

## 720 Humberwood Boulevard Zoning By-law Amendment and Draft Plan of Subdivision Applications – Supplementary Report

<b>Date:</b>	December 15, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 2 – Etobicoke North
<b>Reference Number:</b>	07 196771 WET 02 OZ

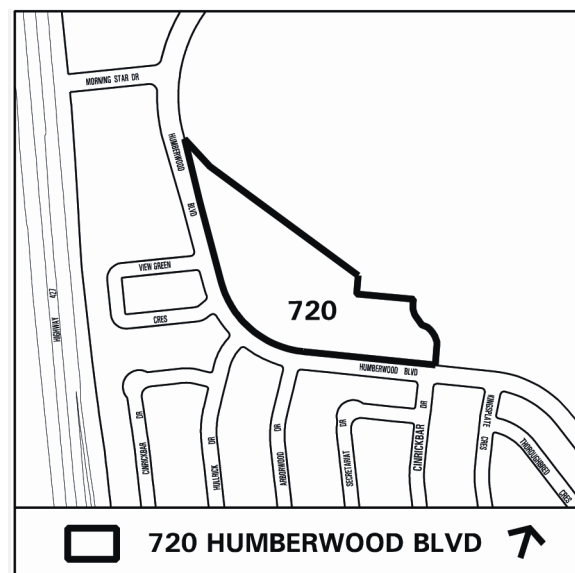
### SUMMARY

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.

A Final Report (August 27, 2009) recommending approval of an application to permit 82 townhouse units was before Community Council on September 15, 2009. The report was deferred to the meeting of November 10, 2009, to allow the applicant to submit a proposal for 40 to 50 single-family dwelling units.

At the Community Council meeting of November 10, 2009, the applicant submitted a revised proposal for 9 single-detached and 62 semi-detached units. Community Council deferred consideration of the Final Report, and directed staff to report to the January 12, 2010 meeting with a draft by-law and conditions to subdivision approval to implement the proposal.

This revised application proposes 9 single-detached and 62 semi-detached dwellings. As directed by Community Council, this report recommends amendments to the Zoning By-law.



This report also advises that the Chief Planner may approve the Draft Plan of Subdivision, subject to appropriate conditions.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend Zoning By-law 1989-78 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2.
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 a legal agreement under Section 37 of the Planning Act to secure the community benefits outlined in this report.
4. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner may approve the Draft Plan of Subdivision, as generally illustrated on Attachment 3 subject to:
  - a. the conditions, provided Attachment 3, which must be fulfilled prior to the release of the Draft Plan of Subdivision for registration;
  - b. any such revisions to the Draft Plan of Subdivision or any 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. the approval of the Draft Plan of Subdivision not being issued until the Zoning By-law is in full force and effect.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **Proposal**

A Final Report (August 27, 2009) recommending approval of an application to permit 82 freehold townhouse units on this site was before Community Council on September 15, 2009. The report was deferred to the meeting of November 10, 2009, to allow the applicant to submit a proposal for 40 to 50 single-family dwelling units.

The applicant and the local Councillor subsequently met with community representatives. At the Community Council meeting of November 10, the applicant tabled a proposal for 9 single-detached and 62 semi-detached dwellings. Community Council deferred the Final Report to the meeting of January 12, 2010; directed staff to report to that meeting with a draft zoning by-law and conditions of subdivision approval to implement that proposal; requested the applicant to submit applications for appropriate revisions to the by-law and subdivision plans; and, directed the Clerk to give notice of the meeting to interested persons.

## **COMMENTS**

As directed by Community Council, the applicant has filed a revised proposal for single- and semi-detached units. The appended by-law has been written to require a minimum of 9 single-family dwellings and permit up to 62 semi-detached units. The total number of units is capped at 71; therefore, the owner has the flexibility to construct more single-family dwellings within the cap, subject to the development standards in the by-law.

As a result of the revisions, the applicant has requested that the Section 37 contribution be reduced to reflect the smaller number of units, and that Site Plan Control not be required prior to introduction of the Bills approving the By-law at City Council.

## **Section 37**

The owner previously agreed to enter into a Section 37 agreement with the City to secure a financial contribution of \$750 per unit (\$61,500) for the purpose of a soccer pitch, a shade structure and/or playground upgrades in Indian Line Park all to the satisfaction of the General Manager of Parks, Forestry and Recreation.

The owner has requested that the overall amount of the contribution be reduced to \$53,250 to reflect the reduction in the proposed number of units. The recommended by-law and conditions of approval for the Draft Plan of Subdivision reflect the lower amount.

## **Site Plan Control**

Since townhouse units are subject to Site Plan Control, the previous development concept required Site Plan Approval for the entire development. Single-family and semi-detached units are not subject to Site Plan Control, except where they abut a ravine. In this case, the proposed units adjacent the Humber River Valley are subject to Site Plan Control. The Conditions of Approval for the Draft Plan of Subdivision have been revised to apply Site Plan Control to those lots.

The applicant has requested that Site Plan Control not be required as a condition to the adoption of Bills at City Council. Since a significant amount of work has been undertaken with respect to the previous development concept, and given that most site development issues can be dealt with through approval of the Subdivision, this approach is acceptable. The recommendations of this report do not require Site Plan Control approval prior to adoption of the Bills.

## **Conclusion**

As directed by Community Council, staff are providing a draft by-law and proposed conditions of approval for the Draft Plan of Subdivision at 720 Humberwood Boulevard.

## **CONTACT**

Dave McKillop, Manager

Tel. No. (416) 394-8216

Fax No. (416) 394 6063

E-mail: dmckillo@toronto.ca

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Revised Site Plan

Attachment 2: Draft Zoning By-law Amendment

Attachment 3: Proposed Conditions of Draft Plan of Subdivision Approval

The site plan illustrates a proposed residential development. A curved street, labeled '10000 13th Avenue', runs along the left and top edges of the site. Along this street, 20 lots are numbered 1 through 20. The lots are arranged in a curved pattern, with some lots having specific dimensions (e.g., 10m, 15m, 20m). A central green space, labeled 'CENTRAL GREEN SPACE', is located between the lots and the street. This area is filled with numerous small green circles representing trees. To the right of the green space, there is a larger area labeled 'LANDSCAPED AREA' with more trees. The plan also shows existing infrastructure, including '10000 13th Avenue' and '10000 14th Avenue'. A north arrow is located in the bottom right corner. The plan is titled 'PROPOSED DEVELOPMENT' and includes a scale bar indicating 0, 10, and 20 meters.

720 Humberwood Boulevard

Not to Scale  
12/14/2009

File # 07\_196771

## **Attachment 2: Proposed Draft Zoning By-law**

Authority: Etobicoke York 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. --2009**

#### **To amend the former City of Etobicoke Zoning By-law No. 1989-78, With respect to the lands municipally known as, 720 Humberwood Boulevard**

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*; and

WHEREAS Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height and density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands in Chapters 320 and 324 of the Etobicoke Zoning Code, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

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

1. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code, and originally attached to Township of Etobicoke By-law No. 11,737, be and the same is hereby amended by changing the classification of the lands located in former Township of Etobicoke as described in Schedule 'A' annexed hereto from Sixth Density Residential (R6) to Public Open Space (OS) and identifying new areas "Part E", "Part F", "Part G" and "Part H" as a portion of "Part C" shown on Schedule 'A' of Zoning By-law No. 1989-78.
2. Notwithstanding the provisions of former City of Etobicoke Zoning By-law No. 1989-78, and the provision of Section 304-3 "Definitions," the following development standards and definitions shall now be applicable to the lands identified as "Part E", "Part F" and "Part H" on Schedule 'A' of former City of Etobicoke By-law No. 1989-78 attached hereto:

A. Definitions

- (i) Hard Landscaping: For the purposes of this By-law, "hard landscaping" shall constitute stone, brick, interlocking concrete pavers and/or patterned impressed concrete.
- (ii) Soft Landscaping: For the purposes of this By-law, "soft landscaping" shall constitute sod and/or flower gardens.
- (iii) Gross Floor Space Index: For the purposes of this By-law, "Gross FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law #11,737 (as amended) for the total of the lands constituting "Part E", "Part F" and "Part G" as well as those lands to constitute the proposed municipal roadway.
- (iv) Net Floor Space Index: For the purposes of this By-law, "Net FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law #11,737 (as amended) for the total of the lands constituting only "Part E" and "Part F".
- (v) Minor Projections: For the purposes of this By-law, "Minor Projections" mean building elements which may project from the main wall of the building, including chimney breasts, roof eaves, bay windows, railings, cornices, guard rails and balustrades.

B. Permitted Uses

- (i) Single detached dwellings only shall be permitted on Part H.
- (ii) Semi-detached dwellings and semi-detached dwellings shall be permitted on Part E and Part F.

C. Development Standards

- (i) Section 3 (d) of former City of Etobicoke Zoning By-law No. 1989-78 is specifically deleted.
- (ii) Direct driveway access to Humberwood Boulevard is not permitted.
- (iii) The maximum number of semi-detached units shall not exceed 62.
- (iv) The minimum number of single detached units shall not exceed 9.
- (v) The maximum number of units shall not exceed 71.

- (vi) The maximum Gross Floor Area (GFA) shall be 21,600 square metres.
- (vii) The maximum Floor Space Index (FSI) for all dwellings shall not exceed 0.60 Gross FSI, 1.11 Net FSI.
- (viii) The maximum height shall be 3 storeys.
- (ix) The minimum lot area shall be 150 square metres.
- (x) The minimum overall landscape open space excluding valleyland shall be 40%.
- (xi) The minimum front yard landscaping excluding the driveway shall be 40% hard landscaping and 60% soft landscaping.
- (xii) The minimum front yard setback shall be 6.0 metres and for enclosed porches (one storey) the minimum front yard setback shall be 2.5 metres.
- (xiii) The minimum setback from the door of each attached private garage shall be 6.0 metre from the street line.
- (xiv) The minimum frontage shall be 7.5 metres for semi-detached dwelling units and 9.5 metres for single-detached dwelling units.
- (xv) The minimum rear yard setback shall be 7.0 metres.
- (xvi) The minimum side yard setback shall be 0.3 metres.
- (xvii) The minimum side yard setback for dwellings flanking the new public street shall be 0.0 metres.
- (xviii) The minimum side yard setback for dwellings flanking Humberwood Boulevard shall be 5.5 metres.
- (xix) The maximum distance a minor projection may extend from a unit is 0.9 metres.
- (xx) The maximum width of paired driveways shall not exceed 6.0 metres.
- (xxi) The maximum width of a single driveway shall not exceed 2.6 metres.
- (xxii) One attached single-vehicle, private garage having the minimum internal dimensions of 3.0 metres wide by 6.0 metres in length.

3. Within the lands identified as “Part E”, “Part F” and “Part H” on Schedule ‘A’ of former City of Etobicoke By-law No. 1989-78 attached hereto, 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. Pursuant to Section 37 of the Planning Act, the density of residential development as identified as “Part E” and “Part F” on Schedule ‘A’ of former City of Etobicoke By-law No. 1989-78 attached hereto is contingent upon the owner of the land, providing a cash contribution of \$750 per unit (\$53,250) for the purpose of a soccer/cricket pitch, a shade structure and/or playground upgrades in Indian Line Park.



5. Where the provisions of this By-law conflict with the provisions of the former City of Etobicoke Zoning Code and/or By-law 1989-78, the provisions of this By-law shall take precedence.
6. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

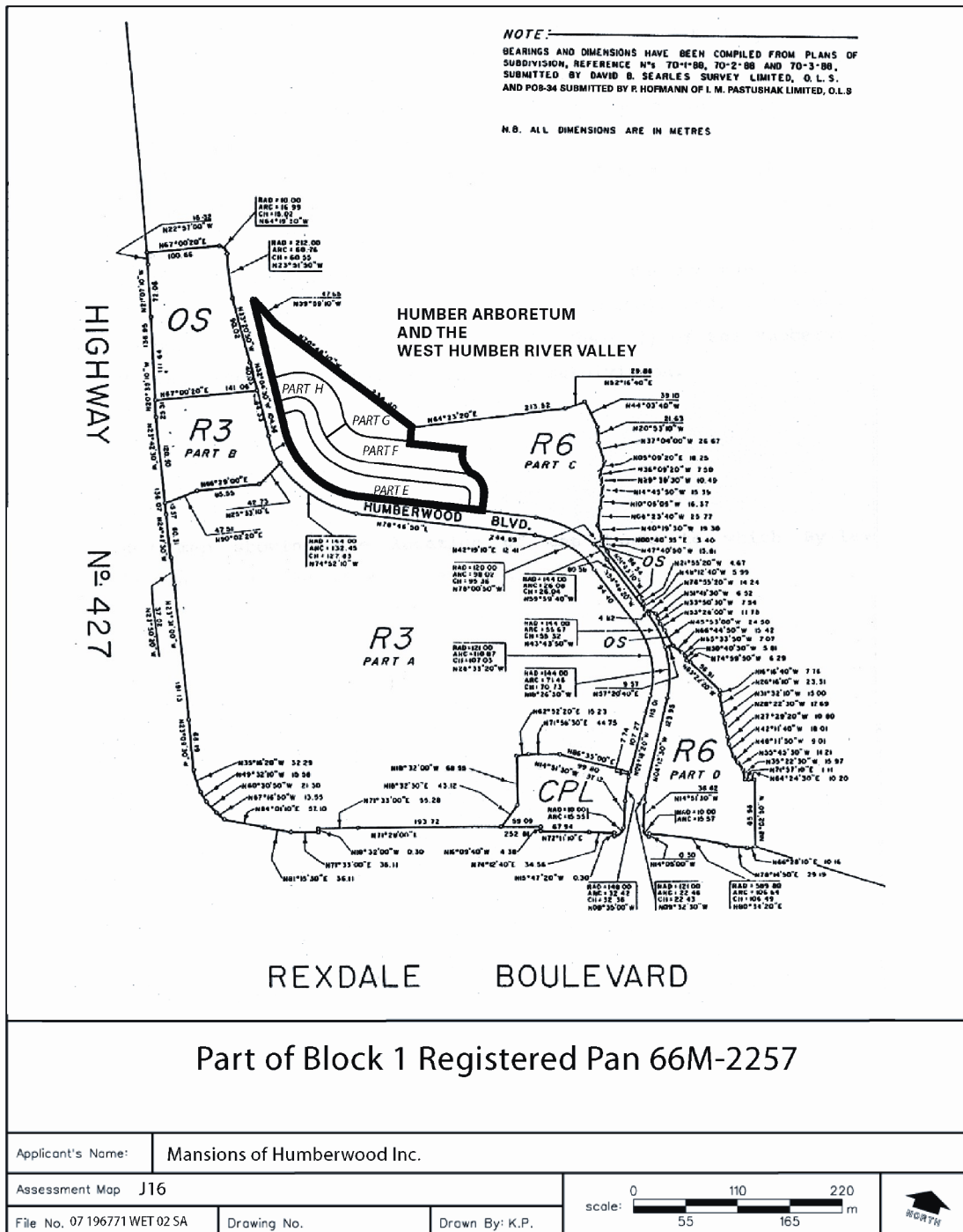
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
~ - 2009 ~ - 2009	Lands located north and east of Humberwood Boulevard and to the south and west of the Humber River municipally known as 720 Humberwood Boulevard.	To rezone lands from Sixth Density Residential (R6) to Public Open Space (OS).to permit 62 semi-detached dwelling units and 9 single detached dwelling units subject to site specific development standards.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



### **Attachment 3: Proposed Conditions of Draft Plan of Subdivision Approval**

**Draft Plan of Subdivision prepared by P. Hofmann, I M Pastushak Limited,  
Ontario Land Surveyor, dated May 4, 2009.**

**PLAN 66M2257 PT BLK 1 RP 66R21480 PARTS 6 TO 11**

**Formerly in the Geographic Township of Etobicoke, Now in the City of Toronto and  
Municipally Known as 720 Humberwood Boulevard**

#### **THE FOLLOWING CONDITIONS MUST BE FULFILLED PRIOR TO THE ISSUANCE OF DRAFT PLAN APPROVAL**

##### **Draft Plan Revisions**

1. The owner shall revise the Draft Plan of Subdivision dated May 4, 2009 to consolidate Block 4 with Block 2, to the satisfaction of the Chief Planner and Executive Director of City Planning.
2. The owner shall revise the Draft Plan of Subdivision dated May 4, 2009 to include access from the new public roadway to Block 3 for the purpose of ravine maintenance within the new public open space block. All access points secured by gates and the appropriate rights of access secured through easements to the satisfaction of the General Manager of Urban Forestry - Ravine and Natural Feature Protection.

#### **CONDITIONS FOR DRAFT PLAN APPROVAL**

##### **Subdivision Agreement**

3. The owner shall be required to enter into the standardized subdivision agreement with the City.

#### **THE FOLLOWING CONDITIONS MUST BE FULFILLED PRIOR TO THE REGISTRATION OF THE PLAN OF SUBDIVISION**

##### **Noise and Vibration Impact Review**

4. The owner shall provide a Noise and Vibration Impact Study and mitigation measures regarding the impact of the Humberwood bus loop upon the proposed residential units, to the satisfaction of the Chief Planner and Executive Director of City Planning.

##### **Stormwater Management Review.**

5. The owner shall provide a detailed Stormwater Management Report and apply storm water management techniques for this development to the satisfaction of the Toronto and Region Conservation Authority and the Executive Director of Technical Services.

##### **Erosion and Sediment Control Review**

6. The owner shall provide a detailed Erosion and Sediment Control Plan and apply storm water management techniques for this development to the satisfaction of the Toronto and Region Conservation Authority, the General Manager of Urban Forestry and the Executive Director of Technical Services.

**Environmental Site Assessment Review**

7. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of a Record of Site Condition.

**Landscape Plan Review**

8. The owner shall revise the Landscape Plans to the satisfaction of Toronto and Region Conservation Authority, the General Manager of Urban Forestry, the Executive Director of Technical Services and the Chief Planner and Executive Director of City Planning.

**Land Conveyance**

9. The owner shall convey Block 3 (open space block) to the Toronto and Region Conservation Authority for a nominal sum of two dollars.
10. The owner shall, prior to the conveyance of Block 3 to the Toronto Region Conservation Authority, convey an easement to the City of Toronto for the storm drainage facilities on the northwest corner of Block 3. The owner shall design and construct the storm drainage facilities to the satisfaction of the Executive Director of Technical in consultation with the Toronto and Region Conservation Authority.

**PROPOSED SUBDIVISION AGREEMENT CONDITIONS****Site Plan Control**

11. The owner shall agree to the provision of wording in the subdivision agreement verifying that the lots adjacent to the Humber River Valley are subject to Site Plan control and that the City shall require a future site plan control application for all proposed development, to the satisfaction of the Chief Planner and Executive Director of City Planning.

**Noise and Vibration**

12. The owner shall provide written confirmation from a qualified consulting engineer that building permits incorporate the recommendations of the Noise and Vibration Impact Study as accepted by the Chief Planner and Executive Director of City Planning.
13. The owner shall agree to the provision of wording in the subdivision agreement that a warning clause be included in all offers of purchase and sale and rental agreements advising the owners that noise and vibration may be transmitted from transit operations at the Humberwood bus loop and that the City of Toronto and the Toronto Transit Commission accept no responsibility for any such effects on any building and/or occupants.

**Land Conveyance**

14. The owner shall, if required, convey an easement to the City of Toronto for storm drainage facilities on Block 2.

15. The owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor.
16. The owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
17. The owner shall pay all costs for preparation and registration of reference plan(s).

#### **Roadways.**

18. The Street on the revised Draft Plan shall be dedicated to the City as public road and must be constructed as a fully serviced 18.5m wide public road allowance conforming to City of Toronto Drawing No.UD-DIPS-2B (Sheet 1) with streetline radii of 9.0m at the intersections with Humberwood Boulevard.
19. The owner shall design and finance the cost of the City installing auxiliary left turn storage lanes along the north and south approaches of Humberwood Boulevard at each of the proposed public road intersections opposite Cinrickbar Drive and Viewgreen Crescent (north intersection). Each auxiliary left turn lane shall be designed to measure 3.0m in width with a minimum storage lane length of 15m and a 45m approach.

#### **Fees, Inspection and Certification**

20. The owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
21. The owner shall submit financial securities in accordance with the terms of the standard subdivision agreement.
22. The owner shall provide a Composite Utility Plan illustrating the location and spacing of proposed utilities and street trees. The plan must be signed off by all the utility companies and the City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Technical Services.
23. The owner's Consulting Engineer shall provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
24. The owner shall prepare the final plan of subdivision incorporating all redlined revisions, drawn in metric units related to the Ontario Co-ordinate System and submit a digital copy of the plan to the Executive Director of Technical Services.

#### **Parkland**

25. The owner shall agree to the provision of wording in the subdivision agreement verifying that in Accordance with resolution No. 5, passed by Council at it's meeting of December 1, 1986, "the owner provide a donation for the Riverwood Village Community Centre [Humberwood Community Centre] in instalments based on a per unit share of \$200.00 at the time of registration of each of the three plans (phases) of subdivision." The owner has previously submitted an amount based upon 2,800 units

within the three plans (phases) of the subdivision. Should the owner exceed 2,800 units, the owner shall be required to contribute an additional \$200/unit.

### **Airport**

26. The owner shall agree to the provision of wording in the subdivision agreement that a warning clause be included in all offers of purchase and sale and rental agreements requiring the owners of the properties to manage food waste so as not to attract birds in the vicinity of the airport, to the satisfaction of the Greater Toronto Airport Authority.

### **Schools**

27. The owner shall erect and maintain signs, to the satisfaction of the Toronto and District School Board, at the points of egress and ingress of the development site advising:

“The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside the area until space in local schools becomes available. For information regarding designated school(s), please call 416-394-7526.”

28. The owner shall agree to the provision of wording in the subdivision agreement requiring that the following warning clauses be included in all offers of purchase and sale and rental agreements of residential units for a period of ten years following registration:

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

29. The owner shall erect and maintain signs, to the satisfaction of the Toronto and District Catholic School Board, at the points of egress and ingress of the development site advising:

“The Toronto Catholic District School Board has plans to accommodate Catholic students from this development. If no Catholic school is located in the area, students will be accommodated in a Catholic school in an adjacent area. For information regarding Catholic schools serving this development, please contact the TCDSB Planning Department at 416-222-8282, ext 2278, or visit our website at [www.tcdsb.org](http://www.tcdsb.org).

Ann Perron  
Director of Education”

30. The owner shall agree to the provision of wording in the subdivision agreement requiring that the following warning clauses be included in all offers of purchase and sale and rental agreements of residential units for a period of ten years following registration:

“The Toronto Catholic District School Board has plans to accommodate Catholic students from this development area in a Catholic school. If no Catholic School is located in the development, students will be accommodated in a Catholic school in an adjacent 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.”

#### **Utilities**

31. The owner shall provide written confirmation from the Canada Post Corporation that the owner has made satisfactory arrangements, financial and otherwise, for the provision of mail services to the subdivision, to the satisfaction of the Chief Planner and Executive Director of City Planning.
32. The owner shall provide written confirmation from a communication / telecommunication provider, such as Bell Canada, for the provision of communication / telecommunication services, to the satisfaction of the Chief Planner and Executive Director of City Planning.
33. The owner shall provide written confirmation from Toronto Hydro, for the provision of underground electrical distribution system and street lighting, to the satisfaction of the Chief Planner and Executive Director of City Planning.
34. The owner shall provide written confirmation from Enbridge Consumers Gas, for the provision of gas services, to the satisfaction of the Chief Planner and Executive Director of City Planning.

#### **Heritage (Archaeological Resources)**

35. The owner shall, in the event that deeply buried archaeological remains are encountered on the property during construction activities, notify the Heritage Operations Unit of the Ministry of Culture immediately at 416-314-7146 as well as the City of Toronto, Heritage Preservation Services Unit at 416-338-1096.
36. The owner shall, in the event that human remains are encountered during construction, immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services at 416-326-8404.

#### **Density Incentives**

37. The owner shall agree to the provision of wording in the subdivision agreement verifying that pursuant to Section 37 of the Planning Act, the density of residential

development is contingent upon the owner of the land, providing a cash contribution of \$750 per unit (\$53,250) for the purpose of a soccer/cricket pitch, a shade structure and/or playground upgrades in Indian Line Park, to the satisfaction of the General Manager of Parks, Forestry and Recreation and the Chief Planner and Executive Director of City Planning.

#### **ADVISORY NOTES**

##### **Toronto and Region Conservation Authority**

38. The owner shall, prior to the issuance of any building permit or site grading, obtain a permit under Ontario Regulation 166/06 from the Toronto and Region Conservation Authority.

##### **Urban Forestry - Private Tree Protection**

39. The provision of tree planting within the abutting public boulevard areas may be a requirement of this application. The owner is advised that where trees are to be planted on city road allowance, the property owner is required to provide a security deposit to cover the cost of; tree planting, maintenance for a period of two years and inspection fees. This deposit will be refunded to the applicant after a period of two years upon Urban Forestry confirming that the trees have been planted and are in good condition. These requirements will be done to the satisfaction of the Supervisor Forestry, Planning & Protection. The owner should contact Urban Forestry at 416-338-6596 for further details.



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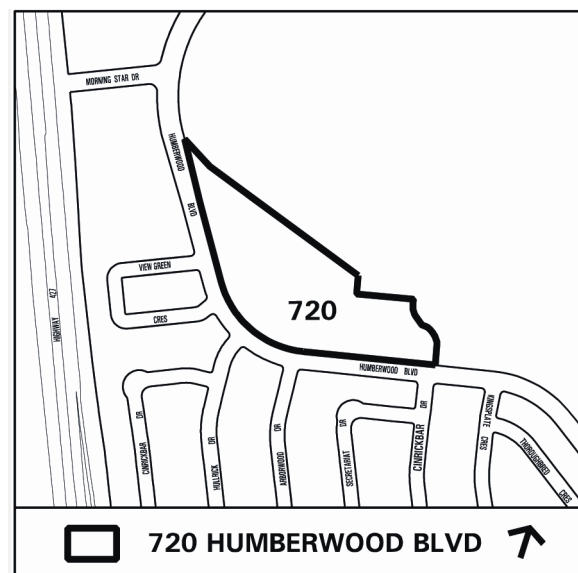
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As a result of the revisions, the applicant has requested that the Section 37 contribution be reduced to reflect the smaller number of units, and that Site Plan Control not be required prior to introduction of the Bills approving the By-law at City Council.

## **Section 37**

The owner previously agreed to enter into a Section 37 agreement with the City to secure a financial contribution of \$750 per unit (\$61,500) for the purpose of a soccer pitch, a shade structure and/or playground upgrades in Indian Line Park all to the satisfaction of the General Manager of Parks, Forestry and Recreation.

The owner has requested that the overall amount of the contribution be reduced to \$53,250 to reflect the reduction in the proposed number of units. The recommended by-law and conditions of approval for the Draft Plan of Subdivision reflect the lower amount.

## **Site Plan Control**

Since townhouse units are subject to Site Plan Control, the previous development concept required Site Plan Approval for the entire development. Single-family and semi-detached units are not subject to Site Plan Control, except where they abut a ravine. In this case, the proposed units adjacent the Humber River Valley are subject to Site Plan Control. The Conditions of Approval for the Draft Plan of Subdivision have been revised to apply Site Plan Control to those lots.

The applicant has requested that Site Plan Control not be required as a condition to the adoption of Bills at City Council. Since a significant amount of work has been undertaken with respect to the previous development concept, and given that most site development issues can be dealt with through approval of the Subdivision, this approach is acceptable. The recommendations of this report do not require Site Plan Control approval prior to adoption of the Bills.

## **Conclusion**

As directed by Community Council, staff are providing a draft by-law and proposed conditions of approval for the Draft Plan of Subdivision at 720 Humberwood Boulevard.

## **CONTACT**

Dave McKillop, Manager

Tel. No. (416) 394-8216

Fax No. (416) 394 6063

E-mail: dmckillo@toronto.ca

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Revised Site Plan

Attachment 2: Draft Zoning By-law Amendment

Attachment 3: Proposed Conditions of Draft Plan of Subdivision Approval

## Attachment 1: Revised Site Plan



Site Plan

720 Humberwood Boulevard

Applicants Submitted Drawing

Not to Scale  
12/14/2009



File # 07\_196771

## **Attachment 2: Proposed Draft Zoning By-law**

Authority: Etobicoke York 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. --2009**

#### **To amend the former City of Etobicoke Zoning By-law No. 1989-78, With respect to the lands municipally known as, 720 Humberwood Boulevard**

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*; and

WHEREAS Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height and density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands in Chapters 320 and 324 of the Etobicoke Zoning Code, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

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

1. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code, and originally attached to Township of Etobicoke By-law No. 11,737, be and the same is hereby amended by changing the classification of the lands located in former Township of Etobicoke as described in Schedule 'A' annexed hereto from Sixth Density Residential (R6) to Public Open Space (OS) and identifying new areas "Part E", "Part F", "Part G" and "Part H" as a portion of "Part C" shown on Schedule 'A' of Zoning By-law No. 1989-78.
2. Notwithstanding the provisions of former City of Etobicoke Zoning By-law No. 1989-78, and the provision of Section 304-3 "Definitions," the following development standards and definitions shall now be applicable to the lands identified as "Part E", "Part F" and "Part H" on Schedule 'A' of former City of Etobicoke By-law No. 1989-78 attached hereto:

A. Definitions

- (i) Hard Landscaping: For the purposes of this By-law, "hard landscaping" shall constitute stone, brick, interlocking concrete pavers and/or patterned impressed concrete.
- (ii) Soft Landscaping: For the purposes of this By-law, "soft landscaping" shall constitute sod and/or flower gardens.
- (iii) Gross Floor Space Index: For the purposes of this By-law, "Gross FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law #11,737 (as amended) for the total of the lands constituting "Part E", "Part F" and "Part G" as well as those lands to constitute the proposed municipal roadway.
- (iv) Net Floor Space Index: For the purposes of this By-law, "Net FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law #11,737 (as amended) for the total of the lands constituting only "Part E" and "Part F".
- (v) Minor Projections: For the purposes of this By-law, "Minor Projections" mean building elements which may project from the main wall of the building, including chimney breasts, roof eaves, bay windows, railings, cornices, guard rails and balustrades.

B. Permitted Uses

- (i) Single detached dwellings only shall be permitted on Part H.
- (ii) Semi-detached dwellings and semi-detached dwellings shall be permitted on Part E and Part F.

C. Development Standards

- (i) Section 3 (d) of former City of Etobicoke Zoning By-law No. 1989-78 is specifically deleted.
- (ii) Direct driveway access to Humberwood Boulevard is not permitted.
- (iii) The maximum number of semi-detached units shall not exceed 62.
- (iv) The minimum number of single detached units shall not exceed 9.
- (v) The maximum number of units shall not exceed 71.

- (vi) The maximum Gross Floor Area (GFA) shall be 21,600 square metres.
- (vii) The maximum Floor Space Index (FSI) for all dwellings shall not exceed 0.60 Gross FSI, 1.11 Net FSI.
- (viii) The maximum height shall be 3 storeys.
- (ix) The minimum lot area shall be 150 square metres.
- (x) The minimum overall landscape open space excluding valleyland shall be 40%.
- (xi) The minimum front yard landscaping excluding the driveway shall be 40% hard landscaping and 60% soft landscaping.
- (xii) The minimum front yard setback shall be 6.0 metres and for enclosed porches (one storey) the minimum front yard setback shall be 2.5 metres.
- (xiii) The minimum setback from the door of each attached private garage shall be 6.0 metre from the street line.
- (xiv) The minimum frontage shall be 7.5 metres for semi-detached dwelling units and 9.5 metres for single-detached dwelling units.
- (xv) The minimum rear yard setback shall be 7.0 metres.
- (xvi) The minimum side yard setback shall be 0.3 metres.
- (xvii) The minimum side yard setback for dwellings flanking the new public street shall be 0.0 metres.
- (xviii) The minimum side yard setback for dwellings flanking Humberwood Boulevard shall be 5.5 metres.
- (xix) The maximum distance a minor projection may extend from a unit is 0.9 metres.
- (xx) The maximum width of paired driveways shall not exceed 6.0 metres.
- (xxi) The maximum width of a single driveway shall not exceed 2.6 metres.
- (xxii) One attached single-vehicle, private garage having the minimum internal dimensions of 3.0 metres wide by 6.0 metres in length.

3. Within the lands identified as “Part E”, “Part F” and “Part H” on Schedule ‘A’ of former City of Etobicoke By-law No. 1989-78 attached hereto, 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. Pursuant to Section 37 of the Planning Act, the density of residential development as identified as “Part E” and “Part F” on Schedule ‘A’ of former City of Etobicoke By-law No. 1989-78 attached hereto is contingent upon the owner of the land, providing a cash contribution of \$750 per unit (\$53,250) for the purpose of a soccer/cricket pitch, a shade structure and/or playground upgrades in Indian Line Park.



5. Where the provisions of this By-law conflict with the provisions of the former City of Etobicoke Zoning Code and/or By-law 1989-78, the provisions of this By-law shall take precedence.
6. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

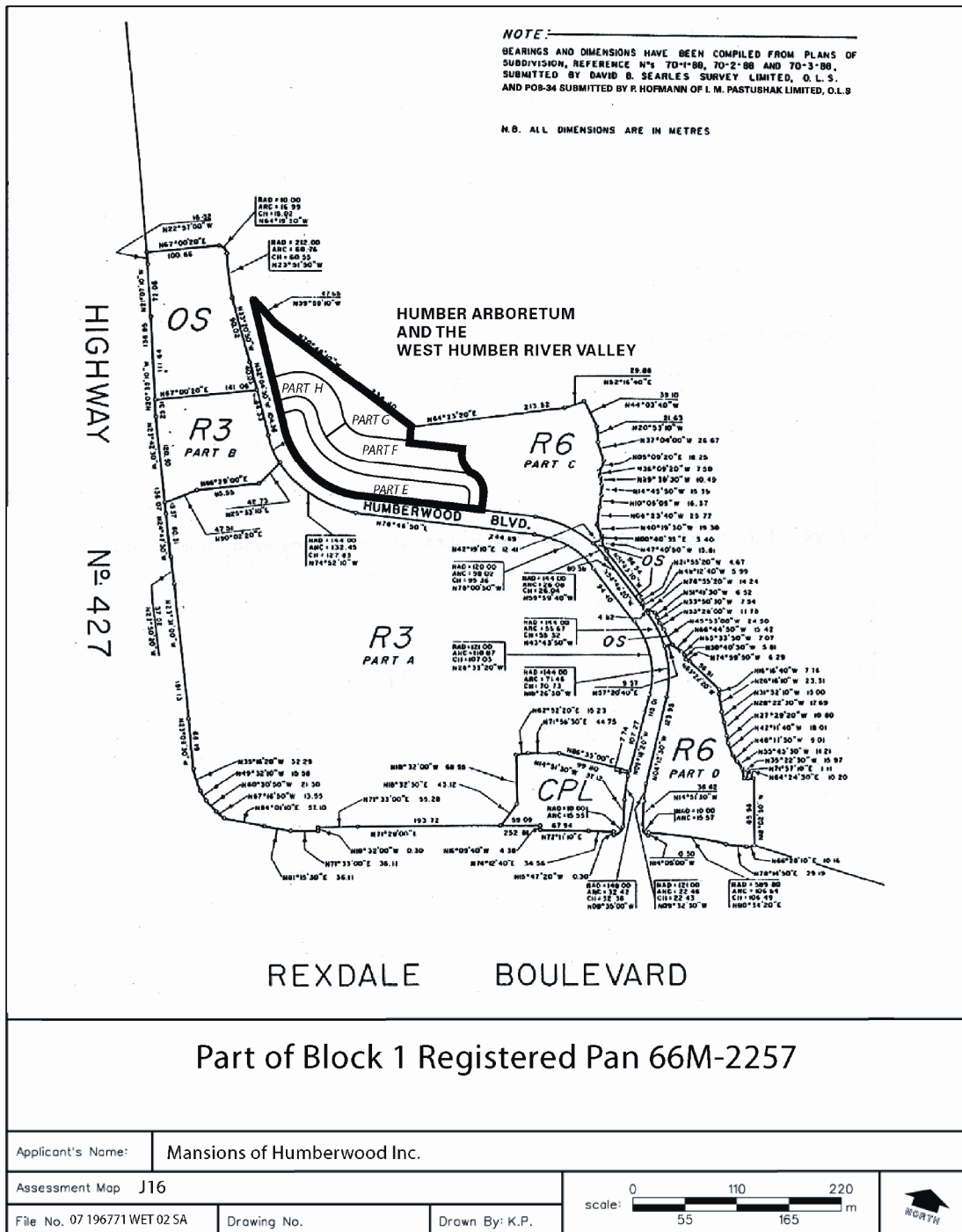
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
~ - 2009 ~ - 2009	Lands located north and east of Humberwood Boulevard and to the south and west of the Humber River municipally known as 720 Humberwood Boulevard.	To rezone lands from Sixth Density Residential (R6) to Public Open Space (OS).to permit 62 semi-detached dwelling units and 9 single detached dwelling units subject to site specific development standards.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



### **Attachment 3: Proposed Conditions of Draft Plan of Subdivision Approval**

**Draft Plan of Subdivision prepared by P. Hofmann, I M Pastushak Limited,  
Ontario Land Surveyor, dated May 4, 2009.**

**PLAN 66M2257 PT BLK 1 RP 66R21480 PARTS 6 TO 11**

**Formerly in the Geographic Township of Etobicoke, Now in the City of Toronto and  
Municipally Known as 720 Humberwood Boulevard**

#### **THE FOLLOWING CONDITIONS MUST BE FULFILLED PRIOR TO THE ISSUANCE OF DRAFT PLAN APPROVAL**

##### **Draft Plan Revisions**

1. The owner shall revise the Draft Plan of Subdivision dated May 4, 2009 to consolidate Block 4 with Block 2, to the satisfaction of the Chief Planner and Executive Director of City Planning.
2. The owner shall revise the Draft Plan of Subdivision dated May 4, 2009 to include access from the new public roadway to Block 3 for the purpose of ravine maintenance within the new public open space block. All access points secured by gates and the appropriate rights of access secured through easements to the satisfaction of the General Manager of Urban Forestry - Ravine and Natural Feature Protection.

#### **CONDITIONS FOR DRAFT PLAN APPROVAL**

##### **Subdivision Agreement**

3. The owner shall be required to enter into the standardized subdivision agreement with the City.

#### **THE FOLLOWING CONDITIONS MUST BE FULFILLED PRIOR TO THE REGISTRATION OF THE PLAN OF SUBDIVISION**

##### **Noise and Vibration Impact Review**

4. The owner shall provide a Noise and Vibration Impact Study and mitigation measures regarding the impact of the Humberwood bus loop upon the proposed residential units, to the satisfaction of the Chief Planner and Executive Director of City Planning.

##### **Stormwater Management Review.**

5. The owner shall provide a detailed Stormwater Management Report and apply storm water management techniques for this development to the satisfaction of the Toronto and Region Conservation Authority and the Executive Director of Technical Services.

##### **Erosion and Sediment Control Review**

6. The owner shall provide a detailed Erosion and Sediment Control Plan and apply storm water management techniques for this development to the satisfaction of the Toronto and Region Conservation Authority, the General Manager of Urban Forestry and the Executive Director of Technical Services.

**Environmental Site Assessment Review**

7. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of a Record of Site Condition.

**Landscape Plan Review**

8. The owner shall revise the Landscape Plans to the satisfaction of Toronto and Region Conservation Authority, the General Manager of Urban Forestry, the Executive Director of Technical Services and the Chief Planner and Executive Director of City Planning.

**Land Conveyance**

9. The owner shall convey Block 3 (open space block) to the Toronto and Region Conservation Authority for a nominal sum of two dollars.
10. The owner shall, prior to the conveyance of Block 3 to the Toronto Region Conservation Authority, convey an easement to the City of Toronto for the storm drainage facilities on the northwest corner of Block 3. The owner shall design and construct the storm drainage facilities to the satisfaction of the Executive Director of Technical in consultation with the Toronto and Region Conservation Authority.

**PROPOSED SUBDIVISION AGREEMENT CONDITIONS****Site Plan Control**

11. The owner shall agree to the provision of wording in the subdivision agreement verifying that the lots adjacent to the Humber River Valley are subject to Site Plan control and that the City shall require a future site plan control application for all proposed development, to the satisfaction of the Chief Planner and Executive Director of City Planning.

**Noise and Vibration**

12. The owner shall provide written confirmation from a qualified consulting engineer that building permits incorporate the recommendations of the Noise and Vibration Impact Study as accepted by the Chief Planner and Executive Director of City Planning.
13. The owner shall agree to the provision of wording in the subdivision agreement that a warning clause be included in all offers of purchase and sale and rental agreements advising the owners that noise and vibration may be transmitted from transit operations at the Humberwood bus loop and that the City of Toronto and the Toronto Transit Commission accept no responsibility for any such effects on any building and/or occupants.

**Land Conveyance**

14. The owner shall, if required, convey an easement to the City of Toronto for storm drainage facilities on Block 2.

15. The owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor.
16. The owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
17. The owner shall pay all costs for preparation and registration of reference plan(s).

#### **Roadways.**

18. The Street on the revised Draft Plan shall be dedicated to the City as public road and must be constructed as a fully serviced 18.5m wide public road allowance conforming to City of Toronto Drawing No.UD-DIPS-2B (Sheet 1) with streetline radii of 9.0m at the intersections with Humberwood Boulevard.
19. The owner shall design and finance the cost of the City installing auxiliary left turn storage lanes along the north and south approaches of Humberwood Boulevard at each of the proposed public road intersections opposite Cinrickbar Drive and Viewgreen Crescent (north intersection). Each auxiliary left turn lane shall be designed to measure 3.0m in width with a minimum storage lane length of 15m and a 45m approach.

#### **Fees, Inspection and Certification**

20. The owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
21. The owner shall submit financial securities in accordance with the terms of the standard subdivision agreement.
22. The owner shall provide a Composite Utility Plan illustrating the location and spacing of proposed utilities and street trees. The plan must be signed off by all the utility companies and the City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Technical Services.
23. The owner's Consulting Engineer shall provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
24. The owner shall prepare the final plan of subdivision incorporating all redlined revisions, drawn in metric units related to the Ontario Co-ordinate System and submit a digital copy of the plan to the Executive Director of Technical Services.

#### **Parkland**

25. The owner shall agree to the provision of wording in the subdivision agreement verifying that in Accordance with resolution No. 5, passed by Council at its meeting of December 1, 1986, "the owner provide a donation for the Riverwood Village Community Centre [Humberwood Community Centre] in instalments based on a per unit share of \$200.00 at the time of registration of each of the three plans (phases) of subdivision." The owner has previously submitted an amount based upon 2,800 units

within the three plans (phases) of the subdivision. Should the owner exceed 2,800 units, the owner shall be required to contribute an additional \$200/unit.

### **Airport**

26. The owner shall agree to the provision of wording in the subdivision agreement that a warning clause be included in all offers of purchase and sale and rental agreements requiring the owners of the properties to manage food waste so as not to attract birds in the vicinity of the airport, to the satisfaction of the Greater Toronto Airport Authority.

### **Schools**

27. The owner shall erect and maintain signs, to the satisfaction of the Toronto and District School Board, at the points of egress and ingress of the development site advising:

“The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside the area until space in local schools becomes available. For information regarding designated school(s), please call 416-394-7526.”

28. The owner shall agree to the provision of wording in the subdivision agreement requiring that the following warning clauses be included in all offers of purchase and sale and rental agreements of residential units for a period of ten years following registration:

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

29. The owner shall erect and maintain signs, to the satisfaction of the Toronto and District Catholic School Board, at the points of egress and ingress of the development site advising:

“The Toronto Catholic District School Board has plans to accommodate Catholic students from this development. If no Catholic school is located in the area, students will be accommodated in a Catholic school in an adjacent area. For information regarding Catholic schools serving this development, please contact the TCDSB Planning Department at 416-222-8282, ext 2278, or visit our website at [www.tcdsb.org](http://www.tcdsb.org).

Ann Perron  
Director of Education”

30. The owner shall agree to the provision of wording in the subdivision agreement requiring that the following warning clauses be included in all offers of purchase and sale and rental agreements of residential units for a period of ten years following registration:

“The Toronto Catholic District School Board has plans to accommodate Catholic students from this development area in a Catholic school. If no Catholic School is located in the development, students will be accommodated in a Catholic school in an adjacent 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.”

#### **Utilities**

31. The owner shall provide written confirmation from the Canada Post Corporation that the owner has made satisfactory arrangements, financial and otherwise, for the provision of mail services to the subdivision, to the satisfaction of the Chief Planner and Executive Director of City Planning.
32. The owner shall provide written confirmation from a communication / telecommunication provider, such as Bell Canada, for the provision of communication / telecommunication services, to the satisfaction of the Chief Planner and Executive Director of City Planning.
33. The owner shall provide written confirmation from Toronto Hydro, for the provision of underground electrical distribution system and street lighting, to the satisfaction of the Chief Planner and Executive Director of City Planning.
34. The owner shall provide written confirmation from Enbridge Consumers Gas, for the provision of gas services, to the satisfaction of the Chief Planner and Executive Director of City Planning.

#### **Heritage (Archaeological Resources)**

35. The owner shall, in the event that deeply buried archaeological remains are encountered on the property during construction activities, notify the Heritage Operations Unit of the Ministry of Culture immediately at 416-314-7146 as well as the City of Toronto, Heritage Preservation Services Unit at 416-338-1096.
36. The owner shall, in the event that human remains are encountered during construction, immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services at 416-326-8404.

#### **Density Incentives**

37. The owner shall agree to the provision of wording in the subdivision agreement verifying that pursuant to Section 37 of the Planning Act, the density of residential

development is contingent upon the owner of the land, providing a cash contribution of \$750 per unit (\$53,250) for the purpose of a soccer/cricket pitch, a shade structure and/or playground upgrades in Indian Line Park, to the satisfaction of the General Manager of Parks, Forestry and Recreation and the Chief Planner and Executive Director of City Planning.

#### **ADVISORY NOTES**

##### **Toronto and Region Conservation Authority**

38. The owner shall, prior to the issuance of any building permit or site grading, obtain a permit under Ontario Regulation 166/06 from the Toronto and Region Conservation Authority.

##### **Urban Forestry - Private Tree Protection**

39. The provision of tree planting within the abutting public boulevard areas may be a requirement of this application. The owner is advised that where trees are to be planted on city road allowance, the property owner is required to provide a security deposit to cover the cost of; tree planting, maintenance for a period of two years and inspection fees. This deposit will be refunded to the applicant after a period of two years upon Urban Forestry confirming that the trees have been planted and are in good condition. These requirements will be done to the satisfaction of the Supervisor Forestry, Planning & Protection. The owner should contact Urban Forestry at 416-338-6596 for further details.