

1 & 2 Meadowglen Place – Official Plan Amendment, Rezoning, Draft Plan of Subdivision and Rental Housing Demolition Applications – Final Report

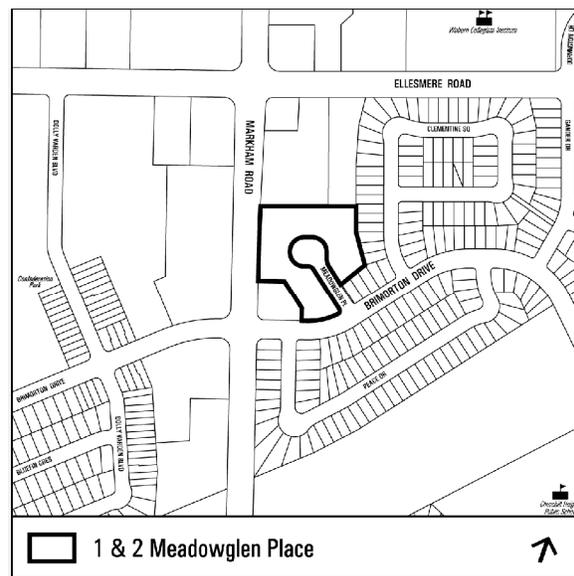
Date:	September 16, 2011
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Numbers:	11 262882 ESC 38 OZ 08 176491 ESC 38 OZ 08 176779 ESC 38 RH 09 195940 ESC 38 SB

SUMMARY

These applications were made after January 1, 2007 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose an official plan amendment, an amendment to the zoning by-law, approval of a draft plan of subdivision and a rental housing demolition application to permit the demolition of 141 rental apartment units and redevelopment of the site with 32 stacked townhouses, 146 residential rental apartment units, and three condominium buildings containing 640 dwelling units at 1 and 2 Meadowglen Place. A total of 818 residential units are proposed on the site. A 1,752 square metre public park is proposed fronting Brimorton Drive and approximately 1,079 square metres of ground floor commercial space is also proposed in the buildings fronting Markham Road.

The proposed land use is consistent with the Mixed Use Area policies of the Toronto



Official Plan. The proposal implements objectives of the Markham-Ellesmere Revitalization Study by providing apartment building renewal, new public road connections, and a new public park to serve the site and the surrounding area. The zoning by-law amendment will implement the proposal by establishing appropriate zoning regulations, such as increases in height and density, to guide redevelopment of the site. This will include \$800,000 in Section 37 monies to be used for the installation of a splash pad at Greenbrae Park, improvements to the Centennial Community Centre and Thompson Park. The subdivision application will re-align Meadowglen Place into a north-south road and create a new public east-west road connection to Markham Road, the development blocks and the new public park fronting Brimorton Drive. An official plan amendment is necessary to permit the replacement of the existing 141 rental housing units with a different unit mix. Ten one-bedroom units will be provided whereas the existing development does not contain any, and five fewer two and three-bedroom units will be provided. The effect of the change in unit mix is a net increase of 5 rental units, for a total of 146 new rental dwelling units.

This report reviews and recommends approval of the application to amend the official plan and zoning by-law, including the requirement for community benefits in return for the increased height and density, pursuant to the Section 37 provisions of the Planning Act. This report also recommends approval of the rental housing demolition application under Municipal Code 667 and advises that the Chief Planner may approve the draft plan of subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Toronto Official Plan for the lands at 1 and 2 Meadowglen Place substantially in accordance with the draft official plan amendment attached as Attachment No. 7.
2. City Council amend the Woburn Community Zoning By-law No. 9510, for the lands at 1 and 2 Meadowglen Place substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 8.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment and the draft zoning by-law amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an agreement pursuant to Section 37 of the Planning Act to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands to secure the following facilities, services and matters:

- a. The owner is to provide a financial contribution to the City of \$800,000 to be used for improvements to the Centennial Community Centre, the installation of a splash pad at Greenbrae Park and improvements to Thompson Park. The financial contribution is to be paid as follows:
 - i. A cash contribution of \$300,000 paid prior to the issuance of any building permits for Phase 1 for improvements to the Centennial Community Centre and/or for local park improvements.
 - ii. A cash contribution of \$400,000 paid prior to the issuance of any building permits for Phase 2 to construct a splash pad at Greenbrae Park and/or for local park improvements.
 - iii. A cash contribution of \$100,000 paid prior to the issuance of any building permits for Phase 3 for improvements to Thompson Park.
 - iv. Each instalment payment set out in (i) to (iii) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.
- b. The provision and maintenance on the site of not less than 146 new replacement rental dwelling units for a period of at least 20 years, comprising 41 three-bedroom dwelling units, 95 two-bedroom dwelling units, and 10 one-bedroom dwelling units, of which at least 141 dwelling units shall have affordable rents and the remaining 5 dwelling units shall have rents no higher than mid-range rents. The replacement rental dwelling units shall generally be of the same type and size as contained in the existing buildings on the subject site at the date of enactment of the zoning by-law amendment.
- c. The owner shall provide tenant relocation assistance for tenants in the existing buildings in accordance with the detailed terms as set out in the draft zoning by-law amendment attached as Attachment No. 8 to this final report from City Planning dated September 16, 2011.
- d. The owner shall prepare a construction mitigation and tenant communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and shall implement the Strategy.

The following matters are also recommended to be secured in the Section 37 agreement:

- e. The owner agrees that construction shall proceed in accordance with the development phasing plan attached as Attachment No. 9.
 - f. The owner shall prepare a construction management plan and neighbourhood communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director, Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division.
 - g. Prior to the issuance of Phase 1 building permits, the owner agrees to design and construct the external road improvements as noted in the updated traffic impact assessment, prepared by BA Group Transportation Consultants and dated August 2011, all to the satisfaction of the General Manager, Transportation Services and the Executive Director, Technical Services, in consultation with the Toronto Transit Commission. These include modifying the existing pavement markings on Brimorton Drive to create an eastbound left turn lane at Meadowglen Place and completing the necessary roadway modifications required to extend the existing northbound right turn lane south of Ellesmere Road to proposed Street B.
 - h. Prior to the issuance of Phase 1 building permits the owner shall provide a certified cheque to the Toronto Transit Commission (TTC) for \$75,000 for the installation of transit signal priority at three intersections in the vicinity of the site as noted in the memorandum of the Toronto Transit Commission dated August 17, 2011.
5. City Council approve a development charge credit against the Parks & Recreation component of development charges if the Owner agrees to design and install Above Base Park Improvements at the proposed park. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and installing the Above Base Park Improvements, as approved by the General Manager of Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's development charges by-law.
6. City Council approve the application to demolish the existing two apartment buildings that include 141 residential dwelling units located at 1 and 2 Meadowglen Place pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667 which provide for replacement of the rental housing units:
- a. The owner shall provide and maintain 146 residential rental dwelling units, for a period of at least 20 years, comprising 41 three-bedroom dwelling units, 95

two-bedroom dwelling units, and 10 one-bedroom dwelling units, of which at least 141 dwelling units shall have affordable rents and the remaining 5 dwelling units shall have rents no higher than mid-range rents.

- b. The owner shall provide tenant relocation assistance for tenants in the existing rental buildings, including the right for eligible tenants to return to a replacement rental unit, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
 - c. The owner shall obtain a building permit for the replacement rental building (Tower A) prior to obtaining the first building permit, other than for shoring and excavation, for the condominium building (Tower B).
 - d. The owner shall prepare a construction mitigation and tenant communication strategy prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and shall implement the Strategy.
 - e. The owner shall enter into, and register on title, one or more Section 111 agreements to secure the conditions outlined in (a) to (d) above and as further detailed in the draft zoning by-law amendment (Attachment No. 8) to the final report from City Planning dated September 16, 2011, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the City Solicitor.
 - f. The owner shall enter into and register, a Section 118 restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands to the satisfaction of the City Solicitor, without the written consent of the Chief Planner and Executive Director, City Planning Division or his designate, to assist with securing the Section 111 agreement against future owners and encumbrancers of the lands.
7. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue a preliminary approval to the application under Municipal Code Chapter 667 for either of the existing rental housing buildings in any specific phase of the development after the latest of the following has occurred:
- a. the satisfaction of the conditions in Recommendation No. 6;
 - b. the official plan and zoning by-law amendments in Recommendations No. 1 and 2 have come into full force and effect; and
 - c. the issuance of the site plan approval for the development by the Chief Planner and Executive Director, City Planning Division, or his designate, pursuant to Section 114 of the City of Toronto Act, 2006.

8. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has issued the preliminary approval in Recommendation No. 7 for either of the existing rental housing buildings in any specific phase of the development.
9. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for any of the rental housing buildings no earlier than issuance of the first building permit for the shoring and excavation of the replacement rental building (Tower A), as shown on Attachment No. 1, and for the second apartment building, no earlier than all of the units in Tower A are ready and available for occupancy, and after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation No. 7, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E of the Municipal Code, on condition that:
 - a. the owner complete a residential building on site no later than three (3) years from the date the permit is issued for demolition of the buildings; and
 - b. should the owner fail to complete the new building within the time specified in Condition No. 9(a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
10. City Council authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 agreements.
11. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning Division, intends to approve the draft plan of subdivision as generally illustrated on Attachment No. 2 subject to:
 - a. the conditions as generally listed in Attachment No. 10, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration;
 - b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning Division, may deem to be appropriate to address matters arising from the on-going technical review of this development; and
 - c. draft plan approval not being issued until the necessary zoning is in full force and effect.

Financial Impact

There is no immediate financial impact of the recommendations in this report. However, if adopted, Council will have approved development charge credits for above base park improvements to be installed by the owner at the proposed park. In accordance with City policy in this regard, the development charge credit will be the lesser of the cost to the owner of installing above base park improvements and the Parks & Recreation component of development charges payable as determined at building permit issuance. It is currently estimated that the cost of the improvements will be in the range of \$300,000.00. This report has been reviewed by City Finance and Parks, Forestry and Recreation staff.

DECISION HISTORY

At its meeting of April 8, 2008, Scarborough Community Council adopted a motion by the Ward 38 Councillor to direct Community Planning, Scarborough District to: "undertake an area revitalization study for the Markham Road and Ellesmere Road area, considering sites in the area with potential for intensification and revitalization; this area revitalization study should recommend a framework for future redevelopment that City Council can use as a guide for consideration of individual redevelopment proposals, including the one at 1 and 2 Meadowglen Place".

In June of 2008, the applicant submitted a zoning by-law amendment and a rental housing demolition and conversion application to permit the redevelopment of the site with a total of 886 residential units including apartments and townhouses in four buildings ranging in height from 9 to 32 storeys, ground floor retail and a public park.

At its meeting of September 9, 2008, Scarborough Community Council considered the preliminary report on the rezoning and the rental housing demolition which identified various issues regarding the proposal including, but not limited to, density, height, number of dwelling units, site organization, improved massing, sun/shadow impacts on adjacent residential and supply of an appropriate amount of green space. Scarborough Community Council adopted the recommendations of the preliminary report which requested the applicant to revise the proposal to address the concerns stated and to proceed within the context of the Markham-Ellesmere Revitalization Study.

The final report for the Markham-Ellesmere Revitalization Study was considered at a public meeting of Scarborough Community Council which commenced on May 14, 2009, and continued on June 9, 2009. The final report noted that consideration of the applicant's zoning amendment application for 1 and 2 Meadowglen Place and an additional rezoning application at 1221 Markham Road (File No. 07 288612 ESC 38 OZ) would be reported on individually to Scarborough Community Council when the review of these proposals had been completed and such consideration would be within the context of the Markham-Ellesmere Revitalization Study. Below are two links where the study results may be found on the City's website:

<http://www.toronto.ca/legdocs/mmis/2009/sc/bgrd/backgroundfile-21234.pdf> (Part 1)

and

<http://www.toronto.ca/legdocs/mmis/2009/sc/bgrd/backgroundfile-21235.pdf> (Part 2).

The final report for the Markham-Ellesmere Revitalization Study and its recommendations were endorsed by Scarborough Community Council, and implemented as Official Plan Amendment (OPA) 71, adopted by City Council on August 6, 2009 (By-law No. 714-2009). Urban design guidelines and a conceptual master plan were also adopted by City Council to guide development in the Markham-Ellesmere Revitalization Study Area. There were two appeals filed against OPA 71. Ultimately, the appellants and the City settled on the appeal and the Ontario Municipal Board (OMB) approved OPA 71 on February 2, 2011.

ISSUE BACKGROUND

Proposal

The applications propose to amend the official plan and zoning by-law to permit a mixed residential and commercial development on the existing 1.4 hectare (3.5 acre) site, located at 1 and 2 Meadowglen Place. The proposal involves the demolition of all 141 of the existing apartment rental units located in two 6-storey buildings on the site and the redevelopment of the site with 146 rental dwelling units located in a new 16-storey building. Three additional buildings, ranging in height from 12 to 24 storeys, are proposed to contain 640 condominium units. Thirty-two, 3-storey stacked townhouses are also proposed for the east side of the site for a total of 818 residential dwelling units and a density of 5.98 times the lot area. A 1,752 square metre public park is proposed fronting Brimorton Drive and approximately 1,079 square metres of ground floor retail/commercial space is also proposed in the buildings fronting Markham Road. A total of 1013 parking spaces, inclusive of 157 visitor parking spaces and 20 retail parking spaces are provided in a four-level, below grade parking structure. In addition to the vehicular parking, 651 bicycle parking spaces are also proposed. Refer to Application Data Sheet – Attachment No. 6 for project data and to Attachment Nos. 1 to 3 (Site Plan and Elevations) for additional details.

The official plan amendment would amend Housing Policy Section 3.2.1.6 of the Toronto Official Plan as it applies to this site to permit a change in the current unit mix. The proposed rental replacement program will consist of 10 one-bedroom, 95 two-bedroom and 41 three-bedroom units, for a total of 146 rental dwelling units.

The applicant has also filed a rental housing demolition and a draft plan of subdivision application. The draft plan of subdivision application proposes to create the development blocks, the public rights-of-way, and the public park for the property at 1 and 2 Meadowglen Place. The proposed development contemplates a reconfiguration of the existing Meadowglen Place cul-de-sac and its replacement with two new 20-metre public streets extending between Brimorton Drive and Markham Road. It is proposed, for an interim period, that the new east-west 10-metre public right-of-way operate as a one-way

eastbound/southbound (inbound) from Markham Road until lands are secured from the adjacent northerly property owner.

The rental housing demolition application under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has been made to permit the demolition of the 141 residential rental units on the site. Under the City of Toronto Act, 2006, the demolition of a rental property with six or more dwelling units is prohibited without a permit obtained from the City.

The applicant's initial design proposed the redevelopment of the site with 886 residential units, 1,775 square metres of ground floor retail, a public park and a new public road, at a density of 5.90 times the lot area. A total of four apartment buildings were proposed including two point towers which were to be connected via a podium building that fronted on Markham Road. The towers were to rise above the podium to an overall height of 32 storeys.

Site and Surrounding Area

The subject property is approximately 1.4 hectares (3.5 acres) in size and located on the east side of Markham Road, south of Ellesmere Road, at Brimorton Drive. The topography of the site is relatively flat. Two 6-storey rental apartment buildings with a total of 141 units are currently located on the subject lands. Development on the site is concentrated along its westerly limit. Parking is generally provided at grade, and is located to the west, east and north of the buildings. The lands are irregular in shape and are situated around Meadowglen Place, a public road. The lands to the east of the public road are used primarily for private recreation and open space.

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

- North: a commercial plaza comprising 3 buildings, including a Scotiabank and a Rexall;
- East: single-storey houses fronting on Clementine Square;
- South: Brimorton Drive and single-detached residential;
- Southwest: Brimorton Plaza, a small retail plaza with convenience stores, a post office and second-storey offices; and
- West: a 19-storey rental apartment building with a day care centre on the ground floor located immediately to the west, and two more apartment buildings located on the west side of Markham Road and south of Brimorton Drive.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include:

building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

Section 1 of the PPS calls for the wise management of change and support for strong, liveable and healthy communities. Section 1.4.3 requires that planning authorities provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents, by establishing targets for the provision of housing affordable to low and moderate-income households and permitting and facilitating all forms of housing.

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.

Section 3.1 of the Growth Plan states that "in the case of housing, there is an underlying societal need for affordable housing in many municipalities that is heightened by growth pressures".

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

Development within Mixed Use Areas will:

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

Mixed Use Areas are intended to create and provide an attractive, comfortable and safe pedestrian environment. They are to have access to schools, parks, community centres, libraries, and childcare, and take advantage of nearby transit services. They are to provide good site access and circulation and an adequate supply of parking for residents and visitors, locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences, and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Toronto Official Plan also contains policies for developments in Mixed Use Areas that are adjacent to or close to Neighbourhoods. In this particular situation, the subject property abuts a Neighbourhoods designation to the east and to the south. These policies are outlined in the official plan's Healthy Neighbourhoods policies. Developments in the Mixed Use Areas will be compatible with those Neighbourhoods; provide a gradual transition of scale and density as necessary to achieve the objectives of the official plan through stepping down of buildings towards and setbacks from those Neighbourhoods; maintain adequate light and privacy for residents in those Neighbourhoods; and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

The Built Form policies of the Toronto Official Plan specify that new development be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. Taller buildings are to be located to ensure adequate access to sky view. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

The Tall Building policies of the official plan apply with respect to this proposal and seek to ensure that the proposed building and site design will contribute to and reinforce the overall City structure, including its relationship to its existing and/or planned context and the provision of high quality, comfortable and usable publicly accessible open space areas.

The Housing policies of the official plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the official plan.

There are also specific policies regarding the demolition of rental housing, which would result in the loss of six or more rental housing units. Such new development and resulting demolition will not be approved unless Section 3.2.1.6 of the official plan is adhered to. This policy states that new development that would have the effect of removing all or part of a private building or related group of buildings, and would result in the loss of six or more rental housing units, will not be approved unless certain

conditions are met: all of the rental housing units have rents that exceed mid-range rents, or in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. If these exceptions do not apply, then, in cases where planning approvals other than site plan are sought, the following are secured:

- at least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
- for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, and other assistance to lessen the hardship.

The applicant has applied to amend the official plan because the proposal slightly varies the unit mix for the replacement rental housing units.

The Community Services and Facilities policies of the official plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The community services strategy will include a demographic profile of area residents, an inventory of existing services, identification of existing capacity and service gaps; identification of local priorities, a recommended range of services and co-location opportunities, and identification of funding strategies. A community services & facilities study was completed for the Markham-Ellesmere revitalization area and the provision of additional or enhanced community services and facilities is a priority within the revitalization area. The provision of, or contribution towards, community services and facilities will be pursued as a priority when determining appropriate contributions pursuant to Section 37 of the Planning Act. It is a priority to achieve this objective through the establishment or enhancement of facilities at locations in or convenient to the revitalization area.

Policy 3.2.3.5 of the official plan states that an alternative parkland dedication rate of up to 0.4 hectares per 300 residential units will be applied to proposals for residential development in parkland acquisition priority areas where Council has identified a need for parkland and enacted an alternative parkland dedication by-law.

The official plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the official plan.

OPA 71, adopted by City Council on August 6, 2009, added a new Site and Area Specific Policy to the official plan to provide a framework for a co-ordinated, long-term incremental public and private reinvestment and renewal program for the Markham Ellesmere area, consistent with provincial legislation guiding planning decisions. Site and Area Specific Policy No. 322 identifies the subject site as having the potential for redevelopment or intensification subject to a number of considerations such as establishing a public road network, adequate community facilities, and an appropriate built form. OPA 71 also amended Schedule 2 of the Toronto Official Plan, the "Designation of Planned but Un-built Roads" by adding new road links from "Ellesmere Road to Brimorton Drive and to Markham Road".

Site and Area Specific Policy No. 322 notes that urban design guidelines will "provide detailed guidance on the design and organization of the built environment in the revitalization area (and will include specific recommendations on building massing and design, and public realm improvements). Consideration will be given to these guidelines during the preparation and review of development applications within this site and area specific policy area".

**Markham-Ellesmere Revitalization Study:
Urban Design Guidelines and Conceptual Master Plan**

The Markham-Ellesmere Revitalization Study: Urban Design Guidelines and Conceptual Master Plan, were also adopted by City Council on August 6, 2009, to provide guidance for reviewing current and future development applications, including the one at 1 and 2 Meadowglen Place. The urban design guidelines note that "new public street connections will be established to create a connected community with a road system that facilitates the movement of pedestrians and traffic within the area." The new road links will provide public street frontage for development blocks and connections to the arterial roads from Ellesmere Road to Brimorton Drive and to Markham Road. The urban design guidelines further note that new traffic signals are desirable "on Ellesmere Road between Markham Road and Dormington Drive where the proposed north-south road link connects to Ellesmere Road".

The conceptual master plan illustrates the vision for the area (see Attachment No. 11). While the urban design guidelines identify the need and general location for new road connections, the conceptual master plan identifies where new public road connections are to be located. With respect to the subject site, the conceptual master plan identifies a re-aligned Meadowglen Place running north-south from Brimorton Drive to the mutual property line with the commercial property to the north, and east-west, along the mutual property line, from the north-south road to Markham Road.

The conceptual master plan states that "a range of building heights from mid-rise to high-rise may be permitted on the east side of Markham Road, north of Brimorton Drive, and west of the proposed north-south road link between Ellesmere Road and Brimorton Drive. Higher buildings should be concentrated towards Markham Road and building heights stepped down towards the low density residential areas to the east and south". The plan also states that "residential development adjacent to existing low density

residential neighbourhoods, south of Ellesmere Road, east of the proposed north-south road link between Ellesmere Road and Brimorton Drive, should be low-rise". Low-rise development may be up to 3 storeys, mid-rise development may be between 4 and 12 storeys, and high-rise development may be 12 storeys and above.

The Markham-Ellesmere guidelines and conceptual master plan are intended "for use by developers in the preparation of development proposals and by the City of Toronto in the development review process and planning of public projects". The guidelines and conceptual master plan include specific recommendations on building massing and design, streetscapes and pedestrian activity, and improvements to the public realm including streetscapes, and parks and open spaces.

City of Toronto Act, Section 111

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885-2007 (also known as the Rental Housing Demolition and Conversion By-law), which established Chapter 667 of the Municipal Code, was enacted by City Council on July 19, 2007.

The by-law makes it an offence to demolish the whole or any part of a residential rental property where there are six or more dwelling units, unless approval has been granted for a Section 111 permit for the demolition. In addition, approval of related planning applications, such as a rezoning, should be conditional upon the applicant receiving a Section 111 permit. City Council may impose conditions on the approval of the Section 111 permit, which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition. The conditions are based on the official plan policies and established practices the City has in place when considering rental housing demolition. City Council's decisions on the refusal or approval of a Section 111 permit are not subject to appeal to the Ontario Municipal Board. If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the Planning Act is also required. The by-law provides for the co-ordination of these authorities for issuing the demolition permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting.

Zoning

The subject property is zoned Apartment Residential (A) within the Woburn Community Zoning By-law No. 9510. This zone permits apartment buildings, day nurseries, group homes, nursing homes, and senior citizen homes. The current density permissions are one suite (individual dwelling unit) per 99 square metres of lot area. Refer to Zoning Map – Attachment 5 for details.

Site Plan Control

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

Reasons for Application

The zoning by-law amendment is required to permit additional residential units, an increase in height and density, commercial/retail uses, and to establish appropriate zoning regulations to guide redevelopment of the site.

Policy 3.2.1.6 of the Toronto Official Plan requires that the same number and type of rental units (by bedroom type) be replaced in the development. An amendment to the Official Plan for this site is required since the proposed rental replacement units will not provide the same unit mix and unit size as the existing rental dwelling units, though the mix is similar. The existing mix of rental dwelling units consists of 98 two-bedroom units and 43 three-bedroom units. The proposed dwelling unit sizes vary, and the unit mix provides for 10 one-bedroom units whereas the existing development does not contain any, 3 fewer two-bedroom and 2 fewer three-bedroom units will be provided. The effect of the unit mix change is a net increase of 5 rental units in the replacement rental component of the development for a total of 146 rental apartment units.

The rental housing demolition application is required to obtain City approval for a Section 111 permit to demolish and replace the existing 141 rental units with 146 rental units, and the draft plan of subdivision is required to create the public rights-of-way, the public park, and the development blocks.

Community Consultation

The first community consultation meeting was held on November 17, 2008.

Approximately 26 area residents and tenants of the building attended. The applicant presented the original development proposal that included a total of 886 residential units in 4 buildings ranging in height from 9 to 32 storeys, 1,775 square metres of ground floor retail, a public park, and a new public road, at a density of 5.90 times the lot area. The following concerns were expressed regarding the proposal:

- traffic on Brimorton Drive;
- loss of sky view due to the 32-storey buildings;
- removal of existing private recreation area;
- impacts during the construction period;
- massing of the proposed development;
- increased wind impacts from the new development;
- overall intensity of the development; and
- the impact (shadow and privacy) of the proposed 9-storey rental replacement slab-type building on the east side of the new Meadowglen Place, and a desire to re-locate the rental building.

There also was community consultation respecting the development proposal at 1 and 2 Meadowglen Place as part of the working group meetings associated with the Markham-Ellesmere Revitalization Study. These meetings were undertaken between May 2008 and November 2008 which resulted in the vision for the Markham and Ellesmere area now implemented in the Toronto Official Plan.

The applicant revised their proposal in August 2009 and a second community consultation meeting was held on October 21, 2009. Approximately 23 people were in attendance. The revised proposal addressed the concern of the 9-storey slab-type rental replacement building by relocating the rental building to the west side of the re-aligned Meadowglen Place. To be able to replace the required number of rental units and to mitigate shadow impacts, the new rental building was re-designed into a 16-storey point tower. The applicant is proposing 3-storey stacked townhouses as the building form on the east side of the re-aligned Meadowglen Place to provide backyard-to-backyard relationships with the adjacent low density residential homes. The two 32-storey towers were reduced in height to 28 storeys. The following concerns were expressed regarding the revised proposal:

- location of at-grade parking for stacked townhouses;
- impact of lighting in drive aisle behind stacked townhouses;
- desire for 45 degree angular plane from mutual property line of the properties fronting Brimorton Drive to the proposed stacked townhouses;
- impacts of additional people living in the area;
- local school capacity issues;
- parking for vehicles; and
- shadow and wind impacts from the proposed buildings.

Following the community meeting and further discussions with Planning staff, the applicant revised the proposal in July 2010, reducing the height of the 28-storey buildings down to 24 storeys. Subsequent to a meeting in January 2011, the applicant added additional gross floor area (GFA) between Towers A and B, additional GFA adjacent to Tower D, and increased the height of the podium along Markham Road from 4 storeys to 8 storeys. This proposal, along with some minor revisions, is the current proposal outlined earlier in this report.

A tenant consultation meeting was held on May 5, 2011 for the residents of 1 and 2 Meadowglen Place. Approximately 11 residents were in attendance to discuss the proposed demolition, the official plan policy requirements for replacement of the rental housing and the provision of tenant relocation assistance, as well as the by-law on rental housing demolition and conversion. This consultation is also a requirement of Chapter 667 of the Municipal Code.

Tenants had the opportunity to review and ask questions about the proposals for both the rental replacement and the tenant relocation and assistance plan. Comments included concern over how the phasing of demolition and construction would affect tenants in the second building which will remain as an occupied building until a later phase, and opportunities, for tenants in the first building to be demolished, for temporary relocation in vacant units in the second building or in some of the owner's other rental buildings. Generally, those present did not express concern with the provision for rental replacement and tenant relocation, other than the unavoidable disruption to be caused by having to move out for the demolition. Some other questions and concerns were in relation to the grade-related units in the proposed rental building and if they would have

access from the exterior of the building, roof terrace locations, number of washer/dryer machines, amenities of the building such as a gym, loss of the existing play area/green space and how many elevators the building would have. Another matter that was discussed was how one would choose a rental unit when returning and the compensation related to the tenant assistance package.

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, conditions of draft plan approval, and conditions of the rental housing demolition and replacement application.

COMMENTS

Staff conclude that the proposal for 1 and 2 Meadowglen Place represents an appropriate approach to reinvestment and a balance of intensification for the site and respect for the local existing and emerging planned context. The development proposal implements the policies of the Toronto Official Plan and advances key objectives of the Markham-Ellesmere Revitalization Study. It addresses policies of the official plan such as those respecting mixed use areas, the public realm, built form, height and density incentives (Section 37), and Schedule 2 – The Designation of Planned But Unbuilt Roads. The proposal also takes into account the City's Design Criteria for the Review of Tall Buildings. The discussion that follows will outline these beneficial key points and policies in further detail as well as address the concerns raised during the community consultation.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS). It supports the principles in the PPS for building strong, liveable communities and adds to the City's supply and diversity of housing. The proposal provides for residential intensification in an urban area, at a location with suitable public infrastructure and services. It will provide for an efficient development pattern and promotes the efficient use of land, infrastructure and services.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposed development provides for residential intensification within the built-up area, the replacement of the rental housing to be demolished and the opportunity for all tenants to return to the new building at similar rents.

Official Plan Amendment

Policy 3.2.1.6 of the Toronto Official Plan requires that the same number and type of rental units (by bedroom type) be replaced in the development. An amendment to the official plan for this site is required since the proposed rental replacement units will not provide the same unit mix and unit size as the existing 141 rental dwelling units. The current mix of rental dwelling units consist of 98 two-bedroom units and 43 three-bedroom units. The proposed dwelling unit sizes vary, and the unit mix provides for 10

one-bedroom units whereas the existing development did not contain any, 3 fewer two-bedroom and 2 fewer three-bedroom units for a total of 146 rental dwelling units.

Planning staff conclude that the applicant's request to amend Policy 3.2.1.6 of the Toronto Official Plans as it pertains to 1 and 2 Meadowglen Place is appropriate because the unit mix is similar. There is a loss of 5 two and three-bedroom units, but an introduction of 10 one-bedroom units. Minimum unit sizes have also been established in the detailed terms of the zoning by-law, attached as Attachment No. 8. The effect of the unit mix change is a net increase of 5 rental units in the replacement rental component of the development for a total of 146 rental apartment units. Please refer to Attachment No.7, Official Plan Amendment for additional details.

Land Use

The Toronto Official Plan designates this site as a Mixed Use Area. This designation allows for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. The Site and Area Specific Policy No. 322 and the urban design guidelines and conceptual master plan provide guidance for reviewing redevelopment applications.

This proposal contributes to a number of City goals by creating a mix of uses, a range of building types, improved pedestrian and vehicular connections, and a new public park. It also has access to transit along Markham Road and Ellesmere Road. In terms of the City's housing policies, the proposed development will result in a significant improvement to the existing housing stock and the existing rental housing stock. Section 3.2.1.2 of the official plan states that the existing housing stock will be maintained and replenished and new housing supply will be encouraged through intensification and infill. With respect to rental housing replacement, while the proposed development does not result in the exact housing mix which currently exists at 1 and 2 Meadowglen Place, it does result in the provision of new, improved, and affordable rental accommodation.

Built Form and Massing

The built form of the proposed development is arranged over five blocks (see Attachment No. 2 – Draft Plan of Subdivision and Attachment No. 1 – Site Plan). Block 4 includes 32 stacked townhouses, 3 to 3.5 storeys in height fronting on the new north-south road (Street A). Block 1 and Block 1A contain the 16-storey, 146-unit, rental replacement building fronting on the new east-west road (Street B) and one of the 24-storey towers located at the southeast corner of Markham Road and the new east-west street. This building would contain 258 dwelling units. Block 2 contains the second 24-storey building fronting Markham Road and would contain 257 units. Towers A and B are proposed to be connected via a 7-storey podium, while Towers B and C will be connected with an 8-storey podium. Block 3 contains a 12-storey building with 125 units, and Block 5, fronting Brimorton Drive, is where the new 1,750 square metre public park is located. The buildings are organized to frame the existing and new public streets and the new public park. Refer to Attachment Nos. 3A to 3E – Elevations, and to Attachment Nos. 4A to 4E – Perspectives.

Stacked Townhouses

There are two blocks of stacked townhouses totalling 32 dwelling units proposed on the east side of the re-aligned Meadowglen Place. Building E contains 17 units, while Building F contains 15 units. Refer to Attachment No. 1 – Site Plan. Most of the townhouse units are 3 separate units stacked on top of each other, except where the stacked townhouse units are adjacent to the rear property line of the houses fronting Brimorton Drive. In this location the stacked townhouses are 2.5 storeys in height and 2 separate units stacked on top of each other. This helps to achieve the 45 degree angular plane from the rear property line of the single detached homes fronting Brimorton Drive. Both buildings are set back 2 metres from the property line fronting Street A. This setback allows the proposed townhouse units to frame the street and create an urban form and feel. Parking is accessed via a private driveway to the rear of the townhouse units. Visitor parking is also located in a parallel parking format along this private driveway. Amenity area is provided in the form of rear decks and a central 287 square metre amenity area.

Sixteen Storey Rental Apartment Building (Tower A)

Tower A is located at the southwest corner of proposed Streets A and B. It is a 16-storey rental apartment building including an 8-storey podium which would contain 146 units. The ground floor of the building would contain grade-related 2-bedroom rental units, with individual entrances from the street, which would be suitable for families. The main entrance for this building would be accessed on the south façade via the internal circular private driveway and visible from proposed Street A. This building establishes a 26-metre separation distance from Tower B to the west, which achieves over the minimum separation distance in the City's Tall Building Guidelines. This building is massed as a slender point tower and sited approximately 43 metres from the closest low density residential property on Clementine Square to address the concerns of the residents.

Twenty-four Storey Condominium Buildings (Towers B & C)

Towers B and C are point towers located along Markham Road. They are 24 storeys in height which includes the 8-storey podium connecting the two towers. Each tower has 156 dwelling units, while the podium totals 203 residential units. This combination of buildings frames Markham Road to achieve an improved pedestrian environment. Approximately 1,079 square metres of retail/commercial space will be located along the Markham Road frontage of these buildings. The main condominium entrance is located on the east façade via the internal circular private driveway. Pedestrian entrances from Markham Road will be secured during the detailed design of the site plan approval. The separation distance between towers B and C is 25 metres thereby complying with the City's Tall Building Guidelines.

At the 9th storey, Tower B has two step-backs. From Markham Road a 1.7-metre step-back is achieved and from Street B a 1.5 metre step-back is provided. Tower C has a 3.3 metre step-back from Markham Road and a 10 metre step-back from the southerly property line. These step-backs will help to mitigate the massing of the buildings and wind along Markham Road. Staff are recommending that step-backs be provided at the

fourth floor of the eight storey podium along Markham Road to provide a more pedestrian scaled podium. A revised wind study will be required and reviewed during the site plan control application process.

Twelve Storey Condominium Building (Tower D)

Tower D is located on the south portion of the site fronting the new public park along Brimorton Drive. It is 12 storeys in height with an 8-storey podium. It contains 125 dwelling units. This building also frames the park and helps to create a more secure environment for the park. The main entrance is located on the north façade via the internal circular private driveway and is visible from Street A.

The built form and design of the overall project provides for a stepping down of heights from the west to the east towards the single detached homes located on Clementine Square, Brimorton Drive and the surrounding area. This stepping down of heights achieves the Toronto Official Plan policies to: locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods; and locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Staff conclude that the siting, built form, and design of the proposed buildings will provide a compatible relationship with the existing and planned neighbourhood context.

Urban Design

The four towers are each designed in three distinct parts; base, middle (shaft) and top, each with its particular role in creating a single, integrated structure. All towers located on the site have been designed with the City's tall building principles in mind. Spacing distances between towers A and B is 26 metres, and the spacing distance between towers B and C is 25 metres. Both distances meet or exceed the 25 metre minimum recommendation by the tall building guidelines. This will assist in achieving appropriate light and privacy for the new buildings as well as allowing appropriate sunlight, and skyview to the adjacent streets, parks, and properties. The podium is 7 and 8 storeys in height connecting Towers A, B and C, and frames Markham Road and the new Street B, thus providing an urban feel for pedestrians. The floor plates of the towers vary, but all towers meet the tall buildings guidelines of floor plates no greater than 743 square metres. The use of properly located small floor plates results in slender buildings which cast smaller shadows, thus improving skyviews, and better views between buildings and through the site.

The draft zoning by-law for the site (Attachment No. 8) incorporates a 45 degree angular plane requirement from the rear property lines of the single-detached dwellings fronting Clementine Square and Brimorton Drive to ensure the proposed buildings fit with the adjacent neighbourhood. All the buildings are placed under two angular planes as follows:

- (a) a 45 degree angular plane originating from the east property line (the rear lot lines of the single family dwellings fronting Clementine Square); and
- (b) a 45 degree angular plane originating from the southeast property line (the rear lot lines of the single family dwellings fronting Brimorton Drive).

The 45 degree angular plane is a recognized urban design tool to help ensure proper scale of the buildings, limit shadow impacts, and provide adequate transition to surrounding lower scale buildings.

The built-form policies of the official plan encourage new development to frame and support adjacent streets, parks and open spaces. The proposed development frames all three of the existing and proposed street edges of Markham Road, and proposed Streets A and B. Tower D also frames the proposed public park. New residential and commercial activities along these streets will enhance pedestrian activity.

A conceptual landscape plan has been submitted showing a mixture of trees and shrubs along the main streets and along the new streets. A detailed landscape plan will be required and secured as a condition of draft plan approval. A landscape plan will also be required illustrating on-site amenity areas during the site plan approval process.

Additional design improvements to the building bases, step-backs in the podiums and improvements to the elevations of the proposed buildings will be further pursued in the detailed site plan approval stage, consistent with the Markham-Ellesmere Urban Design Guidelines.

Height

The site has three frontages; Markham Road, Brimorton Drive and Meadowglen Place. It is adjacent to a commercial property to the north and backs on low-rise single family dwellings to the east. Existing development surrounding the proposed buildings includes low-rise commercial and residential, and taller apartment buildings located along the west side of Markham Road, both to the north and to the south. Immediately across the street, to the west, at 1950 Markham Road, there is an existing 19-storey slab-type apartment building.

A total of four buildings are proposed on the west side of the re-aligned Meadowglen Place. The tallest two buildings are located on the west part of the site fronting Markham Road at 24 storeys. The building heights scale down to 16 and 12 storeys for the other two buildings to the east, providing a transition in intensity and scale towards the existing low-rise residential dwellings located to the east and to the south. Across the re-aligned Meadowglen Place (Street A) to the east, 3 to 3.5-storey townhouses are proposed to provide backyard-to-backyard relationships with the low-rise residential located on Clementine Square and Brimorton Drive.

The Markham-Ellesmere Conceptual Master Plan identifies the west side of the re-aligned Meadowglen Place as a Mid-Rise to High-Rise development area which would

permit buildings 12 storeys and above. The east side of Meadowglen Place is identified as a Low-Rise area which permits buildings up to 3 storeys in height. Planning staff conclude that the proposed heights of the development are consistent with the Markham-Ellesmere Conceptual Master Plan, and with the context of apartment buildings located along the west side of Markham Road.

Density

The owner is seeking development permission for 82, 548 square metres (888, 541 square feet) of residential gross floor area which represents a density of 5.98 times the area of the site. The current density permission is one suite (individual dwelling unit) per 99 square metres of lot area. The existing density is approximately 0.81 times the area of the lot or 11,678 square metres (125,705 square feet). Staff conclude that the proposal's additional density, while intense, does achieve a number of the objectives in the Markham-Ellesmere Revitalization Study, such as providing apartment building renewal, new public road connections to increase choices for safe access to the arterial road network, and a new public park to serve the site and the surrounding area. It also allows for appropriate re-investment in the community, while achieving an acceptable built form, massing and height that transitions into the low-rise residential community. The density and height is concentrated along the Markham Road frontage of the site and away from the low density residential area to the east.

Sun/Shadow

The Toronto Official Plan specifies that development in Mixed Use Areas will locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes. A shadow study, dated April 28, 2010, was submitted and reviewed by City Planning staff. Staff examined the potential for shadow impacts on the surrounding properties, with specific attention to the single detached dwellings to the east and south.

For the spring and fall equinoxes, the residential properties located to the east and to the south of the proposed development are unaffected from shadows for most of the day until approximately 3:00 pm. After 3:00 pm, Tower A begins to have a limited impact on one of the single detached dwellings located on Clementine Square. After 4:00 pm, Towers A, B, C and D begin to create shadows in the rear yards of 8 properties fronting onto Clementine Square and Brimorton Drive. At 5:00 pm, approximately 12 properties are affected by shadows, including a few dwelling units on the east side of Clementine Square.

On June 21st, the residential properties located to the east and to the south of the proposed development are unaffected from shadows for most of the day until approximately 4:00pm where one property on the west side of Clementine Square is partially impacted. At 5:00 pm, Tower A begins to impact 2 properties on Clementine Square and Tower D shadows two properties fronting Brimorton Drive. At this time of year, the shadows tend to pass quickly and will have a lesser shadow impact on the surrounding residential neighbourhood.

The orientation of the buildings and the application of angular planes assist in limiting shadow impacts upon residential properties to the east and south. Shadow impacts are further limited by measures such as minimum distance separation of buildings. The shadow study demonstrates that the surrounding neighbourhood will not be unduly impacted by shadows.

Rental Housing Demolition and Replacement

Existing rental housing

The existing 141 rental apartments in two, 6-storey buildings with a unit mix comprising two and three-bedroom units, currently provides housing suitable for families. The 98 two-bedroom apartments range in size from 840 to 920 square feet. The 41 three-bedroom units range from 970 to 985 square feet. There is a substantial green amenity area to the east of the buildings that includes children's play equipment.

About one third of the tenants have lived in the buildings for more than 5 years, and a number have resided at Meadowglen Place for more than 15 years. All of the apartments had affordable rents at the time of the application in June 2008.

Agreements under applicable policies and by-laws

With all 141 of the existing units proposed for demolition, the Toronto Official Plan policies, as well as the by-law on rental housing demolition and conversion (Municipal Code Chapter 667), apply. Agreements with the City to secure the replacement of the rental housing and tenant relocation assistance will be entered into under Section 37 of the Planning Act and secured in the zoning by-law, as well as under Section 111 of the City of Toronto Act (Municipal Code Chapter 667). The owner will enter into and register on title to the lands a Section 118 Restriction under the Land Titles Act that will assist with ensuring that the provisions of the Section 111 agreement would continue to apply to future owners of the lands.

Replacement rental housing

The applicant has proposed a rental replacement program that will replace all the apartment units into one 16-storey building containing 146 dwelling units, providing all but a few units with patios, balconies or terraces, and adding features and amenities that are not currently available in the existing buildings, such as storage lockers, improved laundry facilities and common indoor amenity area. The existing surface parking will be replaced with underground parking for cars as well as bicycles. The applicant has worked with staff and the tenants to provide for a good quality rental replacement housing package.

Consistent with City policy and practices, the rental housing component will be maintained as rental housing for at least 20 years, with no application to register them as condominium, or to convert them to non-rental housing purposes during that period.

Comparison of existing and replacement rental units

Though the proposed rental unit mix is not exactly the same as the existing rental dwelling units, staff is supportive of the changes to the unit mix: there will be 3 fewer

two-bedroom units and 2 fewer three-bedroom units, while 10 new one-bedroom apartments will be introduced to the mix. The proposal provides a net increase of 5 units to compensate for the substitution of these 10 smaller units for 5 larger units. This very minor reduction in family units for the 10 new one-bedroom apartments will extend the choices currently available for the tenants, especially by providing for more affordable aging-in-place options. Subject to finalizing details during site plan approval, the applicant hopes to provide some grade-related features, such as an outdoor amenity area, for the 8 two-bedroom units on the ground floor.

The table below is a comparison of the change in unit mix:

Unit Type	1 and 2 Meadowglen Place	New Rental Building A
	Number of Units	Number of Units
One Bedroom	0	10
Two Bedroom	98	95
Three Bedroom	43	41
TOTAL	141	146

Twenty-five of the 95 two-bedroom apartments will be about 14% smaller, but the remaining 70 two-bedroom units and the 41 three-bedroom units are similar in size to the existing apartments. The one-bedroom apartments will be a minimum of 550 square feet. All 146 apartment rental units will also have storage lockers provided elsewhere in the building.

The apartment building will be providing both indoor and outdoor common amenity space, including a barbeque and socializing area, as well as an indoor room set up for games and children's play. The existing buildings have no indoor amenity space. There will also be a common laundry room.

Phasing of Demolition and Construction of Rental Building

The proposal to demolish the rental buildings in two phases and to construct both the rental and the first of the condominium apartment buildings in the first phase will enable some tenants to remain on the site for a longer period. Plans provide for the option of constructing the condominium townhouses earlier, but the demolition of the first rental building is not required to do so, and the permit will not be issued until the owner is ready to construct the replacement rental building.

The phasing of demolition will also permit tenants in the second building to move directly into the replacement rental building when it is complete. As part of the standard requirements to be secured in the Section 37 agreement, the owner will be required to develop and obtain approval from the Director, Community Planning, for a construction mitigation and tenant communication strategy with a focus on the impact of construction activity for on-site tenants for each phase of demolition and construction activity.

Rents for the replacement rental housing

The provisions for setting initial rents and allowable rent increases for all 146 rental units will conform to the City's policies and practices. One hundred and forty-one units replacing the existing 141 affordable rental units will have affordable rents (no higher than average market rent as measured by Canada Mortgage and Housing Corporation annually), and the additional 5 new rental units will have rents no higher than mid-range rents (up to 50% above CMHC's average market rent). All returning tenants will have rents set at a level that represents their last rent paid plus a new-building allowance of 4% and the provincial guideline for rent increases for each intervening year until first occupancy of the replacement unit.

For the first ten years of occupancy in the new buildings, annual rent increases for all tenants after the first year will be restricted under the terms of the Section 37 and Section 111 agreements to an allowable level based on the provincial legislation governing rent increases. Starting in the eleventh year, rents for all new in-coming tenants may be set by the owner without any restrictions imposed by the City's agreements. Tenants who moved in during the first ten years, however, will retain the same rent increase protection until the twentieth year of the building's occupancy if they remain as tenants, with a 3-year phase out to unrestricted market.

Tenant Relocation and Assistance Plan

The City's typical practices are reflected in the proposed Tenant Relocation and Assistance Plan and include: an extended notice to vacate for demolition; the right to return for all tenants to the same unit type or to apply for a different unit type, with eligible tenants entitled to return at similar rents; and a moving allowance for each tenant required to move during relocation. For those tenants leaving permanently or who must relocate off-site and find their own accommodation during the first phase of construction, additional financial assistance to assist with these costs will be provided. This latter assistance will be varied to recognize the length of tenure and any special needs tenants. The City-approved assistance plan is in addition to provisions set out in provincial legislation.

During the first phase of demolition and construction, the owner will make available any available vacant units in the second existing rental building, (and possibly in another rental property off-site) to tenants needing to relocate from the first rental building. However, most tenants in the first rental building will need to relocate off-site, finding their own accommodation.

Traffic Impact

The traffic impact assessment prepared by BA Group Transportation Consultants, dated August 2011 concludes that new development site traffic can be appropriately accommodated on the area street system with the identified area road improvements. This includes the combination of other traffic growth in the area including that related to specific area development proposals, such as 1221 Markham Road.

At the community consultation meetings many area residents had concerns with the traffic that will be generated by this development. To address these concerns and other City division comments, three area road improvements have been identified to improve traffic and transit operations and address site related traffic impacts. These are:

- an extension of the northbound right turn lane storage length and taper at the Markham Road/Ellesmere Road intersection;
- introduction of eastbound and southbound left turn lanes at the Brimorton Drive and Meadowglen Place (Street A) intersection; and
- introduction of transit signal priority measures at three intersections in the area surrounding the 1 and 2 Meadowglen Place property.

The proposed development plan also contemplates a partial closure and reconfiguration of the existing Meadowglen Place cul-de-sac and its replacement with an extension of Meadowglen Place (Street A) northwards through the property and an introduction of an east-west public street linkage to Markham Road (Street B) from Street A. However, in the interim the east-west portion of the public right-of-way will be a 10-metre one-way inbound from Markham Road until lands are secured from the adjacent northerly property owner to complete the full public right-of-way of 20 metres. Refer to site plan, attached as Attachment No. 1 for additional details.

This new public road network will provide enhanced vehicular and pedestrian connections between Brimorton Drive and Markham Road as contemplated in the Markham-Ellesmere Revitalization Study and are consistent with Schedule B of the official plan. The new linkages would serve both new development traffic as well as existing motorists that currently travel through the Markham Road and Brimorton Drive intersection.

At the time of writing of this report, Transportation Services staff have an outstanding concern with the configuration of the inbound east-west public road from Markham Road. Specifically the resulting interlocking turns from the adjacent retail commercial driveway located immediately north of the proposed east-west public road. Possible options to resolve this concern is to reverse the flow of traffic to an outbound movements road only, and/or applying turning restrictions at Street B and Markham Road. For this reason, planning staff recommend a subdivision condition which will require the owner to undertake further traffic analysis and review of this one-way inbound public road connection from Markham Road to the satisfaction of the General Manager, Transportation Service and the Executive Director, Technical Services. Planning and Transportation Services staff will continue discussions with the applicant in an effort to resolve this outstanding issue. Any identified further road improvements, including a traffic control signal at Street B and Markham Road, will be the responsibility of the owner.

The Toronto Transit Commission has indicated that to enhance transit service, the owner shall fund the southerly extension of the third northbound approach lane back to the location of the proposed new site access (Street B) onto Markham Road. Also, in order

to mitigate delays to buses due to site generated traffic, the owner shall provide \$75,000 for the installation of signal priority at three intersections in the vicinity of the site. The proposed public streets (A and B) will be constructed at the owner's expense, to the satisfaction of the City and will be secured in the subdivision agreement. The owner will also be responsible for all road improvements noted above and staff recommend that they be included, as a legal convenience, within the Section 37 agreement.

In order to mitigate construction impacts on the surrounding community, the subdivision agreement will include a requirement that the owner is to prepare a construction management plan and neighbourhood communication strategy prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division.

New Public Roads/Reconfiguration of Meadowglen Place

The Toronto Official Plan states that new streets should be public streets. New streets should be designed to:

- provide connections with adjacent neighbourhoods, and promote a connected grid of streets that offers travel options and extends site lines;
- divide larger sites into smaller development blocks;
- provide access and addresses for new development;
- allow the public to freely enter without obstruction;
- create adequate spaces for pedestrians, bicycles and landscaping as well as transit, vehicles, utilities and utility maintenance;
- improve the visibility, access and prominence of unique natural and human-made features; and
- provide access for emergency vehicles.

The proposed new road network will achieve many of the Toronto Official Plan objectives stated above. The Markham-Ellesmere Revitalization Study stipulates that new public roads will be established east of Markham Road to increase choices for safe access to the arterial road network and within the revitalization area for pedestrians, bicycles and vehicles. The location and spacing of the proposed new street connections are consistent with the conceptual master plan and Schedule B of the Toronto Official Plan.

The development application includes approximately 2,015 square metres (21,689.28 square feet) of the Meadowglen Place public right-of-way following the re-alignment of Meadowglen Place. Accordingly, the owner has requested Transportation Services to permanently close a portion of Meadowglen Place for inclusion in its development proposal. Transportation Services has reviewed the request and has no objection to the proposed closure provided that lands for the new public road connections are conveyed to the City pursuant to a subdivision agreement. The portion of Meadowglen Place will be required to be declared surplus, stopped up and closed by by-law. The applicant must make arrangements to purchase the portion of Meadowglen Place, subject to the

necessary steps being taken by the City to authorize the close and sale of this portion of Meadowglen Place.

Parking

Vehicle Parking

The applicant proposes 1,013 vehicle parking spaces to serve residents, visitors and retail/commercial users. Most of the parking spaces would be located within the 4 levels of the below-grade parking structure. Thirty-three of these spaces would be located at grade.

Staff support the use of the proposed residential parking rates which are consistent with the rates set out in the new City-wide zoning by-law, which has been repealed. Under the proposed zoning by-law, parking rates are provided for multiple unit, commercial and residential buildings (based upon bedroom counts) as follows:

- Bachelor dwelling units: minimum 0.8 spaces/unit;
- One-bedroom dwelling units: minimum 0.9 spaces/unit;
- Two-bedroom dwelling units: minimum 1.0 spaces/unit;
- Three-bedroom dwelling units: minimum 1.2 spaces/unit;
- Visitor: minimum 0.2 spaces/unit;
- Retail/Office: minimum 1.5 spaces/100m²; and
- Restaurants: minimum 5.0 spaces/100m².

These parking rates are appropriate because the Markham Road and Ellesmere Road area is served by frequent surface public transit services operated by the Toronto Transit Commission (TTC). These bus routes provide connections to the Scarborough Rapid Transit line (SRT) and to the Bloor-Danforth subway line.

The draft zoning by-law amendment attached to this report (Attachment No. 8) incorporates the above-noted rates. Of the total 818 dwelling units proposed, 9 units are proposed to be bachelors, 312 one-bedroom, 456 two-bedroom and 41 three-bedroom units. A total of 973 parking spaces would be required under the new City-wide zoning by-law. This would result in approximately 30 car free dwelling units. The applicant has proposed a total of 1,013 parking spaces, including 157 visitor and 20 commercial/retail parking spaces. Through the implementation of the zoning by-law and the site plan approval process, planning staff recommend 3 parking spaces be made available for car sharing. The proposed development also incorporates the provision of 650 bicycle parking spaces for residents and visitors, including 25 surface spaces.

Access/Driveways/Loading/Service Areas

Vehicular access into the proposed underground parking facilities, front door pick-up/drop-off areas, as well as the four loading spaces and the private garbage collection facilities serving the proposed apartment development, is to be provided off of the internal circular private driveway via the new Meadowglen Place/Street A. This would eliminate any potential conflicts with local public streets. The stacked townhouses will be serviced by a private single access point from Street A, again eliminating the potential

for conflict with the new public street. The detailed design of the vehicular site access systems will be finalized as part of the detailed site plan approvals process.

Servicing

The applicant submitted a site servicing assessment and a stage 1 stormwater management report in support of the development applications. The Technical Services Division has advised that the stage 1 report is generally in compliance with the City's Wet Weather Flow Management (WWFM) Guidelines in terms of quantity and quality requirements. A more detailed stage 2 report will be required at the subdivision engineering design stage and as part of the site plan applications. This report will be secured as a draft plan of subdivision condition and will be to the satisfaction of the Executive Director, Technical Services.

Amenity Areas & Landscaped Open Space

The official plan requires that new development provide adequate indoor and outdoor recreational space for residents. A guideline that is used in the City in terms of providing indoor and outdoor amenity areas is a minimum of two square metres of interior and two square metres of exterior amenity space per unit. The applicant is proposing 818 dwelling units and this calculates to 3, 272 square metres (36,994 square feet) of indoor and outdoor amenity space to be provided. The following chart indicates the amount of indoor and outdoor amenity space the applicant is providing per building:

Amenity Area Provided				
	<i>Building</i>	<i>Area (m2)</i>	<i>Square Metres</i>	<i>Square Feet</i>
Interior	A	287	1,797	19,339
	B-C	991		
	D	519		
Exterior		1,640	1,640	17,665
Total Provided			3,437	36,994

The main outdoor private amenity area is located in the centre of the development at 1,017 square metres or 10,948 square feet. A detailed landscape plan will be required to programme this space. Indoor amenity space is located in each tower in varying sizes. Details regarding the programming of these spaces will be determined during the site plan approval process. Some of the stacked townhouses have rear decks and all have access to a 286 square metre (3,089 square foot) outdoor amenity space located along the east property line. During the community consultation meetings residents expressed some concerns regarding the location of the parallel parking located along the north-south private drive aisle. Appropriate fencing and landscaping to screen the parking will be secured through the site plan approvals process.

The applicant's plans provide an adequate amount of indoor and outdoor amenity space per unit. The detailed design of this space will be undertaken during the site plan approvals process.

Open Space/Parkland

The Toronto 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 No. 1420-2007.

The application proposes 818 residential units including apartments and stacked townhouses, on a net site of 1.171 hectares (11,710 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law No. 1420-2007, the parkland dedication would be 1.09 hectares (10,900 square metres). However, a cap of 15% applies and hence the parkland dedication would be 0.1756 hectares (1,756 square metres).

The applicant is proposing an on-site park dedication of 0.1752 hectares (1752 square metres) as illustrated on the proposed plan of subdivision (Attachment No. 2). Based on the required parkland dedication of 0.1756 hectares (1756 square metres) the applicant has a parkland dedication shortfall of 0.0004 hectares (4 square metres). The applicant is required to satisfy the 0.0004 hectare (4 square metre) shortfall of parkland dedication through a cash-in-lieu payment of market value. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the first above-grade building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

The proposed park is well located and easily accessible by existing residents and new residents. It acts as a gateway into the development at the northwest corner of Brimorton Drive and the re-aligned Meadowglen Place.

In the event the owner agrees to design and install Above Base Park Improvements at the proposed park in exchange for development charge credits, Parks, Forestry and Recreation staff would support that and recommend that the Parks and Recreation component of the development charges arising from this development be used to construct the Above Base Park Improvements to the proposed park. They also recommend that the owner receive a development charge credit for the Above Base Park Improvements, as approved by the General Manager of Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's development charges by-law, subject to clearance from City Finance, Special Projects.

The proposed development is planned to be constructed in a number of phases with the park block (Block 5) being conveyed to the City in Phase 2. As such, for Phase 1 the owner shall be required to provide a letter of credit to the City for the parkland dedication equal to 10% of the market value of Blocks 1, 1A and 4 (Phase 1) prior to the issuance of a first above-ground building permit. The letter of credit will be released to the owner once the park block (Block 5) has been conveyed to the City.

The applicant has been advised that Tower D is located 3 metres from the new public park fronting Brimorton Drive. To achieve an appropriate amount of glazing on the south elevation of Tower D, the proposed building may have to be setback 5.5 metres from the new public park. Another option would be to purchase and enter into a limiting distance agreement between the owner and Parks, Forestry and Recreation.

Phasing of the Development

The owner has advised that the development of the site would be undertaken in phases. The proposed phases are as follows (as shown on Attachment No. 9):

Phase One

- construction of the stacked townhouse units on the east side of the re-constructed Meadowglen Place (Buildings E and F) for 32 residential dwelling units;
- demolition of the northerly rental apartment building (2 Meadowglen Place) containing 91 units;
- re-alignment and construction of the new Meadowglen Place road;
- construction of the 146-unit rental replacement apartment building (Tower A);
- upon completion of this phase, tenants in the remaining existing rental building would relocate directly across the site to this newly constructed rental building; and
- construction of Tower B with 156 condo units, and a portion of the podium with 112 condo units.

Phase Two

- demolition of the southerly rental apartment building (1 Meadowglen Place) containing 50 units;
- construction of the rest of the podium between buildings B and C containing 91 units, and construction of the 24-storey Tower C for 156 condo units; and
- construction of the 1752 square metre public park.

Phase Three

- construction of a 12-storey Tower D, containing 125 condo units.

A site plan application will be required for each phase of development to secure high quality architectural design, landscaped amenity areas, and pedestrian and vehicular connections.

Toronto Green Standard

The Toronto Green Standard (TGS) came into force and effect on January 31, 2010. The applications, except for the official plan amendment, were filed prior to this date; therefore the TGS is applied on a voluntary basis. However, the applicant is required to file a site plan application to proceed with construction. At this time, the Tier 1 Toronto Green Standards performance measures for green development will be required and secured through the related site plan approval process.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include parkland and/or park improvements above and beyond the required parkland dedication, public art, streetscape improvements on the public boulevard not abutting the site and other public benefits as detailed in Section 5.1.1.6 of the Toronto Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development.

Following discussions with the local Councillor and City Divisions, the community benefits recommended by Planning staff to be secured in the Section 37 agreement are as follows:

1. The owner is to provide a financial contribution to the City of \$800,000 to be used for improvements to the Centennial Community Centre, the installation of a splash pad at Greenbrae Park and improvements to Thompson Park. The financial contribution is to be paid as follows:
 - a. A cash contribution of \$300,000 paid prior to the issuance of any building permits for Phase 1 for improvements to the Centennial Community Centre and/or for local park improvements;
 - b. A cash contribution of \$400,000 paid prior to the issuance of any building permits for Phase 2 to construct a splash pad at Greenbrae Park and/or for local park improvements;
 - c. A cash contribution of \$100,000 paid prior to the issuance of any building permits for Phase 3 for improvements to Thompson Park; and
 - d. Each instalment payment set out in (a) to (c) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 agreement to the date of payment of the funds by the owner to the City.

Should the owner not agree to design and install Above Base Park Improvements at the proposed park in exchange for development charge credits, a portion of the above-noted Section 37 public benefits could be directed to improvements to the proposed public park. As such, items 1 a. and 1 b. above also note the public benefits could be directed to local park improvements.

These public benefits will improve community facilities in the immediate and surrounding communities consistent with the Markham-Ellesmere Revitalization Study.

The replacement of rental housing is also a matter recommended to be secured in the Section 37 agreement as follows:

2. The provision and maintenance on the site of not less than 146 new replacement rental dwelling units for a period of at least 20 years, comprising of 41 three-bedroom dwelling units, 95 two-bedroom dwelling units, and 10 one-bedroom dwelling units, of which at least 141 dwelling units shall have affordable rents and the remaining 5 dwelling units shall have rents no higher than mid-range rents. The replacement rental dwelling units shall generally be of the same type and size as contained in the existing buildings on the subject site at the date of enactment of the zoning by-law amendment.
3. The owner shall provide tenant relocation assistance for tenants in the existing buildings in accordance with the detailed terms as set out in the draft zoning by-law amendment attached as Attachment No. 8.
4. The owner shall prepare a construction mitigation and tenant communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and shall implement the Strategy.
5. The development phasing plan as discussed in this report.

As a legal convenience, the following matters are also recommended to be secured in the Section 37 agreement as follows:

6. Prior to the issuance of Phase 1 building permits, the owner agrees to design and construct the external road improvements, as noted in the updated traffic impact assessment, prepared by BA Group Transportation Consultants and dated August 2011, all to the satisfaction of the General Manager, Transportation Services and the Executive Director, Technical Services, in consultation with the Toronto Transit Commission. These include, modifying the existing pavement markings on Brimorton Drive to create an eastbound left turn lane at Meadowglen Place and completing the necessary roadway modifications required on Markham Road to extend the existing northbound right turn lane south of Ellesmere Road to proposed Street B.
7. Prior to the issuance of Phase 1 building permits, the owner agrees to make a financial contribution of \$75,000 to the Toronto Transit Commission for transit signal priority intersection improvements.
8. The owner is to prepare a construction management plan and neighbourhood communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the

Executive Director, Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division, and shall implement the Strategy.

School Capacity

The Toronto District School Board (TDSB) advises that there is insufficient school capacity to accommodate students anticipated from this proposed development and that children may need to be accommodated at other schools within the area. The TDSB advises that the status of local school accommodation should be conveyed to potential tenants and purchasers of the proposed units. Specifically, the TDSB requests that the applicant agrees to post signs on site and include warning clauses in all rental leases and offers of purchase and sale advising purchasers and tenants of the status of local school accommodation. This will be addressed as a condition of draft plan of subdivision approval.

Comments were not received from the Toronto Catholic School Board (TCDSB). However, the TCDSB will have an opportunity to include draft plan of subdivision conditions.

Development Charges

It is estimated that the development charges for this project will be \$6,478,498.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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Noreen Dunphy, Senior Planner

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E-mail: ndunphy@toronto.ca

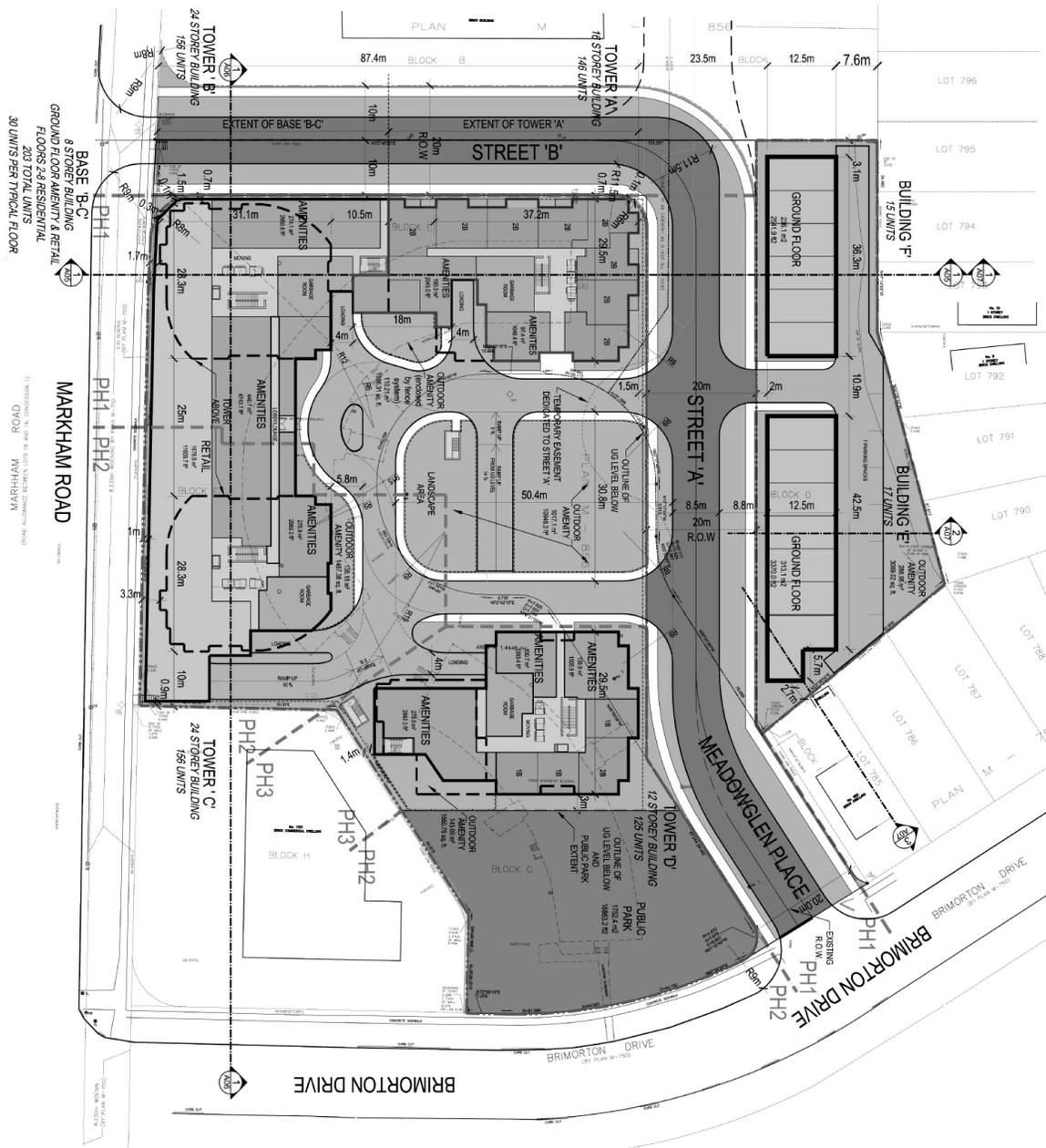
SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Draft Plan of Subdivision
Attachment 3A-E:	Elevations
Attachment 4A-E:	Perspectives
Attachment 5:	Zoning
Attachment 6:	Application Data Sheet
Attachment 7:	Draft Official Plan Amendment
Attachment 8:	Draft Zoning By-law Amendment
Attachment 9:	Development Phasing Plan Map
Attachment 10:	Conditions of Draft Plan of Subdivision
Attachment 11:	Markham-Ellesmere Revitalization Study Conceptual Master Plan

Attachment 1: Site Plan



Site Plan

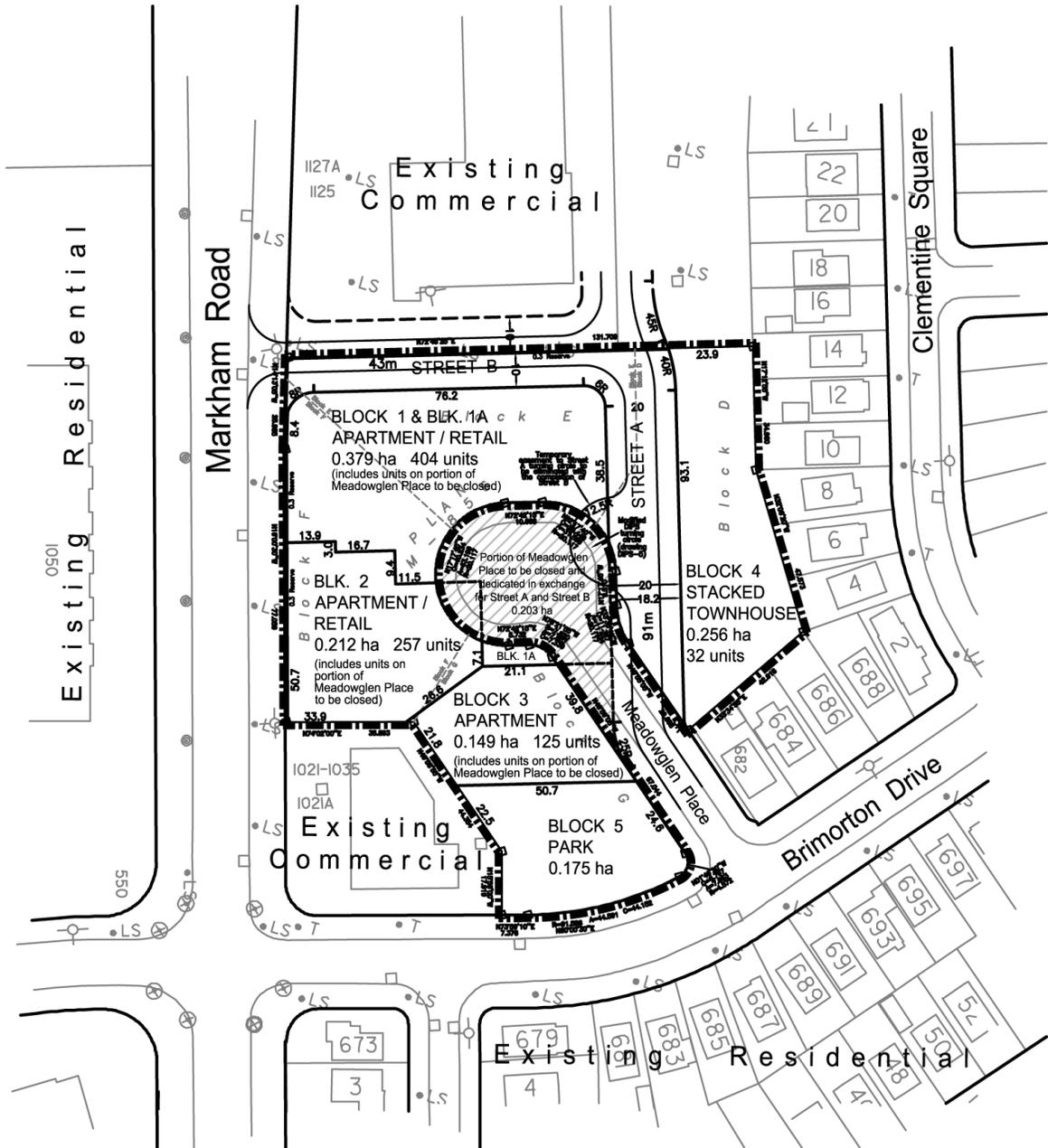
Applicant's Submitted Drawing

Not to Scale 

1, 2 Meadowglen Place

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Attachment 2: Draft Plan of Subdivision



Draft Plan of Subdivision

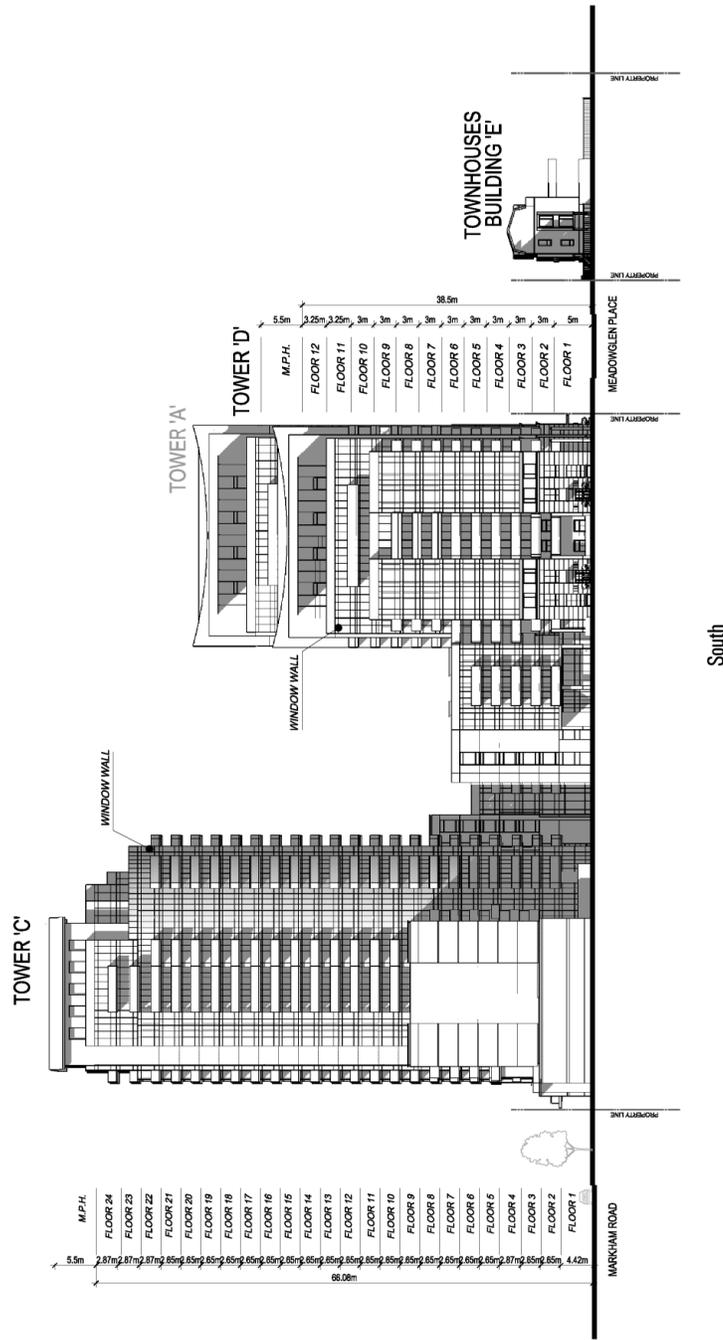
1 & 2 Meadowglen Place

Applicant's Submitted Drawing

Not to Scale 

File # 08 176491 OZ, 08 176779 RH,
09 195940 SB, 11 262882 OZ

Attachment 3D: South Elevation

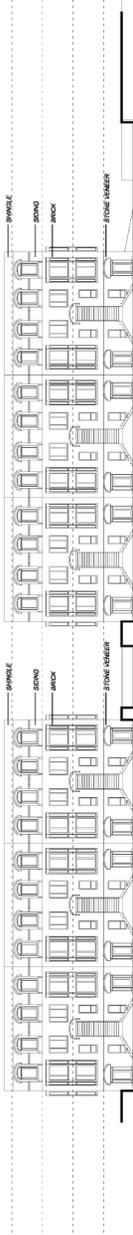


1, 2 Meadowglen Place

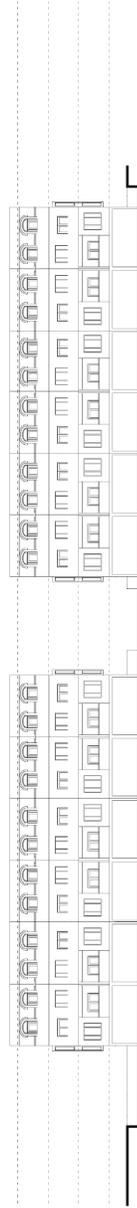
File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Elevations
Applicant's Submitted Drawing
Not to Scale
09/07/2011

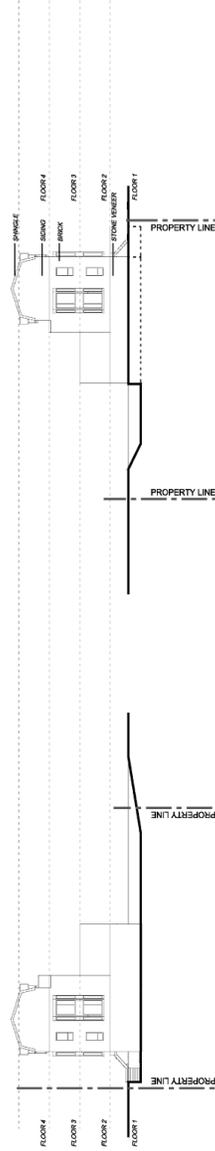
Attachment 3E: Townhouse Elevations



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

SOUTH ELEVATION

Townhomes - Elevations

Applicant's Submitted Drawing

Not to Scale
09/07/2011

1, 2 Meadowglen Place

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Attachment 4A: South-East Perspective



South-East

Perspective

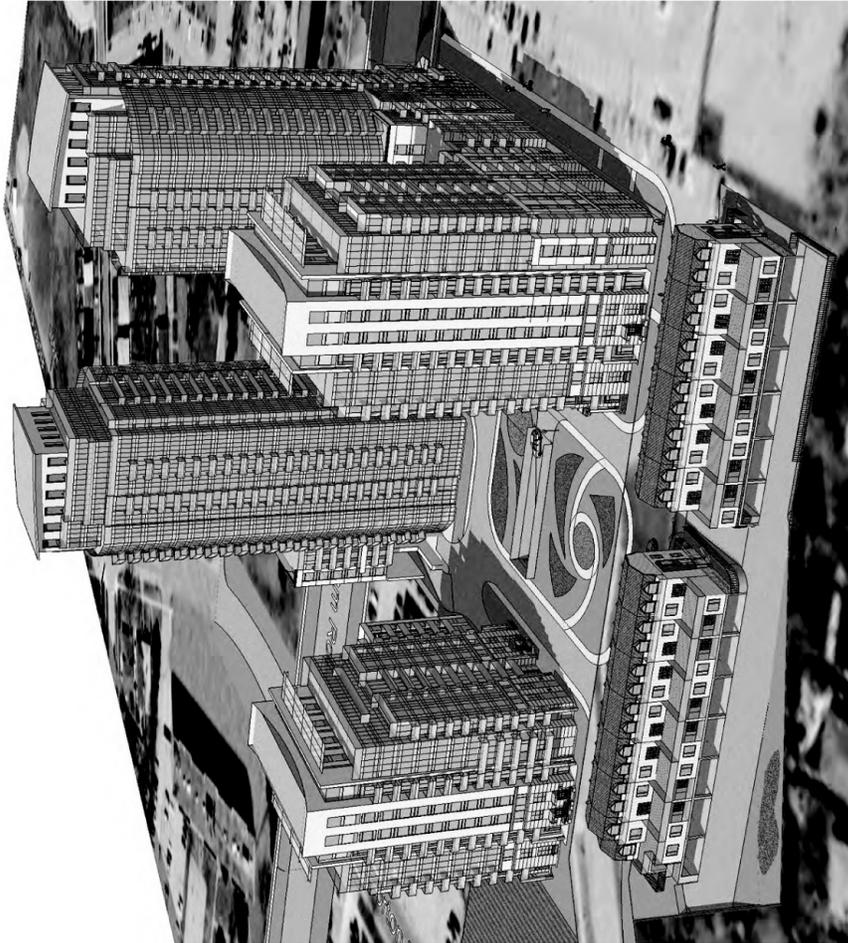
Applicant's Submitted Drawing

Not to Scale
09/07/2011

1, 2 Meadowglen Place

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Attachment 4B: North-East Perspective



North-East

1, 2 Meadowglen Place

Perspective
Applicant's Submitted Drawing

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Not to Scale
09/07/2011

Attachment 4C: North Perspective



North

1, 2 Meadowglen Place

Perspective
Applicant's Submitted Drawing

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Not to Scale
09/07/2011

Attachment 4D: South Perspective



South

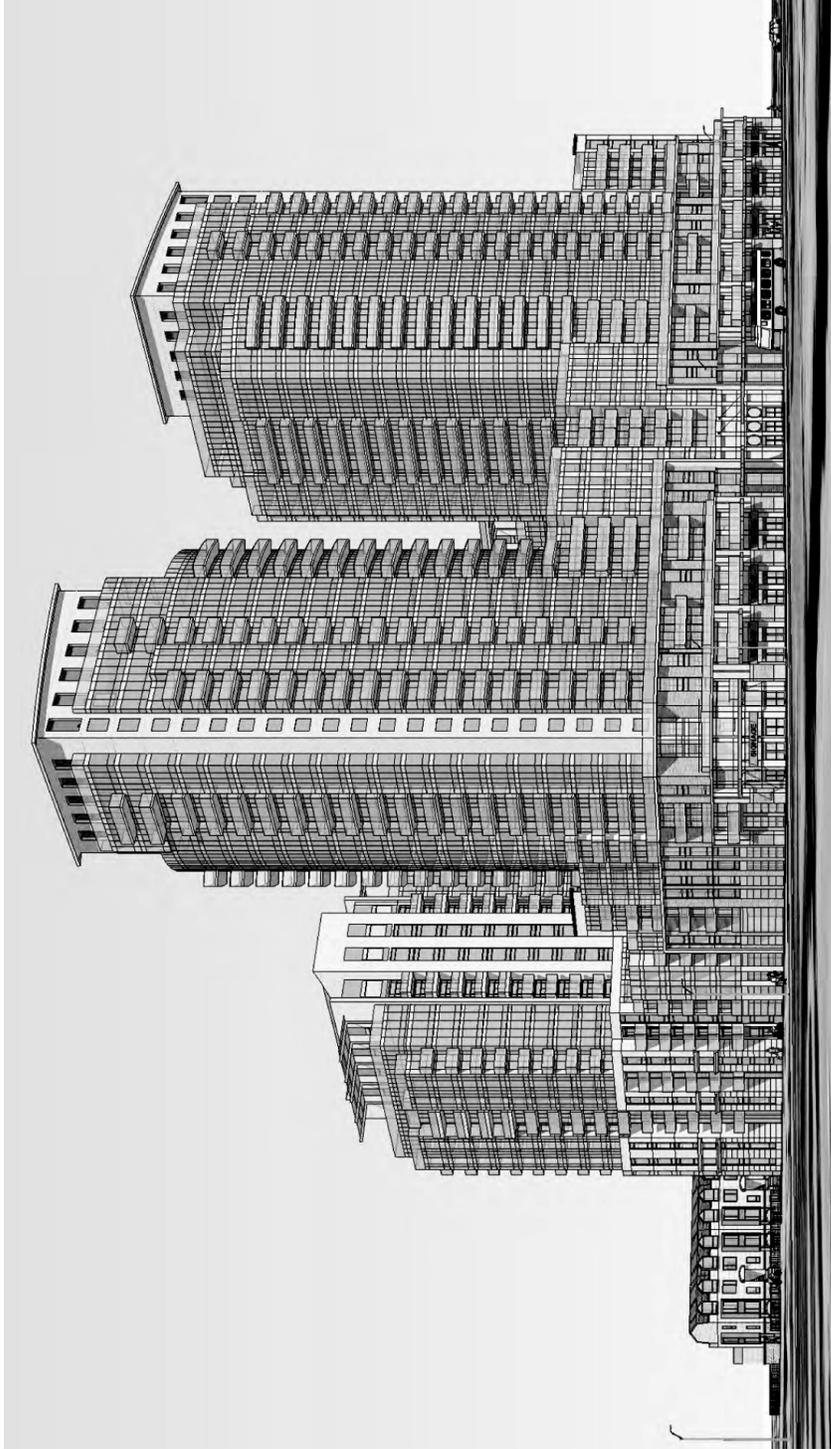
Perspective
1, 2 Meadowglen Place

Applicant's Submitted Drawing

Not to Scale
09/07/2011

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Attachment 4E: West Perspective



West

Perspective

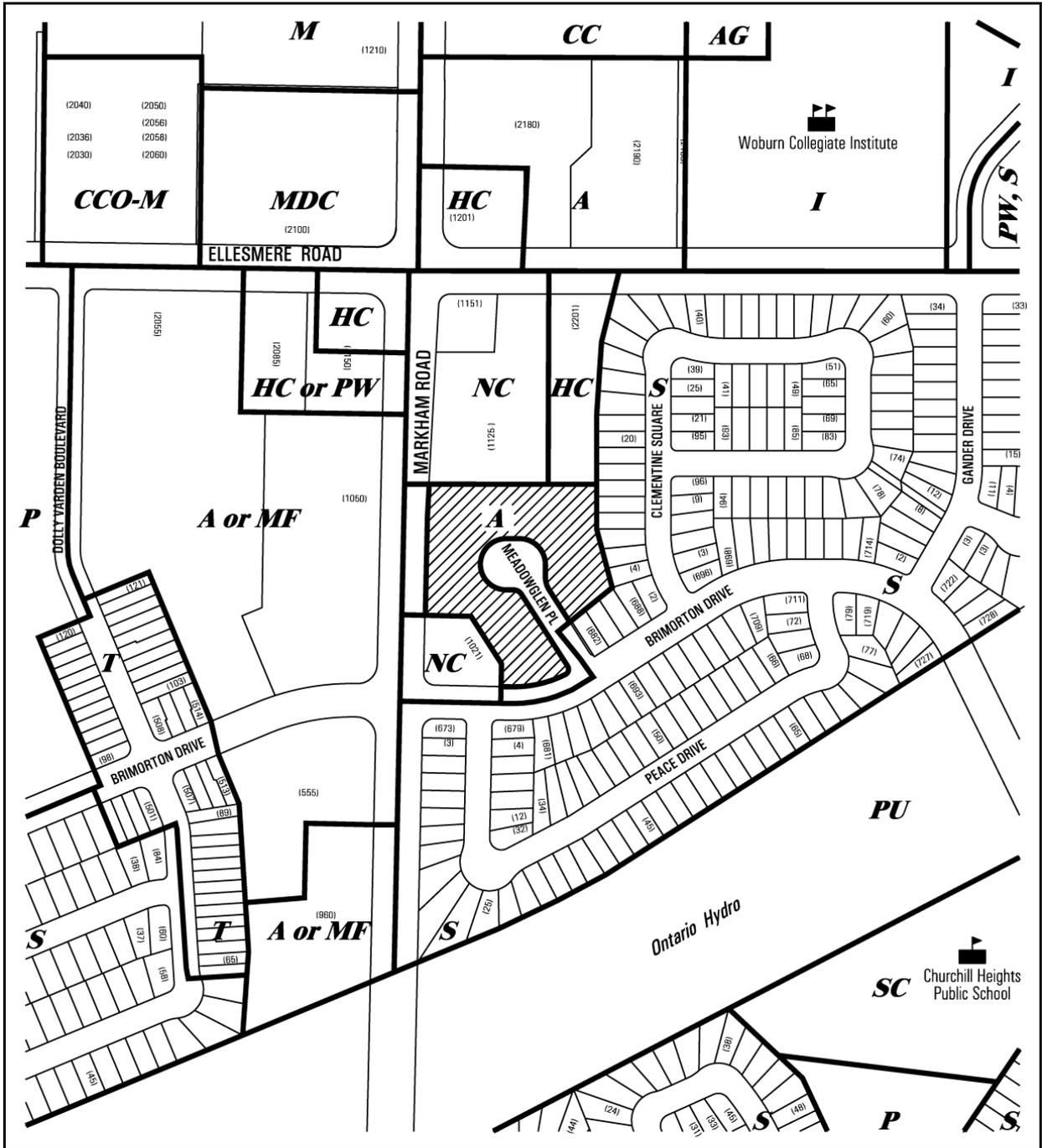
Applicant's Submitted Drawing

Not to Scale
09/07/2011

1, 2 Meadowglen Place

File # 08 176491 OZ, 08176779 RH
09 195940 SB, 11 262882 OZ

Attachment 5: Zoning



TORONTO City Planning Division
Zoning

1 & 2 Meadowglen Place
 File # 08-176491 OZ; 08-176779 RH

S Single-Family Residential	NC Neighbourhood Commercial	I Institutional	CCO City Centre Office Zone	Woburn Community Bylaw
T Two-Family Residential	CC Community Commercial	PW Place(s) of Worship	M Industrial Zone	Not to Scale
MF Multiple-Family Residential	HC Highway Commercial	SC School	MDC Industrial District Commercial Zone	08/01/08
A Apartment Residential	PU Public Utilities	P Park	AG Agricultural	↑

Attachment 6: Application Data Sheet

Application Type Details: OPA, Rezoning, Draft Plan of Subdivision & Rental Housing Demolition Application Number: 11 262882 ESC 38 OZ
08 176491 ESC 38 OZ
08 176779 ESC 38 RH
09 195940 ESC 38 SB

Initial Application Date: June 27, 2008 for ZBA and Rental, Dec 11/09 for Subdivision and Sept. 2/11 for OPA

Municipal Address: 1 & 2 MEADOWGLEN PLACE

Location Description: PL M856 BLK D TO G **GRID E3807

Project Description: The applications propose an official plan amendment, an amendment to the zoning by-law, approval of a draft plan of subdivision and a rental housing demolition application to permit the demolition of 141 rental apartment units and redevelopment of the site with 32 stacked townhouses, 146 residential rental apartment units, and three condominium buildings containing 640 dwelling units at 1 and 2 Meadowglen Place. A total of 818 residential units are proposed on the site. A 1,752 square metre public park is proposed fronting Brimorton Drive and approximately 1,079 square metres of ground floor commercial space is also proposed in the buildings fronting Markham Road.

Applicant:	Agent:	Architect:	Owner:
ADAM BROWN, SHERMAN BROWN DRYER KAROL	LINDSAY DALE-HARRIS, BOUSFIELDS INC.	PETER TURNER, TURNER FLEISCHER ARCHITECTS	R.A.B PROPERTIES LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	322
Zoning:	A-Apartment Residential	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	13,800	Height:	Storeys:	3, 12, 16 & 24
Frontage (m):	0		Metres:	71.7
Depth (m):	0			
Total Ground Floor Area (sq. m):	5,804			Total
Total Residential GFA (sq. m):	82,548		Parking Spaces:	1,013
Total Non-Residential GFA (sq. m):	1,079		Loading Docks	4
Total GFA (sq. m):	83,627			
Lot Coverage Ratio (%):	42.06			
Floor Space Index (FSI):	6.05 (Residential FSI – 5.98)			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	82,548	0
Bachelor:	9	Retail GFA (sq. m):	1,079	0
1 Bedroom:	319	Office GFA (sq. m):	0	0
2 Bedroom:	449	Industrial GFA (sq. m):	0	0
3 + Bedroom:	41	Institutional/Other GFA (sq. m):	0	0
Total Units:	818			

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

Attachment 7: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2011

Enacted by Council: ~, 2011

CITY OF TORONTO
Bill No. ~
BY-LAW No. ~-2011

**To adopt an amendment to the Official Plan
for the City of Toronto respecting the lands known municipally in the year 2010, as
1 & 2 Meadowglen Place**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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. 166 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 166 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2010 AS
1 & 2 MEADOWGLEN PLACE

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

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 370 for the lands known municipally in 2010 as 1 and 2 Meadowglen Place, as follows:

370. 1 & 2 Meadowglen Place

- a) Despite policy 3.2.1.6, the demolition of 141 rental housing units and their replacement in the redevelopment with a different unit mix is permitted provided that at least 146 replacement rental units comprising 10 one-bedroom, 95 two-bedroom and 41 three-bedroom units are provided.



2. Maps 33 and 34, Site and Area Specific Policies, are revised to add the lands known municipally in 2010 as 1 and 2 Meadowglen Place shown on the map as Site and Area Specific Policy No. 370.

Attachment 8: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 2011

Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

To amend Woburn Community Zoning By-law No. 9510, as amended, with respect to the lands municipally known as 1 and 2 Meadowglen Place

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

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

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 9510, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in 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 Woburn Community Zoning By-law No. 9510 is amended for the lands outlined in the attached Schedule '1' by deleting the existing Apartment Residential (A) zoning and replacing it with Apartment Residential (A) Zone, Community Commercial (CC) Zone and Park (P) Zone and the Performance Standards as shown on Schedule '1' so that the amended zoning shall read as follows:

A – 245, 247, 255, 261, 262, 272, 273, 276, 277

A and CC – 246, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 263, 264, 265, 266, 267, 268, 269, 270, 271, 273, 274, 275, 276, 278, 279, 280

P



2. **CLAUSE V – INTERPRETATION (f) Definitions**, is amended by adding the following definition:

45 Degree Angular Plane

means an imaginary flat surface projecting over a lot, at an inclined 45 degree angle measure up from the horizontal.

3. **Schedule "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards as follows:

INTENSITY OF USE

Dwelling Units:

245. Maximum 32 **dwelling units** for lands identified as "Block A" as shown on Schedule '1'.

246. Maximum 786 **dwelling units** for lands identified as "Blocks B, C, D, E, F, G and H" as shown on Schedule '1'.

Gross Floor Area:

247. **Gross floor area** of all buildings on lands identified as "Block A", as shown on Schedule '1', shall not exceed 2 800 square metres for Apartment (A) uses.

248. **Gross floor area** of all buildings on lands identified as "Blocks B, C, D, E, F, G and H, as shown on Schedule '1', shall not exceed 79 800 square metres for Apartment (A) uses.

249. Community Commercial (CC) uses shall only be permitted on lands identified as "Blocks D, E and F", as shown on Schedule '1', and shall not exceed a total of 1 080 square metres of **gross floor area**.
250. Community Commercial (CC) uses shall not be permitted on lands identified as "Block A", Block B", "Block C", Block G" and "Block H".

Floor Area:

251. The **floor area** of each storey above 7 storeys above grade of a building on lands identified as "Block B", as shown on Schedule "1":
- i) Maximum 743 square metres per floor from the 8th storey to the 16th storey and above.
252. The **floor area** of each storey above 8 storeys above grade of a building on lands identified as "Block D" and "Block F", as shown on Schedule "1":
- i) Maximum 743 square metres per floor from the 9th storey to the 24th storey and above.
253. The **floor area** of each storey above 8 storeys above grade of a building on lands identified as "Block H", as shown on Schedule "1":
- i) Maximum 743 square metres per floor from the 9th storey to the 12th storey and above.

BUILDING SETBACKS FROM STREET LINES

254. **Main wall** building setbacks from the Markham Road street line:
- i) minimum 1.0 metre from the Markham Road street line on lands identified as "Block D", "Block E", and "Block F", as shown on Schedule '1';
 - ii) minimum 1.7 metres from the Markham Road street line at the 5th storey to the 24th storey above grade, on lands identified as "Block D", as shown on Schedule '1';
 - iii) minimum 1.7 metres from the Markham Road street line at the 5th storey to the 8th storey above grade, on lands identified as "Block E" and "Block F"; and

- iv) minimum 3.3 metres from the Markham Road street line at the 9th storey to the 24th storey above grade, on lands identified as Block "F", as shown on Schedule '1'.
255. **Main wall** building setbacks from all street lines, other than Markham Road, on lands identified as "Blocks A" to "H", as shown on Schedule '1':
- i) minimum 2.0 metres from the street line for Block A;
 - ii) minimum 1.5 metres from the street line for Blocks B and H; and
 - iii) minimum 0.7 metres from the street line for Blocks B, C and D.
256. **Main wall** building setbacks from street lines, other than Markham Road:
- i) minimum 1.5 metres from the north street line at the 5th storey and above, on lands identified as "Blocks B to D", as shown on Schedule '1'.

BUILDING SETBACKS FROM LOT LINES OTHER THAN STREET LINES

257. **Main wall** building setbacks from the south lot line on lands identified as "Block E", as shown on Schedule '1':
- i) minimum 0.9 metres from the south lot line at the 1st storey to the 8th storey above grade.
258. **Main wall** building setbacks from the south lot line on lands identified as "Block F", as shown on Schedule '1':
- i) minimum 10 metres from the south lot line at the 9th storey to the 24th storey above grade.
259. **Main wall** building setbacks from the south-westerly lot line on lands identified as "Block G", as shown on Schedule '1':
- i) minimum 1.4 metres from the south-westerly lot line at the 1st storey to the 8th storey above grade; and
260. **Main wall** building setbacks from the south lot line on lands identified as "Block G" and "Block H", as shown on Schedule '1':
- i) minimum 3.0 metres from the south lot line at 1st storey to the 8th storey above grade for "Block G"; and

- ii) minimum 3.0 metres from the south lot line at 1st storey to the 12th storey above grade for "Block H".

261. **Main wall** building setbacks from the east lot line on lands identified as "Block A", as shown on Schedule '1':

- i) minimum 7.5 metres from the east lot line at the 1st storey to the 3rd storey above grade.

MISCELLANEOUS

Height of Buildings:

- 262. Maximum **height** of any building on "Block A", as shown on Schedule '1', shall not exceed 3 **storeys** or 12.5 metres.
- 263. Maximum **height** of any building on "Block B", as shown on Schedule '1', shall not exceed 16 **storeys**, excluding mechanical penthouses, or 51.0 metres.
- 264. Maximum **height** of any building on "Block C", as shown on Schedule '1', shall not exceed 7 **storeys** or 22.0 metres.
- 265. Maximum **height** of any building on "Block D", as shown on Schedule '1', shall not exceed 24 **storeys**, excluding mechanical penthouses, or 72.0 metres.
- 266. Maximum **height** of any building on "Block E", as shown on Schedule '1', shall not exceed 8 **storeys** or 25.0 metres.
- 267. Maximum **height** of any building on "Block F", as shown on Schedule '1', shall not exceed 24 **storeys**, excluding mechanical penthouses, or 72.0 metres.
- 268. Maximum **height** of any building on "Block G", as shown on Schedule '1', shall not exceed 8 **storeys** or 25.0 metres.
- 269. Maximum **height** of any building on "Block H", as shown on Schedule '1', shall not exceed 12 **storeys**, excluding mechanical penthouses, or 46.0 metres.

Distance Between Main Walls of Buildings on "Block B", "Block D" & "Block F":

- 270. The distance between the **main wall** of the building on "Block B" to a **main wall** of building on "Block D" as shown on Schedule '1', shall be a

minimum of 26.0 metres; and the distance between the **main wall** of the building on "Block D" to a **main wall** of building on "Block F" as shown on Schedule '1', shall be a minimum of 25.0 metres.

Amenity Space:

271. Buildings in lands identified as "Blocks B to H" as shown on Schedule '1', shall provide indoor and outdoor amenity space at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:
- (i) a minimum of 2.0 square metres for each **dwelling unit** must be indoor amenity space; and
 - (ii) a minimum of 2.0 square metres for each **dwelling unit** must be outdoor amenity space.

45 Degree Angular Plane:

272. Buildings shall not exceed a **45 degree angular plane** from the lot line of abutting Single-Family Residential (S) Zones.

Provision of Services:

273. Within the lands identified as "Blocks A to H" as shown on Schedule "1", no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Block I:

274. No above-grade buildings or structures, except for stair cases, underground garage entrances, landscape decorative features and utilities, are permitted within the lands identified as "Block I" as shown on Schedule "1",

PARKING

275. The following provision of **CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES** is not applicable:

1.5.2 Yards

276. Vehicle **parking spaces** shall be provided on "Blocks A to H" as shown on Schedule 'I' as follows:

Residential:

- i) bachelor **dwelling unit:** minimum 0.8 spaces per **dwelling unit**;
- ii) one-bedroom **dwelling unit:** minimum 0.9 spaces per **dwelling unit**;
- iii) two-bedroom **dwelling unit:** minimum 1.0 spaces per **dwelling unit**; and
- iv) three (or more) bedroom **dwelling units:** minimum 1.2 spaces per **dwelling unit**.

Visitor:

- v) a minimum of 0.2 **parking spaces** per **dwelling unit** shall be provided for visitors.

Commercial:

- vi) minimum 1.5 **parking spaces** per 100 square metres of Community Commercial (CC) use **gross floor area**;
- vii) minimum 5.0 spaces per 100 square metres of restaurant **gross floor area**; and
- viii) a minimum of three vehicle parking spaces shall be provided and shown on all relevant drawings as vehicle parking spaces set aside for the exclusive use of an automobile share organization.

Bicycle Parking Spaces:

277. For buildings located on lands identified as "Block A" as shown on Schedule 'I', one bicycle **parking space** per **dwelling unit** shall be provided.

278. For buildings located on lands identified as "Blocks B to H" as shown on Schedule '1', bicycle **parking spaces** shall be provided at a rate of 0.7 bicycle **parking spaces** per **dwelling unit** for occupant use and 0.08 bicycle **parking spaces** per **dwelling unit** for visitors.
279. For buildings located on lands identified as "Block D", "Block E" and "Block F" as shown on Schedule '1', bicycle **parking spaces** for retail, office and restaurant uses shall be provided as follows:
- i) 3 bicycle **parking spaces** plus 0.25 per 100 square metres of retail **gross floor area** for short term/visitor use and 0.13 per 100 square metres of retail **gross floor area** for long term/employee use;
 - ii) 3 bicycle **parking spaces** plus 0.15 per 100 square metres of office **gross floor area** for short term/visitor use and 0.13 per 100 square metres of office **gross floor area** for long term/employee use; and
 - iii) 3 bicycle parking spaces plus 0.25 per 100 square metres of restaurant **gross floor area** for short term/visitor use and 0.13 per 100 square metres of restaurant **gross floor area** for long term/employee use.
280. On lands identified as "Blocks B to H" as shown on Schedule '1', residential and visitor bicycle parking spaces shall not be provided within a **dwelling unit** or on a balcony associated thereto, or in a storage locker and shall be provided as follows.
- i) long term/resident bicycle parking spaces shall be outside on grade, or on the ground floor of the building or on the first floor of the building below grade used for vehicular parking spaces;
 - ii) short term/visitor bicycle parking spaces shall be outside on grade, or on the ground floor of the building and if the requirement for short term/visitor bicycle parking spaces is greater than 10, at least 50% of the required short term/visitor bicycle parking spaces shall be in a weather protected bicycle parking area at grade;
 - iii) where the bicycles are to be parked in a horizontal position the space shall have a horizontal dimension of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres; and
 - iv) where the bicycles are parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 metres by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres.

4. **SCHEDULE "C", EXCEPTIONS LIST**, is amended by adding the following Exception Nos. 74, 75 and 76 as follows:

74. On lands identified as Exception No. 74, the following provisions shall apply, provided that all other provisions of this By-law, as amended, not inconsistent with this Exception, shall continue to apply:

Permitted Uses:

For the purposes of this Exception, the following uses shall be permitted within the ground floor of a residential building proposed on “Blocks D to F” as shown on Schedule ‘1’ and shall mean retail-commercial uses serving the adjacent and nearby residential uses and includes one or more of the following:

- Banks
- Day Nurseries
- Offices
- Personal Service Shops
- Retail Stores
- Restaurants

Temporary Use:

- Temporary Sales Trailer for the sale of residential dwelling units

Prohibited Uses:

- **Group Homes**

75. On those lands identified as Exception No. 75 on the accompanying Schedule "C" Map (Schedule '2' of this Zoning By-law), the following provisions shall apply:

1. Pursuant to Section 37 of the *Planning Act*, the **height** and density of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the owner of the lot of the facilities, services and matters set out below, to the City at the owner’s sole expense and in accordance with and subject to the agreement referred to in Exception 75.2 of this By-law.
2. Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services or matters set out in below, the lot is subject to the provisions of this By-law, provided that

in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.

3. Pursuant to Section 37 of the *Planning Act* and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following facilities, services and matters to the City at the owner's sole expense:
 - a) a cash contribution to the City of \$800,000 to be used for improvements to the Centennial Community Centre, the installation of a splash pad at Greenbrae Park and improvements to Thompson Park. The financial contribution is to be paid as follows:
 - i. a cash contribution of \$300,000 paid prior to the issuance of any building permits for Phase 1 for improvements to the Centennial Community Centre and/or for local park improvements;
 - ii. a cash contribution of \$400,000 paid prior to the issuance of any building permits for Phase 2 to construct a splash pad at Greenbrae Park and/or for local park improvements;
 - iii. a cash contribution of \$100,000 paid prior to the issuance of any building permits for Phase 3 for improvements to Thompson Park; and
 - iv. each instalment payment set out in (i) to (iii) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.
 - b) the provision and maintenance of 146 replacement rental housing units and as further detailed and provided for in No. 4 below;
 - c) the owner shall obtain a building permit for the replacement rental building (Tower A) prior to obtaining the first building permit, other than for shoring and excavation, for the condominium building (Tower B), and prior to obtaining the first building permit for any other condominium apartment building, except for the condominium townhouses, on the lot; and

- d) prior to the issuance of the first demolition permit on the lot, and thereafter prior to the issuance of the first building permit for any building in each phase of the construction, the owner of the lot shall provide and subsequently implement a Construction Mitigation and Tenant Communication Strategy to the satisfaction of the Director of Community Planning that shall address mitigation measures and a communication plan for tenants occupying rental buildings on the lot while the demolition or construction activities are underway.
4. The owner shall enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which are registered on title to the lands to secure:
- i) matters provided for in Exception 75.3; and
 - ii) the provision and maintenance by the owner of not less than 146 new replacement rental dwelling units on the lot, comprising 141 affordable rental dwelling units and 5 rental dwelling units with mid-range rents which units shall generally be of the same type and size as in the buildings existing on the lot at the date of enactment of this by-law, to the satisfaction of the City's Chief Planner and Executive Director, City Planning Division, subject to the following:
 - a) the replacement rental dwelling units shall comprise at least 41 three-bedroom units, 95 two-bedroom units and 10 one-bedroom units, with at least 70 of the two -bedroom units with floor areas of at least 830 square feet, all three-bedroom units with floor areas of at least 970 square feet, and all one-bedroom units with at least 550 square feet;
 - b) the rental replacement units shall be maintained as rental units for at least 20 years, beginning with the date that each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental units to be maintained as rental units;
 - c) the 146 replacement rental dwelling units shall be ready and available for occupancy no later than the date by which not more than 80% of the other dwelling units in Tower B in the same Phase are available and ready for occupancy;

- d) the owner shall provide and maintain affordable rents charged to the tenants who rent each of the 141 designated affordable replacement rental dwelling units during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type, and, upon turn-over, the rent charged to any new tenant shall not exceed the initial rent, increased annually by the provincial rent guideline and any above-guideline increase, if applicable, and over the course of the 10 year period, annual increases shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases;
- e) the owner shall provide and maintain rents no greater than mid-range rents charged to the tenants who rent the 5 designated replacement rental dwelling units with mid-range rents on the same basis as in (d) except that the maximum mid-range rent shall not exceed an amount that is 1.5 times average market rent by unit type;
- f) rents charged to tenants occupying an affordable replacement rental dwelling unit or a mid-range replacement rental dwelling unit at the end of the 10 year period set forth in (d) shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their dwelling unit or until the expiry of the rental tenure period set forth in (b) with a phase-in period of at least three years for rent increases;
- g) rents charged to tenants newly occupying a replacement rental dwelling unit after the completion of the 10 year period set forth in (d) will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement that is required in Exception 75.3; and
- k) the owner shall provide a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning

Division, that requires the owner to provide for each eligible tenant of 1 and 2 Meadowglen Place the right to return to a replacement rental unit, assistance that includes at least a moving allowance and for tenants relocating off-site and finding their own accommodation, other financial assistance on a sliding scale geared to the length of occupancy of each tenant, with provisions for special needs tenants.

- iii) the owner shall prepare and subsequently implement a construction management plan and neighbourhood communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director, Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division.
- iv) prior to the issuance of Phase 1 building permits, the owner agrees to design and construct the external road improvements as noted in the updated traffic impact assessment, prepared by BA Group Transportation Consultants and dated August 2011, all to the satisfaction of the General Manager, Transportation Services and the Executive Director, Technical Services, in consultation with the Toronto Transit Commission. These include modifying the existing pavement markings on Brimorton Drive to create an eastbound left turn lane at Meadowglen Place and completing the necessary roadway modifications required on Markham Road to extend the existing northbound right turn lane south of Ellesmere Road to proposed Street B.
- v) prior to the issuance of Phase 1 building permits, the owner will provide a certified cheque to the Toronto Transit Commission (TTC) for \$75,000 for the installation of transit signal priority at three intersections in the vicinity of the site as noted in the memorandum of the Toronto Transit Commission dated August 17, 2011.

76. On those lands identified as Exception No. 76 on the accompanying Schedule "C" Map (Schedule '2' of this Zoning By-law), the following provision shall apply:

- a) The provisions of the By-law shall apply collectively to this land, notwithstanding its future division.

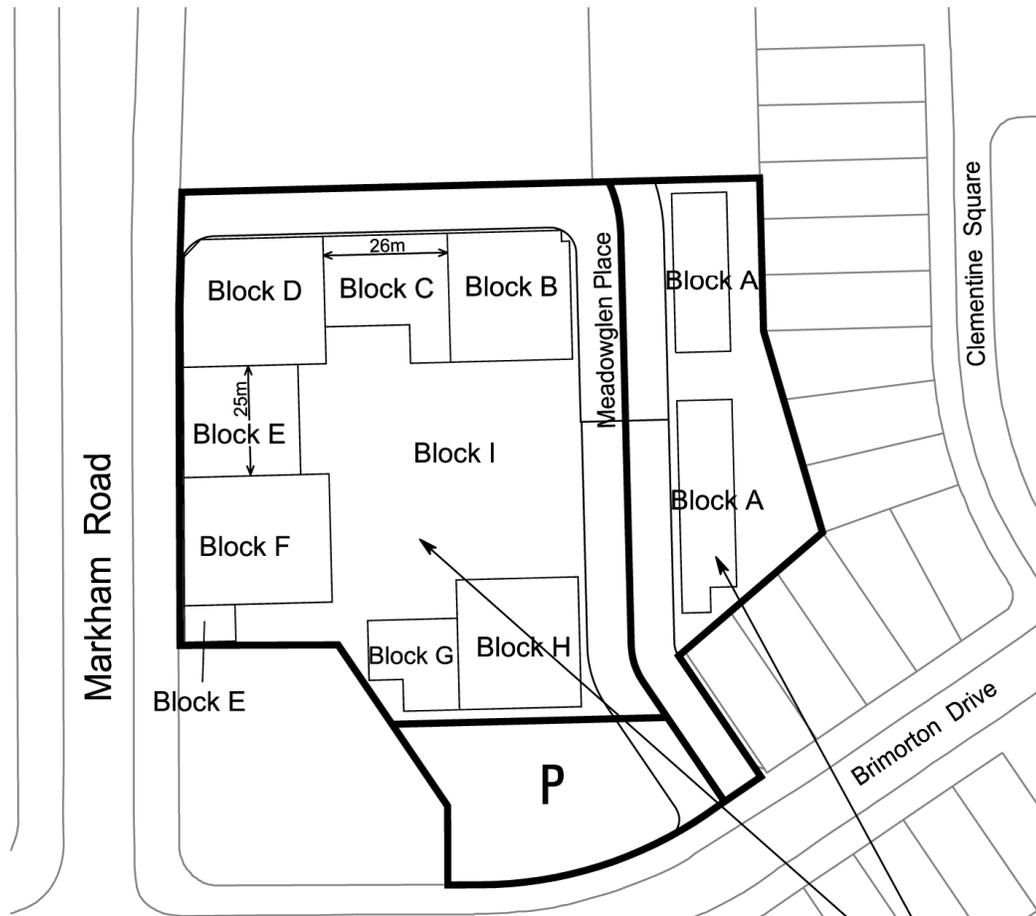
ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



A and CC - 246,248,249,250,251,252,253,254,
255,256,257,258,259,260,263,264,265,266,267,
268,269,270,271,273,274,275,276,278,279,280

A - 245,247,255,261,262,272,273,276,277



Zoning By-Law Amendment

1, 2 Meadowglen Place

File # 08 176491 OZ, 08 176779 RH,
09 195940 SB, 11 262882 OZ

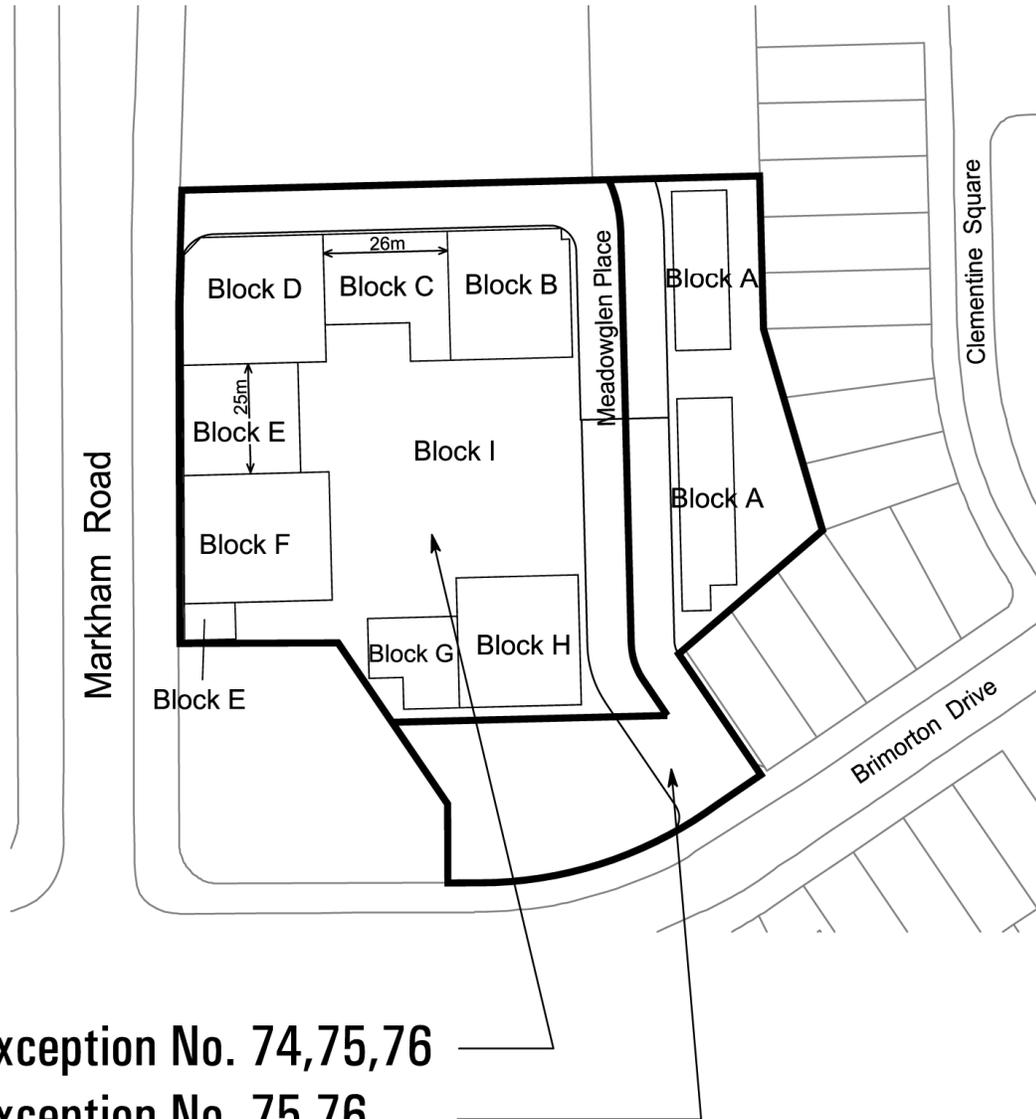


Area Affected By This By-Law

Woburn Community Bylaw
Not to Scale
09/15/11



Schedule '2'



Exception No. 74,75,76

Exception No. 75,76



Zoning By-Law Amendment

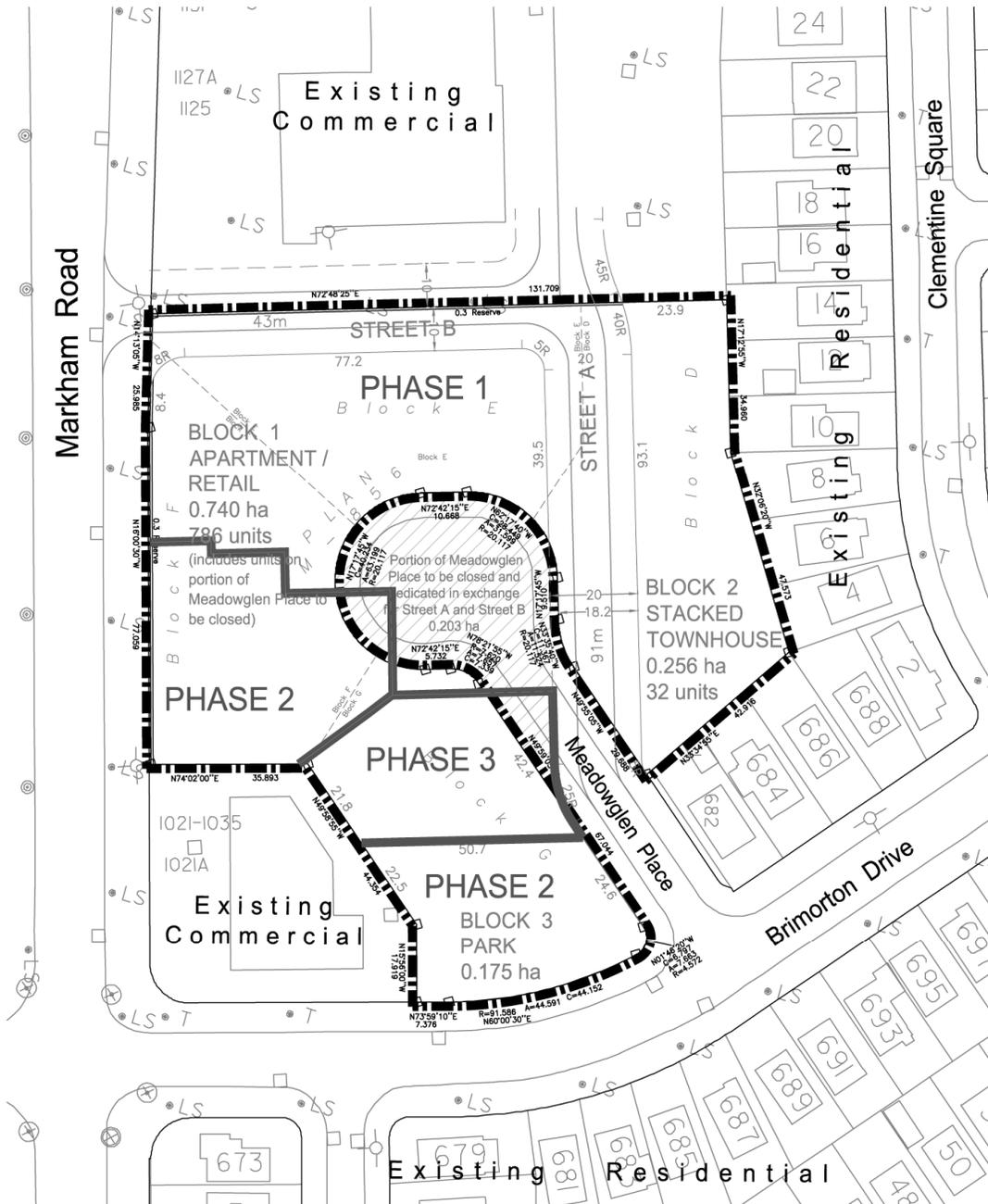
1, 2 Meadowglen Place

File # 08 176491 OZ, 08 176779 RH,
09 195940 SB, 11 262882 OZ

 Area Affected By This By-Law

Woburn Community Bylaw
Not to Scale
09/15/11

Attachment 9: Development Phasing Plan Map



Phasing Plan

1 & 2 Meadowglen Place

Applicant's Submitted Drawing

Not to Scale 

File # 08 176491 OZ, 08 176779 RH,
09 195940 SB, 11 262882 OZ

Attachment 10: Draft Plan of Subdivision Conditions

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

SUBDIVISION APPLICATION FILE NO. 09 195940 ESC 38 SB

**DRAFT PLAN OF SUBDIVISION PREPARED BY
BOUSFIELDS INC.
DRAWING NO. 0822-44dp, DATED AUGUST 23, 2011**

**ALL OF BLOCKS D, E, F AND G, PLAN M-856
CITY OF TORONTO (FORMERLY CITY OF SCARBOROUGH)
L. BLANKENSTEIN**

STANDARD CONDITIONS

Subdivision Agreement

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

Zoning

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

Tax Payment

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

PHASING OF THE PLAN OF SUBDIVISION

- 4) The Owner and the City shall acknowledge in the Subdivision Agreement that the Owner may register the plan of subdivision in up to three phases, provided that the boundary of each phase and the conditions specific to each phase are subject to the approval by the Executive Director, Technical Services and the Chief Planner and Executive Director, City Planning prior to the release of each phase for registration.

SERVICES

Easement Requirements

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

Servicing

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

Hydroelectric

7. Prior to the registration of the plan of subdivision, the Owner agrees to make satisfactory arrangements, financial and otherwise with a hydroelectric provider including, amongst other matters the following regarding the installation of an underground hydro and street lighting system to the satisfaction of Toronto Hydro:
 - (i) underground civil and electrical system for the development;
 - (ii) the provision of adequate space within the development for transformers, tap boxes and any other hydro equipment of the local distribution company, and;
 - (iii) any existing electrical feeds to any existing or demolished buildings on the property must be removed at the developer's expense.

Street Lighting

8. Prior to the registration of the plan of subdivision, the Owner shall submit appropriate Street Lighting details in support of the proposed development to Toronto Hydro (Street Lighting Division). Toronto Hydro is responsible for the approval of all street lighting.
9. The Owner shall provide to the City of Toronto the Toronto Hydro approval of the street lighting and submit to the City the required financial security in a Letter of Credit.

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

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

Telecommunications

11. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements, financial and otherwise with Bell Canada or any other telecommunications provider. The Owner shall agree in the Subdivision Agreement to grant Bell Canada, or any other telecommunications provider, any easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing telecommunication facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

Gas - Arrangements

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

Gas – Grading

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

Gas – Installation

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

Composite Utility Plan

15. Prior to registration of the plan of subdivision, the Owner agrees to prepare a composite utility plan, prepared by a licensed municipal servicing engineer, who shall co-ordinate, on behalf of the City and to City standards, all utility company

installation proposals within the public right-of-ways. This same consulting engineer shall provide a composite utility plan, indicating the utility company's installations of services within the municipal road allowances created and/or extended to service this development. Such plan shall be prepared to the satisfaction of the Executive Director, Technical Services.

Intersection and/or Road Improvements

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

Transportation Related Red-line Changes

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

Preparation of Final Plan of Subdivision

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

Pavement Marking Plan

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

TRANSPORTATION

Traffic Assessment

20. Prior to the registration of the plan of subdivision, the Owner shall undertake further traffic analysis and review with regards to the design, configuration, and timing of construction of the one way public road connection with Markham Road to the satisfaction of the General Manager, Transportation Services and the Executive Director, Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division. Any identified further road improvements necessary, including a traffic control signal at Street B and Markham Road, will be the responsibility of the owner.

0.3 Metre Reserves

21. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements with the City to dedicate 0.3 metre reserves to provide for the extension of future roads external to the plan of subdivision that may be needed to provide access to the plan of subdivision to the satisfaction of the Executive Director, Technical Services. The Owner shall be responsible for all costs associated with dedicating the 0.3 metre reserves.

Construction of Streets

22. Prior to the registration of the plan of subdivision, the Owner agrees to construct, at no cost to the City, Streets "A" and "B" in the plan of subdivision and to reconstruct Meadowglen Place from Brimorton Drive to Street "B", all to the satisfaction of the Executive Director, Technical Services.
23. The Owner agrees that the streets must ultimately be designed and constructed to current City Development Infrastructure Policy and Standards (DIPS) specifications or to the satisfaction of the Executive Director, Technical Services. Street "A" shall have a minimum 20 metre right-of-way, an 8.5 metre pavement width, and a corner rounding of 6.0 metres at Brimorton Drive. A pavement widening must also be provided at Meadowglen Place at Brimorton Drive to accommodate a separate southbound left turn lane.
24. Prior to the issuance of the first above grade building permit in Phase 1, access to all development within the plan of subdivision shall be provided from Street "A" on which may be provided a temporary turning circle, and by Street "B" to the satisfaction of the Executive Director, Technical Services.
25. The Owner agrees that the temporary turning circle on Street "A" shall be constructed with a minimum 12.5 metre curb radius and a street line radius of 15.25 metres.
26. The Owner agrees that Street "B" shall be constructed with a 10 metre right-of-way, a minimum pavement width of 6.0 metres and corner roundings on the south limit of the right-of-way at Markham Road of 8 metres. The Owner also agrees to provide the City with a Letter of Credit for 50% of the alterations to Street B, to reconstruct Street B to a 20 metre right-of-way when the lands to the north are available, all to the satisfaction of the Executive Director, Technical Services.
27. The Owner agrees to construct a 2.0 metre municipal concrete sidewalk along both sides of Street "A", on the south side of Street "B", and the reconstruction of the Markham Road and Brimorton Drive frontage of the sidewalks, in accordance with the approved engineering drawings, to the satisfaction of the Executive Director, Technical Services.

28. Prior to the registration of the last Phase of development, the Owner shall use his best efforts to secure from the property owner to the north, the dedication of 10 metres along its southerly property line to secure a 20 metre road allowance for Street "B"; the closing of its existing driveway access to Markham Road; and the reconfiguration of that driveway to connect to the new Street "B" in accordance with City standards, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
29. Until such time as a 10 metre dedication of a road allowance is secured, Street "B" shall function as a one-way eastbound public street, and the temporary turning circle shall be maintained on Street "A". Once the 10 metre road allowance has been secured, then all easements shall be released by the City from the temporary turning circle on Street "A".
30. Upon the dedication of the north half (10 metres) of Street B, that portion of Street "A" which includes the temporary turning circle and the right-of-way to the north of the turning circle shall be reconstructed by the Owner in accordance with the Development Infrastructure Policy and Standards (DIPS) specifications, to the satisfaction of the Executive Director, Technical Services.

External Road improvements

31. The Owner will be required to design and construct the external road improvements, as noted in the Updated Traffic Impact Assessment, prepared by BA Group Transportation Consultants and dated August 2011, all to the satisfaction of the Executive Director, Technical Services and in consultation with the Toronto Transit Commission. These include, modifying the existing pavement markings on Brimorton Drive to create an eastbound left turn lane at Meadowglen Place and modifying the existing pavement markings on Markham Road to extend the existing northbound right turn lands south of Ellesmere Road to proposed Street "B".

Deeds and Conveyances

32. The Owner agrees to illustrate, convey and dedicate to the City all public roads within the plan of subdivision including Streets "A" and "B" and street line radii (corner roundings) to the satisfaction of the Executive Director, Technical Services. The Owner shall be responsible for all costs associated with the conveyance of roads.
33. The Owner agrees to submit to the Executive Director, Technical Services for review and deposit in the Land Registry Office, a draft Reference Plan of Survey in metric units and integrated into the Ontario Co-Ordinate System with co-ordinate values shown on the plan, and delineating thereon separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant easements.

34. The Owner agrees to make any and all necessary arrangements to permanently close and purchase the existing portion of Meadowglen Place, as shown on the draft plan of subdivision, and to the satisfaction of Real Estate Services and the Executive Director, Technical Services.
35. The Owner agrees to be responsible for the relocation of any municipal infrastructure in the closed portion of Meadowglen Place and for providing servicing easements for any municipal infrastructure that may remain on the closed road allowance.
36. The Owners agrees to ensure that land to be conveyed to the City 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 or those required by the City as a condition of subdivision approval. All registration and conveyances required in this Agreement shall be made at the expense of the Owner in a form satisfactory to the City Solicitor.

Naming of Streets

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

STORMWATER MANAGEMENT

Stage II Storm Water Management Plan

38. Prior to the registration of the plan of subdivision, and in conjunction with engineering drawing approvals, the Owner is required to submit a Stage II Stormwater Management Report with the first submission of engineering drawings addressing stormwater quality and quantity, and complying with the City's Wet Weather Flow Management Guidelines, to the satisfaction of the Executive Director, Technical Services.

GRADING

39. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the Executive Director, Technical Services.
40. Existing drainage patterns on adjacent properties shall not be altered.

ENVIRONMENTAL SITE ASSESSMENT

41. Prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner agrees to provide satisfactory Environment Assessment Reports and any associated Remedial Action Plan prepared by a Qualified Person, in accordance with the Record of Site Condition Regulation (O.Reg. 153/04) describing the current conditions of the lands to be conveyed to the City, in fee simple and as easement interest both internal and external to the subdivision lands, including the Park. Such report shall be peer reviewed to the satisfaction of the Executive Director, Technical Services. The Owners agrees to pay all costs associated with the City retaining a third-party peer reviewer including a 7% administrative cost to the City, and submit a certified cheque payable to the City of Toronto in the amount of \$5,000.00, as an initial deposit towards the cost of the peer review to the Executive Director, Technical Services. The Owner agrees that should additional cost be associated with the peer review, as determined by the Executive Director, Technical Services that the Owner will be responsible for the additional costs associated with the peer review.
42. Prior to the registration of the draft plan of subdivision, the Owner agrees that at the completion of the site remediation process, the Owner will submit a Statement from the Qualified Person, to the Executive Director, Technical Services, for peer review and concurrence, that, based on all necessary supporting environmental documents:
- i) the land to be conveyed to the City meets the Site Condition Standards of the intended land use OR the most environmentally sensitive adjacent land use, whichever is more stringent; and
 - ii) it is unlikely that there is any off-site contamination resulting from past land uses on or in the vicinity of the development site, that has migrated on to the adjacent rights-of-way, that would exceed the applicable Site Condition Standards.
43. Prior to the registration of the draft plan of subdivision, the Owner agrees to file the Record of Site Condition (RSC) on Ontario's Environmental Site Registry and submit the Ministry of the Environment's (MOE) Letter of Acknowledgement of Filing of the Record of Site Condition (RSC) confirming that the RSC has been prepared and filed in accordance with O.Reg. 153/04, or that the RSC has passed an MOE audit, to the satisfaction of the Executive Director, Technical Services.

PARKLAND

44. Prior to the registration of the plan of subdivision, for Phase 1, the Owner shall be required to provide a letter of credit to the City for the parkland dedication equal to 10% of the market value of all blocks contained in Phase 1 prior to the issuance

- of a first above ground building permit. The Letter of Credit will be released to the Owner once the park block (Block 5) has been conveyed to the City.
45. In the event the Owner elects not to proceed with Phase 2 within six years of the Owner being granted the issuance of the first above ground building permit the City will have the option to draw upon the Letter of Credit with the money being deposited into the City's appropriate cash-in-lieu of parkland dedication reserve accounts.
 46. The amount of parkland required for the development shall be based on 15% of the area of the plan of subdivision, exclusive of public streets.
 47. The Owner and the City shall acknowledge in the Subdivision that prior to the issuance of the first above grade building permit in Phase 2, the Owner shall convey the parkland to the City for parkland purposes.
 48. Prior to the registration of the plan of subdivision, for Phase 2, the Owner agrees to provide, satisfactory to the City Solicitor, all legal description and applicable reference plans of survey for the parkland dedication lands.
 49. The Owner agrees to pay for the costs of such dedication and the preparation and registration of all relevant documents.
 50. Prior to the transfer of Block 5 (Park Block) to the City, the Owner may continue to use Block 5 for the purpose of rental housing, or associated parking, or as an interim construction staging area, subject to the terms and conditions of a Parkland Occupation Permit. The permit will outline the details of the park occupancy, restoration and associated fees. The terms of the permit shall be to the satisfaction of the General Manager of Parks, Forestry and Recreation.
 51. Prior to the issuance of the first above grade building permit for Phase 2, the Owner shall be required to convey Block 5 to the City in base park condition.
 52. Prior to the issuance of the first above grade building permit for Phase 2, the Owner agrees to pay cash-in-lieu of parkland dedication for the market value of 0.0004 hectares (4 square metres).
 53. Prior to the transfer of the park block to the City, the park block shall nonetheless be deemed to be park land and in respect of the limiting distance requirements of the *Ontario Building Code Act, 1992* and any structures constructed on land abutting the park block shall be subject to limiting distance requirements established under the Ontario Building Code. Prior to site plan approval for the buildings to be located abutting the park, the Owner shall advise staff in the Parks, Forestry and Recreation Division whether the Owner is required to enter into such an agreement. The Owner is advised that compensation may be required in this agreement.

54. 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.
55. 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

56. 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 Services section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.
57. Within six months of the registration of Phase 2 of the draft plan of subdivision, 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) Sodding;
 - (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.

Details of when such work is to be completed are to be finalized prior to the registration of the draft plan of subdivision for Phase 2 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.

58. Prior to the registration of the draft plan of subdivision for Phase 2, the Owner will post a letter of credit or certified cheque as security for the installation of the base park improvements, and any required walkways 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.
59. 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.
60. Any cash-in-lieu required to satisfy the parkland requirements above those met through the conveyance of the parkland shall be paid at the time of issuance of the first above-grade permit for Phase Two.

Parkland Grading and Drainage

61. 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 of Parks, Forestry & Recreation and the Executive Director, Technical Services.

Park Final Design and Programming

62. Prior to the registration of the plan of subdivision, the Owner shall agree that the General Manager of Parks, Forestry and Recreation will determine the final location, configuration, design, development and programming of the parkland to be conveyed to the City.

Above Base Park Improvements

63. Should the Owner and City agree, and conditional on approval from the City Finance Department and City Council 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, to the satisfaction 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 prior to building permit issuance for each phase of development.

64. 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 Phase 2 of the draft plan of subdivision and will be to the satisfaction of the General Manager, Parks, Forestry & Recreation.
65. 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 of 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.
66. The Owner will be responsible for the completion of the parkland dedication prior to the issuance of the first above grade building permit in Phase 2.

Certification of Parkland Completion

67. 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 of 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

68. 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 payable 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 of Parks, Forestry & Recreation.

Terms and Conditions

69. 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.

TREES (PUBLIC & PRIVATE)

Street Tree Planting Plan

70. Prior to the registration of the draft plan of subdivision, the Owner agrees to 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 to the satisfaction of the General Manager of Parks, Forestry and Recreation and the Executive Director, Technical Services.

Composite Utility Plan

71. 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.

Landscape Plan

72. The Owner agrees to submit detailed landscape plans for each Phase of the development to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Street Tree - Letter of Credits

73. Prior to the registration of each Phase of the draft 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 Park, Forestry and Recreation.

Street Tree Planting Requirements

74. The Owner agrees to implement planting and maintain trees in accordance with the approved landscape plans, and to the satisfaction of the General Manager of Parks, Forestry and Recreation.
75. The Owner agrees that tree plantings will be undertaken/supervised by a qualified arborist or nursery person, having particular regard to planting depth and potential settlement to ensure tree survival. Trees are to be planted only after final grading, and once sod has been laid.
76. Prior to tree planting, the Owner agrees to submit, and adhere to, a watering schedule for newly planted trees during the guarantee period, acceptable to the General Manager of Parks, Forestry and Recreation.
77. The Owner agrees to contact the Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her designate one week prior to commencement of street tree planting, and in writing once the trees have been planted, in order to establish anniversary dates.
78. The Owner agrees to plant the street trees in accordance with the approved street tree planting and composite utility plans. 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 and responsibilities and return the Letter of Credit. The Owner acknowledges that any tree requiring removal will be replaced, maintained and guaranteed by the Owner for an additional two-year period.

CONSTRUCTION MANAGEMENT PLAN

79. Prior to 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, 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. Provision 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 siltation 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. Procedure to deal with vermin and rodents.

TTC

80. Prior to the registration of the draft plan of subdivision, the Owner shall provide a cheque payable to the City of Toronto in the amount of \$75,000 for the installation of transit signal priority at three intersections in the vicinity of the site. This cheque will be sent to City of Toronto Development Engineering, Attention: Helen Noehammer, referencing account number 61990050.

SCHOOLS

Toronto District School Board

81. The Owner shall enter into an agreement to erect and maintain signs, built to the Toronto Board's specifications and erected prior to the registration or the issuance of any building permit, at points of egress and ingress of the development site, advising that:
- a) "The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available. For information regarding designated schools, please call (416) 394-7526."
82. Prior to the registration of the plan of subdivision, and for a period of 10 years following registration, the owner agrees in Servicing and/or Development Agreement, or in a separate agreement between the School board and the owner, to include the following warning clauses in all offers of purchase and sale of residential units, that:
- a) "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."
 - b) "Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area."

Toronto Catholic District School Board

83. The Owner shall enter into an agreement to erect and maintain signs, built to the Board's specifications and erected prior to the registration of the issuance of any building permit, at points of egress and ingress of the development site, advising that:
- a) "The Toronto Catholic District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available."
84. Prior to the registration of the plan of subdivision, and for a period of 10 years following registration, the owner agree in Servicing and/or Development Agreement, or in a separate agreement between the School board and the owner, to include the following warning clauses in all offers of purchase and sale of residential units, that:
- a) "Despite the best efforts of the Toronto Catholic 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."
 - b) "Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto Catholic District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area."

FENCING

Fencing Plan

85. 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, City Planning.

Fencing Plan – Letter of Credit

86. 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, City Planning.

ARCHAEOLOGICAL

Archaeological Assessment

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

NOISE AND VIBRATION

Noise and Vibration Study

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

Implementation of Noise and Vibration Study Requirements

89. 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, and registration of appropriate warning clauses of the noise and vibration study required by the Chief Planner and Executive Director.

Noise and Vibration Mitigation – Letter of Credit

90. Prior to the registration of the plan of subdivision, the Owner shall 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 and acoustic fences for 120% of the value of such items to the satisfaction of the Chief Planner and Executive Director.

Confirmation of Completion

91. The Owner agrees to submit written confirmation from the certified acoustical engineer that the recommended mitigation measures have been fully implemented, within two weeks of their final completion, to the Chief Planner and Executive Director.

Location of Noise Attenuation Requirements on Tree Planting and Landscape Plans

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

ENDEAVOUR TO COLLECT FOR ROADS AND SERVICES

93. The City acknowledges that the Owner may be required to construct roads and municipal services external to the plan of subdivision for access and to service the subject lands and that these roads and services may provide benefit to adjacent lands to the plan of subdivision. The City may as a condition of approval for development on adjacent lands to the plan of subdivision require that the proportionate share of cost of roads and municipal services be paid by the owner(s) of adjacent lands which benefit from the aforesaid roads and municipal services. The determination of the roads and municipal services that may provide a benefit to adjacent lands to the plan of subdivision and the determination of the proportional share of the costs associated with such benefits shall be to the satisfaction of the Executive Director, Technical Services. The City makes no representation, warranties or guarantees that the condition will be imposed nor that the funds will be collected at such time as the adjacent lands are proposed for development.

CITY PLANNING

94. The Owner agrees to construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
95. Prior to the registration of Phase 1 of the draft plan of subdivision, the Owner may be permitted to construct a temporary sales centre provided that the sales centre is permitted in the zoning by-law and the Owner obtains site plan approval and makes satisfactory arrangements with the City.
96. The Owner agrees to submit a site plan application for each phase, specifically detailing the interim landscaping of any undeveloped areas.

ADDITIONAL FINANCIAL REQUIREMENTS

Street Signage

97. 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

98. 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

99. 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.
100. Where any provision of the Subdivision Agreement makes reference to a particular City Official, and that City Official is unable or unavailable to exercise the function or functions of the Subdivision Agreement, Council for the City may exercise the function or function directly or may by resolution of by-law designate the function or function to another City Official.

NOTES TO DRAFT APPROVAL:

1. Draft approval of this subdivision is in effect for a period of 5 years from the date draft approval was issued. At its direction, the City, may after the 5 years have lapsed, elect to modify some or all of the conditions of draft approval or revoke the draft approval.
2. Where any provision of these draft plan of subdivision conditions of approval makes reference to the Owner, it is understood that any rights and/or obligations accruing to the Owner are attributable to its successors and assigns.
3. Where any provision of the draft plan of subdivision conditions of approval makes reference to the draft plan, it is understood that such reference is made to the draft plan prepared by Bousfields Inc. and dated August 23, 2011, being drawing No. 0822-44dp.
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.

5. Ontario Hydro Services Company has requested that the following paragraph be included as a note to draft approval:

“An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating ***DANGER - Overhead Electrical Wires*** in all locations where personnel and construction vehicles might come in close proximity to the conductors.”

Attachment 11: Markham-Ellesmere Concept Plan

