

**755 Humberwood Boulevard – Subdivision Application  
– Final Report**

<b>Date:</b>	October 13, 2011
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 2 – Etobicoke North
<b>Reference Number:</b>	11 190585 WET 02 SB

**SUMMARY**

This application proposes a 44-unit residential development comprising 12 detached houses and 32 semi-detached houses for the lands known municipally as 755 Humberwood Boulevard.

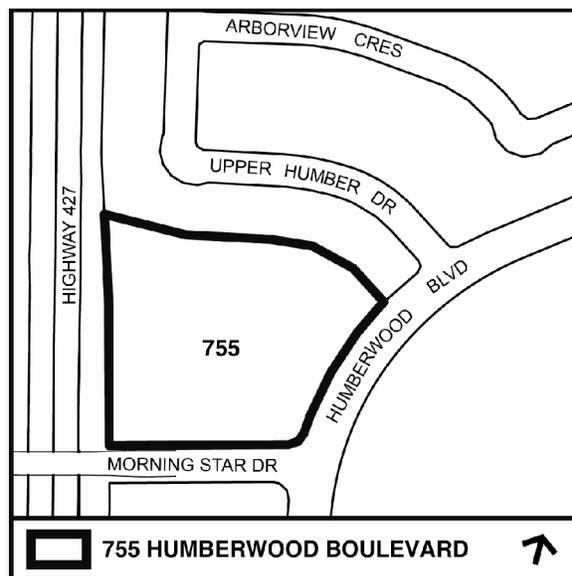
The subject property is vacant and represents an infill opportunity in the West Humber neighbourhood. The proposed development complies with the Official Plan policies and is in keeping with the general intent of the zoning bylaw. The development is an appropriate extension of the existing residential community to the north.

This report advises that the Chief Planner intends to approve the Draft Plan of Subdivision, with conditions.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. in accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the draft plan of subdivision as generally illustrated on Attachment 1 subject to:



- a. the conditions as generally listed in Attachment 5, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration; and
- b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

There are no previous planning applications for the subject property.

### **ISSUE BACKGROUND**

#### **Proposal**

The proposed plan of subdivision comprises twelve (12) detached dwellings and thirty-two (32) semi-detached dwellings, for a total of forty-four (44) residential units. All proposed lots will have frontage on a new public local road with a width of 16.5 metres. The public road will be accessed from Humberwood Boulevard. Refer to Attachment 2 – Landscape Concept Plan for an illustration of the proposed subdivision.

#### **Site and Surrounding Area**

The subject property has an area of 1.85 hectares with 96 metres of frontage on Humberwood Boulevard, 123 metres of frontage on Morningstar Drive. The property also abuts the Highway No. 427 corridor.

There are no buildings or structures on the subject property. A large amount of fill has been present on the site for the past several years. The property slopes gently from west to east. Vegetation throughout the property consists of overgrown grasses, shrubs, and small trees.

There is no record of any previous development on the subject property. The site was previously owned by Toronto Catholic District School Board.

The subject site is surrounded by the following land uses:

- North: detached residential houses
- West: Highway No. 427, City of Mississauga
- South: Morning Star Drive, Indian Line Park (active recreational), townhouses further south
- East: Humberwood Boulevard, Humberwoods Park (trail, natural open space)

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject property is designated *Neighbourhoods* on Map 13 – Land Use Plan. *Neighbourhoods* are primarily intended for lower scale residential uses such as detached houses, semi-detached houses, and townhouses.

## **Zoning**

The current zoning designation is *Third Density Residential (R3)*, which permits detached dwellings, semi-detached dwellings, duplexes, triplexes, and group homes, as well as limited home occupations and institutional uses.

The proposed development of detached dwellings and semi-detached dwellings is consistent with the dwelling types permitted in the *R3* zone.

The applicant has submitted a Minor Variance application to vary development standards related to, amongst other things, lot area, lot frontage, setbacks, floor space index, coverage and height. The application was scheduled for the Committee of Adjustment meeting on October 20, 2011.

## **Site Plan Control**

The proposed development is not subject to Site Plan Control.

## **Reasons for Application**

A Draft Plan of Subdivision application is required to create the proposed residential lots.

## **Community Consultation**

Community consultation has been conducted by way of the public notice signs that have been posted on site since June 16, 2011, as well as by the Notice of Public Meeting that was distributed to local residents within 120 metres of the subject site.

City Planning has received a response from a local resident regarding the potential for increased traffic on Humberwood Boulevard. The resident suggested that the proposed local road connect to Morning Star Drive instead of Humberwood Boulevard to minimize the additional traffic and turning movements on Humberwood Boulevard. Technical Services staff have determined that an access onto Morning Star Drive is not feasible due to grading and sightline limitations.

## **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 conditions of Draft Plan Approval.

## **COMMENTS**

The proposed development is consistent with the *Neighbourhoods* designation in the Official Plan.

The proposed development is consistent with the general intent of the *R3* zoning designation.

Following a detailed review of the proposed variances to the *R3* zoning standards, it was determined that a Minor Variance application could consider the variances related to, amongst other things, area, frontage, setbacks, floor space index, coverage, and height.

The Ministry of Transportation (MTO) advised that "any new buildings/structures or amenities that are vital to the viability of this proposal or the lots, above and below ground, be setback a minimum of 14 metre from the highway property line." Existing residential developments adjacent to the Highway No. 427 corridor have been reviewed and this development meets the MTO requirement.

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

The proposal is consistent with the Provincial Policy Statement. The proposed development represents *intensification* within a *settlement area* and a *designated growth area*, which is supported by the Settlement Areas policies found in section 1.1.3.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. In accordance with section 2.2 of the Growth Plan, the proposed development will provide *intensification* of the existing *built-up area*.

## **Land Use**

The subject site is currently vacant. The proposed residential development is compatible with the adjacent uses and will maintain the general character of the neighbourhood.

## **Density, Height, Massing**

The proposed development consists of twelve (12) two-storey detached houses and thirty-two (32) three-storey semi-detached houses. The lots with detached houses will have a floor space index in the range of 0.60 to 0.70 and the lots with semi-detached houses will have a floor space index in the range of 0.70 to 1.05.

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

The proposed development will have a minimal traffic impact on the surrounding roads. The current level of service at the signalized intersection at Humberwood Boulevard and Morning Star Drive will be maintained with the proposed development.

The proposed roadway connection at Humberwood Boulevard will allow all movements. The intersection will be unsignalized with stop sign control on the access road.

Two parking spaces will be provided for each semi-detached unit: one space in the garage and one space on the driveway. Four parking spaces will be provided for each detached unit: two spaces in the garage and two spaces on the driveway.

## **Servicing**

The existing watermain and sanitary sewer on Humberwood Boulevard will provide sufficient water supply and wastewater service for the proposed development.

All stormwater will be directed into the existing storm sewer on Humberwood Boulevard via new sewers beneath Street 'A'.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with over 3.0 hectares of 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 1020-2010.

The application proposes 44 residential units in an area of 1.85 hectares. At the alternative rate of 0.4 hectares per 300 units as specified in By-law 1020-2010, the residential parkland dedication requirement is 0.59 hectares or 3.17% of the proportionate

residential site area. Therefore the parkland dedication requirements will be a minimum of 5%.

The applicant proposes to satisfy the parkland dedication requirement by cash-in-lieu and Parks staff have determined this is appropriate since the site is in the highest quintile of current provision of parkland. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by the Facilities and Real Estate Division.

### **Streetscape**

The proposed local road, Street 'A', will be designed in accordance with the Development Infrastructure Policy and Standards (DIPS) for a minor local residential street with a right-of-way width of 16.5 metres. The roadway pavement will have a width of 8.0 metres and will be flanked on both sides by sidewalks with a width of 2.0 metres. Trees will also be planted in the right-of-way.

### **Environment**

There are no watercourses, wetlands or aquatic features associated with the property. An Environmental Site Assessment has determined there are no environmental issues that warrant further investigation. The proposed development is not affected by any environmental constraints.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

Performance measures for the Tier 1 development features will be secured through the Subdivision Approval process: Construction Activity; and Stormwater Retention.

### **Development Charges**

It is estimated that the development charges for this project will be \$617,100.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **Conclusion**

The proposed infill development is compatible with and integrates well with the existing neighbourhood. The proposed 44-unit subdivision, consisting of 12 detached dwellings and 32 semi-detached dwellings, represents an appropriate and orderly development of the lands. Additionally, the subdivision with a public road provides a development that is consistent with City policies.

## **CONTACT**

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E-mail: trees2@toronto.ca

## **SIGNATURE**

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Thomas C. Keefe  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

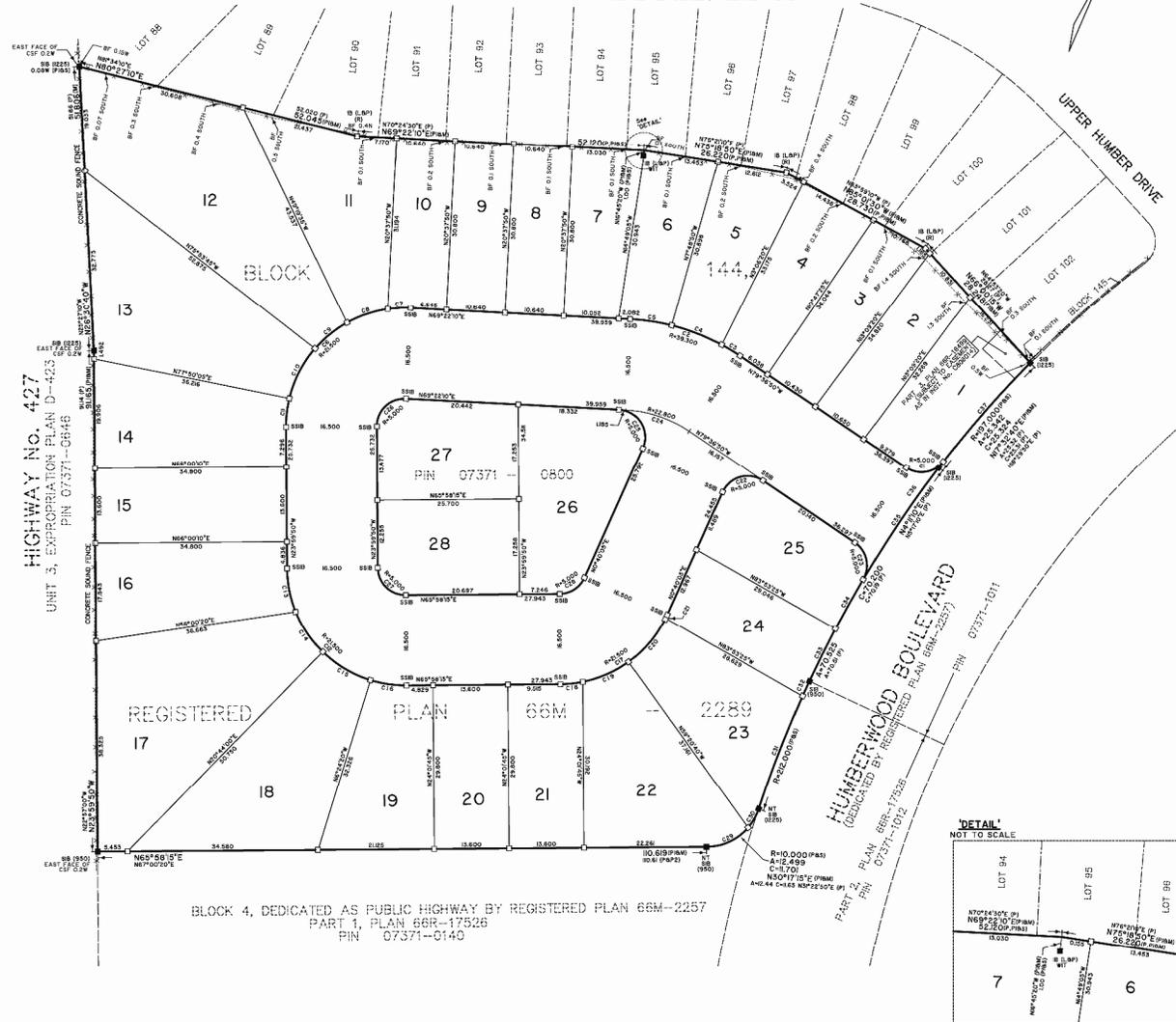
Attachment 1: Draft Plan of Subdivision  
Attachment 2: Landscape Concept Plan  
Attachment 3: Zoning  
Attachment 4: Official Plan – Land Use  
Attachment 5: Conditions of Draft Plan of Subdivision

# Attachment 1: Draft Plan of Subdivision

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN OF SUBDIVISION OF  
**BLOCK 144,**  
**REGISTERED PLAN 66M-2289**  
 CITY OF TORONTO  
 (FORMERLY CITY OF ETOBICOKE)  
 SCALE 1 : 500

SCHAEFFER DZALDOV BENNETT LTD.



## Plan of Subdivision

Applicants Submitted Drawing

Not to Scale  
 09/26/2011



## 755 Humberwood Blvd.

File # 11 190585 WET 02 SB

## Attachment 2: Landscape Concept Plan



### Landscaped Plan

Applicants Submitted Drawing

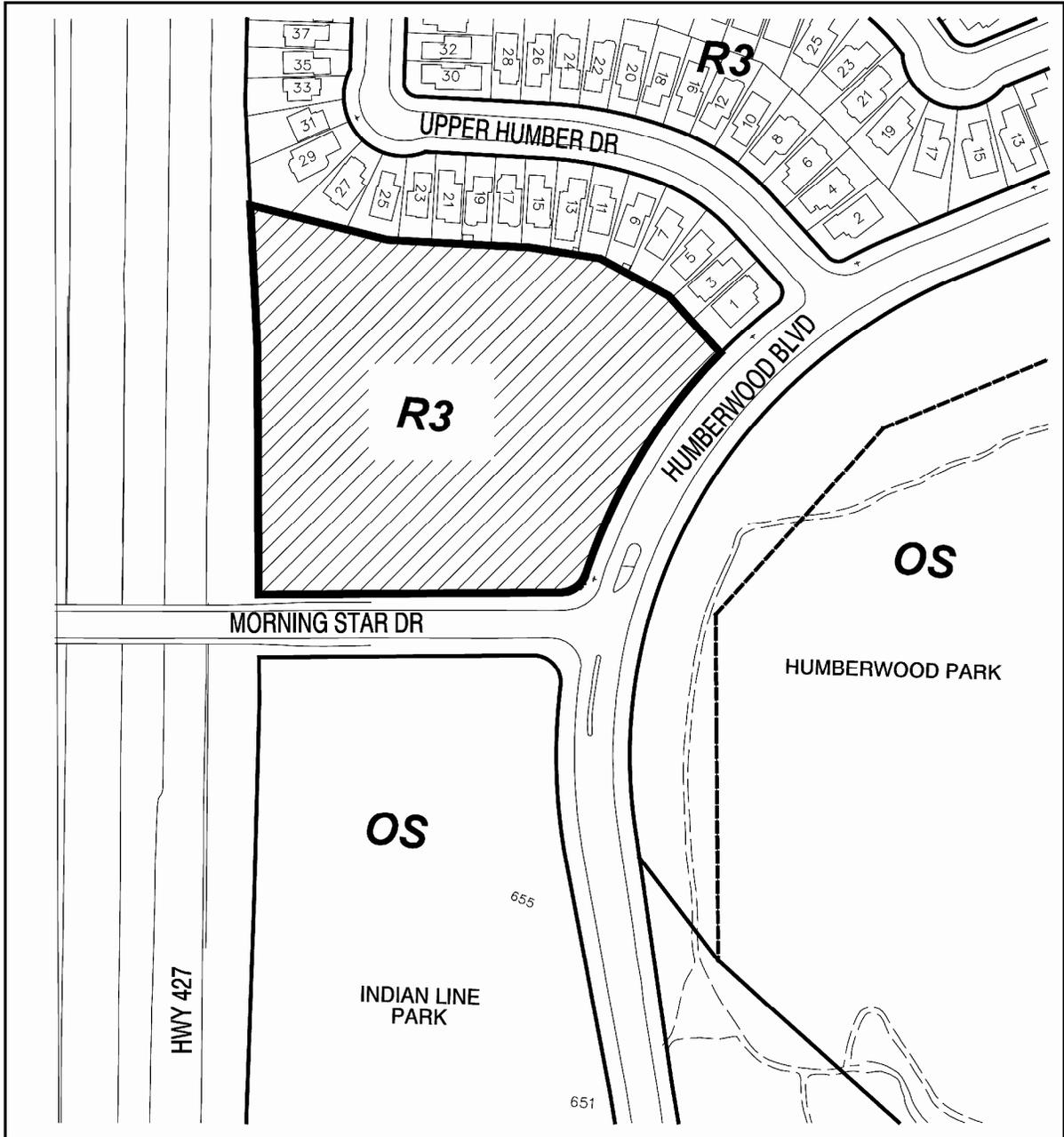
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09/26/2011



755 Humberwood Blvd.

File # 11 190585 WET 02 SB

Attachment 3: Zoning



**Toronto** City Planning  
Zoning

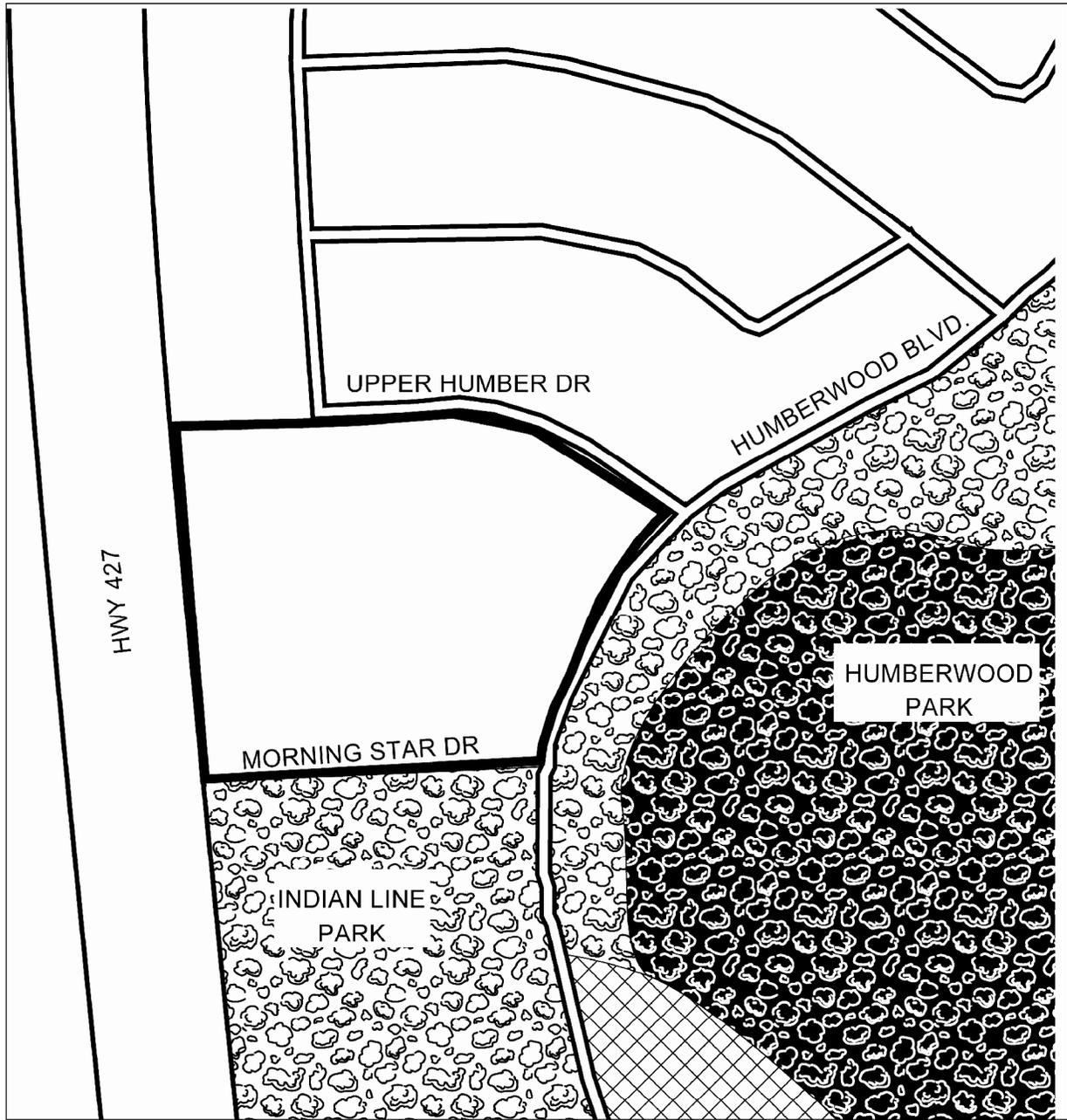
755 Humberwood Blvd.  
File # 11 190585 WET 02 SB

R3 Residential Third Density  
OS Public Open Space



Not to Scale  
Zoning By-law 11,737 as amended  
Extracted 09/26/2011

Attachment 4: Official Plan – Land Use



**TORONTO** City Planning  
**Official Plan**

755 Humberwood Blvd.

File # 11 190585 WET 02 SB

 Site Location  
 Neighbourhoods

Parks & Open Space Areas  
 Natural Areas  
 Parks



Not to Scale  
 09/28/2011

## **Attachment 5: Conditions of Draft Plan of Subdivision**

Draft Plan of Subdivision Application No. 11 190585 Wet 02 SB

BLOCK 144, REGISTERED PLAN 66M-2289, CITY OF TORONTO (Formerly City of Etobicoke), municipally known as 755 Humberwood Boulevard

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

#### **CITY PLANNING**

##### **General**

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
2. The Owner shall provide to the Director of Community Planning, Etobicoke York District, confirmation that the taxes have been paid in full (statement of account or Tax Clearance Certificate).
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.

##### **Toronto Green Standard**

4. Submit a complete Toronto Green Standards (TGS) checklist to the satisfaction of City Planning.

##### **Minor Variance**

5. The Owner shall obtain approval from the Committee of Adjustment for a Minor Variance application to allow the proposed reductions in lot frontages and lot areas as depicted on the Draft Plan of Subdivision dated April 1, 2011 and received by City Planning on May 10, 2011, and approvals shall be in full force and effect.

##### **Environmental Planning**

6. The site landscaping and street tree planting plans shall utilize native species that are compatible with the Humber River valley lands. The natural heritage consultant shall advise on specific species that would be compatible with the adjacent Humber River valley lands.

##### **Heritage Preservation**

7. The applicant shall retain a consultant archaeologist, licensed by the Ministry of

Tourism and Culture under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 2 archaeological assessment on the lands identified in Figure 4 of the assessment report dated March 14, 2011, and mitigate through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The assessment is to be completed in accordance with the Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism and Culture.

8. Prior to the registration of the Plan of Subdivision the consultant archaeologist shall submit a copy of the relevant assessment report(s) to the Heritage Preservation Services Unit in both hard copy format and as an Adobe PDF file.

## **TECHNICAL SERVICES**

### **Subdivision Agreement**

9. The Owner shall enter into a Standard Subdivision Agreement with the City for the construction of all municipal services required to service this subdivision and post adequate securities for this servicing, all to the satisfaction of the Executive Director of Technical Services (copy attached). The Agreement will, among other things, address matters regarding engineering services, the assumption of services, soil and groundwater quality, conveyances to the City, fees, financial securities, requirements for building permits and grading and building siting control.

### **Roadways**

10. The Owner shall design the proposed public road (Street 'A') in accordance with the City of Toronto Drawing Nos. UD-DIPS-3A (Sheet 1) and Street A shall be dedicated to the City as public road. Please note, surface and below-grade encroachments are not permitted within the right-of-way limits of Humberwood Boulevard and the proposed public road (Street 'A').
11. The Owner shall submit a detailed pavement marking and signage plan.

### **Municipal Servicing**

12. The Owner shall submit an updated Functional Servicing Report to the satisfaction of the Executive Director of Technical Services.
13. The Owner shall design to the satisfaction of the Executive Director of Technical Services, any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development and obtain the necessary approvals of the Ministry of the Environment for such infrastructure.
14. The Owner shall make satisfactory arrangements with the Executive Director of Technical Services respecting the provision of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to

accommodate the proposal including the provision of adequate financial guarantees, including engineering and inspection fees.

15. The Owner shall provide a detailed Stormwater Management Report and apply storm water management techniques for this development to the satisfaction of the Executive Director of Technical Services.

### **Traffic**

16. The Owner shall provide an addendum to the Traffic Impact Study prepared by Read, Voorhees and Associates Ltd., dated March 2011, which addresses the concerns / issues specified in the Traffic Assessment section contained within the memorandum from Development Engineering to Community Planning dated August 11, 2011.

### **Land Conveyance**

17. The Owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances subject to a right-of-way for access purposes in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor.
18. The Owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.
19. The Owner shall pay all costs for preparation and registration of reference plan(s).
20. Dedicate all roads, corner roundings, and road widenings shown on the plan.
21. Label the lands that are to be a future public street on the M-Plan.

### **Environmental Site Assessment**

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

Please note the applicant has satisfied the environmental peer review process and submitted a record of site condition (RSC) for the subject site as submitted. However, should the location of the lands being conveyed to the City change, the environmental assessment will have to be reexamined.

### **Utility Coordination**

23. The Owner shall provide a Composite Utility Plan illustrating the location and spacing of proposed utilities and street trees. The CUP must be signed off by all the utility companies and the City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Technical Services.

### **Setback from M.T.O. Highway**

24. The west limit of the site abuts Highway 427 and the Applicant will be required to obtain approval for the proposed setback of the houses from the Ministry of Transportation.

## **URBAN FORESTRY**

### **Landscaping**

25. The Owner shall ensure that utilities within the proposed future road allowance of Street 'A' do not limit City streetscape planting, which is required at 7 to 9 metre spacing within municipal road allowances, where feasible, including along Humberwood Boulevard and Morning Star Drive.
26. The Landscape Concept Plan (L1), prepared by Baker Turning In., revision date April 1, 2011, shall be revised to include additional street trees at approximately 7 to 9 metres spacing within the road allowance on Humberwood Boulevard and Morning Star Drive, to the satisfaction of Urban Forestry – Tree Protection & Plan Review.
27. All street trees within the municipal road allowances require 30 cubic metres of soil volume for adequate tree growth and development. The owner shall submit a Landscape Details Plan that incorporates soil cell technology details below the driveways where there is insufficient soil volume between the driveways for the proposed street trees, to the satisfaction of Urban Forestry – Tree Protection & Plan Review.

City of Toronto Tree Planting Detail No. PD 101 – Balled and Burlapped Trees in Turf must be incorporated in the Landscape Details Plan, for any soft surface areas within the Humberwood Boulevard and Morning Star Drive municipal road allowances. A copy of this detail is attached and is also available on the City of Toronto's website at [www.toronto.ca/trees](http://www.toronto.ca/trees).

28. The Owner shall submit a Planting Plan to the satisfaction of Urban Forestry – Tree Protection & Plan Review. Species selection requires prior approval by Urban Forestry staff. The use of ornamentals, coniferous, or monoculture species should be avoided due to their maintenance requirements. Rather large growing native species, suited to the specific site conditions, are required, on account of the development site situated in extremely close proximity to a Ravine & Natural Feature by-law regulated area to the east. In addition the Planting Plan must not

contain any selections which are hosts to either Asian Long-Horned Beetle, or Emerald Ash Borer, both regulated federally by the Canadian Food Inspection Agency, in the area of the proposed development.

### **Deposits and Inspections**

29. To guarantee the protection of six (6) existing city-owned trees on Humberwood Boulevard, the Owner shall provide a Tree Protection Guarantee in the amount of \$3,498.00 that may be held by the City for a minimum period of two years from the completion of the construction, or until Urban Forestry is satisfied that the trees have not been damaged and that the potential for damage to occur is no longer present.

Funds provided for Tree Protection Guarantees can be provided in the form of: certified cheque or money order made payable to The Treasurer of the City of Toronto, debit, Visa, MasterCard, or through a secured investment. Payment must be made in person at 441 Kipling Avenue, Monday to Friday, between the hours of 8:00 a.m. to 3:00 p.m., to facilitate completion of the required documentation.

30. The Owner shall provide a security deposit of \$583 per City streetscape tree for all new plantings on Street 'A', Morning Star Drive, and Humberwood Boulevard. The deposit will cover the cost of the tree and its planting and maintenance for a period of two years. The deposit will be refunded after a period of two years upon Urban Forestry confirming that the trees have been planted and are in good condition. The total amount of the Tree Planting Security deposit will be determined once a final landscape plan has been agreed upon.

## **MINISTRY OF TRANSPORTATION**

### **Stormwater Management**

31. The Owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management plan and report indicating the intended treatment of the calculated runoff and the impacts of drainage on the Highway 427 right-of-way.

## **CANADA POST**

### **Community Mailbox**

32. The Owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
33. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:

- a. An appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon Request). The developer further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed.
- b. Any required pathway across the boulevard, as required and as per municipal standards.
- c. Any required curb depressions for wheelchair access.

## **ENBRIDGE GAS DISTRIBUTION INC.**

### **Composite Utility Plan**

34. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.

## **CONDITIONS TO BE INCLUDED IN THE SUBDIVISION AGREEMENT**

### **CITY PLANNING**

#### **Toronto Green Standard**

35. The Owner shall 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.

#### **Environmental Planning**

36. The subject property shall be surveyed for nesting birds immediately prior to any site clearing activities.

#### **Heritage Preservation**

37. No demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City's Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied.
38. Significant archaeological resources and findings will be incorporated into the proposed development through either in situ preservation and interpretation where feasible, or will be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

### **Noise Attenuation**

39. The following warning clauses shall be included in Occupancy Agreements for lots 1 to 25, regarding noise impact from Highway No. 427, Morning Star Drive, and Humberwood Boulevard:

Purchasers/tenants are advised that sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound level exceed the Municipality's and the Ministry of the Environment's noise criteria.

40. The following warning clause shall be included in the Occupancy Agreement for lots 5 to 22 regarding noise impact from Highway No. 427, Morning Star Drive, and Humberwood Boulevard:

This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment's noise criteria.

41. The following warning clause shall be included in the Occupancy Agreement for lots 1 to 4 and 23 to 25 regarding noise impact from Highway No. 427, Morning Star Drive, and Humberwood Boulevard:

This dwelling unit has been fitted with a forced air heating system and the ducting, etc., was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment's noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts and comply with criteria of MOE Publication NPC-216, Residential Air Conditioning Devices.)

## **TECHNICAL SERVICES**

### **Roadways**

42. The Owner shall design and construct the proposed public road (Street 'A') in accordance with the City of Toronto Drawing Nos. UD-DIPS-3A (Sheet 1) and Street A shall be dedicated to the City as public road. Please note, surface and below-grade encroachments are not permitted within the right-of-way limits of Humberwood Boulevard and the proposed public road (Street 'A').

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

43. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.

44. The Owner shall submit financial securities in accordance with the terms of the standard subdivision agreement.
45. The Owner's Consulting Engineer shall provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

#### **Noise Attenuation**

46. Carry out/ implement Noise Mitigation Measures in accordance with the approved Noise Mitigation Measures Report to the satisfaction of City Planning.

#### **Winter Maintenance**

47. The Owner agrees to include in Agreements of Purchase and Sale and/or Rental Agreements a warning clause advising purchaser(s) and/or tenant(s) that there will be no sidewalk winter maintenance and no windrow clearing at driveway locations by the City.

#### **Setback from M.T.O. Highway**

48. The west limit of the site abuts Highway 427 and the Applicant will be required to obtain approval for the proposed setback of the houses from the Ministry of Transportation.

### **URBAN FORESTRY**

#### **Migratory Birds**

49. Prior to site disturbance the Owner must confirm that no migratory birds are making use of the site for nesting. This applies to all City and private trees, regardless of size and private by-law applicability. The owner must ensure that the works are in conformance with the Migratory Bird Convention Act and that no migratory bird nests will be impacted by the proposed work.

#### **Tree Preservation**

50. In accordance with the Tree Inventory/Protection Plan (TS.1) prepared by Baker Turner Inc., revision date April 1, 2011, trees nos. 1a, 1b, 2, 3, 6, and 7 shall be retained and protected in accordance with the City's tree protection Policy and Specifications for Construction Near Trees.

### **TORONTO DISTRICT SCHOOL BOARD**

#### **Signage**

51. The applicant/developer enter into an agreement to erect and maintain signs, 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 school(s), please call 416-394-7526.

These signs shall be to the Board's specifications and erected prior to registration or the issuance of any building permit.

### **Warning Clause for Purchase and Sale Agreements**

52. The applicant/developer agree in the Servicing and/or Subdivision Agreement, or in a separate agreement between the School board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

- b. 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 student may later be transferred.
  
- c. 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.

## **CANADA POST**

### **Purchase and Sale Agreements**

53. The Owner/developer agrees to include on all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

54. The Owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer on which the homeowners does a sign-off.

### **Community Mailbox**

55. The Owner/developer will provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:

- a. An appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon Request). The developer further

agrees to provide these cement pads during sidewalk pouring and will notify Canada Post of the locations as they are completed.

- b. Any required pathway across the boulevard, as required and as per municipal standards.

56. The Owner/developer further agrees to determine and provide and fit up a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent CMB site location(s). (a gravel area with a single row of patio stones – spec to provided) This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The developer further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time. (the developer should provide evidence of how they intend to coordinate this activity in a timely manner to a safe and clear usable area)

57. The Owner/developer agrees to ensure that all new home buyers will be officially notified of the exact Community Mailbox location(s) prior to any house sales. Also that the builder will post in a clear site a copy of the plan indicating the Community Mailbox sites at the sales office. This plan is requested to be completed and approved prior to the start of the house sales for the subdivision.

## **ENBRIDGE GAS DISTRIBUTION INC.**

### **Utility Coordination**

58. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.

Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.

The developer shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.