

## 211 Laird Drive – Rezoning and Site Plan Control Applications – Final Report

<b>Date:</b>	December 10, 2009
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 26 – Don Valley West
<b>Reference Number:</b>	06 172720 NNY 26 OZ and associated Site Plan Control application 08 230442 NNY 26 SA

### SUMMARY

This application was submitted on September 1, 2006 and is not subject to the provisions of the City of Toronto Act, 2006. The application is to permit a new two storey commercial building at 211 Laird Drive which incorporates historical significant elements from the existing structure.

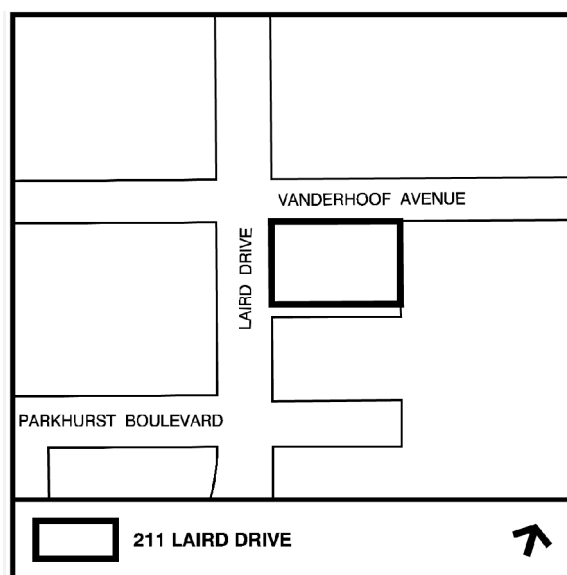
The application conforms to the “Employment Areas” designation as well as Sections 3.1.5.1 and 3.5.1.2 concerning the conservation of the City's heritage resources in the City of Toronto Official Plan. A separate report on the proposed listing of 211 Laird Drive under Part IV Section 27 of the *Ontario Heritage Act* will be presented concurrently with this report.

This report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle the Site Plan Control Application to permit the proposed development and additional uses.

### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law



1916, as amended, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council Approve in principle the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 7 subject to stylistic and technical changes.
4. City Council authorize the Chief Planner or his designate to give final approval to the Site Plan Control Application once the conditions to be satisfied prior to Site Plan Control Approval as set out in Attachment 7, including entering into a satisfactory Site Plan Agreement, have been fulfilled.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On September 1, 2006 the applicant filed an application to rezone the subject lands at 211 Laird Drive to permit a new single storey commercial building with a total gross floor area of 839 m<sup>2</sup> (9,030 sq.ft.) and 43 on-site parking spaces.

At its meeting of March 27, 2007, North York Community Council considered a preliminary report on a zoning application for 211 Laird Drive that would result in the replacement of the current building with a single-storey commercial structure. The North York Community Council passed a recommendation that Heritage and Preservation Services (HPS) staff report to the next Community Council meeting on May 1, 2007 as to whether the existing building was worthy of recognition or preservation on the grounds of historical or architectural significance.

<http://www.toronto.ca/legdocs/mmis/2007/ny/agendas/2007-06-26-ny07-ai.htm>

The Toronto Preservation Board considered a report on listing the property titled, “211 Laird Drive – Inclusion on Heritage Inventory” at their June 4, 2007 meeting and recommended that the property be listed. The report was forwarded to North York Community Council where it was deferred. On February 12, 2008, North York Community Council referred the report back to the Director, Policy and Research, City Planning Division to permit further discussions with the applicant regarding alterations to the structure.

## ISSUE BACKGROUND

### Proposal

The original application was to demolish the existing industrial building and replace it with a 839 m<sup>2</sup> (9,031 sq.ft.) commercial building. HPS has indicated that the structure at 211 Laird Drive is of historical significance and the applicant has been supportive of the initiative to incorporate the historically significant elements of the existing structure into a new development.

The revised application is to retain elements of the existing building to be incorporated into a new two storey 1,084.6 m<sup>2</sup> (11,673 sq.ft.) building with 26 on-site parking spaces. The new development will have bank or financial institution, retail store, and professional or business office uses on the ground floor and business offices on the second floor.

### Site and Surrounding Area

The subject lands are 0.242 hectares (0.6 acres) located on the southeast corner of Laird Drive and Vanderhoof Avenue. The site has a 39.6 metre (129.9 ft.) frontage on Laird Drive and 60.96 metre (200 ft.) frontage on Vanderhoof Avenue. An industrial building is presently located on the subject lands and is primarily vacant. The current access is from Vanderhoof Avenue and grading is generally consistent throughout the site.

Abutting land uses include:

North:	On the north side of Vanderhoof Avenue, a commercial plaza which includes large format retail operations such as Canadian Tire and Winners.
South:	On the opposite side of an existing laneway, an industrial building with a landscaping operation among other uses.
East:	Vacant land
West:	On the west side of Laird Drive are a variety of commercial uses including a restaurant. A residential neighbourhood consisting of detached dwellings is located behind the commercial uses fronting on Laird Drive.

### Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives including building strong communities; wise use and management of resources; and, protecting public health and safety. Council's decisions are required to be consistent with the PPS. The new Toronto Official Plan compliments policies in the PPS and the two documents support each other.

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 for infrastructure to support growth, protect 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.

## **Official Plan**

The City of Toronto Official Plan designates these lands as "Employment Areas". The Urban Structures Map of the Official Plan also recognizes these lands as "Employment District". These designations are intended to protect and enhance employment uses.

Light industrial uses, bank or financial institutions, and retail stores are employment uses which are supportive of the business and economic activity in Employment Areas.

The Official Plan provides criteria to review development proposed within Employment Districts (Section 2.2.4 of the Official Plan) and Employment Areas (Section 4.6). The objective of these criteria is to ensure that proposed developments contribute to the creation of competitive, attractive, highly functional employment areas. Among the other relevant policies referenced in evaluating the proposal (including the site plan control application) are the policies related to the Building Environment (Chapter 3) including the heritage policies in Section 3.1.5.

## **Zoning**

The subject lands are presently zoned M1(6) Light Industrial in Zoning By-law 1916, as amended, of the former Borough of East York (see Attachment No. 4). The M1(6) zone permits a variety of manufacturing, warehousing, and industrial uses but specifically prohibits retail operations. The current zoning provides site specific setbacks, a 0.75 maximum floor space index, and a maximum height of 18.5 metres (60.7 ft.). Banks or financial institution, business, and professional offices are permitted to a maximum of 20% of the gross floor area (GFA) of the building in the M1(6) zone.

## **Site Plan Control**

A Site Plan Control Application was submitted on December 18, 2008. It is recommended that the Site Plan Control application be approved in principle, as per the Site Plan Control Approval Conditions outlined in Attachment 7.

## **Reasons for Application**

The proposed development does not comply with the Zoning By-law with respect to the uses and required parking. An amendment to the By-law is required to permit additional uses, to provide relief from the maximum 20% GFA restriction for business services, and to provide a reduction in the number of required parking spaces.

## **Community Consultation**

A Community Consultation Meeting was held on Wednesday April 11, 2007 at a general meeting of the Leaside Business Park Association (LBPA). Approximately eight members of the LBPA were in attendance along with the local Councillor and the

applicant's team. Following a presentation from the local Councillor and the applicant's consultant, the LBPA indicated that they are not in favour of a heritage designation due to the additional restrictions that such a title would impose on development in the area. Members of the LBPA also indicated that they do not have any issue with the form and the uses.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

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

The proposal is consistent with the PPS as the light industrial and retail store uses contributes to the stability of the employment area. The streetscape improvements will result in an attractive streetscape which will contribute to the attractiveness of the employment area and result in a better environment for pedestrians.

The preservation of the Laird Drive and Vanderhoof Avenue elevations, the heritage listing and will serve as a visible link to the history of industrial businesses in the Leaside Community.

### **Land Use**

The application seeks to add retail store to the existing permitted uses and obtain relief from the current maximum 20% GFA restriction for a number of commercial uses including banks and professional offices. The addition of retail store use is appropriate due to the property's frontage on Laird Drive which serves as a significant thruway for the Leaside community and proximity to the residential neighbourhood. A retail store on the subject lands will meet the objectives of the business park, service through traffic and the local residential neighbourhood.

The application also seeks to remove the maximum 20% GFA restriction on business services which include bank and financial institutions. The 20% GFA restriction was intended for large industrial developments whereas the application proposes a modest 1,084.7 m<sup>2</sup> (11,673 sq.ft.) commercial building. The 20% GFA restriction is restrictive in the context of the proposed development with no apparent benefit. Thus, it is appropriate that this application be granted relief from the 20% GFA restriction on business services.

### **Density, Height, Massing**

The proposed development is a two storey structure with a total gross floor area of 1,084.7 m<sup>2</sup> (11,673 sq.ft.) to achieve a floor space index (FSI ) density of 0.5. The height and density of the proposed development is appropriate.

## **Heritage**

A review of the plans for the development, the Heritage Impact Statement and the detailed Conservation Plan have indicated that the proposed work will have minor impacts only on the built heritage character of the property. The proposed exterior alterations are considered necessary in order to adaptively reuse the building. Any impacts will be appropriately mitigated through the Conservation Plan and the building permit process.

## **Streetscape**

The detailed treatment of the Laird Drive and Vanherhoof Avenue streetscape has been addressed through Site Plan Control approval including the replacement of existing trees and increased accessibility to the proposed development

## **Traffic Impact, Access, Parking**

Transportation Services is satisfied that the proposed access from Vanderhoof Avenue is appropriate. A total of 42 on-site parking spaces are required to meet current parking standards whereas 26 on-site parking spaces are proposed. The applicant has submitted a traffic study in support of the reduction in required parking. Transportation Services is satisfied with the applicant's traffic study and can support the proposed 26 on-site parking spaces, taking into account the availability of off-site street parking as well as the heritage significance of the building which limits the layout of on-site parking.

## **Servicing**

All new services will be connected with existing facilities available from either Laird Drive or Vanderhoof Avenue. Details related to the location and screening of on-site facilities are addressed through Site Plan Control.

## **Development Charges**

It is estimated that the development charges for this project will be \$108,328.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Derrick Wong, Planner

Tel. No. (416) 395-7052

Fax No. (416) 395-7155

E-mail: dwong3@toronto.ca

## **SIGNATURE**

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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: West South Elevations

Attachment 3: East North Elevations

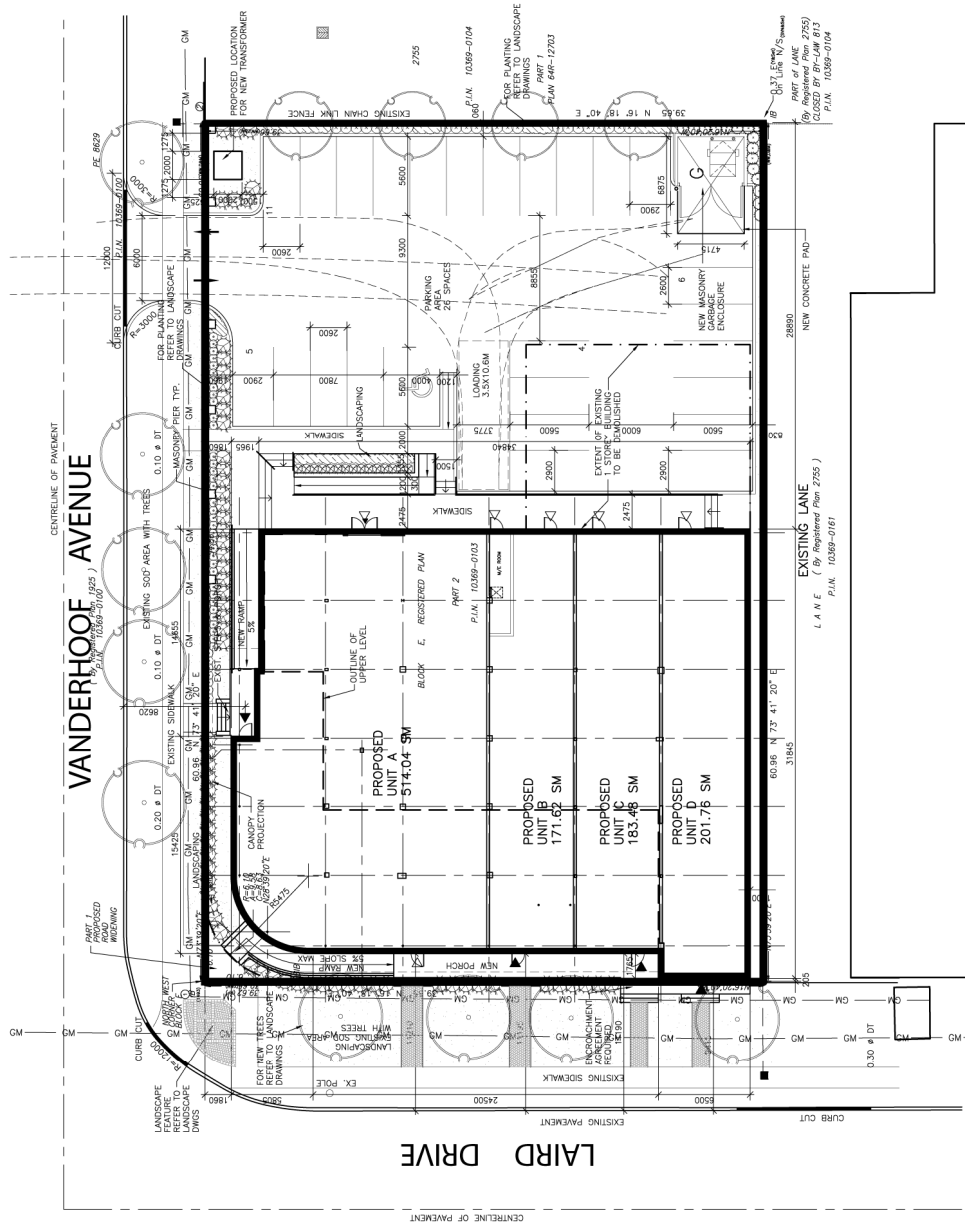
Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment

Attachment 7: Site Plan Control Application Conditions

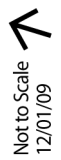
# Attachment 1: Site Plan



211 Laird Drive

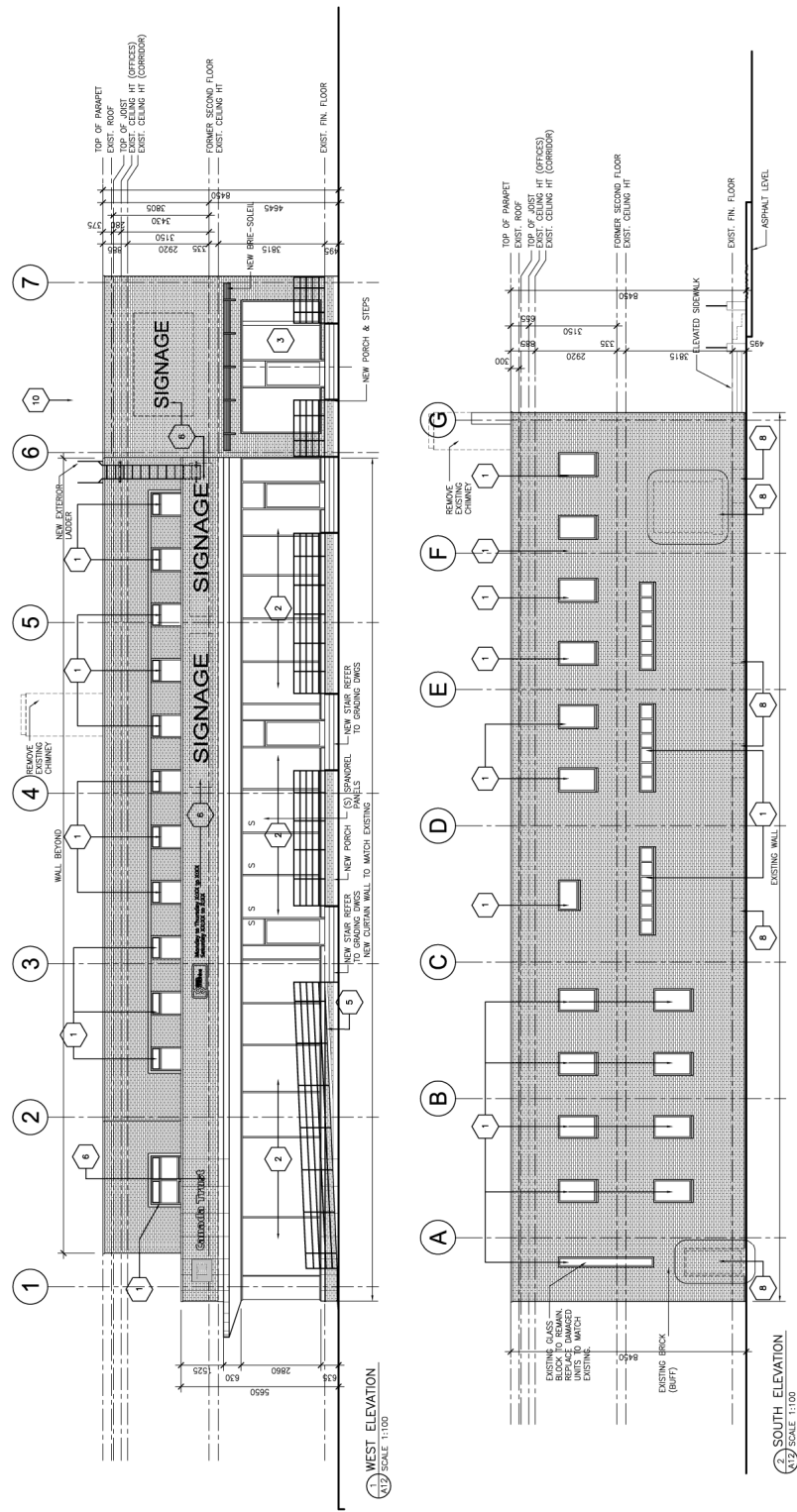
Site Plan  
Applicant's Submitted Drawing

Not to Scale  
12/01/09

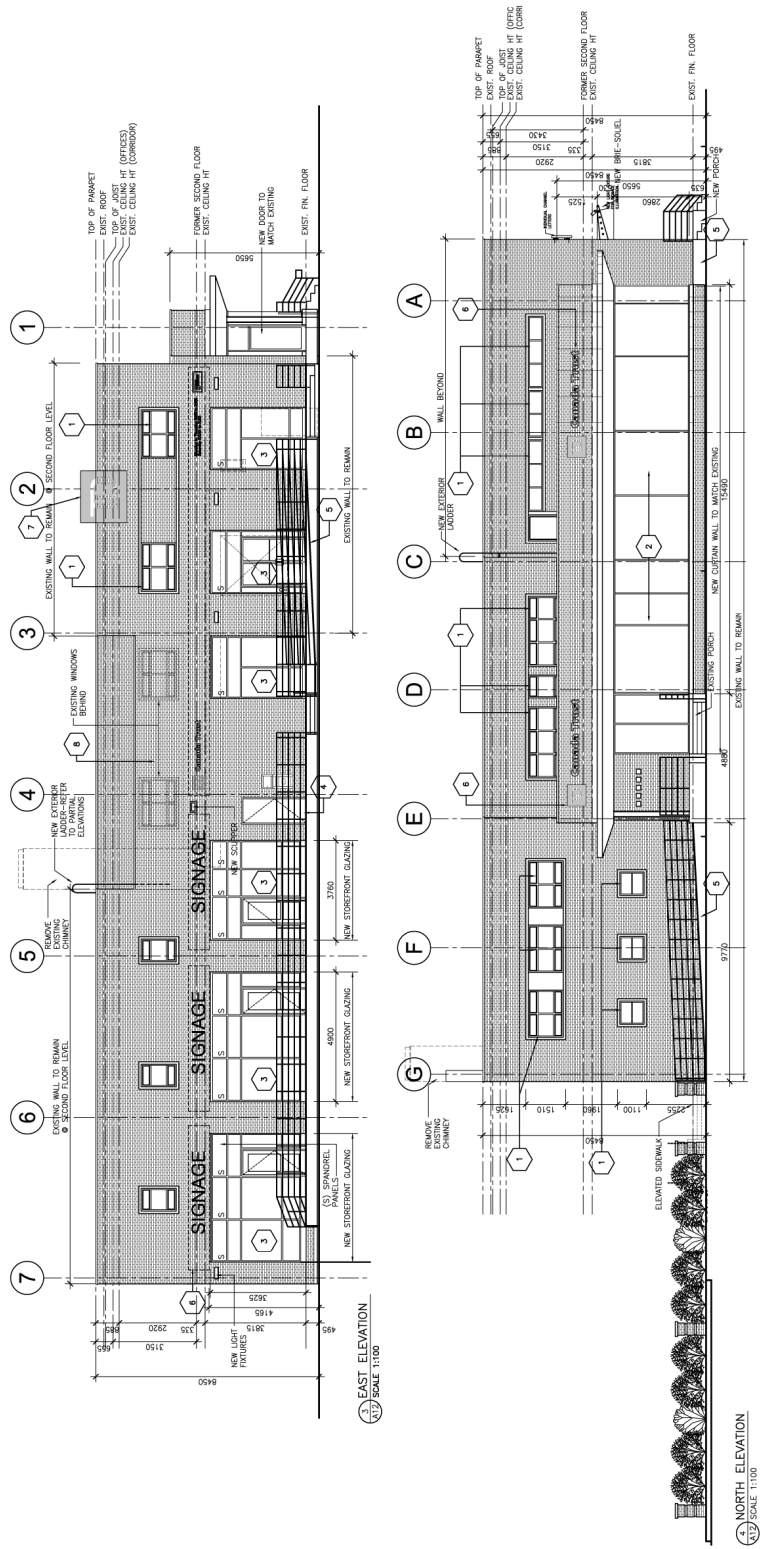




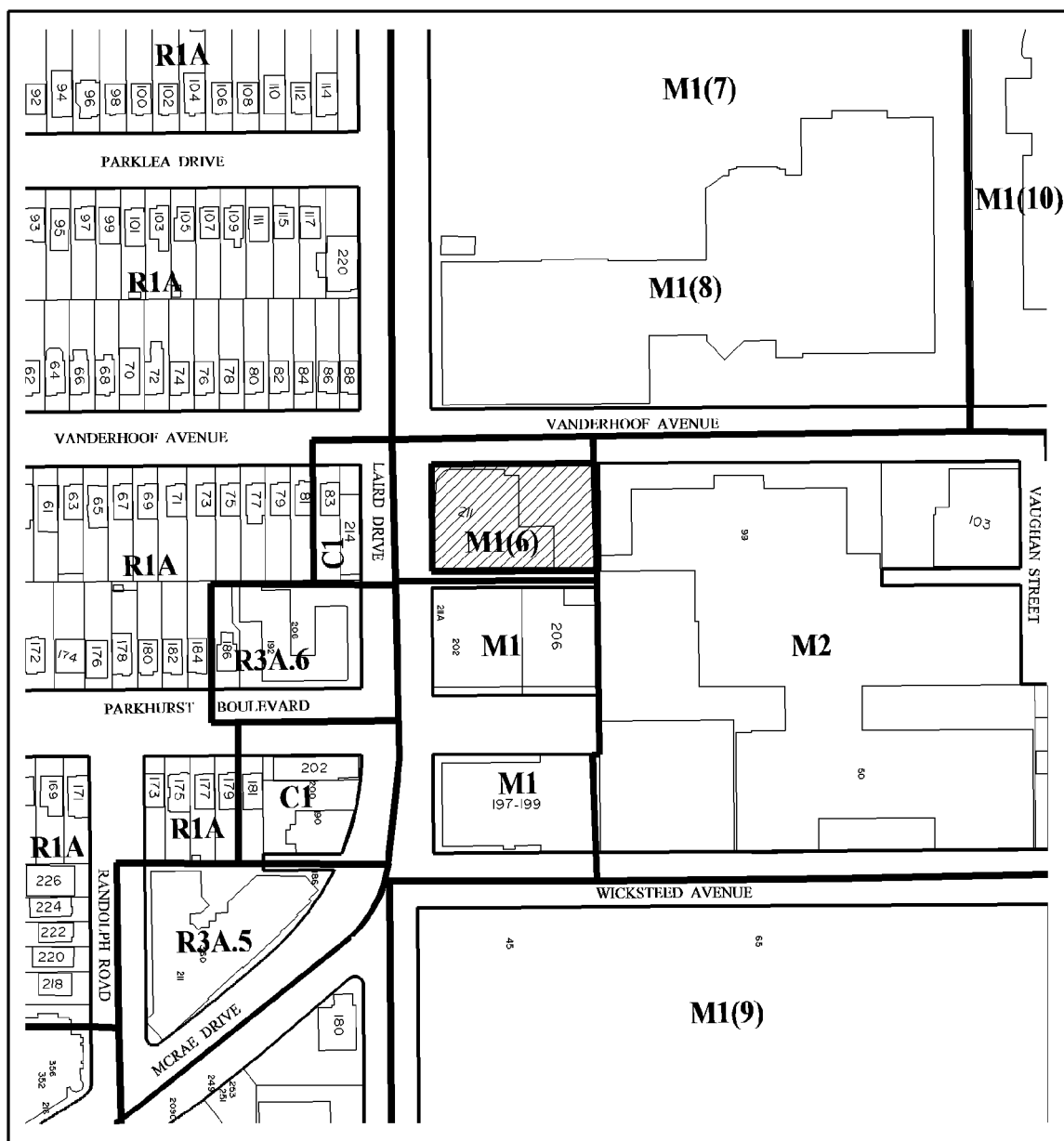
Attachment 2: West South Elevations



Attachment 3: East North Elevations



## Attachment 4: Zoning



**TORONTO** City Planning  
Division  
**Zoning**

211 Laird Drive

File # 06\_172720

R1A Low Density Residential  
R3A High Density Residential  
C1 Commercial - General  
M1 Light Industrial  
M2 General Industrial



Not to Scale  
Zoning By-law 1916  
Extracted 10/03/06

## Attachment 5: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning and Site Plan Control	Application Number:	06 172720 NNY 26 OZ 08 230442 NNY 26 SA
Details	Combined	Application Date:	September 1, 2006

Municipal Address: 211 LAIRD DR, TORONTO ONTARIO  
 Location Description: PL 2755 PT BLK E \*\*GRID N2604  
 Project Description: To permit a new two storey commercial building which incorporates historical significant elements from the existing structure.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WALKER, NOTT, DRAGICEVIC ASS. LTD		PDA ARCHITECTS	CATSOL INVESTMENTS LTD

#### PLANNING CONTROLS

Official Plan Designation:	EMPLOYMENTS AREAS	Site Specific Provision:	
Zoning:	M1(6)	Historical Status:	proposed listing
Height Limit (m):	18.5	Site Plan Control Area:	YES

#### PROJECT INFORMATION

Site Area (sq. m):	2 415.48	Height:	Storeys: 2
Frontage (m):	39.62		Metres: 8.45
Depth (m):	61		
Total Ground Floor Area (sq. m):	1,084.57		<b>Total</b>
Total Residential GFA (sq. m):	0	Parking Spaces:	26
Total Non-Residential GFA (sq. m):	1,084.57	Loading Docks	1
Total GFA (sq. m):	1,084.57		
Lot Coverage Ratio (%):	44.87		
Floor Space Index:	0.49		

#### DWELLING UNITS

Tenure Type:

Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	0

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

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	556.86	0
Office GFA (sq. m):	514.04	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	13.67	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Derrick Wong, Community Planner
	<b>TELEPHONE:</b>	(416) 395-7052

## **Attachment 6: Draft Zoning By-law Amendment**

### **BY-LAW No.**

To amend By-law 1916, as amended, for the Former Town of Leaside,  
with respect to the lands municipally known as  
211 Laird Drive

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;

Therefore, the Council of the City of Toronto enacts as follows:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified as “Area Subject to Amendment” as shown on Schedule “1” attached hereto.
2. Schedule “A” to Zoning By-law 1916, as amended, is hereby further amended by changing the zoning category for the lands identified on Schedule “1” of this By-law from “Light Industrial Special Section 6 (M1(6)) Zone” to “Light Industrial Special Section 12 (M1 (12)) Zone”.
3. Zoning By-law 1916, as amended, is hereby further amended by adding a new Section 8.2.3 j) immediately after Section 8.2.3 i) of the By-law as follows:

“8.2.3 j) 211 Laird Drive (M1(12) Zone)

(i) Area Restricted

The provisions of this section shall only apply to those lands being Part of Block ‘E’ Registered Plan 2755, Borough of East York, Municipality of Metropolitan Toronto which are zoned Light Industrial Special Section 12 (M1(12)) on Schedule “A” of By-law 1916, as amended.

(ii) General Provisions

Notwithstanding Section 8.2.2 of this By-law, on those lands referred to in Section 8.2.3 j) of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building, Structure or land or part thereof except in accordance following provisions:

### 1) Permitted Uses

In addition to the uses permitted by Section 8.2.1, **Retail Store** is also permitted.

Notwithstanding Section 8.2.1 b) ii), business services shall be permitted for 100% of the Gross Floor Area of any building.

For other uses permitted within the Light Industrial (M1) Zone, the provisions of By-law 1916 shall apply.

### 2) General Development Requirements

Maximum Gross Floor Area	1,100 m <sup>2</sup>
Minimum Front Yard	0.0 m <sup>2</sup>
Minimum Rear Yard	28 m <sup>2</sup>
Minimum Northerly Side Yard	1.8 m <sup>2</sup>
Minimum Southerly Side Yard	1.0 m <sup>2</sup>
Maximum number of Storeys	2
Maximum Height	8.5 m
Minimum on-site Parking Spaces	26
Minimum on-site Loading Spaces	1

i) The following exceptions apply to the minimum Yards as permitted by Section 8.2.3 j) (ii) 2):

- a. Canopies, awnings, architectural features, unenclosed porches, and decks may project to a maximum of 1.9 metres into any required Front, Side or Rear Yard.
- b. Steps, stairs or ramps required for access to the first storey of a permitted Building may encroach to a maximum of 2.5 metres into any required Front, Side or Rear Yard.

ii) The following exceptions apply to the maximum building height as permitted by Section 8.2.3 j) (ii) 2):

- a. parapets shall be permitted to a maximum height of 0.8 metres above maximum building height.

### 3) Landscaping

The only landscaping provision that will apply is as follows:

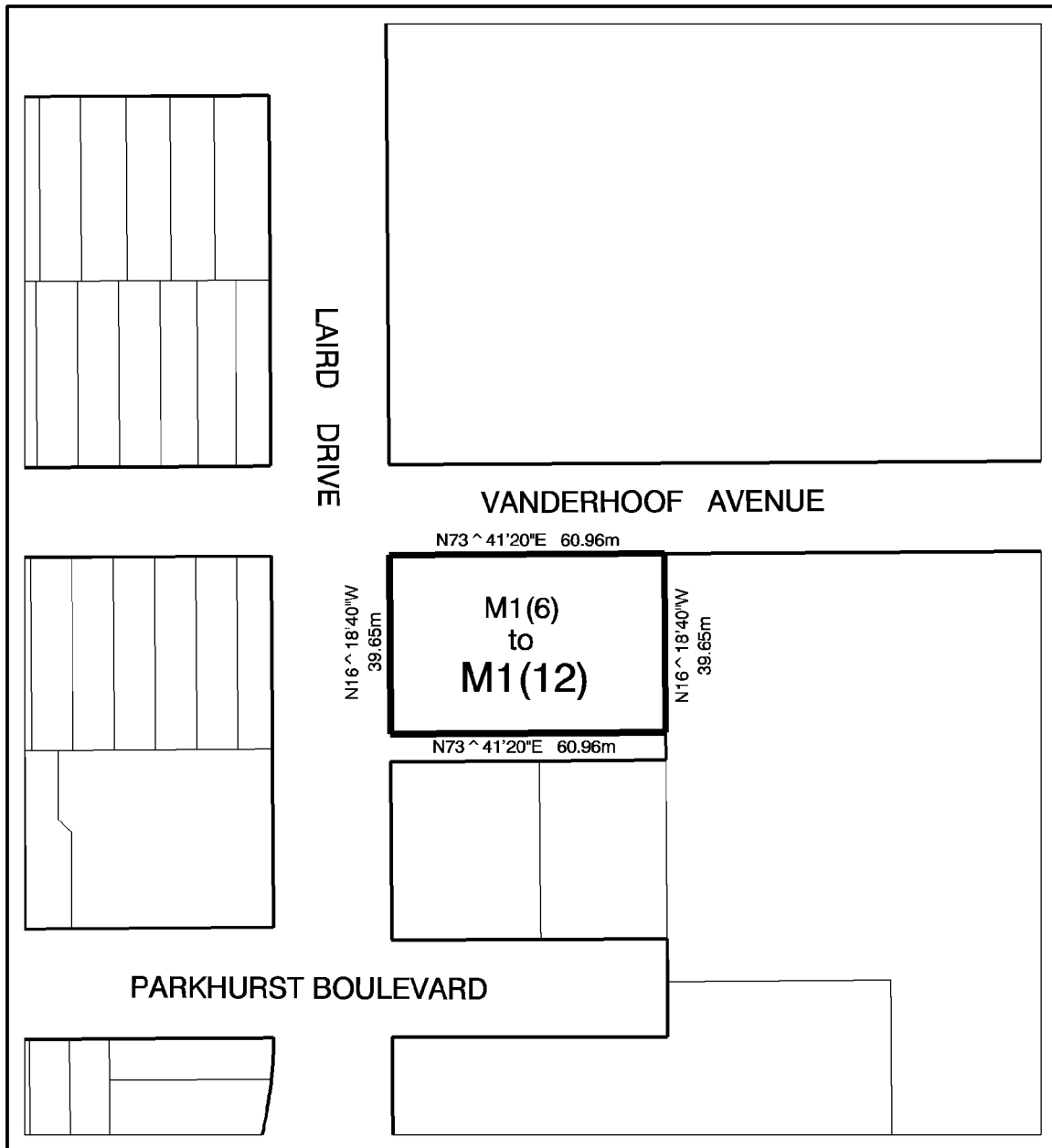
- a. all yard areas other than driveways, parking areas, garbage enclosures, walkways, stairs, and ramps will be landscaped.
- 4) Notwithstanding anything else contained in this By-law, the provisions of Section 8.2.3 f) shall continue to apply collectively to all of the lands identified in 8.2.3 f)(i), notwithstanding any future division of the lands into two or more parcels of land.
- 5) Other Provisions of the By-law

Except as amended in this By-law, all the other provisions of By-law 1916, as amended shall apply to the lands;

ENACTED AND PASSED this    day of    ,A.D. 2008

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





## **Attachment 7: Site Plan Control Approval Conditions**

The City Planning Division North York District, has completed our review of the proposal for a two storey 1,084.57 m<sup>2</sup> (11,674.2 sq.ft.) commercial building with historical preservation elements as outlined in the following plans and drawings:

Plan Number	Plan Title	Author/ Date
SP2	Proposed Site Plan	PDA Architects Revised to October 27, 2009
A12	Proposed Elevations	PDA Architects Revised to October 27, 2009
A13	Proposed Elevations	PDA Architects Revised to October 27, 2009
L-1	Landscape Plan	Terraplan Landscape Architects Inc. Revised to November 18, 2009
L-2	Landscape Details	Terraplan Landscape Architects Inc. Revised to November 18, 2009

Before we can grant approval to either proposal we require the following conditions be fulfilled:

### **City Planning**

1. The Owner shall submit financial securities to guarantee the provision of on-site landscaping.
2. Prior to final site plan approval, the owner shall provide the following to the satisfaction of the Manager, Heritage Preservation Services:
  - (a) An as-found record of the existing interiors;
  - (b) a letter of credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the approved Conservation Plan
  - (c) a letter of undertaking to indicate the support of the property owner for the designation of the property under Part IV of the Ontario Heritage Act, based on a revised designation report incorporating information on the alterations approved as part of this Site Plan Agreement.

### **Parks Forestry and Recreation**

1. The Owner shall provide the necessary securities for existing and proposed City trees to the satisfaction of Parks, Forestry and Recreation (Urban Forestry Services), and shall satisfy the requirements of Urban Forestry Services with

respect to the proposed removal of any existing trees that qualify for protection under the City's Private Tree By-law.

## **Legal**

1. The execution of a site plan agreement

Please note that if these conditions are not fulfilled within two years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Director of Community Planning.

In addition to the above the following conditions are to be fulfilled following site plan approval and will be incorporated into a site plan agreement:

## **City Planning**

1. The applicant agrees to include a restriction in all leasing agreements preventing back posting on any glazed surfaces for elevations facing Laird Drive and Vanderhoof Avenue.
2. The applicant agrees to include a restriction on all leasing agreements preventing the storage of waste material between the building and the public boulevard along Laird Drive and Vanderhoof Avenue.

## **Technical Services**

### **1. Facilities to Provide Access to and from the Land**

- 2.1 Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services.
- 2.2 The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.

### **2. Off-street Vehicular Loading and Parking Facilities and Access/Driveways**

- 3.1 All site access driveways must be at least 1.0 metre from existing utilities. If required, the relocation of any public utilities (utility poles, guy wires, etc.) would be at the cost of the developer and shall be subject to the approval of the applicable governing agencies;

- 3.2 Snow must be stored on the site such that the pedestrian sidewalks are not obstructed, parking supply is not reduced and vehicular site lines area not affected. Snow that cannot be adequately stored on-site must be removed from the site by the owner/building management after each snow fall;
- 3.3 The owner must install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Technical Services;

### **3. Walkway and Walkway Ramps**

- 4.1 Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 metres.

### **4. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands**

- 5.1 The owner acknowledges that anything other than concrete sidewalks, trees and sod that they locate within the untravelled portion of the adjoining public highway(s) are encroachments that must be installed, planted and maintained at the owner's expense, specifically:
  - (a) All landscape/streetscape features illustrated on the applicant's approved landscaping plan; and,
  - (b) Plant irrigation systems.
- 5.2 These encroachments shall be permitted by the City of Toronto pursuant to the following terms:
  - (a) The property owner accepts this boulevard area in its current condition as of the date of the agreement, and shall not call upon the City to do or pay for any work or supply any equipment to make the boulevard more suitable for the uses specified herein.
  - (b) All encroachments within the boulevard areas of the adjoining public highways shall be constructed and maintained according to the approved site and landscaping/streetscaping plan(s) approved by this Division, and the Executive Directors of Technical Services and City Planning.
  - (c) To provide unobstructed driver sight lines, the owner shall ensure that all vegetation, street furniture, retaining walls and fences located within 4.5m of the travelled portion of the adjoining public highway do not exceed a maximum height of 0.85m measured from the travelled surface of the adjoining highway. The owner shall maintain all trees located within 4.5m of the travelled portion of the adjoining highway with a minimum clearance of 2.5m measured between the bottom of the tree canopy and the travelled portion of the street.

- (d) The owner agrees that they will, at their expense, maintain the encroachments in a state of good repair, free of graffiti, posters, litter, snow and ice, and that vegetation will be maintained in a healthy and vigorous state of growth. The owner shall not make any additions or modifications to the encroachments beyond what is allowed pursuant to the terms of this site plan agreement. The owner further acknowledges that should they neglect to maintain the encroachment(s), then the City, after providing 24 hours notice, shall, at the owner's expense, perform the required maintenance and remove graffiti, posters, litter, snow and ice, and the City may recover its costs in a like manner as municipal taxes.
- (e) The owner agrees that if the City should at any time undertake any widening or other alteration to the adjoining public highway(s) necessitating the removal of any encroachment(s), the City shall not be liable to pay any compensation whatsoever for such removal, nor shall it restore any encroachment that it removes. The encroachments permitted by this agreement shall be removed by the owner, at their expense, within 14 days of receiving written notice from the Executive Director of Technical Services or his/her designate. In default of the removal not occurring as requested, the City may carry out the removal, at the owner's expense, and may recover its costs in a like manner as municipal taxes.
- (f) The owners acknowledges that there may exist municipal and/or utility services within, upon or under the boulevard, and acknowledges that the City or the utility responsible for such service(s) may need to undertake repairs or carry out maintenance on such service(s) or to replace such service(s) or to install new service(s). The owner agrees that the City or utility shall have the right to remove the encroachments for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the encroachment, the City shall give 48 hours notice of its intention to remove the encroachment for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the owner, at their sole expense, shall proceed immediately to restore the encroachments to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances, shall the City be required to so restore the lands, or to compensate the owner for the cost of so doing so.
- (g) The owner agrees to defend, save and keep harmless and fully indemnify the City, its officers, employees, agents and other representatives, from and against all actions, claims, suits or damages whatsoever that may be brought or made against the City as a result of the owner's use of the boulevard area of the adjoining public highways.

## **5. Facilities for the Storage of Garbage and Other Waste Material**

- 6.1 The owner shall be required to meet the guidelines of the “City of Toronto Requirements for Garbage and Recycling Collection from the developments and Redevelopments”. The revised requirements can be found at [www.toronto.ca/garbage/](http://www.toronto.ca/garbage/).
- 6.2 If the owner requests the city to collect trade waste, the owner will be required to make an application for garbage and recycling collection and enter into an agreement with the City, under the Yellow Bag Program, for such collection services. In the event the owner is not accepted, then a private contractor must collect all solid waste from this site. Collection of wastes from the commercial sector of this site will be in accordance with Chapter 841, Solid Waste, of the City of Toronto Municipal Code. (Refer to appropriate By-Laws for Procedures associated with grease, etc.)

**8. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land**

- 8.1 Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
- 8.2 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.
- 8.3 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.