

50 Kenton Drive – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Final Report

Date:	July 22, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	12 290639 NNY 23 OZ and 12 290645 NNY 23 SB

SUMMARY

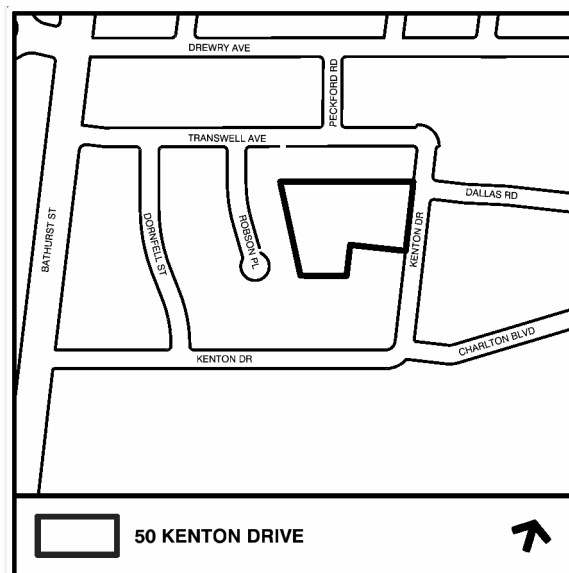
These applications are to amend the former City of North York Zoning By-law No. 7625 and for Draft Plan of Subdivision Approval. They propose fifteen (15) single detached dwellings and a new public road (cul-de-sac), with vehicular access from the eastern portion of Kenton Drive, on a former school yard at 50 Kenton Drive.

This report reviews and recommends approval of the application to amend the Zoning By-law. This report also advises that the Chief Planner may approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625, for the lands at 50 Kenton Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report dated July 22, 2014.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



3. Prior to the enactment of the Bills to City Council, the owner shall enter into an Offer to Purchase agreement with the City, to purchase the Transwell Avenue walkway at market value, to the satisfaction of the Director of Real Estate Services.
4. 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 intends to approve the draft plan of subdivision as generally illustrated on Attachment 6 to report dated July 22, 2014 subject to:
 - a. the conditions as generally listed in Attachment 6 to report dated July 22, 2014 which except as otherwise noted must be fulfilled prior final approval and 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 and Executive Director, City Planning 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

Kenton Public School was closed in 1982. The northerly portion of the property was declared surplus by the Toronto District School Board (TDSB) on February 9, 2011. The subject site was severed from the retained school building through a consent application that was approved by the Committee of Adjustment on November 17, 2011. The site was sold to the current owner on February 1, 2012.

A Preliminary Report related to the current Zoning By-law Amendment and Subdivision applications was considered by North York Community Council on February 26, 2013:

<http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-55924.pdf>

ISSUE BACKGROUND

Proposal

The proposal is to divide the subject property into fifteen (15) lots for single detached dwellings that would all front on a new public road (cul-de-sac). Proposed lot areas range from 487 square metres to 929 square metres and lot frontages ranging from 11.4 metres to 29.3 metres. The subdivision includes a new east-west public road (cul-de-sac) accessed from Kenton Drive. Six of the proposed dwellings (Lots 1-6) will back onto the retained school site, while the remaining nine lots (7-15) will back onto existing single detached dwellings that front on Transwell Avenue and Robson Place. The single detached dwellings are proposed to be 2-storeys (9.1 metres) in height, range in area from 261 to 320 square metres (2,810 to 3,440 square feet) and would have

a maximum coverage of 32%. Rear yard setbacks would be a minimum of 9.5 metres. Each dwelling would have an integral 2-car garage, which would be accessed from the new public street. The applicant is also requesting a temporary sales office contained within a model home on the site in order to market the proposed dwellings.

Site and Surrounding Area

The subject property is approximately 1.09 hectares (2.70 acres) in size and is located on the west side of Kenton Drive, south of Transwell Avenue. The property has frontage of approximately 74.6 metres on Kenton Drive. The land is generally flat, with a grade difference of approximately 1.5 metres between the highest points of the site (to the south and east) and the lowest points (to the north and west). The site was previously a playing field associated with the former Kenton Public School (currently the Kenton Adult Learning Centre).

Land uses surrounding the site are as follows:

North: One and two-storey single detached dwellings on Transwell Avenue and a pedestrian walkway to Transwell Avenue.

South: The Kenton Adult Learning Centre, one, one-and-a-half and two-storey single detached dwellings on Kenton Drive.

East: One-and-a-half-storey single detached dwellings on Kenton Drive and Charlton Park.

West: One-storey single detached dwellings on Robson Place and a pedestrian walkway to Robson Place.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Neighbourhoods* in the Official Plan (Map 16). According to Policy, 4.1.1 *Neighbourhoods* are considered physically stable areas made of broad residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The Official Plan establishes development criteria which, among other matters, require development to: provide an attractive, comfortable and safe pedestrian environment; have access to schools, parks, community centres, libraries and childcare; take advantage of nearby transit

services; and provide good site access and circulation and an adequate supply of parking for residents and visitors.

Other relevant policies of the Official Plan include Policy 4.1.5 which states:

Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

Zoning

The former City of North York Zoning By-law No. 7625 zones the property One-Family Detached Dwelling Fourth Density Zone (R4). This zoning permits single detached dwellings.

Plan of Subdivision

An application for Draft Plan of Subdivision was submitted to the City to establish the public road and create lots for the single detached dwellings as shown on Attachment 1a. The Chief Planner has delegated approval authority for Plans of Subdivision under By-law 229-2000.

Site Plan Control

The proposal is not subject to site plan control. However, Architectural Control Guidelines will be established to ensure quality design of the dwellings.

Reasons for Application

An amendment to the Zoning By-law is required to establish site-specific performance standards for the proposed single detached dwellings, including coverage, height and setbacks. The Plan of Subdivision is required to create 15 lots and a new public road (cul-de-sac).

Community Consultation

A Community Consultation meeting was held on May 14, 2013 to present the proposed development and obtain community feedback. Approximately 35 members of the community were in attendance. Following presentations from City staff and the applicant, a number of comments and issues were raised:

- Pre and post-development stormwater flow and the impact on neighbouring properties;
- The loss of parkland in the neighbourhood;
- The future of two existing pedestrian walkways that connect to the site from Transwell Avenue and Robson Place;

- Increase in traffic;
- Impacts on neighbours during future construction;
- Overlook from second floor balconies; and
- The preservation of trees on site.

A letter was submitted signed by 60 neighbours in opposition to the proposed development. The letter states issues of compatibility with the existing neighbourhood and increased traffic.

One letter was received in support of the proposed development.

COMMENTS

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards and conditions of Draft Plan Approval.

PROVINCIAL POLICY STATEMENT AND PROVINCIAL PLANS

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It efficiently uses land in an area served by existing municipal infrastructure and provides access to transit.

Land Use and Built Form

The *Neighbourhoods* designation in the Official Plan permits the proposed single detached dwellings, fronting onto a new public street. The Official Plan also speaks to compatibility with the existing built form.

Policy 4.1.5 requires that new development in established neighbourhoods respect and reinforce the existing physical character of the neighbourhood. This includes street and block patterns, size and configuration of lots, height, massing and scale of dwellings, setbacks and landscaped open space.

The proposed development builds upon the lot and road configuration established in the adjacent residential community. The lots are generally consistent with the existing R4 zoning, which permits single detached dwellings with 15-metre frontages on lots having 550 square metres in area. The lots for the proposed single detached dwellings have frontages that range from 11.4 metres to 29.3 metres, with the lots around the bulb of the cul-de-sac having narrower frontages. The lot area for each lot ranges from 486.6 square metres to 928.6 square metres. Ten of the fifteen lots are larger in area than 550 square metres, as required by By-law 7625. This is acceptable as the lots can still provide adequate setbacks.

The R4 zone requires front yard setbacks of 5.25 metres to 8.5 metres, side yard setbacks of 1.2 metres to 1.8 metres and rear yard setbacks of 9.5 metres. This development proposes front yard setbacks from 4.5 metres (to the main face of the dwelling) to 6.0 metres (to the garage), side yard setbacks of 1.2 metres and rear yard setbacks of 9.5 metres. The proposed setbacks provide adequate separation between the proposed dwellings and are consistent with other setbacks in the area.

The building length will generally be a maximum of 16.8 metres, which is consistent with By-law 7626. However, due to the narrower frontage of some of the lots around the bulb of the cul-de-sac, a building length of 19.3 metres will be permitted on Lots 4, 5, 6, 9 and 10. The impact of the increased building length is acceptable as each of these lots has an area that exceeds the 550 square metres required in By-law 7625 and the setbacks are appropriate.

The development provides adequate privacy with part of lot 6 and all of lots 7 to 15 having a back to back relationship to adjoining lots on Transwell Avenue to the north and Robson Place to the west. Lots 1 to 5 and part of lot 6 back on to the retained school property.

The R4 zone has a maximum lot coverage of 30% for the Kenton neighbourhood. This development proposes a maximum lot coverage of 32%. This coverage is consistent with other new developments in the area.

The neighbourhood is comprised primarily of 1 and 1.5 storey single detached dwellings. There are also newer, larger scale 2-storey single detached dwellings that replaced houses built as part of the original subdivision. The proposed 2-storey (9.1-metre) dwellings are compatible with the existing neighbourhood.

The height, massing and scale of the proposed dwellings are appropriate and compatible with adjacent properties in the neighbourhood.

The amending by-law permits a model home on Lots 1 or 15, to be used temporarily as a sales office, for one year from the issuance of the building permit. It is limited to selling only homes on this site.

Architectural Control Guidelines

The applicant has prepared Architectural Control Guidelines that include guidelines for landscaping and architectural design. The guidelines address the need for upgraded elevations for rear and flanking elevations that are visible from the public realm, enhanced landscaping and decorative wood fencing abutting the existing school. A variety of elevation materials and colour packages would be offered for the proposed dwellings. Garages will not project beyond the main face of the dwelling. A variety of roof types would be provided and would include accent gables, dormers and porches. Utilities (meters) would be confined to side elevations, not visible from the public realm.

Traffic Impact, Access, Parking

Given the scale of the proposed development (15 single detached dwellings), Transportation staff did not require a Traffic Impact Study (TIS). The new public road (cul-de-sac) complies with Development Infrastructure Policy & Standards (DIPS). It will be 16.5 metres in width, with a 12.5-metre radii at the turning circle at the west end. The new road will intersect the eastern portion of Kenton Drive, south of Dallas Road. Each dwelling is proposed to have a 2-car garage and driveway. A concrete sidewalk will be required on the new street, as per Council policy. Transportation staff are supportive of the proposed new street and parking arrangements.

Servicing

The applicant's stormwater solution must comply with the City's Wet Weather Flow Management Guidelines. The Guidelines require that the development site must retain stormwater on-site, to the extent practicable, to achieve the same level of annual volume of overland runoff allowable from the development site under pre-development conditions. Storm drainage from the subdivision shall not be drained overland onto adjacent properties and existing drainage patterns on adjacent properties shall not be altered. The applicant's proposal indicates that the fronts of the lots will drain onto the new public street and the rear of lots will drain by a storm drainage system toward the rear of lot 9 that would connect to a pipe beneath the Transwell walkway and ultimately connect to the existing stormwater infrastructure beneath Transwell Avenue. The applicant has agreed in principle to purchase the Transwell walkway to facilitate a stormwater solution. This report recommends that prior to the enactment of the Bills to City Council, the owner shall enter into an Offer to Purchase agreement with the City, to purchase the walkway.

Existing Pedestrian Walkways

There are two existing walkways that provided pedestrian access to the former school site. A 6-metre wide walkway leads to Transwell Avenue and a 3-metre wide walkway leads to Robson Place. The walkways were closed by by-law, but remain City-owned. If the walkways were to remain, they would lead to new rear yard fences when the subdivision is built. The resulting 'stub' walkways would be neither safe, nor desirable.

Real Estate Services is currently negotiating the sale of the Transwell Avenue walkway, declared surplus by way of DAF 2014-057, to the applicant. Recommendation 3 of this report and a condition of Draft Subdivision Approval require the applicant to purchase the Transwell Avenue walkway, to the satisfaction of the Director of Real Estate Services, as it is required for storm water purposes. It is anticipated that the sale will be complete by the end of 2014, subject to an easement that will be secured as a condition subsequent in the Offer to Purchase over the entire walkway for a storm sewer and service drainage system necessary to the development. As part of the Offer to Purchase, Real Estate Service staff will ensure that any sales include appropriate security and provisions for the former walkway land.

The Robson Place walkway has also been declared surplus and Real Estate staff have approached abutting owners to determine potential interest in its purchase. The subdivision conditions will also require the applicant to landscape both walkways as appropriate.

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 0.43 – 0.79 hectares of local parkland per 1,000 people. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The application proposes 15 single detached dwelling and the construction of a new public road on a net site area of 8990m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.02 hectares or 2.2% of the net site area.

A minimum of 5% of the site area is required for residential development on this site. The required parkland dedication is therefore 450m².

The applicant is requested to satisfy the parkland dedication requirement by cash-in-lieu and this is appropriate as the parkland requirement is too small to be of a useable size. The site is also approximately 100 metres west of Charlton Park.

While some members of the public viewed the proposal as a loss of parkland, the site has always been privately owned and never designated or operated as a public park. The site is located approximately 100 metres from Charlton Park and the Finch Hydro Corridor.

Trees

The applicant is proposing to remove 3 trees protected under the provisions of the Private Tree By-law, which would require the planting of 9 replacement trees (under the 3:1 replacement ratio). The Landscape Plan indicates 12 new trees on private property. Furthermore, 2 City-owned trees will be removed from the Kenton Drive road allowance, but 15 new street trees will be planted on public property.

Environment

The applicant must file a Record of Site Condition (RSC) on Ontario's Environmental Site Registry for all lands to be conveyed to the City, prior to the registration of the Plan of Subdivision.

A Construction Management Plan and Transportation Management Plan will be required prior to the registration of the Plan of Subdivision, to minimize impacts on neighbours during construction.

Subdivision

The draft conditions of approval, as outlined in Attachment 6, will ensure the road is constructed to City standards, the Transwell Avenue walkway is sold to the applicant and that both walkways are restored by the applicant. The Chief Planner has delegated approval authority under By-law 229-2000.

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 Agreement and includes construction activity, stormwater retention and tree protection.

Conclusion

The Draft Zoning By-law Amendment allows the proposed residential use and implements development standards, such as height, setbacks and coverage to regulate the proposed development. The Draft Plan of Subdivision creates appropriate lots and a new public road. The Conditions of Draft Plan of Subdivision Approval ensure that the Transwell Avenue walkway will be purchased and landscaped appropriately by the applicant.

CONTACT

Doug Stiles, Planner
Tel. No. 416-395-7145
Fax No. 416-395-7155
E-mail: dstiles@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1a: Draft Plan of Subdivision
Attachment 1b: Conceptual Site Plan
Attachment 2a: Sample Front and Flankage Elevations
Attachment 2b: Sample Front Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment
Attachment 6: Conditions of Draft Plan of Subdivision

Attachment 1a: Draft Plan of Subdivision



Draft Plan of Subdivision

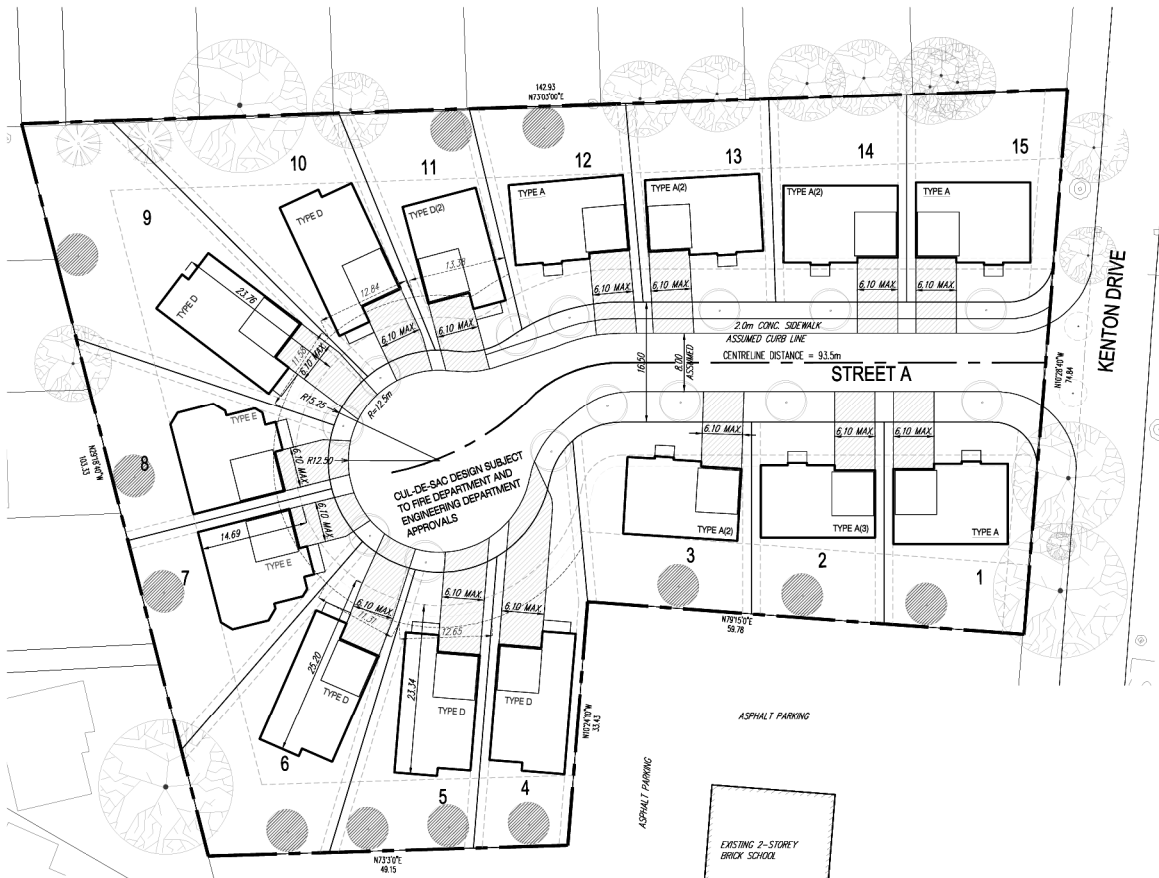
50 Kenton Drive

Applicant's Submitted Drawing

File # 12 290639 NNY 23 0Z
and 12 290645 NNY 23 SB

Not to Scale 
07/10/2014

Attachment 1b: Conceptual Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
07/10/2014 

50 Kenton Drive

File # 12 290639 NNY 23 OZ
and 12 290645 NNY 23 SB

Attachment 2a: Sample Front and Flankage Elevations



FRONT ELEVATION

FLANKAGE ELEVATION

50 Kenton Drive

Elevations

Applicant's Submitted Drawing

File # 12 290639 NNY 23 0Z
and 12 290645 NNY 23 SB

Not to Scale
07/10/2014

Attachment 2b: Sample Front Elevations



FRONT ELEVATION

Elevations

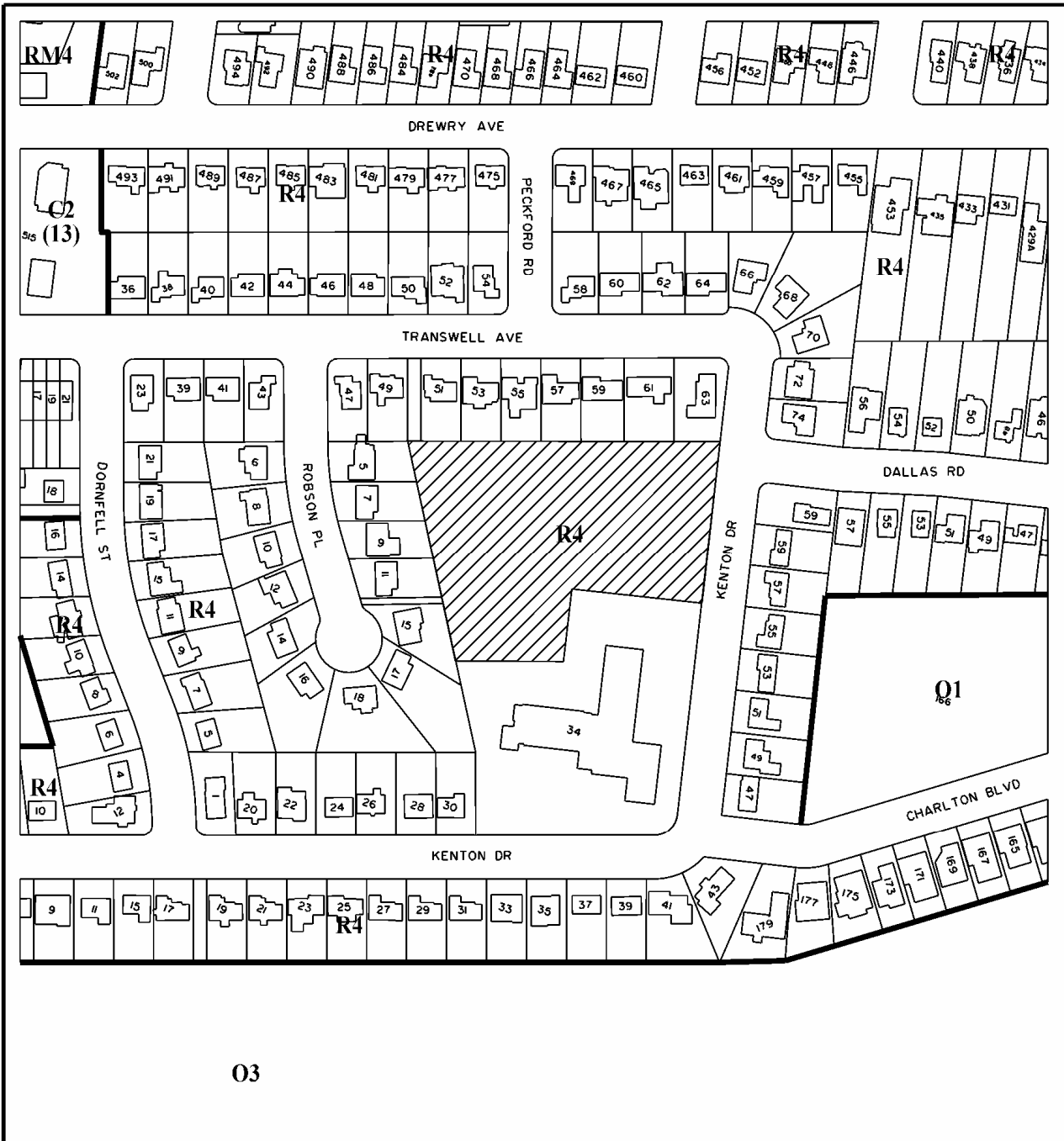
Applicant's Submitted Drawing

Not to Scale
07/10/2014

50 Kenton Drive

File # 12 290639 NNY 23 OZ
and 12 290645 NNY 23 SB

Attachment 3: Zoning



50 Kenton Drive
File # 12 290639 NNY 23 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- C2 Local Shopping Centre Zone
- O1 Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category
- O3 Semi-Public Open Space Zone

↑
Not to Scale
Zoning By-law 7625
Extracted 01/08/2013

Attachment 4: Application Data Sheet

Application Type	Rezoning and Draft Plan of Subdivision	Application Numbers:	12 290639 NNY 23 OZ 12 290645 NNY 23 SB
Details	Rezoning, Standard	Application Date:	December 7, 2012

Municipal Address: 50 KENTON DRIVE
 Location Description: **GRID N2301
 Project Description: To construct a subdivision of 15 single detached dwellings on a new public road (cul-de-sac), with vehicular access from the eastern portion of Kenton Drive.

Applicant:	Agent:	Owner:
BOUSFIELDS INC	PETER SMITH	GRANDFIELD HOMES KENTON LTD

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):	8.8	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	10930	Height:	Storeys:	2
Frontage (m):	74.84		Metres:	9.1
Depth (m):	142.93			
Total Ground Floor Area (sq. m):	1986.1			Total
Total Residential GFA (sq. m):	4445.4		Parking Spaces:	30
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4445.4			
Lot Coverage Ratio (%):	18.17			
Floor Space Index:	0.41			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	15
Total Units:	15

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	4445.4	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Doug Stiles, Planner
TELEPHONE: 416-395-7145

Attachment 5: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on
~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of North York By-law 7625, as amended,
With respect to the lands municipally known as,
50 Kenton Drive**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS authority is given to Council by Section 39 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass a By-law which authorizes the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the 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. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64.13 of By-law No. 7625 of the former City of North York is amended by adding the following new subsection:

“64.13-(107) R4 (107)

TEMPORARY USE

- (a) Sales Office

A sales office in combination with a model home shall be permitted on the lands shown on Schedule 1 to this by-law. The sales office shall be limited to selling homes only on the lands shown on Schedule 1 to this by-law and shall only be located on Lots 1 or 15, as shown on Schedule R4(107). The sales office shall be permitted for a one year period from the date of issuance of the sales office building permit.

EXCEPTION REGULATIONS

(b) Permitted Uses

Single detached dwellings and uses accessory thereto shall be permitted.

(c) Dwelling Units

(i) A maximum of 15 single detached dwelling units will be permitted on the lands shown on Schedule 1.

(ii) There shall be one single family dwelling per lot on the registered plan of subdivision.

(d) Lot Frontage and Lot Area

The minimum lot frontage and lot area shall be as listed below, for each lot as shown on R4(107):

Lot Number	Lot Frontage (m)	Lot Area (m ²)
1	20	560
2	18	480
3	29	590
4	16	580
5	12	580
6	11	740
7	13	570
8	13	560
9	11	920
10	13	720
11	13	490
12	18	530
13	18	510
14	18	510
15	20	590

(e) Front Yard Setback

The minimum Front Yard Setback shall be 6 metres to the garage and 4.5 metres to the main face of the dwelling.

(f) Side Yard Setback

The minimum Side Yard Setback shall be 1.2 metres on each side except where a lot abuts a public street, the minimum Side Yard Setback shall be 3.0 metres from the dwelling to the lot line that abuts the public street.

(g) Rear Yard Setback

The minimum Rear Yard Setback shall be 9.5 metres.

(h) Length of Dwelling

The maximum length of a dwelling shall be 19.3 metres measured from the front wall of the dwelling for Lots 4, 5, 6, 9 and 10 as shown on Schedule R4(107) and 16.8 metres measured from the front wall of the dwelling for all other Lots.

(i) Lot Coverage

The maximum lot coverage shall be 32%.

(j) Building Height

The maximum height shall be 2 storeys and 9.1 metres.

(k) Driveway

The maximum width of a driveway shall be 6.1 metres.

(l) Balconies

A walk-out balcony shall not be permitted above the ground floor.

(m) Division of Lands

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

(n) Exclusions

The provisions of Sections 7.4A and 7.4B of By-law No. 7625 shall not apply.

4. Within the lands shown on Schedule "~" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational."

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

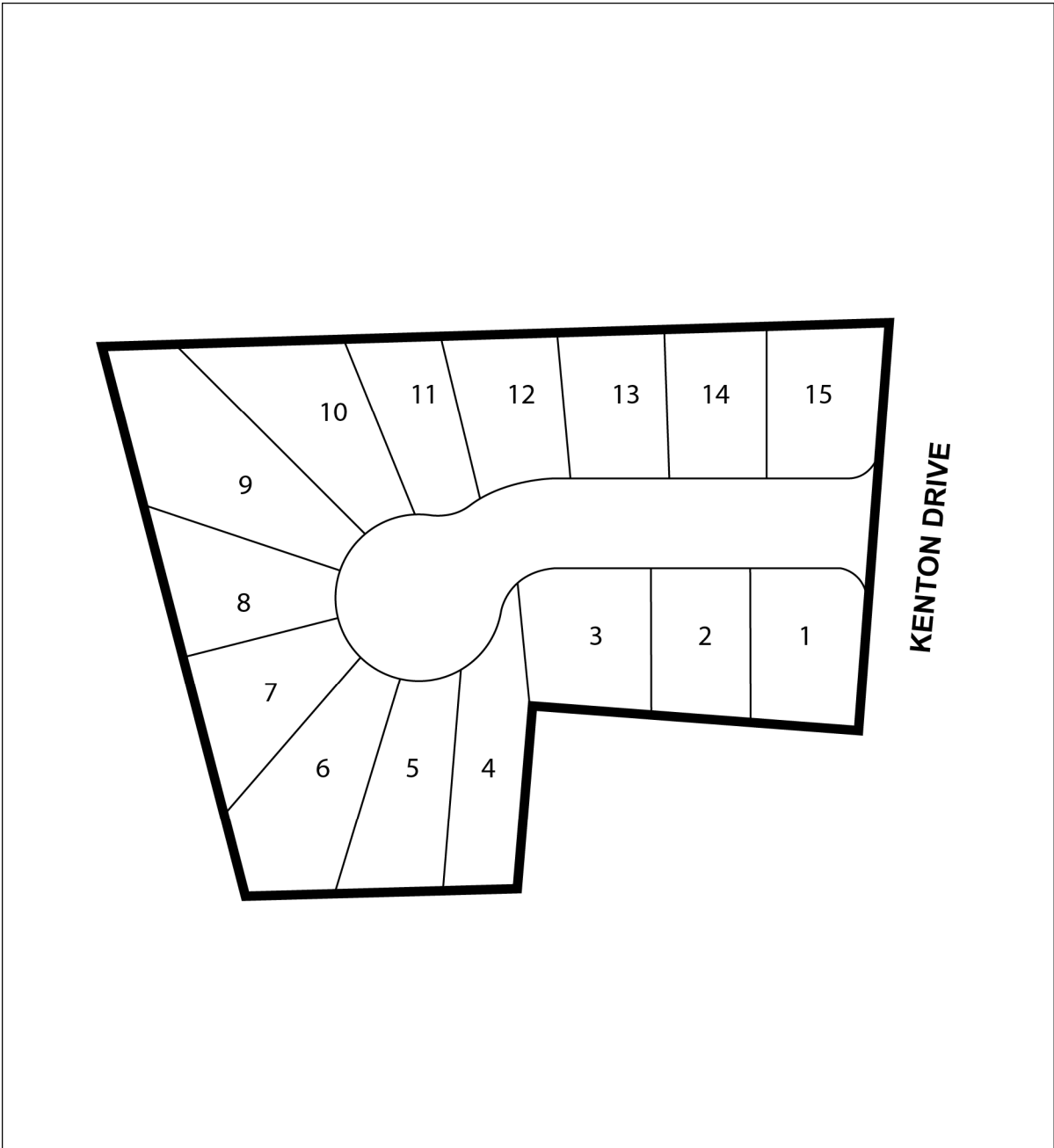


Schedule 1

Part of Block D, R.P. 4311, City of Toronto
 Lloyd & Purcell Limited., Ontario Land Surveyors
 Date: 07/10/2014
 Approved by: D. S.

File # 12 290639 NNY 23 0Z
 and 12 290645 NNY 23 SB





Attachment 6: Conditions of Draft Plan of Subdivision

Standard Conditions

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, North York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
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.
4. 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.
5. Prior to final approval and registration of the plan, the owner shall, at their expense, prepare Architectural Control Guidelines to the satisfaction of the Chief Planner, City Planning Division. Upon approval by the Chief Planner, these guidelines will form part of the Subdivision Agreement.

Real Estate Services

6. Prior to final subdivision approval, the owner shall purchase the Transwell Avenue walkway at market value, to the satisfaction of the Director of Real Estate Services.

Community Planning

7. Prior to final subdivision approval, the owner shall landscape the Transwell Avenue walkway and the Robson Place walkway including sod, fences and hard surfaces removed, to the satisfaction of the Director of Community Planning, North District.

8. Prior to final subdivision approval, the owner shall submit a Construction Management Plan and a Transportation Management Plan, to the satisfaction of the Director of Community Planning, the Director of Engineering and Construction Services and the General Manager, Transportation Services, North District.

Engineering and Construction Services

9. Enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
10. Pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.
11. Dedicate all roads and corner roundings shown on the plan.
12. Convey all necessary easements to the City or other party.
13. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Engineering and Construction Services Division, in consultation with the City Solicitor.
14. Submit a Draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - (a) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection;
 - (b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - (c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
15. Pay all costs for preparation and registration of reference plan(s).
16. The owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the 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 the submission of a Record of Site Condition (RSC).
17. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.

18. Submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.
19. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.

Urban Forestry

20. The owner shall submit an application and fee of \$600.00 to remove 2 City-owned trees.
21. The owner shall submit payment for the Amenity Value for Tree Nos. 16 and 17 in the amount of \$1,193.04.
22. The owner shall submit a tree planting deposit of \$8,745.00 for the planting of 15 new trees on City property.
23. The owner shall submit an application and fee of \$900.00 to remove Tree Nos. 1, 2 and 21 on private property.
24. The owner shall submit an Agreement for Contractors to Perform Arboricultural Services on City Owned Street Trees.
25. The owner shall submit a revised Landscape Plan substituting the red maple trees and the honey locust trees with Tulip trees and Sienna Glen Maple (Acer x Freemanni 'Sienna'), to the satisfaction of the Supervisor, Tree Protection & Plan Review.

Enbridge Gas Distribution Inc.

26. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
27. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
28. 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.
29. The developer shall provide the current City approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 metres from the street line.

Canada Post Corporation

30. The owner / developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.
31. The owner / developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - An appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on;
 - Any required walkway across the boulevard; and
 - Any required curb depressions for wheelchair access.
32. The owner / developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location(s). This will enable Canada Post to provide mail delivery to the new homes as soon as they are occupied.