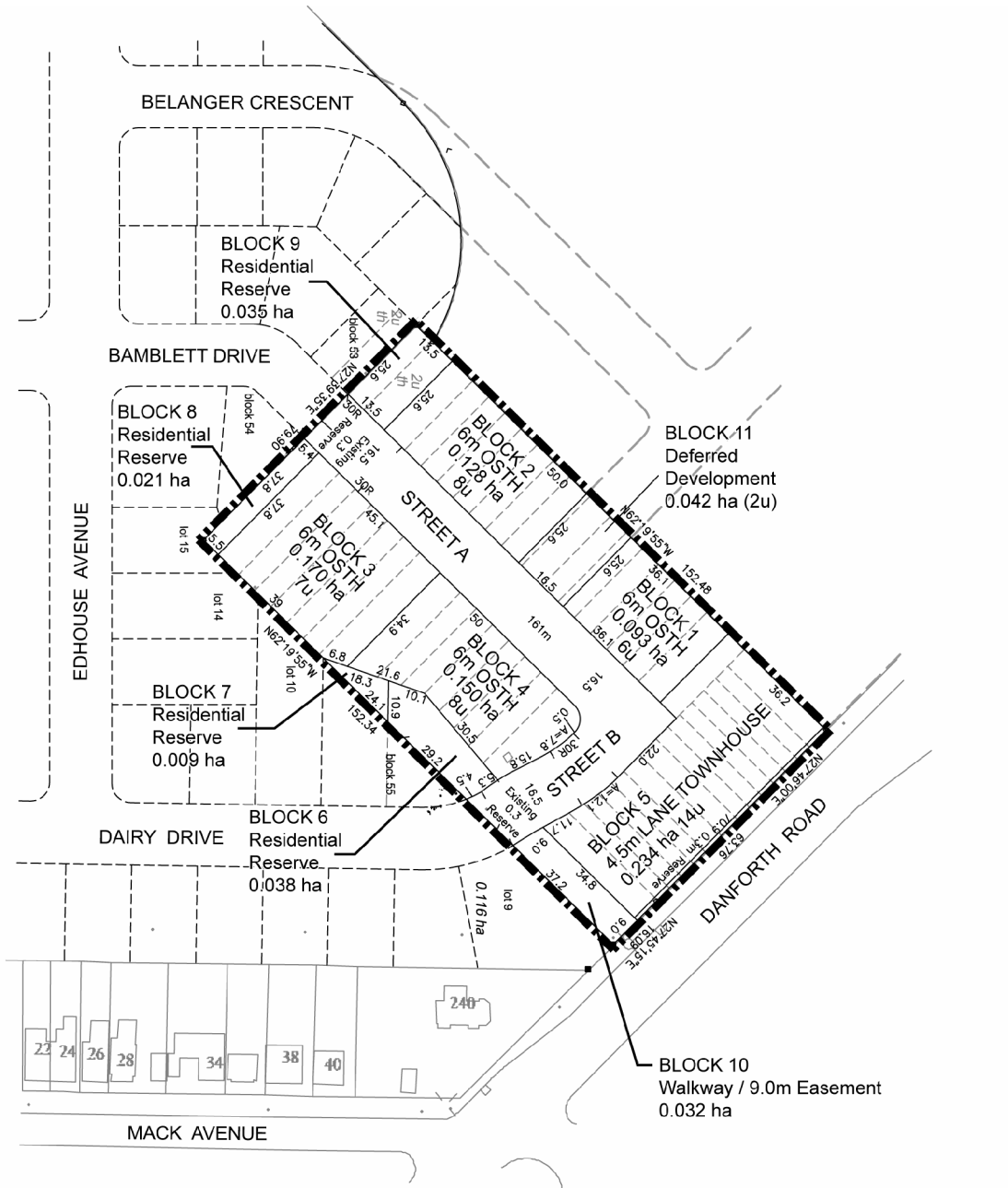
Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

Attachment 6: Draft Plan of Subdivision Conditions

Attachment 2: Proposed Draft Plan of Subdivision



Proposed Plan of Subdivision

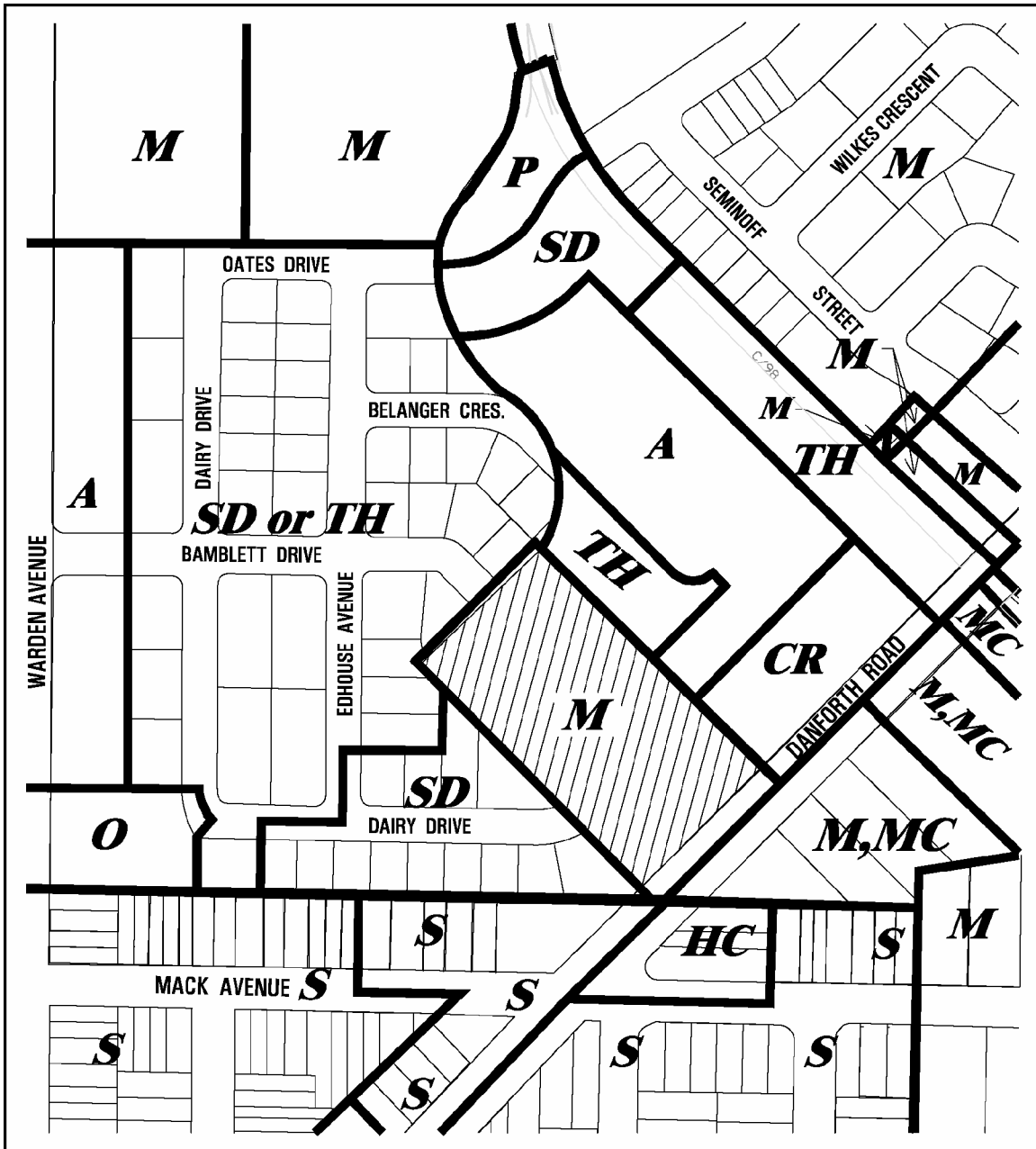
250 Danforth Road

Applicant's Submitted Drawing

Not to Scale
5/12/09

File # 08-214113 OZ and 08-214119 SB

Attachment 3: Zoning



Toronto City Planning
Division
Zoning

250 Danforth Road

File # 08-214113_0Z, 08-214119_SB

- | | |
|--|--------------------------------------|
| S Single Family Residential Zone | M Industrial Zone |
| SD Semi-Detached Residential Zone | MC Industrial Commercial Zone |
| TH Townhouse Residential Zone | HC Highway Commercial Zone |
| A Apartment Residential Zone | P Park |
| CR Commercial/residential Zone | O Open Space Zone |

Oakridge Employment District Bylaw
Not to Scale
12/04/08



Attachment 4: Application Data Sheet

Application Type	Rezoning & Draft Plan of Subdivision	Application Number:	08 214113 ESC 35 OZ & 08 214119 ESC 35 SB
Details	Rezoning, Standard & Draft Plan of Subdivision	Application Date:	October 20, 2008

Municipal Address: 250 DANFORTH RD
 Location Description: CON B PT LOT 32 **GRID E3507
 Project Description: Proposal to permit the redevelopment of the property with between 45 and 51 townhouse units, 4 residential reserve blocks and a walkway on the property.

Applicant:	Agent:	Architect:	Owner:
Guy D’Onofrio & Bert Dekkema c/o THE GOLDMAN GROUP			PATTERSON PROPERTIES INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas & Neighbourhoods	Site Specific Provision:	Warden Woods Secondary Plan
Zoning:	M-Industrial Zone	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	12180	Height:	Storeys:	0
Frontage (m):	77.88		Metres:	0
Depth (m):	152.48			
Total Ground Floor Area (sq. m):	0		Total	
Total Residential GFA (sq. m):	approximately 4849	Parking Spaces:		between 90 & 102
Total Non-Residential GFA (sq. m):	0	Loading Docks		0
Total GFA (sq. m):	approximately 4849			
Lot Coverage Ratio (%):	0			
Floor Space Index:	approximately 0.398			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	approx. 4849	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:	b/w 45 & 51			

CONTACT: PLANNER NAME: Perry Korouyenis, Planner
TELEPHONE: (416) 396-4927

Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~]
as adopted by City of Toronto Council on ~, 2009
Enacted by Council: ~, 2009

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2009

To amend Zoning By-law No. 950-2005, the Warden Woods Community Zoning By-law, as amended, and the Scarborough Employment Districts Zoning By-law No. 24982 (Oakridge Employment District), as amended, with respect to the lands municipally known as 250 Danforth 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 Employment Districts Zoning By-law No. 24982 (Oakridge) is amended by deleting the zoning applying to the lands at 250 Danforth Road shown outlined on Schedule '1'.
2. Schedule 'A' of the Warden Woods Community Zoning By-law No. 950-2005 is further amended by 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:

TH – 19G – 21 – 49 – 63 – 80 – 142 – 160 – 206 – 207 – 212 – 218

TH – 15 – 22 – 41 – 63 – 64 – 148 – 149 – 160 – 206 – 207 – 218

A – 19H – 49 – 86 – 102 – 152 – 163 – 202 – 207 – 212 – 218

SD – 14 – 22 – 41 – 63 – 64 – 148 – 149 – 160 – 206 – 207 – 218

P

3. Schedule "B", **Performance Standards Chart**, is amended by adding the following Performance Standards:

INTENSITY OF USE

19G. One **townhouse dwelling** per 4.5 m of **lot frontage** and a minimum **lot area** of 136 m² per **dwelling unit**.

19H. One suite (individual **dwelling unit**) per 115 m² of **lot area**.

REAR YARD SETBACK

49. For units serviced by a rear **lane** or **street** which provides access, a setback to an attached garage of not less than 6 m, provided that the attached garage incorporates a roof-top amenity space for the occupants (which may include any limited roof-top mechanical equipment serving the **dwelling unit**). The **main wall** projections provisions of **CLAUSE V1 – PROVISIONS FOR ALL ZONES, Section 16, Permitted Encroachments into Required Yards** shall not apply to the rear wall of such attached garage extensions with the exception that roof overhangs (i.e. eaves) may project a maximum of 0.5 metres from the **main wall** of the garage facing the **street** or **lane**.

STREET YARD SETBACK

86. Minimum 3 m and a maximum of 5 m from the **street** line of Danforth Road, except that the **main wall** behind an exterior balcony may be **setback** a maximum of 8 m from the **street** line. The required minimum and maximum **setbacks** shall be measured to the **street** line of Danforth Road only, notwithstanding the establishment of any 0.3 m reserve adjacent to the **street**.

MISCELLANEOUS

218. 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.

4. Schedule 'C' of the Warden Woods Community Zoning By-law No. 950-2005, **EXCEPTIONS LIST**, is further amended by adding the following Exception No. 17:

17. On those lands identified as Exception No. 17 on the accompanying Schedule 'C' map (Schedule '2'), the following provisions shall apply:

- a) Matters to be provided pursuant to Section 37 of the *Planning Act*:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:
 - (1) Financial contribution to the City of Toronto in the amount of \$1,500.00 per **dwelling unit**, for a minimum of 50 units, towards capital improvements to a community centre serving the Warden Woods Community, or, alternatively, contributions towards capital improvements to one or more public parks in or near the Warden Woods Community.
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in Section (1)(a) herein and which shall be registered on title to the lands to which this By-law applies.

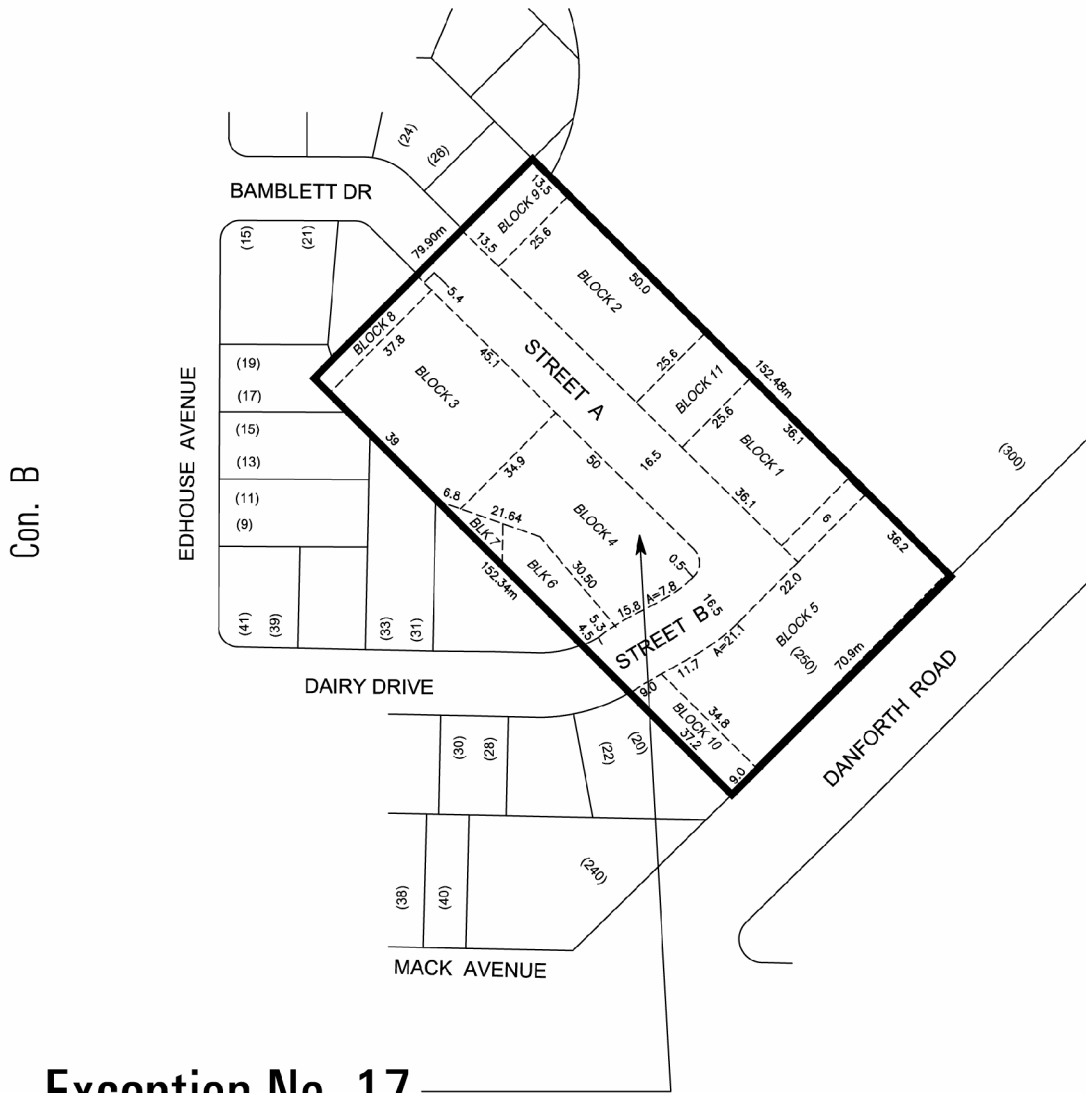
ENACTED AND PASSED this ~ day of ~, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '2'
Lot 32



Exception No. 17

Toronto City Planning Division
Zoning By-Law Amendment

250 Danforth Road
File # 08-214113 OZ and 08-214119 SB

 Area Affected By This By-Law

Oakridge Employment District
Not to Scale
5/22/09


Attachment 6: Draft Plan of Subdivision Conditions

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

DATE: May 21, 2009

**SUBDIVISION APPLICATION 08 214119 ESC 35 SB
DRAFT PLAN OF SUBDIVISION PREPARED BY BOUSFIELDS INC.
DRAWING NO. 0769-20dp, DATED MAY 7, 2009**

**250 DANFORTH ROAD
PART OF LOT 32, CONCESSION B
CITY OF TORONTO (FORMERLY CITY OF SCARBOROUGH)
PATTERSON PROPERTIES INC.**

STANDARD CONDITIONS

Subdivision Agreement

1. The Owner shall execute the City's standard subdivision agreement, and shall satisfy all of the pre-registration conditions contained therein.

Zoning

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

Tax Payment

3. Prior to the registration of the plan of subdivision, the Owner shall provide to the Director, Community Planning, Scarborough District, confirmation that the taxes have been paid in full (statement of account or Tax Clearance Certificate).

SERVICES

Easement Requirements

4. Prior to the registration of the plan of subdivision, Owner agrees to provide any easements deemed necessary by Technical Services for utilities, drainage and servicing purposes to the appropriate authorities in order to service the subdivision.

Servicing

5. Prior to the earlier of the Release for Construction of Services or registration of the plan of subdivision, the Owner agrees to construct all necessary municipal watermain, storm and sanitary sewers necessary to service the plan of subdivision to the satisfaction of the Executive Director, Technical Services and shall post a Letter of Credit equal to 120% of the value of the cost and installation of all sewer services to the satisfaction of the Executive Director, Technical Services.

Hydroelectric

6. Prior to the registration of the plan of subdivision, the Owner agrees to 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 Toronto Hydro:
 - (i) underground civil and electrical system for the development;
 - (ii) the provision of adequate space within the development for transformers, tap boxes and any other hydro equipment of the local distribution company, and;
 - (iii) any existing electrical feeds to any existing or demolished buildings on the property must be removed at the developer's expense.

Street Lighting

7. The Owner shall agree to provide upgraded street lighting, at no cost to the City, within the plan of subdivision and external to the plan of subdivision including street lighting along Danforth Road, should adjustments be required along Danforth Road. Such street lighting shall be installed prior to occupancy to the satisfaction of Toronto Hydro, in consultation with the Chief Planner and Executive Director.

Surveys, Mapping, Road Widening, Fire Hydrant Maintenance, Etc.

8. Prior to the registration of the plan of subdivision, the Owner agrees to pay the cost of all geodetic surveys, aerial mapping, traffic signs, conveyance of road widenings, upgraded street lighting and fire hydrant maintenance within the plan of subdivision satisfactory to the Executive Director, Technical Services.

Telecommunications

9. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements, financial and otherwise with Bell Canada or any other telecommunications provider. The Owner shall agree in the Subdivision Agreement to grant Bell Canada, or any other telecommunications provider, any

easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing telecommunication facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

Gas - Arrangements

10. Prior to the registration of the plan of subdivision, the Owner agrees to make satisfactory arrangements, financial and otherwise (including providing easements), with a natural gas provider for the delivery of gas services to the plan of subdivision to the satisfaction of Enbridge Gas Distribution or such other gas provider.

Gas – Grading

11. Prior to the registration of the plan of subdivision, the Owner agrees to grade all streets to final elevation approved by the City prior to the installation of the gas lines and to provide the necessary field information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Distribution or such other gas provider.

Gas – Installation

12. Prior to the registration of the plan of subdivision, the Owner agrees that all of the natural gas distribution systems will be installed within the proposed road allowance to the satisfaction of Enbridge Gas Distribution or such other gas provider.

Composite Utility Plan

13. Prior to registration of the plan of subdivision, the Owner agrees to prepare 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.

Intersection and/or Road Improvements

14. Prior to the registration of the plan of subdivision, the Owner agrees to make satisfactory arrangements with the City of Toronto regarding intersection and/or road improvements as deemed necessary by the Executive Director, Technical Services to service the plan of subdivision.

Transportation Related Red-line Changes

15. Prior to the registration of the plan of subdivision, the Owner agrees to make any necessary red-line changes to the plan of subdivision regarding rights-of-ways, 0.3 metre (1 foot) reserves, corner roundings, sight lines and these shall be provided satisfactory to the Executive Director, Technical Services.

Preparation of Final Plan of Subdivision

16. The Owner agrees to prepare the final plan of subdivision in metric units related to the Ontario Co-ordinate System and shall submit a digital copy of the plan to the Executive Director, Technical Services.

Pavement Marking Plan

17. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed pavement marking plan and provide securities for these works, in an amount determined upon receipt of an acceptable pavement marking plan, to the satisfaction of the Executive Director, Technical Services.

STREETS, DRIVEWAYS, SIDEWALKS AND CORNER ROUNDINGS

Construction of Right-of-Ways

18. Prior to the registration of the plan of subdivision, the Owner agrees to construct Streets A (Bamblett Drive) and B (Dairy Drive) to base course asphalt including base curb to the satisfaction of the Executive Director, Technical Services. Transportation infrastructure associated with both Street A and Street B must be designed and constructed in accordance with the adjacent subdivision (Registered Plan 66M-2455).

Naming of Streets

19. Prior to the registration of the plan of subdivision, the Owner agrees to name road allowances to the satisfaction of the Executive Director, Technical Services.

Driveways

20. The Owner agrees 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 in accordance with the Ontario Provincial Standard Drawing No. OPSD-351.010 and to the satisfaction of the Executive Director, Technical Services.

21. The Owner agrees that all driveway dimensions must be a minimum of 3.0 metres in width by 5.7 metres in length and shall not be less than 0.3 metres from a sidewalk or 2.0 metres from the curb where there is no sidewalk.

Sidewalks

22. The Owner agrees to provide a 2.0 metre municipal concrete sidewalk along one side of Streets A and B, in accordance with Development Infrastructure Policy and Standards (DIPS), which shall be completed prior to the occupancy of any dwelling, to the satisfaction of the Executive Director, Technical Services.
23. The Owner agrees to replace the frontage side sidewalk with a 1.7 metre sidewalk across the entire frontage of the site along Danforth Road.

Conveyances

24. The Owner agrees to illustrate, convey and dedicate all proposed public roads and corner roundings to the City of Toronto as a Public Highway, and also illustrate, convey and dedicate all proposed walkways and 0.3 metre (1 foot) reserves to the City of Toronto, both to the satisfaction of the Executive Director, Technical Services.

WINDROW AND SIDEWALK SNOW CLEARING / WARNING CLAUSES

Warning Clause – Windrow and Sidewalk Snow Clearing

25. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clause in all agreements of purchase and sale and/or lease agreements and registered on title to the satisfaction of the City Solicitor:

“Purchasers are advised that where sidewalks are located adjacent to the curb or where the right-of-way width is less than 18.5 metres, sidewalk snow clearing and driveway windrow clearing will not be provided by the City.”

Warning Clause – Solicitor Confirmation – Windrow and Sidewalk Snow Clearing

26. Prior to the registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable agreements of purchase and sale and/or lease agreements to ensure that future occupants are aware of the City’s snow clearing practices.

PARKING

Warning Clause – Parking For Semi-Detached and Non-Lane Townhouse Units

27. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clauses in all agreements of purchase and sale agreements and/or lease agreements and registered on title to the satisfaction of the City Solicitor:

“Warning: Purchasers are advised that the City of Toronto Zoning By-law for these lands requires parking to be provided at a rate of 1.0 space per dwelling unit and that all units have at least one space within a garage which meets these requirements. In addition to the Zoning By-law requirements, the Owner must provide a hard surface, where applicable, which may be partially located within the City owned right-of-way leading to the parking space within the garage. The purchaser is further advised that any modification to the driveway or to the adjacent landscaping located within the City’s right-of-way is subject to the City’s By-law Nos. 17307 and 21208 (or current versions thereof), which prohibit the parking of vehicles and encroachment within the municipal road allowance.”

“Warning: There is a City by-law that prohibits the use of the public boulevard to satisfy parking space requirements. Casual parking (not required parking) is permitted within the confines of that portion of the boulevard within a private driveway, provided that no motor vehicle may be parked in the driveway less than 0.3 metres from the back edge of the sidewalk, or where no sidewalk exists, not less than 2.0 metres from the face of the curb or edge of the roadway. Additional vehicle parking that might otherwise be available on public streets will be subject to approval and regulations pursuant to applicable by-laws of the City of Toronto.”

Warning Clause – Solicitor Confirmation – Parking For Semi-Detached and Non-Lane Townhouse Units

28. Prior to the registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable agreements of purchase and sale and/or lease agreements to ensure that future occupants are aware of the parking restrictions on these lands.

STORMWATER MANAGEMENT

Stage II Storm Water Management Plan

29. Prior to the registration of the plan of subdivision and in conjunction with engineering drawing approvals, the Owner is required to submit a Stage II Stormwater Management Report with the first submission of engineering

drawings addressing stormwater quality and quantity, and complying with the City's Wet Weather Flow Management Guidelines, to the satisfaction of the Executive Director, Technical Services.

Warning Clause – Storm Drainage

30. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clause in all agreements of purchase and sale agreements and/or lease agreements and registered on title to the satisfaction of the City Solicitor:

“Warning: Purchasers are advised that they are responsible for the upkeep and maintenance of rear yard catch basins, drainage swales and catch basin leads (i.e. connections) located on private property.”

Warning Clause – Solicitor Confirmation – Storm Drainage

31. 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 agreements of purchase and sale and/or lease agreements to ensure that future occupants are aware of the storm drainage requirements on these lands.

ENVIRONMENTAL ASSESSMENT

Record of Site Condition and Remedial Action Plan

32. Prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner agrees to undertake to complete any necessary remediation work in accordance with an accepted Remedial Action Plan and to provide to the City a Record of Site Condition (RSC) satisfactory to the Ministry of the Environment.

Environmental Site Assessment – Lands to Be Conveyed

33. Prior to the earlier of the release for construction of services or 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 easement interest both internal and external to the subdivision lands, all to the satisfaction of the Executive Director, Technical Services. The Owner agrees to pay all costs associated with the City retaining a third-party reviewer and to submit a certified cheque payable to the City of Toronto as a deposit towards the cost of the peer reviewer, and to make further deposits as required by the City from time to time, all to the satisfaction of the Executive Director, Technical Services.

SCHOOLS

School Board - Signs

34. The Owner agrees to make satisfactory arrangements with the Toronto District School Board and the Toronto Catholic District School Board to erect and maintain signs, at points of egress and ingress of the development site, advising that sufficient accommodation may not exist at local schools, and as such, alternative accommodation will be made. These signs shall be to the specifications of the School Boards and erected prior to registration of the plan of subdivision.

Warning Clause – School Accommodation

35. The Owner agrees to include in all offers of purchase and sale or lease the following warning clauses for a period of 10 years after registration of the subdivision plan:

“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, that students will not be bussed home to school and/or from school to home, but will meet the bus at designated locations in or outside of the area.”

and

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

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

PARKLAND

Parkland Dedication – Cash-in-Lieu

36. The Owner agrees to pay a cash-in-lieu of parkland dedication immediately following registration of the plan of subdivision, or in any case prior to the issuance

of building permits, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Warning Clause – Winter Maintenance of Public Lands

37. The Owner agrees to include in all agreements of purchase and sale and/or rental/lease agreements, a warning clause indicating that the City will not be responsible for any winter maintenance of walkways in Block 138 and Block 139 (350 Danforth Road park and adjacent stormwater management pond, respectively – Registered Plan 66M-2437) to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Warning Clause – Solicitor Confirmation – Winter Maintenance of Public Lands

38. Prior to formal acceptance by the City, the Owner agrees to provide its Solicitor's confirmation to the City advising that the appropriate warning clauses set out above have been included in all applicable agreements of purchase and sale and/or rental/lease agreements to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Letters of Credit – Terms and Conditions

39. All Letters of Credit submitted by the Owner to the City shall be to the satisfaction of the General Manager of Parks, Forestry and Recreation. The Owner shall agree that all Letters of Credit to be held by Parks, Forestry and Recreation 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 the 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. Provided, however, that in no case shall the amount actually payable by the Owner at any time be less than the minimal amount as set out in that agreement.

PRIVATE TREES

Tree Replacement Plan

40. Prior to the registration of the plan of subdivision, the Owner agrees to submit an arborist report and tree replacement plan to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Tree Removal Requirements

41. Prior to the release of tree removal permits, the Owner agrees to submit an application and pay the required application fees, and to provide 70 mm diameter

caliper replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of Draft Approval of the Plan of Subdivision. The ratio of replacement trees will be determined by Urban Forestry. Replacement trees will be planted on site in accordance with Urban Forestry Services requirements, or if no suitable location on site can be provided, the Owner may submit cash-in-lieu of planting, all to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Tree Planting on Private Property – Notification to City

42. The Owner shall agree in the subdivision agreement, to the satisfaction of the General Manager of Parks, Forestry and Recreation, to contact Urban Forestry Services 48 hours prior to the planting of trees on private property or within common areas, and further agrees to plant the trees in accordance with the approved planting plans.

Tree Protection in Accordance with Arborist Report and Tree Preservation Plan

43. Prior to the registration of the plan of subdivision, the Owner agrees to protect all existing trees associated with the development for which approval to remove or injure has not been granted 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

44. 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.

Notification of Tree Protection Requirements

45. Prior to the registration of the plan of subdivision, the Owner agrees to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager of Parks, Forestry and Recreation.

STREET TREES

Street Tree Planting Plan

46. 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 satisfactory to the General Manager of Parks, Forestry and Recreation.

Composite Utility Plan

47. Prior to the acceptance of engineering drawings by Technical Services, the Owner agrees to provide a composite utility plan, indicating the location of all underground and above ground utilities, as well as proposed tree planting locations, to the satisfaction of Parks, Forestry and Recreation, and Technical Services.

Street Tree – Letter of Credit

48. 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 of Parks, Forestry and Recreation.

Street Tree Planting Requirements

49. Prior to the registration of the plan of subdivision, the Owner agrees 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. 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 Owners for an additional two-year period.

Warning Clause – Street Tree Planting

50. The Owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease agreements for any lands within the proposed plan of subdivision:

“The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property.”

Warning Clause – Solicitor Confirmation – Street Tree Planting

51. Prior to the registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the above clause has been included in all agreements of purchase and sale and/or rental/lease agreements within the plan of subdivision to ensure that future occupants are aware that they may not receive a street tree in front of their property and be registered on title to the satisfaction of the City Solicitor.

FENCING

Fencing Plan

52. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with a detailed fencing plan and to make satisfactory arrangements to install any required privacy or decorative fencing to the satisfaction of the Chief Planner and Executive Director.

Fencing Plan – Letter of Credit

53. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with a Letter of Credit as security for the installation of any required privacy or decorative fencing equal to 120% of the value of the fencing to the satisfaction of the Chief Planner and Executive Director.

ARCHAEOLOGICAL

Archaeological Assessment

54. Prior to the registration of the plan of subdivision, the Owner agrees to obtain approval from the Ministry of Culture and/or the City of Toronto of an archaeological assessment for lands within the draft plan of subdivision and mitigate, through preservation or resource removal and documentation, adverse impacts on any significant archaeological resources found. Without prior written approval of the Executive Director, Technical Services, no grading or other soil disturbances shall take place within the limits of the draft plan of subdivision, other than works associated with the completion of the archaeological assessment, until the City of Toronto and the Ministry of Culture confirm that all archaeological resource concerns have been identified and appropriate licensing and resource conservation requirements have been established.

NOISE AND VIBRATION

Noise and Vibration Study

55. Prior to registration of the plan of subdivision, the Owner agrees to submit a noise and vibration study prepared by a certified acoustical engineer to the satisfaction of the Chief Planner and Executive Director.

Implementation of Noise and Vibration Study Requirements

56. The Owner agrees to implement and bear all costs associated with the recommendations including, but not limited to, the construction and installation of all berms, acoustic fences, at-source mitigation measures (on-site and off-site) and registration of appropriate warning clauses of the noise and vibration study required and accepted by the Chief Planner and Executive Director.

Noise and Vibration Mitigation – Letter of Credit

57. Prior to the registration of the draft plan of subdivision, the Owner agrees to post a Letter of Credit as security for the installation of any required mitigation measures including, but not limited to, the construction and installation of all berms, acoustic fences, at-source mitigation measures (on-site and off-site) for 120% of the value of such items to the satisfaction of the Chief Planner and Executive Director.

Location of Noise Attenuation Requirements on Tree Planting and Landscape Plans

58. Prior to the registration of the plan of subdivision, the Owner agrees to illustrate the location of any sound barrier/noise attenuation fence on all tree planting and tree preservation/protection plans and landscape plans, to the satisfaction of the Chief Planner and Executive Director.

AIR QUALITY MITIGATION MEASURES

Warning Clause – Industrial Bakery Operations

59. The Owner agrees to include the following warning clause in all agreements of purchase and sale and registered on title to the satisfaction of the City Solicitor:

“The Purchaser acknowledges that this residential development is located in close proximity to an on-going multi-shift industrial bakery to the north-west that may continue to operate indefinitely and create odour emissions.”

Warning Clause – Solicitor Confirmation – Industrial Bakery Operations

60. The Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable agreements of purchase and sale and/or rental/lease agreements to ensure that future occupants are aware of on-going industrial bakery operations on lands that are in close proximity.

WALKWAY

Block 10 Walkway

61. Prior to the registration of the plan of subdivision, the Owner shall provide a letter of credit to the City for the construction of a walkway connection in Block 10, to the satisfaction of the Chief Planner and Executive Director, and the Executive Director, Technical Services.
62. At the time of registration of the plan of subdivision, the Owner shall convey Block 10 to the City for walkway purposes, to the satisfaction of the Chief Planner and Executive Director, and the Executive Director, Technical Services.

COMMUNITY MAIL BOXES

Community Mail Boxes

63. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements with Canada Post concerning community mail boxes and provide a plan to the City showing the location of all proposed community mailboxes, associated garbage containers and landscaping within the area of the community mailboxes. The plan shall be to the satisfaction of the Chief Planner and Executive Director, the Executive Director, Technical Services, and the General Manager of Parks, Forestry and Recreation.

DEMOLITION OF BUILDINGS AND STRUCTURES

Demolition of Buildings and Structures

64. Prior to the registration of the plan of subdivision, the Owner shall demolish any existing buildings and structures to the satisfaction of the Chief Building Official.

URBAN DESIGN GUIDELINES

Warden Woods Urban Design Guidelines and Master Plan

65. The Owner agrees that all works and/or construction will be substantially in accordance with the Warden Woods Community Urban Design Guidelines and Conceptual Master Plan, prepared by the City Planning Division, Urban Design.

DEFERRED DEVELOPMENT

Deferred Development – Block 11

66. Prior to the registration of the plan of subdivision, the Owner agrees to defer residential development for Block 11 as required by the Chief Planner and Executive Director, until six (6) months after the date of final registration of the plan of subdivision to allow the City and the 300 Danforth Road owner to further assess whether a road connection is desirable. The Owner further agrees that upon notice by the City that Block 11 is required for road connection purposes, that it will be made available for purchase by the owner of 300 Danforth Road at fair market value.

ELEVATIONS AND BUILDING SITING PLANS

67. Prior to seeking the issuance of building permits for any dwellings within the subdivision not subject to site plan approval, the Owner agrees to submit building elevation plans and building siting control plans for the approval of the Chief Planner and Executive Director.

ADDITIONAL FINANCIAL REQUIREMENTS

Street Signage

68. The Owner agrees to be responsible for all costs associated with the installation/alteration of municipal street signage required by this subdivision, to the satisfaction of the Executive Director, Technical Services.

TERMS OF CONVEYANCES

Conveyance of Land to the City of Toronto

69. The Owner shall ensure that land to be conveyed to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments except those existing already on the lands that are for the benefit of the City of Toronto or those required by the City of Toronto as part of or as a result of this plan of subdivision.

COMPLETION AND COMPLIANCE

Other City Requirements

70. The Owner acknowledges and agrees to complete or comply with any other requirements by the City acting reasonably that result from the City's examination and review of all requisite plans, drawings, reports, and submissions required by the City to facilitate the development.

MODEL HOMES

Model Homes

71. Prior to the registration of the plan of subdivision, the Owner may be permitted to construct model homes, to the satisfaction of the Chief Planner and Executive Director provided that the Owner agrees to enter into a Model Home Agreement to secure the following, amongst other matters:
- (i) ensures that financial security and insurance have been posted with the City to the satisfaction of the City Solicitor;
 - (ii) agrees to provide a letter of credit (which amount to be determined to the satisfaction of the City Solicitor) for each model home proposed to be held as a security for the costs of demolition and removal of the model home(s) and to rectify any unsafe site conditions and non-compliance with zoning; and
 - (iii) agrees to assume all risks as a result of construction of the model home(s) prior to registration of the plan of subdivision.

NOTES TO DRAFT APPROVAL:

1. Draft approval of this subdivision is in effect for a period of 5 years from the date draft approval was issued. At its direction, the City, may after the 5 years have lapsed, elect to modify some or all of the conditions of draft approval or revoke the draft approval.
2. Where any provision of these draft plan of subdivision conditions of approval makes reference to the Owner, it is understood that any rights and/or obligations accruing to the Owner are attributable to its successors and assigns.
3. Where any provision of the draft plan of subdivision conditions of approval makes reference to the draft plan, it is understood that such reference is made to the draft plan prepared by Bousfields Inc. and dated May 7, 2009, being drawing No. 0769-20dp.
4. Where any provision of these draft plan of subdivision conditions of approval makes reference to a condition to be satisfied or work undertaken by the parties to this agreement, those parties agree to pursue the resolution of such condition or work in a timely, reasonable and cooperative manner.