

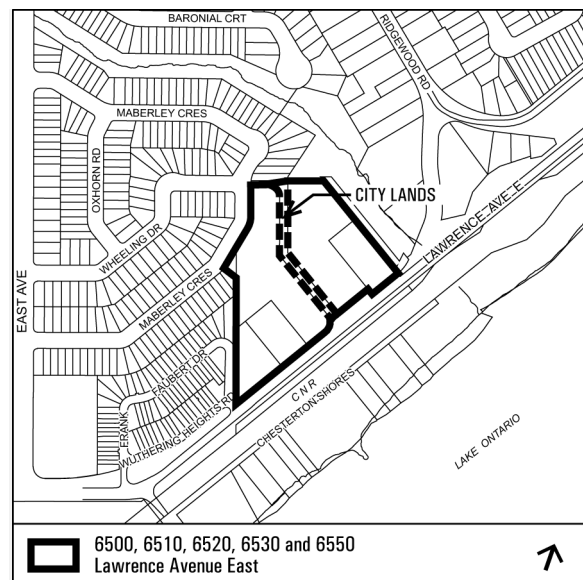
6500, 6510, 6520, 6530 and 6550 Lawrence Ave E – Official Plan, Rezoning and Draft Plan of Subdivision Applications – Final Report

Date:	February 18, 2010
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	09 190177 ESC 44 OZ, 06 193884 ESC 44 OZ, and 06 193887 ESC 44 SB

SUMMARY

The applications to amend the zoning by-law and the proposed draft plan of subdivision were made before January 1, 2007 and are not subject to the new provisions of the Planning Act or City of Toronto Act, 2006. The application to amend the Official Plan 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.

Official plan amendment, rezoning and plan of subdivision applications have been submitted to permit the development of 25 single detached residential homes and 74 townhouse units, for a total of 99 dwelling units. The proposal would result in the creation of three new 18.5 metre wide public roads and a park located at the northeast corner of the development site. The official plan amendment will amend Map 3 of the Official Plan by narrowing the Lawrence Avenue East right-of-way adjacent to the site from 36 metres, to 30.86 metres. The project proposes to incorporate a former road allowance owned by the City that bisects the development site from north to south in order to comprehensively develop the entire site.



The purchase of the City land is subject to a separate report to Government Management Committee. This report reviews and recommends approval of the applications to amend the Official Plan and zoning by-law. This report also advises that the Chief Planner may approve the draft plan of subdivision.

RECOMMENDATIONS

The City Planning Division recommends that City Council:

1. Amend the Official Plan substantially in accordance with the draft official plan amendment attached as Attachment No. 5.
2. Amend Zoning By-laws 1978 and 12077 substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 6.
3. Authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment and draft zoning by-law amendment as may be required.
4. In accordance with the delegated approval under By-law No. 229-2000, be advised that the Chief Planner may approve the draft plan of subdivision, as generally illustrated in Attachment No. 1, subject to:
 - (a) the conditions as generally listed in Attachment No. 7, 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 ongoing 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

In January 1985, Council of the former City of Scarborough adopted a report of the Board of Control authorizing the closure and sale of portions of a sixty-six foot and thirty-three foot road allowance, which bisected the subject lands running north from Lawrence Avenue between 6520 and 6530 Lawrence Avenue to the Wheeling

Drive/Maberley Crescent intersection. The City retained portions of the road allowance and portions were also conveyed to abutting land owners at the time.

Presently, the City owns the vacant residual portion of the former road allowance approximately 10 metres (33 feet) in width located between 6520 and 6530 Lawrence Avenue East, which extends from Lawrence Avenue north to Maberley Crescent. This land is no longer required for public road purposes.

‘Declaration as Surplus’ Report 6 Clause 2a from the Administration Committee was considered by City Council on October 26, 27 and 28, 2004. The purpose of the report was to declare the residual portion of the closed road allowance surplus to municipal needs. City Council amended the recommendations of the report requiring that the residual portion of the closed road allowance be retained by the City of Toronto until such time as the Port Union Waterfront Trail is completed and, upon completion of the Port Union Waterfront Trail, the Commissioner of Works and Emergency Services report back to the Property Management Committee as to whether the closed road allowance should be retained in City ownership as a pedestrian walkway.

ISSUE BACKGROUND

Proposal

Mattamy (Lawrence) Limited is proposing to develop the industrial properties known municipally as 6500, 6510, 6520, 6530 and 6550 Lawrence Avenue East for residential purposes. The proposal consists of 25 single detached residential homes and 74 townhouse units, for a total of 99 units. In order to create the necessary lot area for the proposed development, Mattamy (Lawrence) Limited has also submitted an official plan amendment. The amendment to Map 3 of the Official Plan would narrow the proposed right-of-way for Lawrence Avenue East from 36 metres to 30.86 metres, along the lands adjacent to the proposed development.

Ten of the detached residential homes would front on Maberley Crescent with minimum frontages of 9.15 metres (30 feet) and minimum lot areas of 230 square metres (2,476 square feet). The other 15 detached dwellings are adjacent to the Adams Creek Ravine with the same frontages and lot areas. All townhouses would have a frontage between 6.10 metres (20 feet) and 8.56 metres (28 feet) with a minimum area of 150 square metres (1,615 square feet). The frontages for the detached dwellings are similar to those on Maberley Crescent, while the frontages for the townhomes are greater than those on Frank Faubert Drive. All detached homes would be two storeys in height and townhouses would be three-storeys. All units would have parking consisting of an enclosed garage space. The proposal would result in the creation of three new 18.5 metre public roads with access points on Lawrence Avenue. A 2,470 square metre park (26,586 square feet) is proposed to be located at the northeast end of the site adjacent to the existing detached homes on Maberley Crescent and Adams Creek natural area.

The City owns a residual portion of a closed road allowance approximately 10 metres (33 feet) wide that bisects the development site in a north-south direction from Maberley Crescent to Lawrence Avenue. This closed road allowance is no longer required for public road purposes and is proposed to be included in the proposal by the applicant for a comprehensive development of the site.

Mattamy currently owns the properties at 6500-6530 Lawrence Avenue East and have agreements of purchase and sale for 6550 Lawrence Avenue East and Blocks 116-119, Plan 66M-2129, which are remnant parcels from the existing subdivision to the north. These remnant blocks will be developed as part of the proposed detached lots fronting on Maberley Crescent and have been incorporated into the applicant's plan of subdivision. For further project information refer to the plan of subdivision and application data sheet (Attachments 1 and 4).

Site and Surrounding Area

The development site has a frontage of approximately 252 metres (827 feet) along Lawrence Avenue East and 113 metres (371 feet) along Maberley Crescent, with an area of approximately 3.352 hectares (7.6 acres). The site used to contain 5 industrial buildings, which have since been demolished. The rear portions of the properties abutting Maberley Crescent contain a number of trees and vegetation.

Surrounding Land Uses

North: Single-detached residential development along Maberley Crescent and Wheeling Drive.

West: An acoustic wall separating the townhouse development along Frank Faubert Drive and Wuthering Heights Road.

East: Remnant parcel of vacant private land and open space lands which include Adams Creek.

South: Lawrence Avenue East with a Canadian National Railway track line running parallel to the street, and Chesterton Shores located south of the railway track with existing detached homes along the south side of the street backing onto Lake Ontario.

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 Greenbelt Plan identifies the Greenbelt of the Greater Golden Horseshoe as an area where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological functions and features occurring in this landscape. In particular, it restricts development and land use in the Rouge River Watershed and the Rouge Park area in Toronto.

Official Plan

The subject lands are designated as Neighbourhoods within the Official Plan, which 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. Policies and development criteria aim to ensure that physical changes to established Neighbourhoods will be sensitive, gradual and generally "fit" the existing physical character. New development will respect and reinforce the general physical patterns and character of established Neighbourhoods, with particular regard to the size and configuration of lots, heights, prevailing building types and patterns of front, side and rear yard setbacks, and landscaped open space.

The subject properties, with the exception of the portion of the subject lands that front on Maberley Crescent, are also located within the Port Union Village Secondary Plan. The Port Union Village Community is planned as a predominantly residential community. A variety of housing forms at low and medium densities and some mixed uses adjacent to public spaces are planned in low-rise structures, consistent with a village theme approach and set out in the Urban Design Guidelines for this area. Development within the Port Union Village Community should result in a recognizable distinct community. It is intended that the area have the flavour of a water-related village. The development site, with the exception of the lands fronting on Maberley Crescent, is permitted to develop with a maximum of 3 storeys in height.

The secondary plan stipulates that all industrial properties, existing and former, and any other properties where contamination is suspected, are to be decommissioned and cleaned up prior to any development occurring. All development/redevelopment applications will be accompanied with past and present uses of the site and surrounding lands in order to provide initial information on the types of contaminants which may have been used upon this site and their possible location; analysis of soils and groundwater in order to document the presence, type and concentration of contaminants; and the preparation of a remedial action plan. Draft plan conditions in the subdivision approval address these concerns by requiring the submission of a Record of Site Condition, and a peer reviewed

Environment Assessment before any lands will be accepted by the City or be cleared for construction. Furthermore, changes to the legislation now require a record of site condition before a building permit can be issued.

A portion of the easterly boundaries of 6530 and 6550 Lawrence Avenue fall within the City's Natural Heritage System. The Natural Heritage System is made up of areas where protecting, restoring and enhancing the natural features and functions should have a high priority in City building decisions. Where the underlying land use designation provides for development in or near the natural heritage system, development will recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area and minimize adverse impacts and, when possible, restore and enhance the natural heritage system.

All proposed development in or near the natural heritage system will be evaluated to assess the development's impact on the natural heritage system and identify measures to mitigate negative impact on and/or improve the natural heritage system, taking into account the consequences for terrestrial natural habitat features and functions including wetlands and wildlife habitat; known watercourse and hydrologic functions and features; significant physical features and land forms; riparian zones or buffer areas and functions; and vegetation communities and species of concern.

Zoning

The subject lands are zoned Heavy Industrial Uses (H.IND) Zone within the Township of Pickering (West Rouge) By-law Number 1978. This zone category permits industrial and manufacturing uses of all kinds, except for objectionable uses by reason of dust, smoke or fumes, noise or danger. A variety of recreational, institutional and public uses are also permitted. Residential uses are not permitted, with the exception of accommodation for employees essential for the safeguarding of the industry.

Site Plan Control

The subject properties fall within an area subject to site plan control. A site plan control application has not been submitted. The applicant will be required to submit an application for the portion of the site proposed for townhouse development.

Ravine By-law

A portion of the site is subject to the Ravine By-law. Urban Forestry, Ravine and Natural Feature Protection (RNFP) has been circulated and appropriate conditions have been drafted to satisfy their concerns.

Reasons for Application

Residential uses are not permitted on the subject properties. A zoning by-law amendment is required in order to permit the residential uses and to implement the necessary zoning standards to regulate the new development. The plan of subdivision is necessary to

create the proposed new lots, park, blocks and to create the new public right-of-ways. The official plan amendment is necessary in order to reduce the Lawrence Avenue right-of-way to enable the required lot area for the development of the properties along Lawrence Avenue East.

Community Consultation

Community consultation meetings were conducted by City staff on June 27, 2007 and on October 16, 2007. Meetings were also held by the applicant. The meeting of June 27, 2007 was attended by the applicant, the local Councillor, Planning staff, TRCA staff and approximately 50 members of the public. Residents expressed concern about the height of the built form along Maberley, density, construction materials and design, and traffic on Lawrence. The residents also wished to know whether or not there would be sidewalks in the development and if there would be a connection to the waterfront trail. Residents expressed a concern about the existing acoustical fence along Frank Faubert Drive; there were those who wished it to remain and those who wanted it removed. Residents also expressed opposition to the proposed townhouses along the eastern edge of the subdivision.

The meeting of October 16, 2007 was attended by the local Councillor, Planning staff, TRCA staff and approximately 50 members of the public. Residents expressed concerns about the tenure of the units, school capacity and the type/size of new street trees that will be planted. Residents also echoed previous concerns about height and density. Residents expressed a desire for larger new street trees, more brick as opposed to siding for the houses along Maberley, and a connection through the proposed park to Lawrence Avenue East. The issues raised are addressed below in this report.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The Provincial Policy Statement encourages responsible and managed growth, through intensification and infill development, while also maintaining and promoting increased recreational areas, such as public parks. Specifically, Section 1.1.3.3 of the Provincial Policy statement specifies the use of Brownfields as ideal growth sites. Section 1.5.1 encourages healthy and active communities through the provision of parkland and protection of conservation lands. The proposed development is a redevelopment of a Brownfield site. It also adds new parkland to the area while protecting the conservation lands to the east.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Under the Growth Plan for the Greater Golden Horseshoe, all of Toronto is designated as a growth centre and is expected to accommodate increased population through intensification and infill development. This application fulfills these goals.

Land Use

The original application proposed the creation of 87 units composed of 10 single detached dwellings along Maberley Crescent and 77 townhomes for the rest of the site. After presenting the proposal to the community and receiving feedback, the proposal was changed to replace the townhomes along the Adams Creek Ravine with single detached dwellings.

The land use designation on the site is Neighbourhoods within the Official Plan. The proposed land use requires a change in zoning from industrial to residential, which is appropriate as it is consistent with the land use designation of the Official Plan. The current proposal consists of 25 single detached dwellings and 74 townhomes; the proposed tenure for all units is ownership. Neighbourhoods are for lower density built forms. Infill developments in Neighbourhoods should respect and reinforce the existing built form; the proposal conforms to these policies. The application is also subject to the provisions of the Port Union Village Secondary Plan, which limits height to a maximum of three storeys and supports the proposed built form.

The proposed built form will be restricted to 11 metres for the single detached dwellings and 12 metres for the townhomes. The frontages proposed for the detached dwellings are 9.1 metres which are similar to those on Maberley Crescent. The frontages for the townhomes are proposed to be 6.1 metres in some cases and 8.6 metres in others. These are greater than the existing frontages of the townhomes on Frank Faubert Drive which are between 5.3 metres and 6.0 metres. The development also complies with the Port Union Village Secondary Plan and Urban Design Guidelines, by not exceeding the permitted height, providing new public spaces, connections through the community and incorporating porches and balconies into the pedestrian zones.

A 2,470 square metre (26,586.86 square feet) park is also proposed for the area. The area in which the development is to be located is considered a park priority area. The proposed park exceeds what would normally be required as a parkland dedication for this type of development. A small portion of the site is also a Natural Heritage area. Some of the site is also regulated by the City of Toronto's Ravine By-law and by the Toronto and Region Conservation Authority (TRCA). The applicant has agreed to pay a sum of \$45,000.00 to TRCA for the purposes of planting and buffering the Adams Creek Ravine area and maintaining the natural heritage features.

Official Plan Amendment

The current right-of-way for Lawrence Avenue East is 20.1 metres. The City of Toronto Official Plan calls for a right-of-way of 36 metres, which would require a conveyance of approximately 8.0 metres of land to the City of Toronto. The Official Plan Amendment submitted by the applicant proposes to narrow the proposed right-of-way of Lawrence Avenue from 36 metres to 30.86 metres along the frontage of the property and convey approximately 3.0 metres of land to the City of Toronto. The reduced right-of-way is necessary to implement the proposed development. In support of their official plan amendment, the applicant has submitted a traffic study that suggests that a 36 metre right-of-way for this portion of Lawrence Avenue East is not necessary, as Lawrence is not a through street past East Avenue. Transportation Planning and Technical Services staff are in agreement with this assessment. This report recommends that the Official Plan be amended to reduce the right-of-way along Lawrence Avenue adjacent to the development site.

Draft Zoning By-law

The draft zoning by-law, as illustrated in Attachment 6, removes the subject properties from By-law 1978 (West Rouge). It deletes the current Heavy Industrial zoning and places the subject properties within By-law 12077 (Centennial) adding the residential and parks zoning to the appropriate blocks of the site as illustrated in the map attached to the zoning by-law.

The by-law sets appropriate setbacks and restricts the height of all single family dwellings to two storeys, with the exception of a small (33 square metres) loft which may be constructed in addition to the second storey. The zoning by-law further imposes a height restriction of 11 metres on the single detached dwellings and 12 metres on the townhomes. The zoning by-law also restricts the maximum permitted coverage to 80% of the total lot area for townhomes and 60% for the single detached homes.

Urban Design Guidelines

The Urban Design Guidelines for Port Union Village require that the buildings assume a village character, with such features as brick coursing, window patterns, cornices, doorways, porches, balconies, dormers and chimneys. Streets should be generously landscaped and the pedestrian zones shall contain porches, front yards, sidewalks, trees and street furniture. The preliminary elevations shown conform to the Urban Design Guidelines, in the respects outlined above and with balconies and porches along the pedestrian zones. Final details of the built form, including building materials will be finalized through the site plan process, and in the case of the single detached dwellings on Maberley, in the subdivision approval.

Traffic Impact

The application proposes three new public roads with a proposed right-of-way of 18.5 metres. There is to be no road connection to Maberley Crescent or Frank Faubert Drive, with all roads connecting directly to Lawrence Avenue East. A traffic impact study was submitted with the application and concluded that the new traffic generated by the

development will have minimal impacts on Lawrence Avenue East. Technical Services staff agree with the findings of the study.

School Board Capacity

The Toronto District School Board advises that there is insufficient space at the local middle and secondary schools to accommodate students anticipated from this proposed development. Children from the new development will not displace existing students at local schools. At this time, the schools anticipated to serve the development are unknown. The applicant will be required to post signs at the development site advising potential buyers of these circumstances. Furthermore, warning clauses will have to be placed in purchase agreements indicating the same. These conditions will be secured through the subdivision approval. No comments have been received from the Toronto Catholic School Board.

Servicing

Servicing is proposed to be supplied from Lawrence Avenue and will require the construction of new watermains and storm and sanitary sewers. Public garbage pick-up will take place curb side. As part of their application, the applicant has submitted a servicing study which is currently under review by Technical Services staff. Conditions have been placed in the subdivision approval to guarantee that the appropriate revisions are made.

Due to the nearby Adams Creek watershed, storm water management is a concern and the application is required to conform to the City's Wet Weather Water Overflow Management Plan. The applicant has submitted a storm water management plan and report in support of their application. Conditions have been drafted for the subdivision approval to address concerns respecting the health of the watershed.

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 3.00 + hectares of local parkland per 1,000 people. The site is in the highest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes to create 99 residential units on a net site (the difference between the privately owned lands and the publicly owned right-of-way) of 2.531 hectares (25,310 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.132 hectares (1,320 square metres), which equates to 5.21% of the site. Therefore Parks Division requests an on-site parkland dedication of 0.132 hectares (1,320 square metres), which is the maximum required size under the alternate rate by-law.

The applicant is proposing to dedicate two parcels of land as shown on the proposed draft plan of subdivision (Attachment 1) to satisfy their parkland dedication requirement. The

first parcel is a 0.0842 hectare parcel of land and the second parcel of land has an area of 0.0985 hectares, for a combined total parkland dedication of 0.1827 hectares (1827 square metres). There is an over dedication of 0.0507 hectares (507 square metres) of land as part of the 0.1827 hectare (1827 square metres) parkland dedication.

The Parks Division advises that they would accept the over dedication of parkland, however, no credit will be given for the portion of the parkland. The parkland shall be conveyed prior to the registration of the draft plan of subdivision. The final dedication will be 2,470 square metres of parkland, including the current City-owned lands.

Streetscape

The streetscape as proposed by the applicant will have sidewalks on both sides of the street with tree planting. A pedestrian pathway will run through the proposed park connecting Maberley Crescent with Lawrence Avenue East, via Street 'A'. Due to the proximity of the CN rail tracks, a sound attenuation fence is proposed for the development along Lawrence Avenue East. Due to the required height of the fence, this will take the form of a planted berm with fence. The applicant is required to submit a fencing plan as a condition of the draft plan of subdivision. Staff will review the fencing plan to ensure that options to mitigate the visual impact of the fence are fully explored and secured. The existing acoustic fence along Frank Faubert Drive will be retained.

Street trees will also be planted along Lawrence Avenue East and the proposed new streets, as part of the development, and will be secured through the subdivision agreement. As a condition of the subdivision agreement, the applicant will have to submit a landscape and tree planting plan. Staff will review this plan to address the concerns of the community with regards to the size of the proposed trees.

Toronto Green Standard

The applications are subject to the voluntary Toronto Green Standard. The future site plan application will be subject to the mandatory Tier 1 requirements of the Toronto Green Standard. The project is incorporating green features including buffering along the Adams Creek Ravine. The applicant has also proposed street tree planting and a parkland dedication which begin to address some of the concerns of the Toronto Green Standard. Staff will pursue a complete implementation of the Tier 1 requirements through the future site plan approval application.

Disposition of City Lands

Subject to the adoption by City Council of the recommendations contained in this report, Transportation Services will be submitting a closure report to a future Scarborough Community Council meeting to close the former right-of-way. Subsequently, Real Estate Services will be submitting a sale report to a future Government Management Committee meeting recommending the sale of the closed road allowance between 6520 and 6530 Lawrence East and the former right-of-way. Final approval of both the closure report and sale report will be brought before City Council at the same meeting once the Planning appeal period has expired.

The City will secure a pedestrian connection through the proposed park that will connect the sidewalks of Maberley Crescent with Street 'A' (Attachment 1) and ultimately Lawrence Avenue East. This will provide a pedestrian walkway in City ownership and; therefore, retaining the former road allowance for such a purpose is no longer necessary.

Development Charges

It is estimated that the development charges for this project will be \$1, 161,963.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Giulio Cescato, Planner
Tel. No. (416) 396-7658
Fax No. (416) 396-4265
E-mail: gcescat@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Draft Plan of Subdivision
Attachment 2: Zoning
Attachment 3: Official Plan
Attachment 4: Application Data Sheet
Attachment 5: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Draft Plan of Subdivision Conditions

Attachment 1: Draft Plan of Subdivision



 City Owned Lands

Lot Type	Lots
1) ○ 9.15m Single Detached	25
2) ◇ 8.56m Townhouse	34
3) * 6.10m Townhouse	40
Total	99 Lots

Proposed Plan of Subdivision

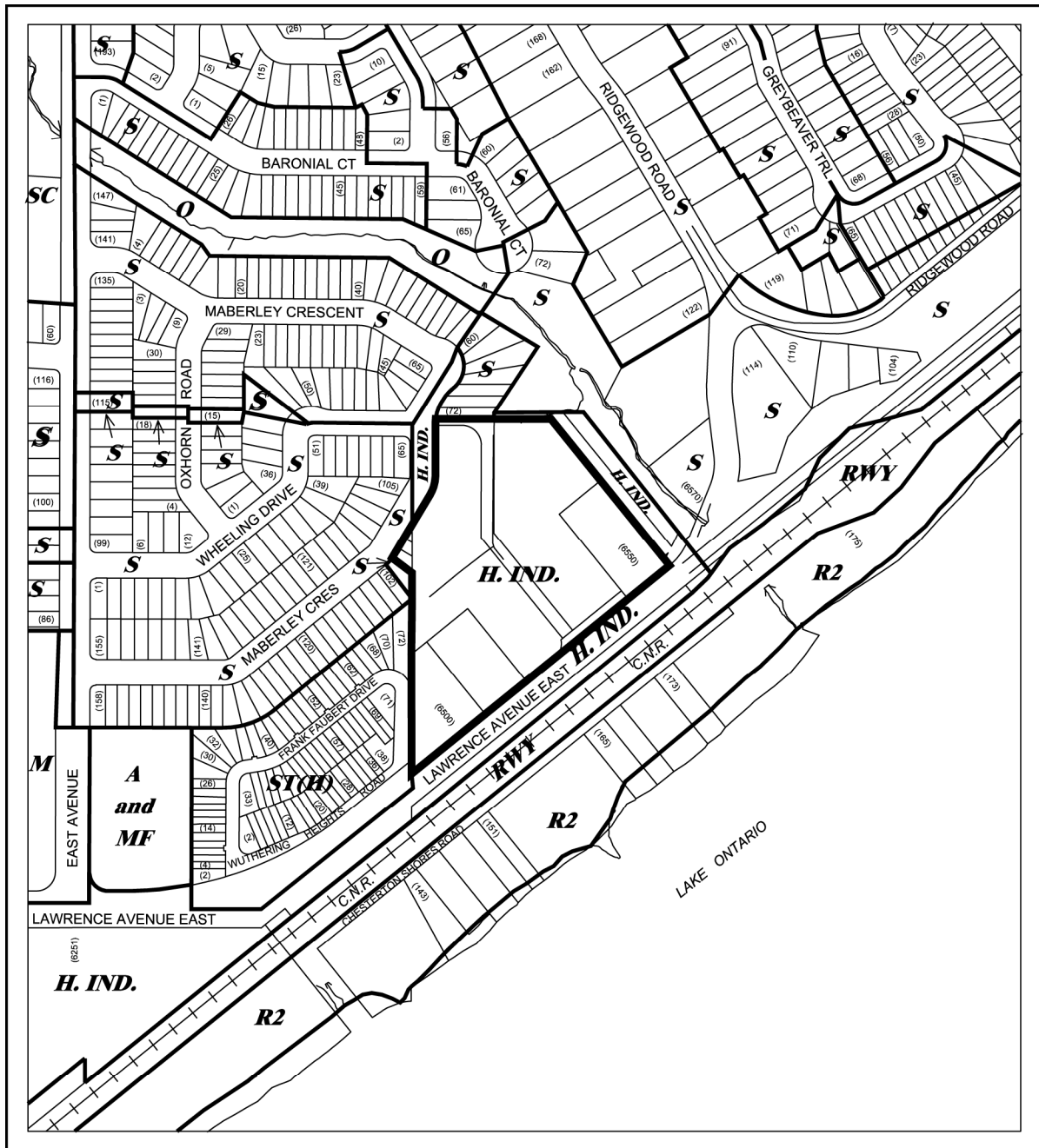
Applicant's Submitted Drawing

Not to Scale
2/18/10 

6500, 6510, 6520, 6530 and
6550 Lawrence Avenue East

File # 06-193884 OZ, 06-193887 SB and 09-190177 OZ

Attachment 2: Zoning



Toronto City Planning
Division
Zoning

6500, 6510, 6520, 6530 and 6550 Lawrence Ave. E.
File # 06-193884 OZ, 06-193887 SB and 09-190177 OZ

West Rouge By-law

H. IND. Heavy Industrial Uses
R 2 Residential Uses

Centennial Community By-law

S Single - Family Residential
MF Multiple - Family Residential
A Apartment Residential

ST
O
RWY
(H)

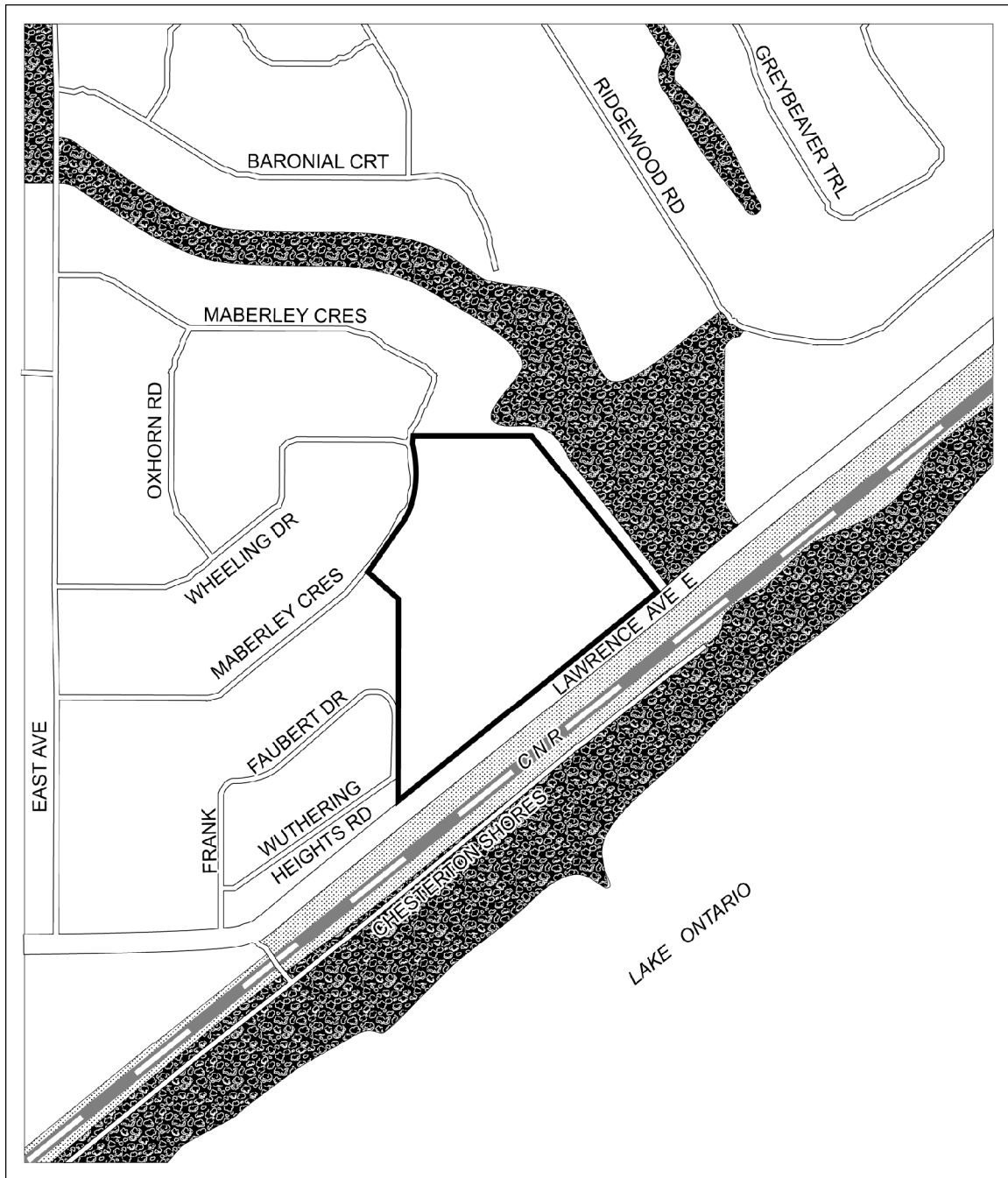
Single-family Residential
Major Open Spaces
Railway
Holding Provision

Centennial Employment
District By-law

M Industrial Uses

Not to Scale
2/18/10

Attachment 3: Official Plan



Toronto City Planning Division
Official Plan

6500, 6510, 6520, 6530 and 6550 Lawrence Ave. E.

File # 06-193884 OZ, 06-193887 SB and 09-190177 OZ

- Site Location
- Neighbourhoods
- Natural Areas
- Utility Corridors



Not to Scale
2/18/10

Attachment 4: Application Data Sheet

Application Type	Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision	Application Number:	09 190177 ESC 44 OZ, 06 193884 ESC 44 OZ, 06 193887 ESC 44 SB
Details	OPA, Standard	Application Date:	November 20, 2009 November 24, 2006

Municipal Address: 6500, 6510, 6520, 6530, and 6550 LAWRENCE AVE E

Location Description: PL 319 PT LT160 & PT LT162 PT BLK A **GRID E4408

Project Description: Mattamy Homes has submitted an application for the development of 25 single detached residential homes and 74 townhouse units. The proposal would result in the creation of 3 new 18.5 metre public roads.

Applicant:	Agent:	Architect:	Owner:
MATTAMY (NEILSON EAST) LIMITED			MATTAMY (LAWRENCE) LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	Heavy Industrial (Former Township of Pickering by-law 1978 (Rouge River)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	33520	Height:	Storeys:	0	
Frontage (m):	0		Metres:	0	
Depth (m):	0				
Total Ground Floor Area (sq. m):	8285				Total
Total Residential GFA (sq. m):	10897		Parking Spaces:	198	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	10897				
Lot Coverage Ratio (%):	24.9				
Floor Space Index:	0.33				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	10897	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:	99	Institutional/Other GFA (sq. m):	0	0
Total Units:	99			

CONTACT:	PLANNER NAME:	Giulio Cescato, Planner
	TELEPHONE:	416-396-7658

Attachment 5: Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To adopt Amendment No. 113 to the Official Plan for the City of Toronto with respect to the Right-of Way for Lawrence Avenue East abutting the lands known municipally in the year 2010, as 6500, 6510, 6520, 6530 and 6550 Lawrence Avenue East

WHEREAS authority is given to Council under 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. The attached Amendment No. 113 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 113 TO THE OFFICIAL PLAN

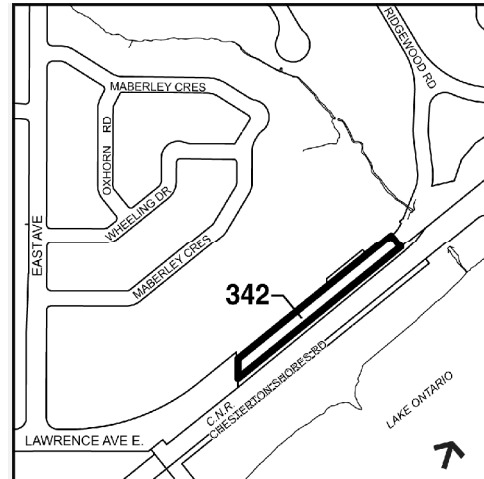
LAWRENCE AVENUE EAST ABUTTING LANDS MUNICIPALLY KNOWN IN THE YEAR 2010 AS 6500, 6510, 6520, 6530, and 6550 LAWRENCE AVENUE EAST

The Official Plan of the City of Toronto is amended as follows:

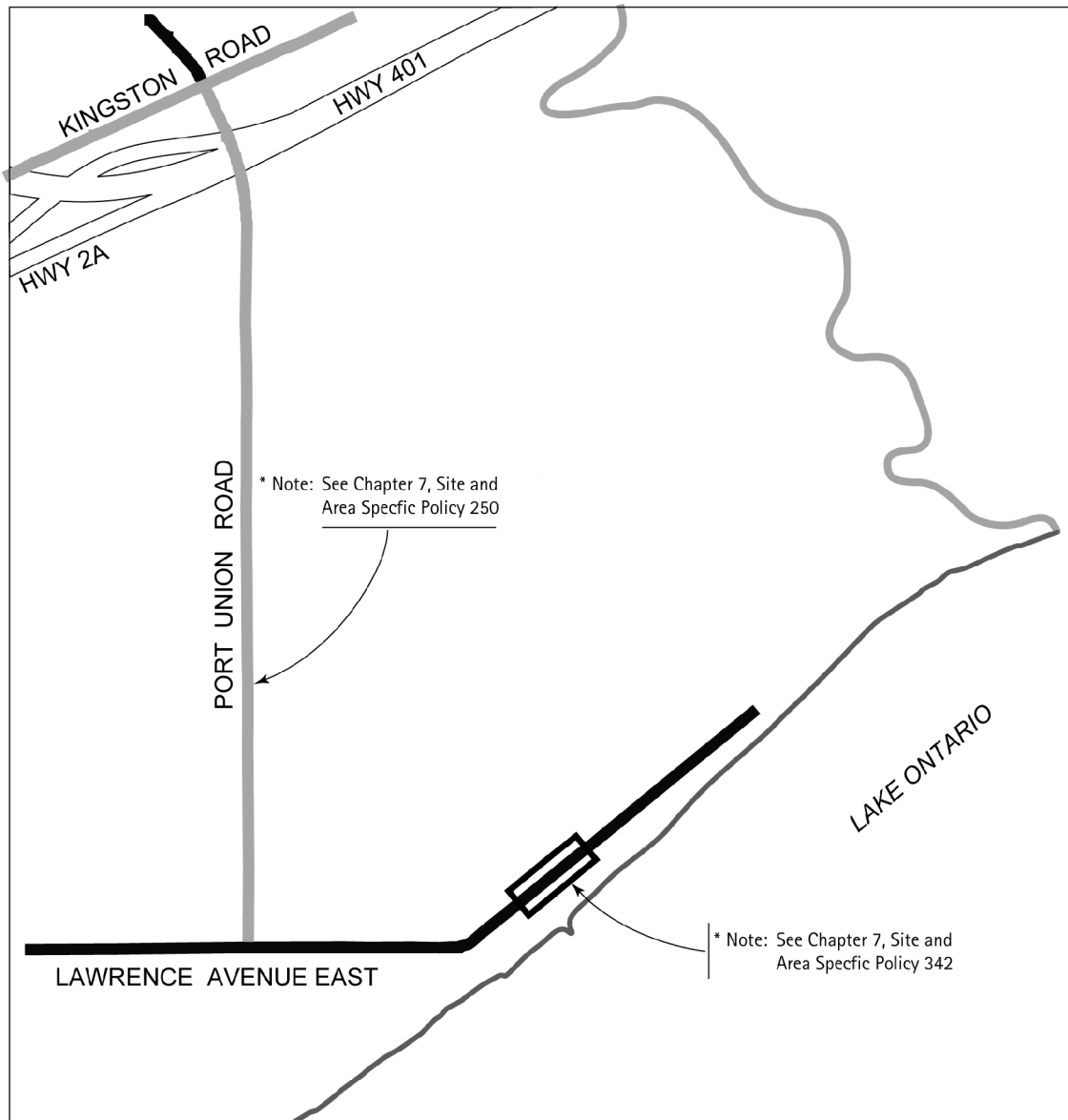
1. Map 3, Right-of-Way Widths Associated with Existing Major Streets, is amended by adding a note referring to the Site and Area Specific Policy No.342, as shown on the attached Schedule 'A'.
2. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No.342 for the segment of Lawrence Avenue East adjacent to 6500 to 6550 Lawrence Avenue East as follows:

342. Lawrence Avenue East between 6500 to 6550 Lawrence Avenue East

The Right-of-Way for Lawrence Avenue East is 30.86 metres.



3. Map 34, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No.342 to the lands, shown above as Site and Area Specific Policy No. 342.






Official Plan Amendment 113 - Schedule 'A'

Revisions to Right-of-Way Widths Associated with Existing Major Streets Map 3 to Redesignate from 36m to 30.86m width.

6500, 6510, 6520, 6530 and 6550 Lawrence Ave. E.

File # 09-190177 02

-  Site Location
-  36 metres
-  Non-uniform width, to be retained as existing at the time of Plan adoption.

↑
Not to Scale
2/23/10

Attachment 6: Draft Zoning By-law Amendment

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. 1978 and 12077, as amended,
With respect to the lands municipally known as,
6500, 6510, 6520, 6530 and 6550 Lawrence Ave E**

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 West Rouge Zoning By-law No. 1978 is amended by deleting the zoning applying to the lands at 6500-6550 Lawrence Avenue East as shown outlined on Schedule ‘1’.
2. Schedule “A” of the Centennial Community Zoning By-law No. 12077 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:

S – 1 - 40J – 40U - 43 – 85 - 147 – 151 – 159 – 161 - 311 – 359 – 407 (36) (39)

S – 1 – 39B – 40U - 43 – 85 - 147 – 151 – 159 – 161 - 311 – 359 – 407 (36) (39)

ST – 1 – 39B – 40U - 43– 85- 137 – 151 – 160 – 162 - 311 – 360 – 408 (36) (39)

NP

3. Schedule “C” of the Centennial Community Zoning By-law No. 12077 is further amended by adding the following exceptions to the subject lands as shown on Schedule ‘2’ attached hereto and forming part of this By-law, together with the following numerals:

(36)

- 39 Notwithstanding the provisions for **Main Wall** projections, bay windows, with or without foundation shall be allowed to project 1.55 metres from the **Main Wall**.

4. Schedule “B”, **Performance Standards Chart**, is amended by adding the following Performance Standards:

- 40U. Minimum **flankage yard** setback is 1.2 m.
159. Minimum 30% of the front yard to be used for no other purpose than **landscaping**.
160. Minimum 15% of the front yard to be used for no other purpose than **landscaping**.
161. Maximum building **height** of 11 m.
162. Maximum building **height** of 12 m.
359. Maximum **building coverage** of 60% of the **lot area**
360. Maximum **building coverage** of 80% of the **lot area**
407. Notwithstanding any provisions of **Clause VII – General Parking Regulations for All Zones, Section 1.3.2.1** the following provisions shall apply:
- Driveways for **single-family dwellings** shall have a minimum width of 2.5 m and a maximum width of 6 m.
408. Notwithstanding any provisions of **Clause VII – General Parking Regulations for All Zones, Section 1.3.2** the following provisions shall apply:
- Driveways for **street townhouse dwellings** shall have a minimum width of 2.5 m and a maximum width of 4 m.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



Zoning By-Law Amendment

6500, 6510, 6520, 6530 and 6550 Lawrence Ave. E.

File # 06-193884 OZ, 06-193887 SB and 09-190177 OZ



West Rouge By-law No.1978
Not to Scale
2/18/10

Schedule '2'



Exception No. 36 and 39



Zoning By-Law Amendment

6500, 6510, 6520, 6530 and 6550 Lawrence Ave. E.

File # 06-193884 OZ, 06-193887 SB and 09-190177 OZ



Area Affected By This By-Law

West Rouge By-law No.1978
Not to Scale
2/18/10



Attachment 7: Draft Plan of Subdivision Conditions

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

DATE: February 11, 2010

**SUBDIVISION APPLICATION 06 193887 ESC 44 SB
DRAFT PLAN OF SUBDIVISION PREPARED BY THE PLANNING
PARTNERSHIP.**

DRAWING NO. E, DATED NOVEMBER 6, 2009

**6500, 6510, 6520, 6530 AND 6550 LAWRENCE AVENUE EAST
REGISTERED PLAN 319 AND BLOCKS 116, 117, 118, AND 119, REGISTERED
PLAN 66M-2129
CITY OF TORONTO (FORMERLY CITY OF SCARBOROUGH)
MATTAMY (LAWRENCE) LIMITED.**

STANDARD CONDITIONS

Subdivision Agreement

1. The Owner will be required to enter into a Subdivision Agreement with the City for the construction of all municipal services required to service this subdivision and post adequate securities for this servicing, all to the satisfaction of the Executive Director of Technical Services.

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).

URBAN DESIGN

4. The Owner shall submit house sitting and elevation plans, including building materials, for the homes along Maberley Crescent for the review and approval of the Director, Community Planning, Scarborough District.

SERVICES

5. The Functional Servicing Report should be revised and submitted as per the Technical Services Memorandum dated January 21, 2010 and to the satisfaction of the Manager, Development Engineering. The report is to be signed and sealed by a Professional Engineer.
6. The Owner shall construct all external services necessary to develop the lands at their sole cost all to the satisfaction of the Executive Director of Technical Services.

STREETS, DRIVEWAYS, SIDEWALKS AND CORNER ROUNDINGS

7. The Owner shall construct streets “A” and “B” as fully serviced roads with 18.5 metre rights-of-ways with sidewalk on both sides to the satisfaction of the Manager, Development Engineering, Scarborough District.
8. The owner has made a separate application for an Official Plan Amendment (No. 09 190177 ESC44 OZ) to reduce the Lawrence Avenue Right-of-way from 36 metres to 30.86 metres. Should this Official Plan Amendment not be approved then the draft plan will have to be revised to reflect the 36 metre right-of-way and the Owner will be required to convey to the City a widening measuring approximately 8.0 +/- metres along the 6500, 6510, 6520, and 6550 Lawrence Avenue East frontage of the property. Should Official Plan Amendment No. 09 190177 ESC44 OZ be approved then the Owner will be required to convey to the City a widening measuring approximately 2.0 +/- metres along the 6500, 6510, 6520, and 6550 Lawrence Avenue East frontage of the property.
9. Prior to registration the Owner agrees to pay all costs related to the lifting of the 0.3 metre reserve on Maberley Crescent, identified as Part 10, PIN 06215-0251 (LT) on Plan 64R-10199.

WINDROW AND SIDEWALK SNOW CLEARING / WARNING CLAUSES

Warning Clause – Windrow and Sidewalk Snow Clearing

10. 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

11. 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 Single Detached and Townhouse Units

12. 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 Single Detached and Townhouse Units

13. 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.

ENVIRONMENTAL ASSESSMENT

Record of Site Condition and Remedial Action Plan

14. 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

15. 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

16. 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

17. 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

18. Prior to the registration of the draft plan of subdivision, the Owner will convey the parkland (Block 43) to the City of Toronto for parkland purposes.
19. Prior to the registration of the draft plan of subdivision, the Owner shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for the parkland dedication lands.
20. The Owner shall pay for the costs of such dedication and the preparation and registration of all relevant documents.
21. The Owner shall ensure that lands to be dedicated as parkland 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, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.
22. The Owner acknowledges and agrees that stockpiling of any soils or materials or use as an interim construction staging area on the parkland is prohibited, unless otherwise approved by Parks, Forestry and Recreation.

Environmental Assessment

23. Prior to conveyance of the parkland to the City, the Owner shall be responsible for an environmental assessment of the lands to be dedicated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the parkland dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant acceptable to Technical Services, Development Engineering Division shall prepare the environmental assessment. Prior to transferring the Parkland to the City, the environmental assessment may be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the "Peer Reviewer"), and the conveyance of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Technical Service section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

Temporary Fencing

24. Prior to conveyance of the parkland the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.

Base Park Improvements

25. The Owner will be responsible for the construction and installation of base park improvements to the dedicated parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following:
- (a) Grading (inclusive of 150 mm topsoil supply and placement);
 - (b) Sod;
 - (c) City standard fencing, where deemed necessary;
 - (d) Buffering/screening between the park and adjacent uses;
 - (e) All necessary drainage systems;
 - (f) Electrical and water connections to the street line where deemed necessary; and
 - (g) Street trees along all public road allowances, which abut City owned parkland.
 - (h) Pedestrian walkway connecting sidewalks between Maberley Crescent and the proposed Subdivision to the satisfaction of the Director of Community Planning, Scarborough District.

Details of when such work is to be completed are to be finalized prior to the registration of the draft plan of subdivision and shall be to the Satisfaction of the

General Manager of Parks, Forestry and Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above noted base park improvements.

26. Prior to the registration of the draft plan of subdivision, the Owner will post a certified cheque as security for the installation of the base park improvements, and any required walkway or fencing equal to 120% of the value of the base park improvements and fencing to the satisfaction of the General Manager of Parks, Forestry and Recreation.
27. The timing of the conveyance of the park in both base park and above base park condition will need to be negotiated prior to the registration of the draft plan of subdivision and to the satisfaction of the General Manager of Parks, Forestry and Recreation.
28. Should the Owner and City agree, and conditional on approval from the City Finance Department on the use of the Park and Recreation Component of the Development Charges, the design and construction of the above base park improvements will be completed by the Owner, subject to the approval of the General Manager of Parks, Forestry & Recreation. The above base park improvements will be equivalent to the Parks and Recreation component of the development charges applicable to market housing. The applicant will submit a letter of credit equal to 120% of the value of the Parks and Recreation component of the Development Charges for each phase of residential development.
29. At the time the base park improvements have been completed, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for park improvements will be released subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, less 20% of the total value which will be retained for a two year period as a performance guarantee.
30. At the time of conveyance, the General Manager of Parks, Forestry and Recreation may elect to receive cash-in-lieu of some or all of the elements of Base Park improvements.

Parkland Grading and Drainage

31. Prior to the registration of the plan of subdivision, the Owner shall ensure that the grading and drainage of the adjacent Blocks are compatible with the grade of the parkland to the satisfaction of the General Manager, Parks, Forestry & Recreation and the Executive Director, Technical Services.

Park Final Design and Programming

32. Prior to the registration of the plan of subdivision, the Owner shall agree that the General Manager, Parks, Forestry and Recreation will determine the final design, development and programming of the parkland to be conveyed to the City.
33. Areas to be addressed in the design of the parkland are park programming, sustainable design and plantings, community and public safety, ground surface treatment, seating, vandalism etc. Details of these requirements will be determined prior to the registration of the plan of subdivision and will be to the satisfaction of the General Manager, Parks, Forestry & Recreation.

Above Base Park Improvements

34. If the Owner and the City have agreed that the Owner will be completing the above base park improvements the Owner shall submit for the approval of the General Manager, Parks, Forestry & Recreation, a park design concept and a park development budget prior to the issuance of the first above grade building permit within the plan of subdivision.

Completion of Parkland Development

35. Prior to registration of the plan of subdivision the timing for completion of the park block will be determined to the satisfaction of the General Manager, Parks, Forestry & Recreation.

Certification of Parkland Completion

36. The Owner, upon satisfactory completion of the parkland development will be required to guarantee such work and associated materials to the satisfaction of the General Manager, Parks, Forestry & Recreation. The Owner will provide stamped certification from its Landscape Architect verifying all work has been completed. As-built drawings will be submitted to the General Manager, Parks, Forestry & Recreation. At that time, the submitted letters of credit securing the parks and recreation component of the development charges and the base park improvements will be released, less 20% which shall be retained for a two year period as a performance guarantee.

Development Charges credit

37. The Owner's total obligation with respect to the design and installation of Parkland Improvements will not exceed the aggregate amount of the Parks and Recreation service component of the Development Charges for all dwellings in the subdivision, notwithstanding the approved budget. The Owners acknowledge that the City will give them a Development Charge credit for Parkland

Improvements provided over and above the Base Park Improvements. All plans, budgets, Development Charge credits and letters of credit shall be to the satisfaction of the General Manager, Parks, Forestry & Recreation.

Terms and Conditions

38. All plans, budgets, Development Charge credit, and Letters of Credit submitted by the Owner to the City shall be to the satisfaction of the General Manager of Parks, Recreation and Forestry. The Owner shall agree that all Letters of Credit that are to be provided by the Owner, unless determined otherwise by the City of Toronto, are intended to be in current dollars and accordingly, shall be adjusted either upwards or downwards, annually, on the anniversary date of the execution of the associated subdivision agreement, in accordance with the change in the Statistics Canada Construction Price Index, or other index to the satisfaction of the City, during such one year period, provided that in no case shall the amount, payable by the Owner, at any time be less than the minimal amount set out in that agreement.

URBAN FORESTRY, RAVINE & NATURAL FEATURE PROTECTION AND TRCA

39. Urban Forestry, Ravine and Natural Feature Protection (RNFP) requires that the developer apply for a ravine permit for removal or injury of any trees found within the Ravine and Natural Features Zone.
40. Urban Forestry (RNFP) will require all construction activity performed in the section of the Ravine and Natural Features Protection zone within the area of: lot 11 to lot 25 inclusive and Block 43 to be under the supervision of a trained arborist and subject to all City of Toronto tree protection and permit requirements. All plans associated with such activity must contain the limit of Ravine Protection line and notice.
41. TPPR will address any requirements for street trees within the subdivision.
42. Urban Forestry (RNFP) requires that appropriate tree protection be provided for trees located in neighbouring properties to the east of the site boundary.
43. The developer will erect a fence on the eastern boundary of the subdivision, at the rear of lots 11 – 25 inclusive, according to specifications set out in the Fence Bylaw.
44. That the owner submit a certified cheque made out to Treasurer City of Toronto, in the amount of \$45,000.00 to be used by Urban Forestry for re-naturalization and tree planting in Adams Creek Ravine & Vicinity and that such re-naturalization and tree planting be done in consultation with the TRCA, Ward Councillor and to the satisfaction of Urban Forestry (RNFP).

PRIVATE TREES

Tree Replacement Plan

45. 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 Planting on Private Property – Notification to City

46. 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

47. 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

48. 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

49. 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

50. 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

51. 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

52. 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

53. 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

54. 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

55. 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

56. 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

57. 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.

NOISE AND VIBRATION

58. 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

59. 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

60. 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.
61. The Owner has proposed a noise attenuation wall adjacent to the proposed lots abutting Lawrence Ave. East. The noise attenuation wall is to be placed entirely on private property and the maintenance of the noise attenuation wall is to be bourn entirely by the homeowner. A warning clause to this effect is to be placed in all agreements of purchase and sale and/or lease agreements, and that these agreements be registered on title to the satisfaction of the City Solicitor.

COMMUNITY MAIL BOXES

Community Mail Boxes

62. 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.

ADDITIONAL FINANCIAL REQUIREMENTS

Street Signage

63. 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

64. 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

65. 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

66. 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.

CONSTRUCTION MANAGEMENT PLAN

67. Prior to the registration of the plan of subdivision, or prior to commencement of any construction activities, the Owner agrees to submit a Construction Management Plan for each phase of development for review and acceptance, to the satisfaction of the Executive Director of Technical Services. The construction management plan shall include the following:

- i. Dust/mud/sediment control on and off-site;
- ii. Location of truck loading points and trailer parking;
- iii. Location and height of temporary storage areas;
- iv. Access/truck routing;
- v. Provisions of hoarding and temporary fencing;
- vi. Details of piling and shoring activities;
- vii. Estimated period of construction;
- viii. Control of storm run-off, including any stiltation control devices which may be required;
- ix. Parking management plan for employee/construction vehicle parking;
- x. Provisions for the removal of debris in a timely manner;
- xi. Designated locations for vehicle refuelling; and,
- xii. Procedures to deal with vermin and rodents

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 The Planning Partnership and dated November 6, 2009, being drawing No. E.
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.