

1780 Lawrence Avenue West – Zoning By-law Amendment and Plan of Subdivision Applications – Final Report

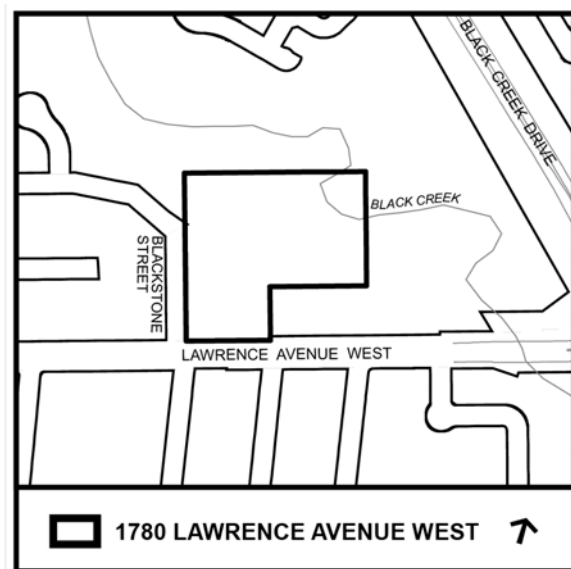
Date:	September 27, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 12 – York South-Weston
Reference Number:	14 110001 WET 12 OZ and 14 110017 WET 12 SB

SUMMARY

These applications propose to amend former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013 and seek Draft Plan of Subdivision approval at 1780 Lawrence Avenue West to facilitate the redevelopment of the former Hardington Public School site. The redevelopment would be comprised of street-related townhouses, semi-detached dwellings and detached dwellings, containing a total of 88 residential dwelling units, two new public roads, a parkland dedication to the City, and a ravine land dedication to the Toronto and Region Conservation Authority (TRCA). The existing school building would be demolished.

The proposal consists of 40 street-related townhouses, 46 semi-detached dwellings and two detached dwellings. The townhouses would be four storeys (13.4 m) tall and the semi-detached dwellings would be three storeys (12.4 m) tall. The two detached dwellings have not yet been designed, but they would be required to comply with the provisions of the Draft Zoning By-laws attached to this report.

The proposed townhouses would be developed in four blocks at the corner of Blackstone Street and Lawrence Avenue West. Two of the blocks, with 9 and 12 units, respectively, would front Lawrence Avenue West. The other two



blocks, of 9 and 10 units, respectively, would be constructed immediately north of those fronting Lawrence Avenue West and would be separated by a private lane providing vehicular access to all the townhouse units. The northern two blocks would front new public street 'A'. The two detached dwellings and 30 of the semi-detached dwellings would front new public street 'A' and 'B' and would back on to the adjacent Black Creek ravine lands. Eight of the remaining semi-detached dwellings would front new public street 'B' and the final eight semi-detached dwellings would front Blackstone Street. Each of the proposed dwelling units would have at least two vehicular parking spaces, one contained within an integral garage and one on a driveway leading to a garage. The detached dwellings are proposed to have three parking spaces – one in an integral garage and two on the driveway.

The Draft Plan of Subdivision application proposes to establish two new public roads, residential development blocks and lots, a parkland dedication (181.5 m²) to the City and a ravine lands dedication (approximately 1 ha) to the TRCA. The new public roads would be the central organizing element and would provide two access points to Blackstone Street. Both public streets would have widths of 16.5 m. Street 'A' would run east-west and terminate in a cul-de-sac, while street 'B' would connect street 'A' to Blackstone Street.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

This report also advises that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision subject to the conditions generally listed in Attachment No. 12.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law No. 7625 for the lands at 1780 Lawrence Avenue West substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 10 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 1780 Lawrence Avenue West substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 11 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to:
 - a. Make satisfactory arrangements with Engineering and Construction Services staff for the required upgrade of the existing watermain located within the Blackstone Street right of way, as outlined in the applicant's Functional Servicing Report.
 - b. Provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible,

for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681-10.

5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:
 - a. Prior to the issuance of the first-above grade building permit, the owner shall pay to the City the sum of \$250,000 to be allocated towards:
 - i. Capital improvements to Upwood Park to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor; and
 - ii. Streetscape improvements in the vicinity of the site to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services in consultation with the Ward Councillor.
 - b. The cash amounts identified in 5 a. above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
 - c. In the event the cash contributions identified in Recommendation 5 a. above have not been used for the intended purposes within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
 - d. The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. 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 of October 26 and 27, 2009.
6. 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 No. 2 to this report, subject to:
 - a. The conditions as generally listed in Attachment No. 12 to this report, which except as otherwise noted must be fulfilled prior to final approval and the release of the Plan of Subdivision for registration; and

- b. Any such revisions to the proposed Plan of Subdivision 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.

Pre-Application Consultation

Pre-application consultation meetings were held with the original applicant to discuss complete application submission requirements and potential development concepts in September and October 2013. The property was subsequently sold to a new owner and a meeting was held with the new applicant on January 19, 2017 to discuss a revised proposal and re-submission requirements.

DECISION HISTORY

A Preliminary Report outlining the subject applications was considered by Etobicoke York Community Council at its meeting on April 8, 2014. The Preliminary Report can be viewed at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY32.8>.

ISSUE BACKGROUND

Proposal

This application proposes to redevelop the former Hardington Public School site with a total of 88 residential dwelling units in street-related townhouses, semi-detached dwellings and detached dwellings. The proposal also includes two new public roads, a parkland dedication to the City and a ravine land dedication to the Toronto and Region Conservation Authority (TRCA). The existing school building would be demolished.

Original Proposal

The initial proposal was for two detached dwellings, 48 semi-detached dwellings and 135 stacked townhouse units. The original proposal included two new public streets that were both proposed to end in cul-de-sacs. The stacked townhouse units were proposed to be constructed in two rows, with one row fronting Lawrence Avenue West and the second row fronting a proposed new west-east Street "A". The stacked townhouse units were proposed to be four storeys (13.3 m) in height and constructed over an underground garage with 144 vehicular parking spaces. The detached and semi-detached houses were proposed with integral garages and were proposed to be three storeys (12.4 m) in height. These units were proposed to front Blackstone Street and proposed new Streets "A" and "B". Also proposed was a parkland dedication which would encompass the northeastern portion of the site adjoining the Black Creek ravine lands. The proposed gross floor area was 23,384 m² which represented a floor space index of approximately 0.78 times the area of the site.

Revised Proposal

The revised proposal consists of 40 street-related townhouses, 46 semi-detached dwellings and two detached dwellings and a reconfigured public street network. The proposed new public street 'A' is proposed in the same location, but the new proposed public street 'B' has been redesigned to loop north and west from street 'A' to connect with Blackstone Street. In order to facilitate the required right-of-way width where street 'B' would connect with Blackstone Street, a 56 m² portion of City-owned parkland would be transferred to the applicant in exchange for a 181 m² parkland dedication (See Attachment 1: Site Plan and Attachment 2: Draft Plan of Subdivision).

The proposed townhouses would be developed in four blocks at the corner of Blackstone Street and Lawrence Avenue West. Two of the blocks, with 9 and 12 units, respectively, would front Lawrence Avenue West. The other two blocks, of 9 and 10 units, respectively, would be constructed immediately north of those fronting Lawrence Avenue West and would be separated by a private lane providing vehicular access to all the townhouse units. The northern two blocks would front new public street 'A'. The two detached dwellings and 30 of the semi-detached dwellings would front new public streets 'A' and 'B' and would back on to the adjacent Black Creek ravine lands. Eight of the remaining semi-detached dwellings would front new public street 'B' and the final eight semi-detached dwellings would front Blackstone Street.

The townhouses would be four storeys (13.4 m) in height and the semi-detached dwellings would be three storeys (12.4 m) in height. The two detached dwellings have not yet been designed, but they would be required to comply with the provisions of the Draft Zoning By-laws attached to this report. A total of 178 parking spaces are proposed for the development. Each of the proposed townhouse and semi-detached units would have two vehicular parking spaces, one contained within an integral garage and one on a driveway leading to a garage. The two detached dwellings would have three parking spaces each, one in an integral garage and two in a driveway leading to the garage. The revised proposal would have a gross floor area of 23,438 m², which would represent a floor space index of 0.78 times the area of the site.

Site and Surrounding Area

The site is L-shaped with a frontage of approximately 92 m on Lawrence Avenue West, 184 m on Blackstone Street and a total area of 30,150 m². Approximately two-thirds of the site is relatively flat with the northeast portion being ravine lands which slope down to Black Creek. The former Hardington Public School is located at the southwest corner of the site.

North: Black Creek ravine lands.

South: Lawrence Avenue West, with single detached dwellings fronting the south side of Lawrence Avenue West.

West: Blackstone Street, with single detached dwellings fronting the west side of Blackstone Street and the north side of Lawrence Avenue West.

East: Three and four storey apartment buildings at the southern end of the site and Black Creek ravine lands at the northern end of the site.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are designated *Neighbourhoods*, *Apartment Neighbourhoods* and *Natural Areas* on Map 14 – Land Use Map of the Official Plan (see Attachment 7: Official Plan). The *Natural Areas* designation is on the northeast portion of the site where the ravine lands are located, the *Apartment Neighbourhoods* designation is on the portion of the site fronting Lawrence Avenue West and the *Neighbourhoods* designation is on the remainder of the site.

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. A key objective of the Official Plan is to guide new development to respect and reinforce the general physical patterns in a *Neighbourhood*. Scattered throughout many *Neighbourhoods* are properties that differ from the prevailing patterns of lot size, configuration and orientation. Typically, these lots are sites of former non-residential uses such as industry, institutions and retail stores. In converting these sites to residential uses, there is a genuine opportunity to add to the quality of *Neighbourhood* life by filling in these “gaps” and extending streets and paths.

Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and other uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also provided for in *Apartment Neighbourhoods*.

Natural Areas are to be maintained primarily in a natural state, while allowing for compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions; and conservation projects, public transit, public works and utilities for which no reasonable alternatives are available, and that are designed to have only minimal adverse impacts on natural features and functions. The policies require that development be set back at least 10 m from the top-of-bank of valleys, ravines and bluffs. Land below the top-of-bank may not be used to calculate permissible density in the zoning by-law or used to satisfy parkland dedication requirements. All proposed development in or near the natural heritage system must be evaluated to assess the development's impacts on the natural heritage system.

Urban Design Guidelines for Infill Townhouses

The Urban Design Guidelines for Infill Townhouses (2003) assist in the implementation of Official Plan policies with a focus on preserving and enhancing streetscapes, respecting and reinforcing the prevailing physical character of the surrounding context and mitigating the impact of new development on adjacent and nearby properties and the public realm. The Guidelines provide an evaluation framework for site design and built form matters to achieve high quality urban design outcomes for low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/.

A comprehensive update to the Infill Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines (draft August 2016) further clarify and expand upon the 2003 Council-approved Infill Townhouse Guidelines to address current policy directions and best practices for a broader range of multi-dwelling developments up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines can be viewed online at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD>.

Prior to presenting a finalized version of these Guidelines for City Council consideration and adoption, City staff are currently refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

The Urban Design Guidelines for Infill Townhouses were applied together with the draft Townhouse and Low-Rise Apartment Guidelines in the evaluation of the applications.

Zoning

The lands are not subject to the City of Toronto Zoning By-law No. 569-2013 because all school sites were omitted from the By-law. Under former City of North York Zoning By-law No. 7625, the lands are zoned One-Family Detached Dwelling Fourth Density (R4) which permits one-family detached dwellings with a minimum frontage of 15 m and minimum lot area of 550 m². The R4 zoning does not permit semi-detached dwellings or townhouses.

Site Plan Control

The proposed single and semi-detached dwellings are not subject to Site Plan Control. The proposed townhouse blocks are subject to Site Plan Control, however since the entire application is subject to a Plan of Subdivision application, matters typically addressed and secured through the Site Plan Control process, such as landscaping, will be secured through the conditions of Draft Plan of Subdivision Approval.

Ravine Control

The northeastern portion of the property is subject to the provisions of the City of Toronto Municipal Code Chapter 658 – Ravine Protection. Any development within the City's ravine and natural feature protection areas may require a permit from Urban Forestry, Ravine and Natural Protection staff. No structures are proposed in the ravine regulated area, however a small portion of the rear yards for the semi-detached dwellings at the northwest corner of the site would fall within the regulated area.

Toronto and Region Conservation Authority

The northeastern portion of the property also falls within an area subject to Toronto and Region Conservation Authority Regulation. A permit is required from the Conservation Authority for any development or site alteration within the regulated area.

Tree Preservation

This proposal is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant has submitted an Arborist Report/Tree Preservation Plan in support of the proposal.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. The applicant submitted Stage 1, 2 and 3 Archaeological Assessments in support of the proposal.

Tenure

The applicant has advised that all 88 units are proposed as freehold. A common element condominium application will be required for the proposed private driveway that would provide vehicular access to the proposed townhouse units.

Reasons for Application

The Zoning By-law Amendment application is required to permit the proposed semi-detached dwellings and townhouses that are not permitted in the R4 zone under former City of North York Zoning By-law No. 7625. Through the Zoning By-law Amendment application process, the lands are also proposed to be added to City of Toronto Zoning By-law No. 569-2013. The Plan of Subdivision application is required to create the development blocks, the public streets and the lands to be conveyed to the City and the TRCA.

Community Consultation

A community consultation meeting was held on June 9, 2014 at Brookhaven Public School. Approximately 50 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff. Issues raised were as follows:

- built form; members of the public opposed the proposed stacked townhouses and expressed an interest in providing more single and semi-detached dwellings;
- setback of the proposed townhouses from Lawrence Avenue West;
- loss of community green space and lack of green space around the proposed townhouses;
- concerns with respect to the existing tree line and potential impacts (e.g. erosion) on the ravine lands to the north of the site;
- potential for increased traffic in the area in general and on Blackstone Street, particularly with respect to people using it as a 'cut-through' to avoid the intersection at Lawrence Avenue West and Jane Street;
- concern that there was not enough parking proposed, particularly visitor parking;
- overcrowded local schools; and
- adequacy of area infrastructure.

Since the ownership of the lands changed and the plans were revised, a subsequent community consultation meeting was held on September 19, 2017 at Brookhaven Public School. This meeting was attended by approximately 30 members of the community, the Ward Councillor, the applicant and City Planning staff. The applicant presented the revised proposal and outlined the revisions that had been made to the initial application. Members of the community were generally pleased that the unit count had been reduced substantially, but continued to express the following concerns:

- loss of community green space;

- increased traffic on Blackstone Street (residents indicated that current conditions on Blackstone Street are unsafe due to speeding and poor visibility around the bend that is adjacent to the entrance to Upwood Park); and
- concerns that the proposed vehicular parking supply, particularly for visitors is inadequate.

The following concerns that were not previously raised were also expressed:

- potential for noise, dust and general inconvenience during construction;
- the number of driveways proposed on Blackstone Street was excessive (some residents expressed a desire to see only one point of ingress/egress on Blackstone Street, or a driveway on Lawrence Avenue West);
- concerns that the proposed curbside solid waste pickup on Lawrence Avenue West would create traffic congestion; and
- the lack of consideration for climate change and energy planning in the proposal.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed development is consistent with the 2014 PPS. It would accommodate residential infill growth, supporting the policy objectives related to focusing growth in existing settlement areas. The proposal would support efficient land use, reduce land consumption related to residential development, make efficient use of infrastructure and would be transit supportive. The proposed layout of the development would also be consistent with the goal of protecting the natural environment.

City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. In this case, Section 2.2.2 of the Growth Plan states that population and employment growth will be accommodated by directing a significant portion of new growth to the built-up areas of the community through intensification. While this site is located in a built up area, the proposal is considered to represent an appropriate infill development in conformity with the City's Official Plan. The proposal conforms and does not conflict with the Growth Plan.

Land Use and Built Form

As noted above, the site has three different land use designations under the City's Official Plan – *Natural Areas*, *Neighbourhoods* and *Apartment Neighbourhoods*.

With respect to the lands designated *Natural Areas*, Official Plan Policy 4.3.3 states that *Natural Areas* will be maintained primarily in a natural state, with some exceptions for recreational, cultural, educational, conservation, public transit and public works and utilities uses. The proposal has been designed, in consultation with TRCA and Parks, Forestry and Recreation staff, to achieve the Official Plan goals for *Natural Areas* by ensuring that no buildings are proposed

within the lands designated *Natural Areas* and all proposed buildings are set back by at least 10 m from the top-of-bank. Furthermore, as discussed below, a Ravine Stewardship Plan has been submitted to support this proposal.

With respect to the lands designated *Neighbourhoods*, the applications propose primarily semi-detached dwellings and two detached dwellings. Detached and semi-detached dwellings are uses contemplated by the Official Plan in *Neighbourhoods*. Detached dwellings are also permitted by the existing zoning. While semi-detached dwellings are not permitted by the existing zoning, there are numerous examples of existing semi-detached dwellings in close proximity to the subject site (on Everglades Drive, Sonnet Court and Brookhaven Drive, among others). The surrounding area can be described as equal parts detached and semi-detached dwellings, with interspersed walk-up apartments. Official Plan Policy 4.1.5 requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including building heights, massing, scale and dwelling type of nearby residential properties, setbacks of buildings from public streets, prevailing patterns of rear and side yard setbacks and landscaped open space. It is the opinion of Planning staff that the proposed single and semi-detached dwellings would result in development that is consistent with the neighbourhood character.

Chapter 4, Policy 4.1.9 of the Official Plan provides further development criteria for infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods*, as follows:

- have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- front onto existing or newly created public streets wherever possible, with no gates limiting public access; and
- locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

The majority of the site is designated *Neighbourhoods* and the site itself varies from the local pattern in terms of size. The subject property is a much larger existing lot that has not been consolidated through assembly. As noted above, the subject property was originally a large school site that is proposed to be divided into individual lots with areas and frontages that are generally in keeping with the existing single and semi-detached lots in the surrounding area. The proposal meets the development criteria set out in Policy 4.1.9 of the Official Plan by providing buildings with heights, massing and scale that are compatible with that permitted by the zoning, and by fronting on to existing and newly created public streets.

The proposed townhouses are within the area of the site designated *Apartment Neighbourhoods* in the Official Plan. Chapter 4.2, Policy 2 states that development in *Apartment Neighbourhoods* will contribute to the quality of life by: a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*. Immediately to the east of the subject site are

three large existing four-storey walk up apartment buildings that were constructed between 1959 and 1978. The proposed townhouses fronting Lawrence Avenue West would represent a less intense form of development than these existing apartment buildings, particularly the one immediately to the east at 1750 Lawrence Avenue West. Townhouses are a built form that is contemplated by the *Apartment Neighbourhoods* Official Plan designation, and while not a permitted use under the existing zoning, is the opinion of staff that the proposed four-storey townhouses would provide a good transition to the low-rise neighbourhood to the west of the site that consists of single and semi-detached dwellings.

The policies in the Official Plan have been used to evaluate the Draft Zoning By-law Amendments that would permit an infill development on an existing large site. The proposed built form has height, massing and scale appropriate for the site and is considered to be compatible with that permitted by the zoning for adjacent and nearby residential properties.

Density, Height and Massing

The new residential buildings would range in height from three to four storeys. The four storey townhouses are proposed in four blocks at the southwest corner of the site, adjacent to Lawrence Avenue West. The remainder of the development would be comprised of three storey single and semi-detached dwellings. The proposed separation distance to the lots containing detached dwellings on the west side of Blackstone Street is 22 m from the four storey townhouses and 26 m from the proposed 3 storey semi-detached dwellings. While the majority of the existing single and semi-detached dwellings in the area are two storeys in height, the proposal would represent a modest increase in height and the separation distance between the proposed taller buildings and the existing smaller buildings is appropriate.

Urban Design Guidelines for Infill Townhouses

The Infill Townhouse Guidelines and draft Townhouse and Low-Rise Apartment Guidelines address the development impacts of infill townhouses with a focus on “protecting streetscapes and seamlessly integrating new development with existing housing patterns”. The Guidelines consider matters such as building location, built form and location of parking. The Guidelines call for the location of the main façade to be parallel to the street and set in line with adjacent buildings, which would be achieved by locating the proposed front entrances to the townhouses on Lawrence Avenue West and the new public street 'A'. The separation distance between the blocks of townhouses would be 19 m which would provide for adequate access to sunlight, sky views and privacy. All the townhouses would have parking provided in integral garages accessed by a private laneway that would run from Blackstone Street to the new public street 'A'. It is the opinion of staff that the proposed townhouses are consistent with the Infill Townhouse Guidelines and the draft Townhouse and Low-Rise Apartment Guidelines.

Traffic Impact, Access and Parking

A Transportation Operations Review, dated January 24, 2014 and revised December 23, 2015, was prepared by the applicant's transportation consultant to assess the potential impacts of the proposed development on the local street network. Transportation Services staff have advised that the projected volume of vehicular traffic generated by the proposed 88 units would be acceptable from a traffic operations perspective.

As noted above, the proposal would include two new public streets, "A" and "B", which would both have widths of 16.5 m. Street "A" would terminate in a turning circle/cul-de-sac with a diameter of 28 m. Transportation Services staff have advised that the proposed street cross-sections are acceptable. Street "A" is proposed to have an intersection at Blackstone Street and an intersection with street "B", where full vehicular movements are proposed. Transportation Services staff have reviewed the intersection geometry and are satisfied. However, the proposed alignment of street "B", approaching Blackstone Street, is predicated on crossing a portion of City-owned Upwood Park. As noted below, the applicant and Parks, Forestry and Recreation staff have developed a proposal to facilitate this. The conditions of Draft Plan of Subdivision Approval in Attachment No. 12 include conditions to address this requirement.

The 'Public Realm' policies in the Official Plan require that new streets be designed to provide connections with adjacent neighbourhoods and to divide larger sites into smaller development blocks. The Official Plan also states that new streets should be public streets. The provision of two new public streets would break up this large site and appropriately integrate the development into the existing neighbourhood, thus achieving the goals and objectives of the Official Plan with respect to the public realm.

Transportation Services staff have advised that City of Toronto Zoning By-law No. 569-2013 requires at least one vehicular parking space for each dwelling unit in a detached dwelling, semi-detached dwelling and townhouse unit. The proposal includes a single-vehicle integral garage for each unit which is satisfactory to Transportation Services staff. The proposed site plan indicates that the garages will be set back by 6 m for each semi-detached and detached dwelling and by 3 m for each of the proposed townhouses, which is also acceptable to Transportation Services staff.

There is no loading space requirement for the proposed development.

Servicing

The applicant submitted a Functional Servicing Report and Stormwater Management Report, both of which have been reviewed and accepted by Engineering and Construction Services staff. The Functional Servicing Report concluded that upgrades were required to an existing watermain located on Blackstone Street to accommodate the proposed development. If the Zoning By-law Amendment application is approved, staff recommend that a condition be imposed to ensure that the appropriate arrangement/agreement has been made with Engineering and Construction Services staff for the required upgrade. This condition would need to be satisfied prior to City Council enacting the Bills to bring the Zoning By-law into force. Other conditions regarding municipal infrastructure are included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

Toronto Transit Commission (TTC)

The application was circulated to the TTC and staff from the TTC advised that the plans have been reviewed and are satisfactory. However, the TTC advised that in order to operate the accessible ramp on buses, and to accommodate longer articulated buses, the applicant is required to replace the existing midblock bus stop on Lawrence Avenue West at Blackstone Street with a new, level, brushed concrete platform 16 m in length by 2.4 m in width from the curb, connecting to the sidewalk. This requirement is included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the City's Archaeological Master Plan. In support of the proposal, the applicant submitted a Stage 1 and 2 Archaeological Assessment which recovered one Aboriginal artifact on the subject site during a test pit survey. Due to the discovery of the artifact, a Stage 3 Archaeological Assessment was conducted and no additional artifacts were discovered. Heritage Preservation Services staff have advised that the Stage 3 Archaeological Assessment has been reviewed and accepted by the Ontario Ministry of Tourism, Culture and Sport and that no further fieldwork is required.

Heritage Preservation staff provided the following advisory comments:

- i) In the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism, Culture and Sport, be notified immediately; and
- ii) In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Tourism, Culture and Sport, and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, of the Ministry of Government and Consumer Services.

These requirements are included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

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 subject site is an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,117.3 m² or 8.8% of the net site area.

The applicant and Parks, Forestry and Recreation staff have agreed to an arrangement to achieve Transportation Services' requirements at the northwest corner of the site with respect to street width for the proposed new public street 'B'. Ownership of 56 m² of City-owned parkland will be transferred to the applicant in exchange for land of equal value within the development, adjacent to Upwood Park. Block 3 on the Draft Plan of Subdivision, with an area of 181.5 m², is proposed to be conveyed to Parks, Forestry and Recreation in exchange for the 56 m² of City parkland and to fulfill a portion of the required parkland dedication. Parks, Forestry and Recreation staff have advised that the remainder of the required parkland dedication can be satisfied through a cash-in-lieu payment.

The proposed Draft Zoning By-law Amendment would zone Block 3 Greenbelt Zone (G) under former City of North York Zoning By-law No. 7625 and Open Space - Natural (ON) under City of Toronto Zoning By-law No. 569-2013.

Ravine and Natural Feature Protection and TRCA

As noted above, the northeastern portion of the subject site is protected under the City of Toronto Municipal Code Chapter 658 – Ravine and Natural Feature Protection By-law. Parks, Forestry and Recreation, Natural Feature Protection staff have advised that they do not object to the Draft Zoning By-law Amendment or Draft Plan of Subdivision, in principle, subject to the satisfaction of conditions required under the City of Toronto Municipal Code Chapter 658, which includes the acceptance of a Ravine Stewardship Plan. Matters related to the Ravine and Natural Feature Protection By-law are included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

The northeastern portion of the subject site is also located within a TRCA Regulated Area of the Humber River watershed. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulation), a permit is required from the TRCA prior to development taking place within the Regulated Area. TRCA staff have advised that they are satisfied in principal with the proposed Zoning By-law Amendments and Draft Plan of Subdivision. Matters related to erosion and sediment controls and stormwater management infrastructure details would be addressed through the TRCA permit process under Ontario Regulation 166/06 and are included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

As noted above, Block 1 on the Draft Plan of Subdivision is proposed to be conveyed to the TRCA to achieve the TRCA's policy objective to secure the valley corridors in public ownership. Conditions related to the conveyance are included in the Conditions of Draft Plan of Subdivision Approval.

School Boards

The Toronto District School Board (TDSB) advises that a significant impact on local schools is not anticipated and at this time there is sufficient space at the local schools to accommodate students from the proposed development. The TDSB further advises that the impact from this development is insufficient to require any warning clauses, which would normally be requested. The Toronto Catholic School Board (TCSB) has not provided comment.

Trees

The applicant proposes to remove seven City-owned trees and 40 protected private trees and proposes to preserve four City-owned trees and 15 protected private trees through the redevelopment. Urban Forestry staff have advised that a minimum of 120 new trees on private property are required to compensate for the loss of 40 protected private trees at a 3 to 1 replacement ratio. Where tree planting to replace trees to be removed is not physically possible on site, the General Manager of Parks, Forestry and Recreation may accept a cash-in-lieu payment in an amount equal to 120 percent of the cost of replanting and maintaining the trees for a period of two years (\$583 per tree).

The Overall Landscape Plan submitted as part of the application shows a total of 67 new trees proposed on the City right-of-way, 57 trees on private property and 31 trees within the open space adjacent to the ravine. Urban Forestry staff have advised that the proposed 57 private trees and 31 trees in the open space are acceptable as private tree replacements and that Urban Forestry will require payment of \$18,658.00 in lieu of planting 32 private trees (\$583 per tree).

For the 67 new trees proposed on the City right-of-way, Urban Forestry will require a Tree Planting Security in the amount of \$39,061.00 (\$583 per tree) to ensure the planting and maintenance of the trees. Urban Forestry staff recommendations are included in the Conditions of Draft Plan of Subdivision Approval in Attachment No. 12.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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.

The Draft Zoning By-law Amendment will secure performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, Storage and Collection of Recycling and Organic Waste.

The conditions of Draft Plan of Subdivision Approval also secure the Tier 1 development performance for Construction Activity and Stormwater Retention.

Section 37

Section 37 of the *Planning Act* authorizes a municipality, with appropriate approved Official Plan policies, to pass by-laws increasing the height or density otherwise permitted by a zoning by-law in return for the provision of community benefits by the applicant. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The provision of appropriate community benefits has been discussed with the Ward Councillor and the applicant has agreed to provide appropriate benefits. It is recommended that these benefits be secured in a Section 37 Agreement prior to introducing the necessary Bills to City Council for enactment, to be registered on title. These benefits include:

- a. Prior to the issuance of the first-above grade building permit, the owner shall pay to the City the sum of \$250,000 to be allocated towards:
 - i. Capital improvements to Upwood Park to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor; and
 - ii. Streetscape improvements in the vicinity of the site to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services in consultation with the Ward Councillor.
- b. The cash amounts identified above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of

execution of the Section 37 Agreement to the date of payment.

- c. In the event the cash contributions identified above have not been used for the intended purposes within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- d. The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. 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 of October 26 and 27, 2009.

Conclusion

The proposed Zoning By-law Amendment application has been reviewed against the policies of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS, as required by Section 3 of the *Planning Act*, and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal would result in a development that is compatible with and would transition appropriately to the surrounding neighbourhood, provide for an appropriate amount of intensification and integrate the site into the surrounding neighbourhood. It is therefore recommended that the Zoning By-law Amendments be approved.

The proposed Draft Plan of Subdivision is consistent with Section 51 of the *Planning Act* as it would conform to the Official Plan, provide for the orderly development of the lands and proposes appropriate utilities and City services. The Chief Planner and Executive Director, City Planning, intends to approve this application for Draft Plan of Subdivision as generally illustrated in Attachment 2 and subject to the Conditions in Attachment 12.

CONTACT

Anthony Hommik, Planner
Tel. No. 416-394-6006
Fax No. 416-394-6063
E-mail: Anthony.Hommik@toronto.ca

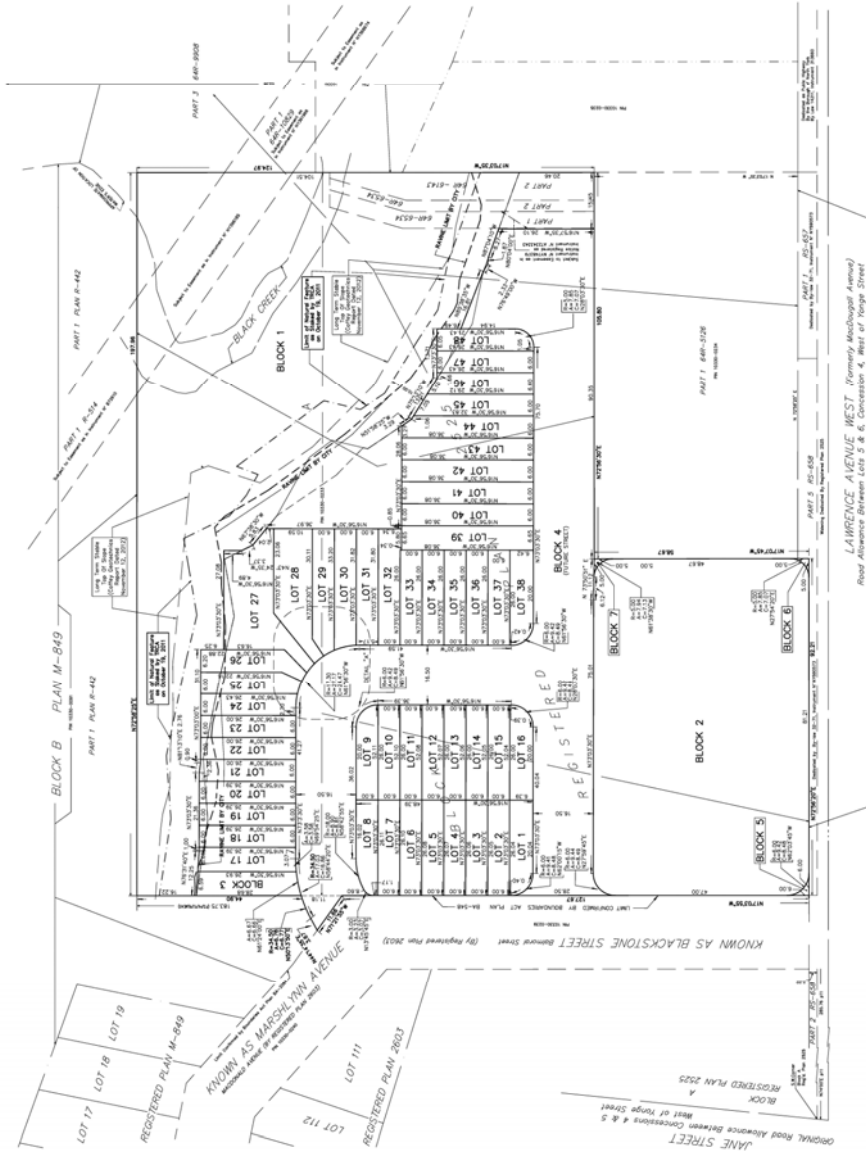
SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Draft Plan of Subdivision
- Attachment 3: Front Elevations (Townhouses)
- Attachment 4: Side Elevations (Townhouses) and Front Elevations (Semi-Detached Dwellings)
- Attachment 5: Front and Side Elevations (Semi-Detached Dwellings)
- Attachment 6: Front Elevations (Semi-Detached Dwellings)
- Attachment 7: Official Plan
- Attachment 8: Zoning
- Attachment 9: Application Data Sheet
- Attachment 10: Draft Zoning By-law Amendment (Former City of North York Zoning By-law No. 7625)
- Attachment 11: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No. 569-2013)
- Attachment 12: Conditions of Draft Plan of Subdivision Approval

Attachment 2: Draft Plan of Subdivision



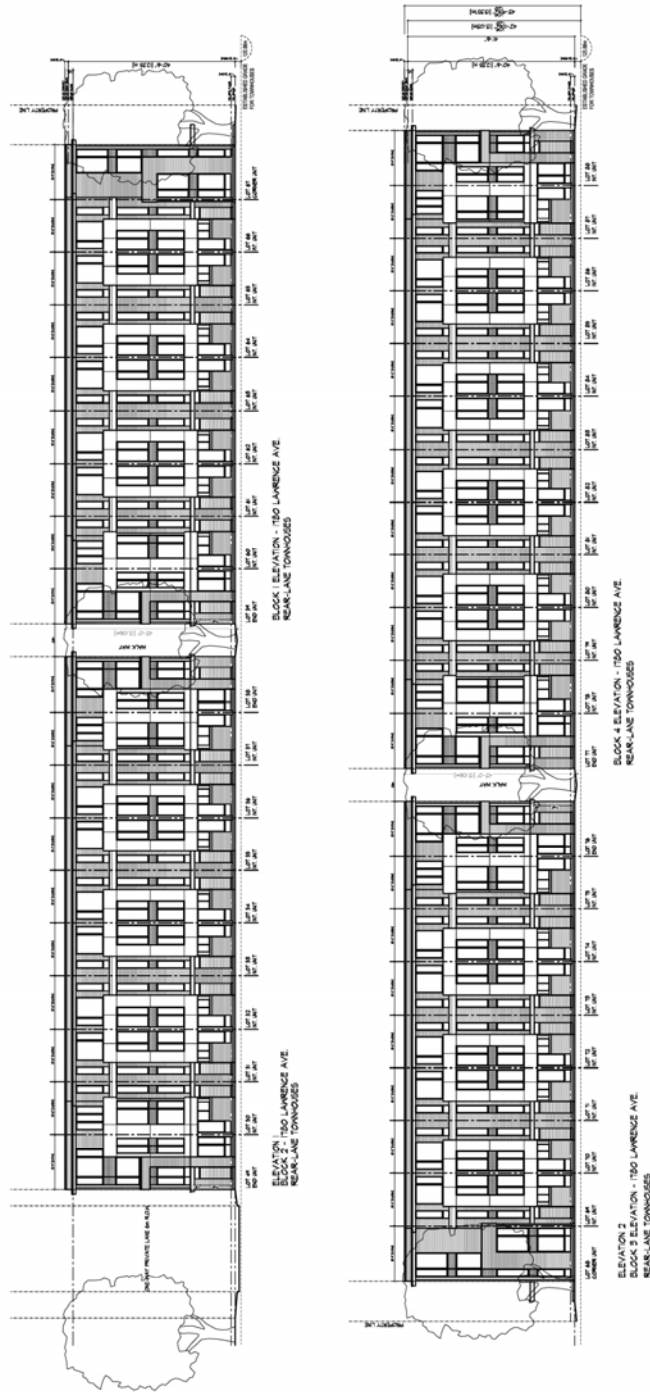
1780 Lawrence Avenue West

Subdivision Plan
Applicant's Submitted Drawing

Not to Scale
07/24/2017

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

Attachment 3: Front Elevations (Townhouses)



1780 Lawrence Avenue West

Elevations
Applicant's Submitted Drawing

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

Not to Scale
07/24/2017

Attachment 4: Side Elevations (Townhouses) and Front Elevations (Semi-Detached Dwellings)



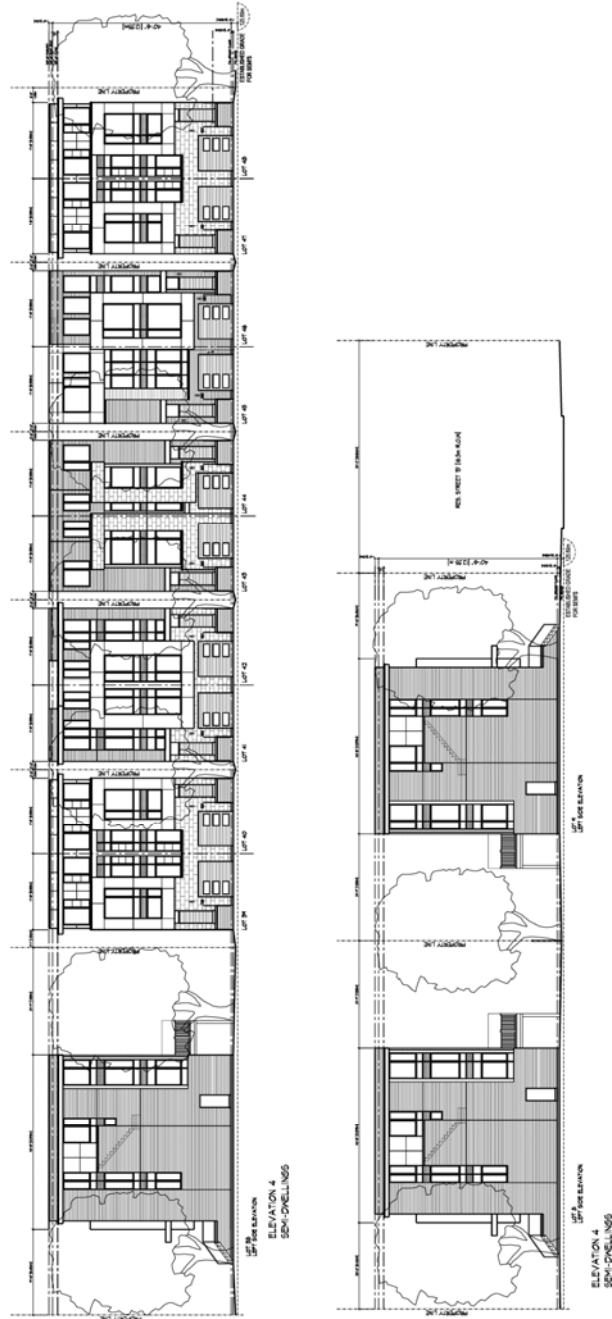
1780 Lawrence Avenue West

Elevations
 Applicant's Submitted Drawing

File # 14 110017 WET 12 SB, 14 110001 WET 12 0Z

Not to Scale
 07/24/2017

Attachment 5: Front and Side Elevations (Semi-Detached Dwellings)



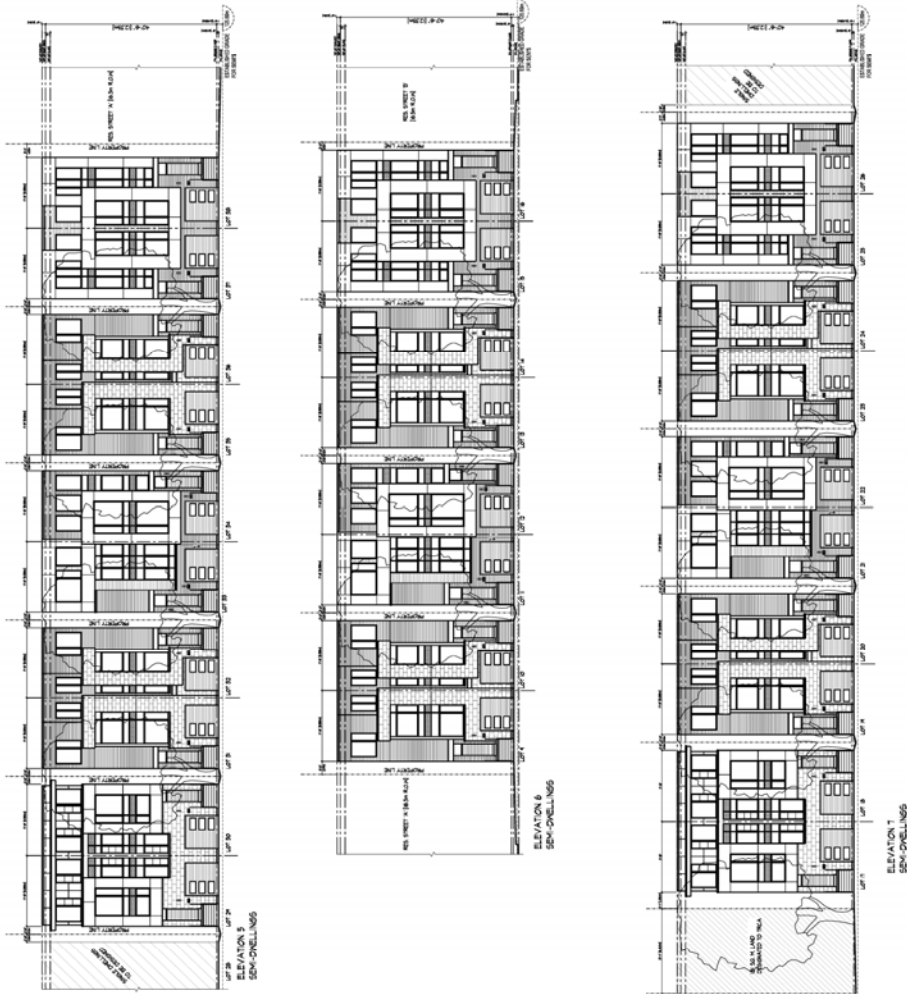
1780 Lawrence Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
07/24/2017

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

Attachment 6: Front Elevations (Semi-Detached Dwellings)



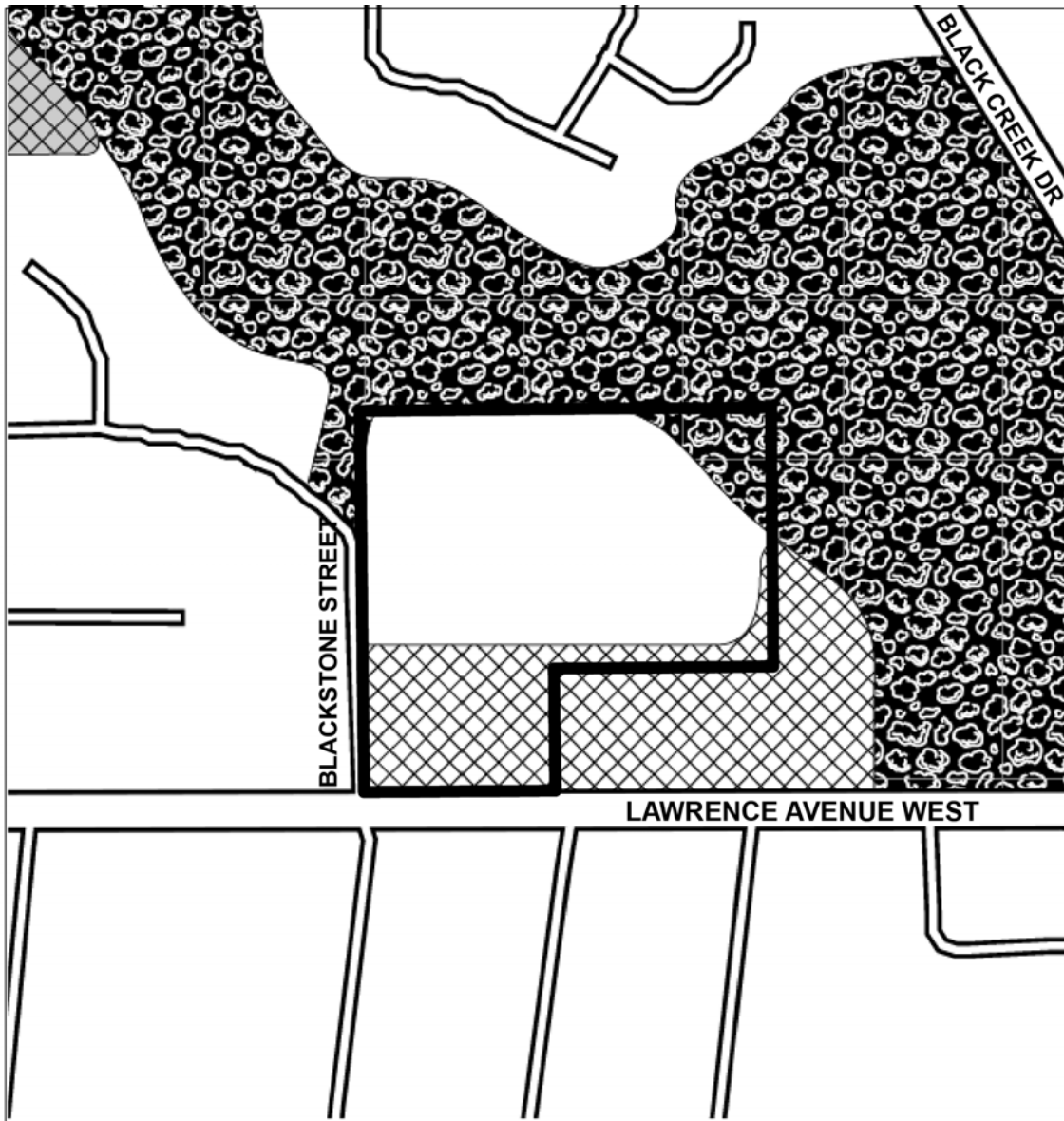
Elevations
1780 Lawrence Avenue West

Applicant's Submitted Drawing

Not to Scale
07/24/2017

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

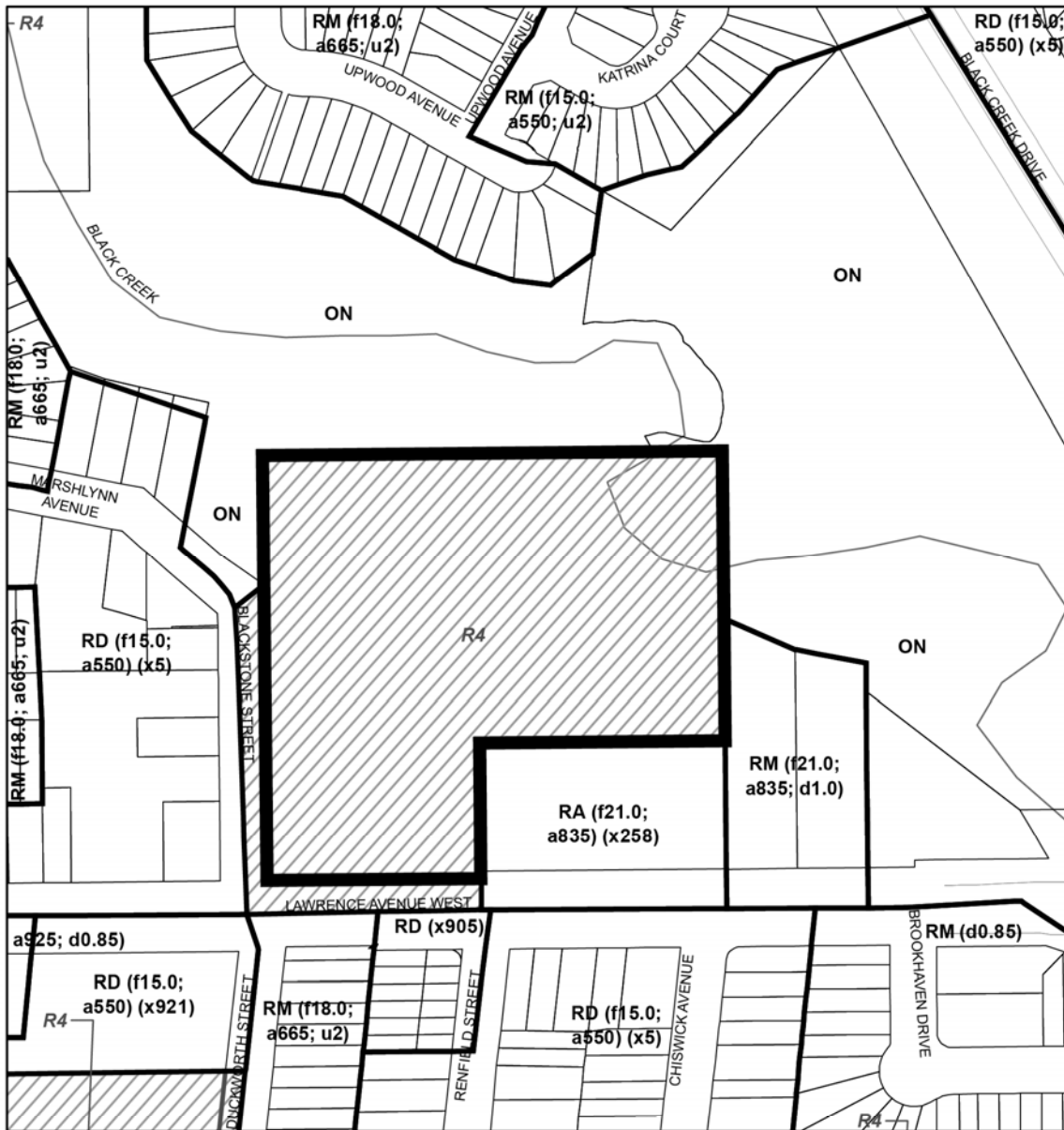
1780 Lawrence Avenue

File # 14 110001 WET 12 OZ, 14 110017 WET 12 SB

- | | | | |
|---|--------------------------|---|--------------------------|
|  | Site Location |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Natural Areas |
|  | Apartment Neighbourhoods | | |
|  | Mixed Use Areas | | |

↑
Not to Scale
01/15/16

Attachment 8: Zoning



Zoning By-Law No. 569-2013

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

Location of Application

See Former City of North York By-Law No. 7625
R4 One-Family Detached Dwelling Fourth Density Zone

RD Residential Detached RA Residential Apartment
RM Residential Multiple ON Open Space Natural

↑
Not to Scale
Extracted: 07/24/2017

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	14 110001 WET 12 OZ
Details	Rezoning, Standard	Application Date:	January 28, 2014

Municipal Address: 1780 LAWRENCE AVENUE WEST
 Location Description: PLAN 2525 WPT X BLK A **GRID W1203
 Project Description: Proposed amendments to former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013 to permit the development of 40 street-related townhouse units, 46 semi-detached dwellings and two detached dwellings for a total of 88 residential dwelling units.

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc. 3 Church Street, Suite 200 Toronto ON, M5E 1M2	Bousfields Inc. 3 Church Street, Suite 200 Toronto ON, M5E 1M2	4 Architecture 8966 Woodbine Avenue, Suite 300 Markham ON, L3R 0J7	Cityzen Developments 56 The Esplanade, Suite 308 Toronto ON, M5E 1A7

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	None
Zoning:	R4 (Former North York Zoning By-law No. 7625)	Historical Status:	None
Height Limit (m):	8.8	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	30,150	Height:	Storeys:	3-4
Frontage (m):	92 (approx.)		Metres:	12.4-13.4
Depth (m):	184 (approx.)			
Total Ground Floor Area (sq. m):	6,206			Total
Total Residential GFA (sq. m):	23,438		Parking Spaces:	178
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	23,438			
Lot Coverage Ratio (%):	22			
Floor Space Index:	0.78			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	23,438	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	88	Institutional/Other GFA (sq. m):	0	0
Total Units:	88			

CONTACT: PLANNER NAME: Anthony Hommik, Planner
TELEPHONE: 416-394-6006

Attachment 10: Draft Zoning By-law Amendment (Former City of North York Zoning By-law No. 7625)

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

CITY OF TORONTO

**Bill No. ~
BY-LAW No. XXXX-2017**

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known in 2017 as 1780 Lawrence Avenue West.

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. 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 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

“64.16(110) RM1(110)

DEFINITIONS

Established Grade

- (1) For the purposes of this exception, "established grade" shall mean an elevation of 125.88 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment).

Daylight Triangle

- (2) For a corner lot, for the purpose of this exception "daylight triangle" shall mean the triangular space formed between the intersection point of the front lot line and the side lot line and two points along these lines measured 5 metres from the intersection point. Where the lot has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured.

PERMITTED USES

- (3) Notwithstanding Section 16.1 (a), the only permitted uses shall be multiple attached dwellings and accessory uses thereto.

EXCEPTION REGULATIONS

DWELLING UNITS

(4) **Minimum Lot Frontage per dwelling unit**

- i) Interior Lot and Exterior Lot - 4.0 metres

(5) **Maximum Lot Coverage**

The maximum lot coverage shall be 50%.

(6) **Floor Area**

There shall be no maximum Floor Area

(7) **Yard Setbacks and Separations**

- i) The minimum required yards:

Front Yard: 3.0 metres

Rear Yard: 4.0 metres

Interior side yard setback: 0.55 metres

Exterior Side Yard: 1.2 metres

Setback from a daylight triangle: 1.2 metres

- ii) Notwithstanding 64.16(110) (7) (i), additional encroachments shall be permitted to the extent set out in Section 6(9). In addition, stairs may encroach into a required yard no more than 3.0 metres.

BUILDING HEIGHT

- (8) Maximum Building Height: 4 storeys or 13.5 metres above established grade, whichever is less.

PARKING

- (9) Parking for residential uses shall be provided at a rate of 1.0 parking space per unit and no visitor parking shall be required.
- (10) The provisions of Section 6A PARKING AND LOADING REGULATIONS, Section 15 General Provisions For Multiple-Family Dwelling Zones (RM) and Section 16 MULTIPLE-FAMILY DWELLINGS FIRST DENSITY ZONE (RM1) shall not apply.

EXCEPTIONS

(11) Sections 6(30), 15.8 and 16.2 shall not apply.

2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following new subsections:

“64.17(52) RM2(52)

DEFINITIONS

Established Grade

- (1) For the purposes of this exception, "established grade" shall mean an elevation of 125.88 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment).

Daylight Triangle

- (2) For a corner lot, for the purpose of this exception "daylight triangle" shall mean the triangular space formed between the intersection point of the front lot line and the side lot line and two points along these lines measured 5 metres from the intersection point. Where the lot has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured.

PERMITTED USES

- (3) Notwithstanding Section 17.1 (a), the only permitted uses shall be as follows:
- i) Semi-detached dwelling; and
 - ii) Single detached dwelling.

EXCEPTION REGULATIONS

- (4) **Minimum Lot Frontage per dwelling unit**
- i) Semi-detached dwelling: 6.0 metres
 - ii) Single detached dwelling: 6.0 metres
 - iii) Single detached dwelling within the area identified as Area A on the attached Schedule 1: 2.6 metres
- (5) **Minimum Lot Area**
Single Detached or Semi-Detached dwellings - 300 square metres

(6) **Maximum Lot Coverage**

- i) Single detached dwelling 50%
- ii) Semi-detached dwelling: 50%

(7) **Floor Area**

There shall be no maximum Floor Area.

(8) **Yard Setbacks and Separations**

- i) The minimum required yards:

Front Yard: 6.0 metres

Rear Yard: 7.5 metres

Interior Side Yard: 0.55 metres

Exterior Side Yard: 0.55 metres

Setback from daylight triangle: 1.2 metres

- ii) Notwithstanding 64.17(52) (8) (i), additional encroachments shall be permitted to the extent set out in Section 6(9). In addition, stairs may encroach into a required yard no more than 3.0 metres.

(9) **Accessory Use**

- i) Minimum Interior Side Yard: 0.55 metres
- ii) Minimum Exterior Side Yard: 0.55 metres

BUILDING HEIGHT

- (10) Maximum Building Height: 4 storeys or 13.5 metres above established grade, whichever is less.

PARKING

- (11) Parking spaces per single and semi-detached dwelling on freehold lots shall be provided on the basis of a minimum of 1.0 parking spaces per dwelling unit;
- (12) The provisions of Section 6A PARKING AND LOADING REGULATIONS, Section 15 General Provisions For Multiple-Family Dwelling Zones (RM) and Section 16 MULTIPLE-FAMILY DWELLINGS FIRST DENSITY ZONE (RM1) shall not apply.

LANDSCAPING

- (13) The front yard not covered by a permitted driveway shall be maintained as landscaping. For the purposes of this subsection, landscaping means trees, shrubs, grass, flowers, vegetables, and other vegetation, decorative stonework, walkways, patios, screening, or other horticultural or landscape-architectural

elements, or any combination of these. Landscaping does not include driveways or parking areas, and directly associated elements such as curbs or retaining walls.

- (14) A minimum of 25% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping. For the purposes of this subsection, soft landscaping means trees, shrubs, grass, flowers, vegetables, and other vegetation, but does not include hard surfaced areas such as but not limited to driveways, parking areas, decorative stonework, walkways, patios, screening, or other landscape-architectural elements.

EXCEPTIONS

- (15) Sections 6(30), 15.8, 17(2)b and 17(4) shall not apply.

4. Within the lands shown on Schedule 1 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:

- (1) 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

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

5. Section 37 Provisions

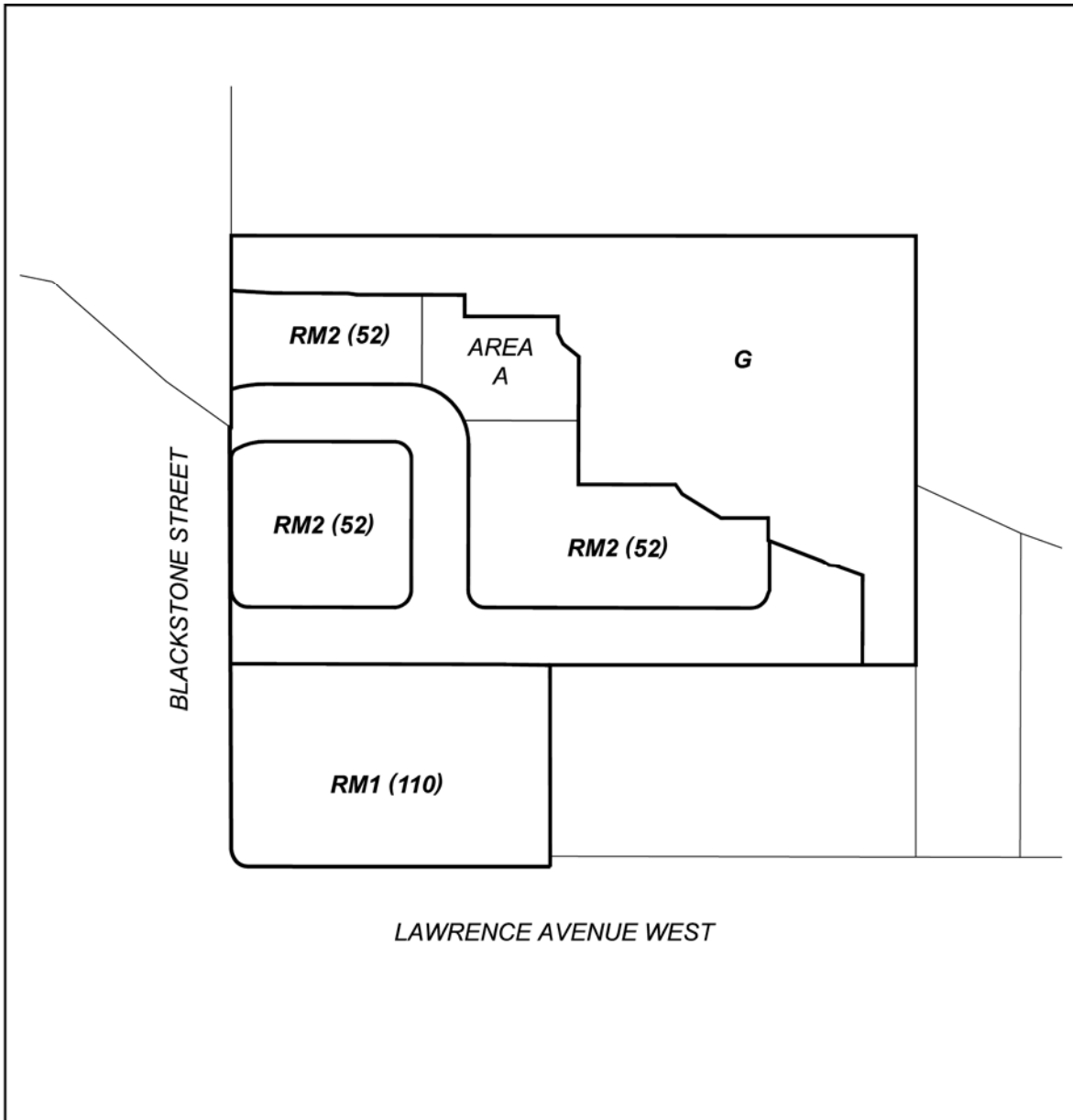
- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on X day of X, A.D. 2017

JOHN TORY,
Mayor

Ulli S. Watkiss,
City Clerk

(Seal of City)



SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown on Schedule 'A' in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owners agree as follows:

Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:

1. Prior to the issuance of the first-above grade building permit, the owner shall pay to the City the sum of \$250,000 to be allocated, in consultation with the Ward Councillor towards:
 - i. Capital improvements to Upwood Park to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor; and
 - ii. Streetscape improvements in the vicinity of the site to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services in consultation with the Ward Councillor.
2. The cash amounts identified in 1. above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
3. In the event the cash contributions identified in Recommendation 5 a. above have not been used for the intended purposes within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
4. The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. 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 of October 26 and 27, 2009.

Attachment 11: Draft Zoning By-law Amendment (City of Toronto Zoning By-law No. 569-2013)

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-20~

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 1780 Lawrence Avenue West.

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted 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 and matters in return for an increase in the 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 and matters; and

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

WHEREAS pursuant to Section 39 of the *Planning Act*, the council of a Municipality may, in a by-law passed under section 34 of the *Planning Act*, authorize the temporary

use of land, buildings, or structures for any purpose set out therein that is otherwise prohibited by the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.

2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

3. Zoning By-law No. 569-2013, as amended, is further amended, by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone labels as shown on Diagram 2, attached to this By-law:

RM (f6.0) (x47)

RT (f4.0) (x157)

4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20 and applying the following height label as shown on Diagram 3, attached to this By-law:

HT 13.5, ST 4

5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1 and applying the following Lot Coverage label as shown on Diagram 4 attached to this By-law;

RT (50%)

6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Area Overlay Map and Rooming House Overlay Map

7. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.6.10, Exception Number 153, so that it reads:

Exception RM 47

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. If the requirements of by-law Section 9 and Schedule A of By-law [Clerks to insert this by-law number] are complied with, none of the provisions of: 5.10.40.70(2); 5.10.40.70(6); 5.10.40.80(1); 10.5.40.50(2); 10.5.50.10(3)(B); 10.5.80.40(3); 10.5.100.1(1)(B) and (C); 10.80.40.70(3)(B) apply to prevent the use or erection or use of a **building, structure**, addition or enlargement permitted by (B) to (J) below;
- B. A maximum of 46 **semi-detached houses** and 2 **detached houses** are permitted.
- C. Despite regulation 10.5.30.20(2), the minimum **front lot line** must be at least 2.6 metres for **lots** located within “Area A” shown on Diagram 1.
- D. Despite regulation 10.5.80.40(3) **vehicle** access to a **parking space** on a **corner lot** may be from the **street** on which the **lot** fronts.
- E. Despite regulation 10.5.100.1(1)(B) and (C) a **driveway** leading to a **semi-detached house** may have a maximum width of 3.5 metres.
- F. Despite regulation 10.5.100.1(1)(B) and (C) a **driveway** leading to **detached house** may have a maximum width of 6.0 metres.
- G. Despite 10.40.60.70(3)(B) the following **building setbacks** apply:
 - (i) Minimum **side yard setback** is 0.55 metres.
 - (ii) Minimum exterior **side yard setback** is 1.2 metres
 - (iii) Minimum **building setback** from a daylight triangle is 1.2 metres
- H. Despite 10.5.50.10(1)(B) and (D) the **front yard** not covered by a permitted **driveway** must be **landscaped** and a minimum of 25% of the required **landscaping** must be **soft landscaping**.

- I. For the purpose of this exception **established grade** is the Canadian Geodetic Datum elevation of 125.88 metres;
- J. For the purpose of this exception, on a **corner lot**, daylight triangle shall mean the triangular space formed between the intersection point of the **front lot line** and the **side lot line** and two points along these lines measured 5 metres from the intersection point. Where the **lot** has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured.
- K. A sales office used to sell **dwelling units** in this development is permitted for a period of 3 years from the date of the passing of By-law [Clerks to insert this by-law number].

Prevailing By-laws and Prevailing Sections: (None Apply)

- 8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 157, so that it reads:

Exception RT 157

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. If the requirements of by-law Section 9 and Schedule A of By-law [Clerks to insert this by-law number] are complied with, none of the provisions of: 5.10.40.70(2); 10.5.40.50(2); 10.5.50.10(1)(D); 10.5.50.10(3)(B); 10.5.80.40(3); 10.60.40.1(3); 10.60.40.70; 10.60.40.80; 800(240) apply to prevent the use or erection or use of a **building, structure**, addition or enlargement permitted by (B) to (G) below;
- B. A maximum of 40 **dwelling units** are permitted.
- C. Despite 10.5.80.40(3) **vehicle** access to a **parking space** on a **corner lot** may be from a private **driveway**.
- D. Despite 10.60.40.70 the following minimum **building setbacks** apply:
 - a. Minimum **front yard setback** is 3 metres;
 - b. Minimum **side yard setback** is 0.55 metres;

- c. Minimum **rear yard setback** is 4 metres
 - d. Minimum exterior **side yard setback** is 1.2 metres
 - e. Minimum **building setback** from a daylight triangle is 1.2 metres.
- E. For the purpose of this exception **established grade** is the Canadian Geodetic Datum elevation of 125.88 metres;
- F. For the purpose of this exception, on a **corner lot**, daylight triangle shall mean the triangular space formed between the intersection point of the **front lot line** and the **side lot line** and two points along these lines measured 5 metres from the intersection point. Where the **lot** has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured.
- G. A sales office used to sell **dwelling units** in the development is permitted for a period of 3 years from the date of the passing of By-law. [Clerks to insert this by-law number].

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Section 37 Provisions

- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram (1) in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

ENACTED AND PASSED this X day of X, 2017.

John Tory,
Mayor

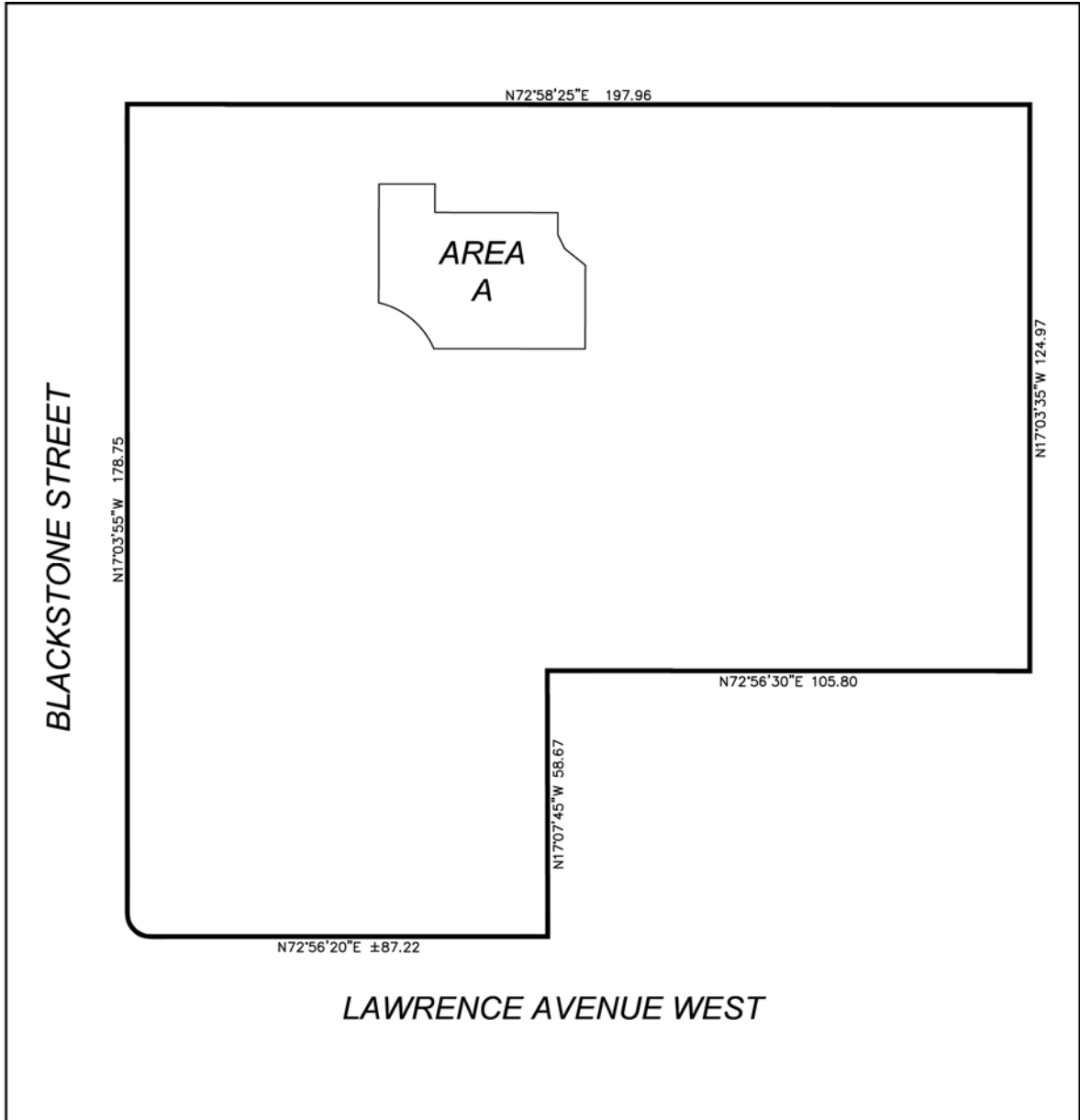
Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Schedule 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

1. Prior to the issuance of the first-above grade building permit, the owner shall pay to the City the sum of \$250,000 to be allocated, in consultation with the Ward Councillor towards:
 - i. Capital improvements to Upwood Park to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor; and
 - ii. Streetscape improvements in the vicinity of the site to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services in consultation with the Ward Councillor.
2. The cash amounts identified in 1. above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
3. In the event the cash contributions identified in Recommendation 5 a. above have not been used for the intended purposes within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
4. The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. 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 of October 26 and 27, 2009.



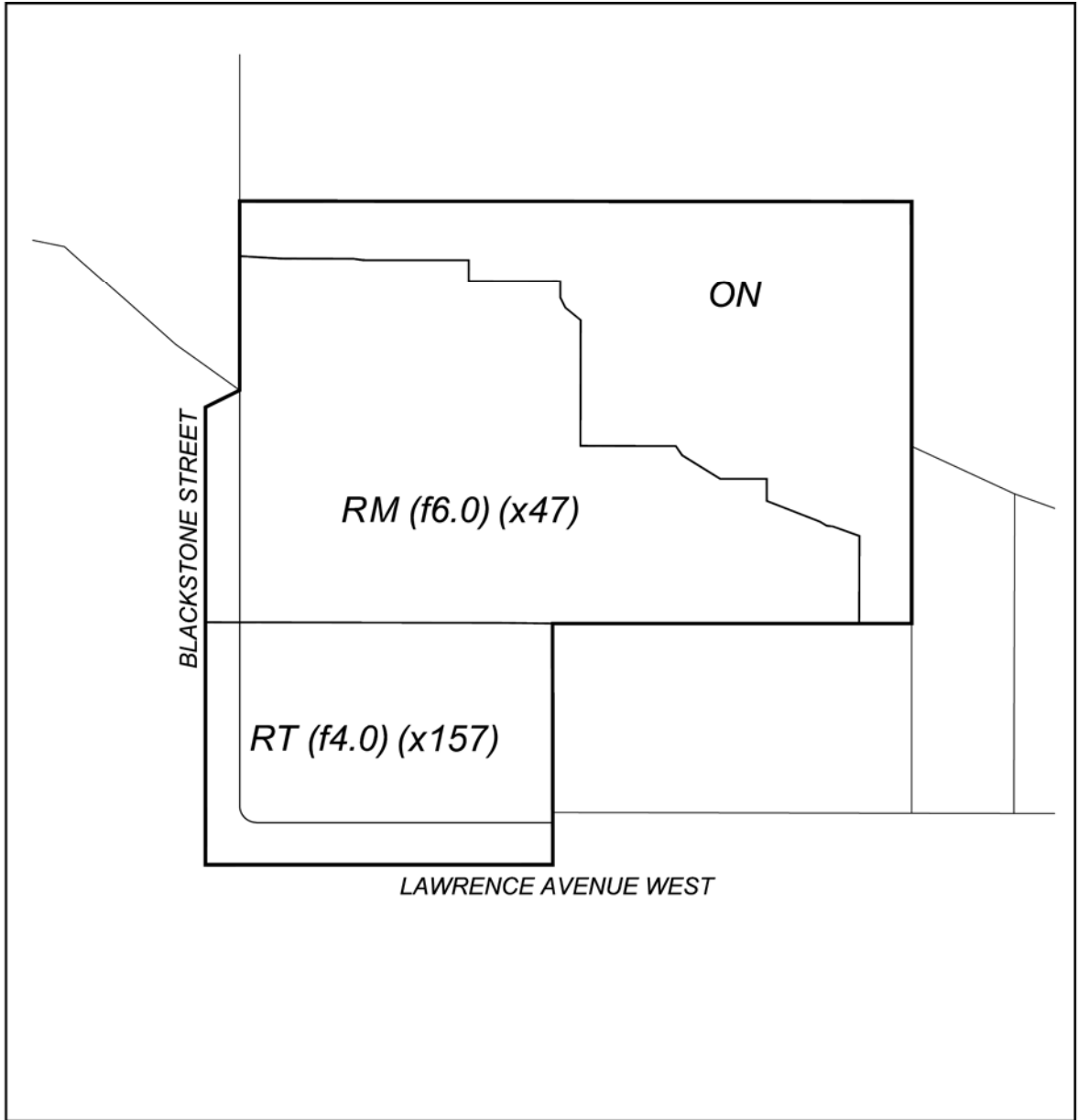
TORONTO
Diagram 1

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

City of Toronto By-Law 569-2013
 Not to Scale
 08/10/2017



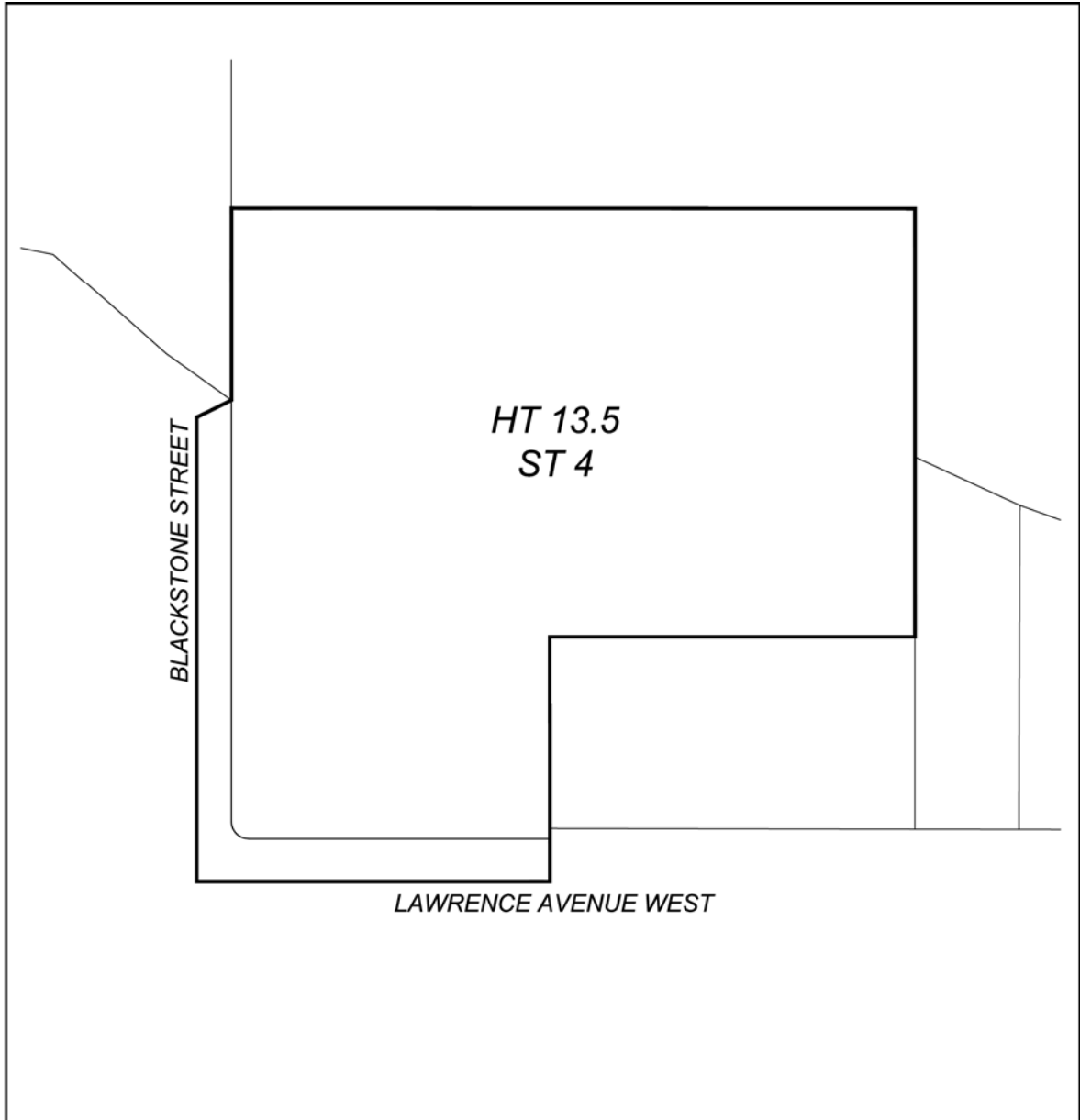


 **TORONTO**
Diagram 2

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ


City of Toronto By-Law 569-2013
Not to Scale
08/10/2017

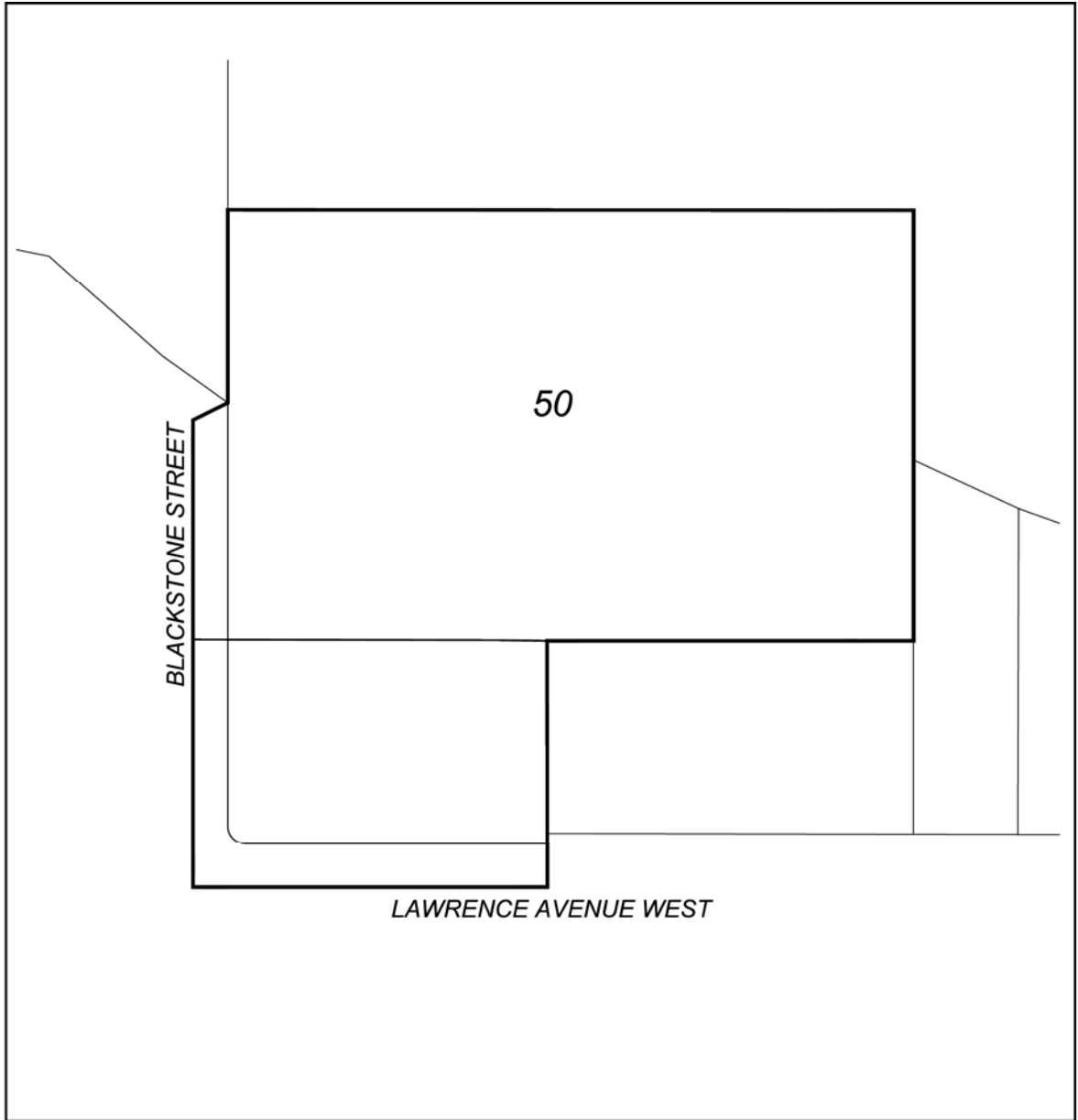


 **TORONTO**
Diagram 3

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ


City of Toronto By-Law 569-2013
Not to Scale
08/10/2017



 **TORONTO**
Diagram 4

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ


City of Toronto By-Law 569-2013
Not to Scale
08/10/2017

Attachment 12: Conditions of Draft Plan of Subdivision Approval

LEGAL SERVICES

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.

CITY PLANNING

2. The Owner shall provide to the Director of Community Planning, Etobicoke 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. The applicant shall submit a financial security in the amount of \$312,275.00 which represents 75% of the landscape cost estimate to the Director, Community Planning, Etobicoke York District in the form of a Letter of Credit or certified cheque to guarantee the provision of landscape development works as detailed on the approved Landscape Plan(s). This financial security will also be used to guarantee the proposed landscaping work including plants, walkways and fencing.

ENGINEERING AND CONSTRUCTION SERVICES

6. Enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
7. The applicant shall design, construct and convey the proposed public roads (Streets 'A' and 'B'), rear private laneway driveway, and turning circles at the respective east limit of these roads in accordance with City of Toronto Standard Drawing No.'s DIPS-3A (Sheet 1), DIPS-4 (Sheet 1), and DIPS-5 (Sheet 1), respectively.

8. To accommodate future intersection and/or municipal boulevard improvements, the applicant shall convey property at the south-west corner of the site to provide a 5.0 right-of-way radius as measured from the existing Blackstone Street and Lawrence Avenue West right-of-way limits.
9. The applicant shall submit detailed engineering drawings and pavement markings/signage plans to the satisfaction of Transportation Services and Engineering and Construction Services.
10. The Owner shall submit a detailed pavement marking and signage plan for all Streets and pay all costs related to the installation of pavement markings and signage and modifications to the existing pavement markings and signage, prior to the registration and execution of the Subdivision Agreement.
11. Dedicate all roads, corner roundings and road widenings shown on the plan for this development to the satisfaction of the Executive Director, Engineering and Construction Services.
12. 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 to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
13. Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The reference 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
14. The Owner shall pay all costs for preparation and registration of reference plan(s).
15. Conduct an environmental 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.
16. The Owner is required to apply storm water management techniques in the development of this subdivision to the satisfaction of Engineering and

Construction Services.

17. Provide certification to the Executive Director, Engineering and Construction 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.
18. The Owner shall obtain/verify the municipal addresses that will be required for the purpose of setting up the water account with Toronto Water when application is made for the proposed sewer and or/water service connections (as applicable).
19. The Owner shall initiate the street naming process so that all public streets, private access roads and private walkways shall be named to facilitate access to the units fronting these streets, roads and walkways.
20. The Owner is required to include the following clauses in the subdivision agreement for all the proposed lots:
21. The Owner shall dedicate lands to the satisfaction of the Executive Director of Engineering and Construction Services and the Toronto Region Conservation Authority (TRCA).
22. The Owner is responsible for upgrading all off-site infrastructure improvements, at the Owner's cost, which is required as a result of any finding of the servicing study.
23. The owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
24. The owner shall submit financial securities in accordance with the terms of the standard subdivision agreement.
25. The owner shall provide a Composite Utility Plan (CUP) illustrating the locations and dimensions of all existing and proposed development related underground and above ground utility services and structures, and street trees within the City rights-of- way. The CUP must be signed off by all the utility companies and the City's Parks, Forestry & Recreation Division prior to acceptance of the Engineering plans by the Executive Director, Engineering and Construction Services.
26. Prior to the registration of the Plan of Subdivision, the Owner shall make satisfactory arrangements with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Plan of Subdivision.

27. Written confirmation from THESL and THESI that said arrangements have been made with respect to the installation of the electrical distribution system and street lighting, respectively, for the Plan of Subdivision, including the provision of any financial requirements set out in any agreement with THESL and THESI shall be provided by the Owner.
28. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clauses in all agreements Purchase and Sales and/or Lease Agreements and registered on title to the satisfaction of the City Solicitor:
"Purchasers are advised that where sidewalks are located adjacent to the curb as per right of way width 16.5 metres, sidewalk snow clearing and driveway windrow clearing will not be provided by the City."
29. Prior to the registration of the plan of subdivision, the Owner agrees to include the clauses regarding Operations and Maintenance for all stormwater management facilities i.e. Soakaway pits and permeable pavers in all agreements Purchase and Sales and/or Lease Agreements and registered on title to the satisfaction of the City Solicitor.
30. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clauses in all agreements of Purchase and Sales and/or Lease Agreements and registered on title to the satisfaction of the City Solicitor:
"Purchasers are advised that in the future when the city performs maintenance and repairs within the right of way, the city may not replace the permeable pavers and/or unit pavers that may have been taken out during any construction."
31. Pursuant to an order issued by the Ontario Ministry of the Environment and Climate Change, wet taps proposed to be performed on City watermains must be performed by, or under the supervision of, a Certified Operator in accordance with Ontario Regulation 128/04.

PARKS, FORESTRY AND RECREATION

32. Prior to the issuance of the first above grade building permit, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR).
33. The Owner will be required to convey the 0.0181 ha (181 m²) portion of the development site for public parkland purposes. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.
34. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

Environmental Assessment

35. Prior to conveying the parkland to the City, the Owner must:
- a. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services;
 - b. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
 - c. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
 - d. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states:
Policy for Accepting Potentially Contaminated Lands
 - i. In the opinion of the Qualified Person:
 1. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 2. To the extent that the opinion in 4.4.1.1 is that past

migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.

ii. Land to be conveyed to the City meets either:

1. the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9) for the most environmentally sensitive adjacent land use; or
2. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.

e. The Qualified Person's statement, referenced in 4.4 above, will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.

f. For conveyance of lands requiring a Record of Site Condition:

- i. File the Record of Site Condition on the Ontario Environmental Site Registry; and
- ii. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services.

Park Construction - Base Park Improvements

36. The Owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:
- a. grading inclusive of topsoil supply and placement, minimum of 150 mm depth;

- b. sodding #1 nursery grade or equivalent value of other approved park development;
 - c. fencing, where deemed necessary to the satisfaction of PFR;
 - d. drainage systems, including connections to the municipal services as required;
 - e. electrical and water connections (minimum 50 mm) to street line including backflow preventers, shut off valves, water and hydro chambers;
 - f. street trees along all public road allowances which abut future City-owned parkland;
 - g. standard park sign (separate certified cheque required); and
 - h. demolition, removal and disposal of all existing materials, buildings and foundations.
37. Should it be determined that any of the above mentioned Base Park Improvements are not required, the Applicant must provide Above Base Park improvements of equal value. The Above Base park amenities to be provided are subject to approval of the General Manager of Parks, Forestry and Recreation).
38. All work is to be completed to the satisfaction of the General Manager, PFR.
39. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
40. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
41. The construction of the Base Park Improvements to each park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
42. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section.

The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Temporary Fencing

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

Parkland Grading and Drainage

44. The Owner shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, PFR.
45. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

ARCHAEOLOGY

46. The owner agrees in the Subdivision Agreement to include the following clause:
 - a. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the owner shall notify the Heritage Operations Unit of the Ministry of Culture immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096; and
 - b. In the event that human remains are encountered during construction, the owner immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8393”.

TORONTO AND REGION CONSERVATION AUTHORITY (TRCA)

47. Prior to the issuance of the first above grade building permit the Owner shall dedicate to The TRCA the valley lands identified as Block 1 on the Draft Plan of Subdivision, 2811-4 DP-SUB, prepared by R. Avis Surveying Inc., dated March 27, 2017;
48. Prior to registration of the Draft Plan of Subdivision the Owner shall submit for TRCA review and approval the proposed Ravine Stewardship Plan;

49. Prior to registration of the Draft Plan of Subdivision the Owner shall submit to TRCA the required clearance fee in the amount of **\$5,735.00, or as per fee schedule in place at the time of clearance request**; and
50. The Owner shall apply for and receive a TRCA permit under Ontario Regulation 166/06 prior to any site grading or issuance of any municipal building permits.

URBAN FORESTRY, RAVINES

51. Prior to registration of the Draft Plan of Subdivision, the owner shall submit a security deposit in the amount of \$266,000.00 for the preparation and implementation of a ravine stewardship plan (RSP) within Block 1, to the satisfaction of RNFP.
 - a. At the time at which this condition is written, Urban Forestry RNFP has not approved a satisfactory RSP for Block 1. Should a satisfactory RSP, including budget, be submitted, reviewed and approved *prior to* Draft Plan registration, the deposit amount would be revised to 120% of the estimated implementation cost of that RSP. If the RSP is reviewed/approved *after* registration of the Draft Plan (i.e., assuming the deposit amount specified above has been submitted), the stewardship deposit may be partly refunded accordingly (or additional funds required if the submitted estimate is greater than the deposit).
 - b. The deposit amount of \$266,000.00 is based on a typical restoration cost of \$25/m² applied to the area of Block 1, 10,640.1m².
52. The owner agrees that prior to commencing any construction or demolition work tree protective hoarding shall be installed as indicated in the approved tree protection plan, to standards detailed in the City's Tree Protection Policy and Specifications for Construction near Trees (www.toronto.ca/trees/ravines), and to the satisfaction of RNFP.
53. The owner agrees to notify the RNFP Planner at 416-392-0585 immediately upon installation of the tree and site protection measures, to arrange for an inspection of the site and approval of the tree and site protection measures.
54. The owner agrees to submit to the RNFP Planner an arborist report or update to the satisfaction of RNFP regarding the status/condition of tree protection hoarding, signage, and any other tree protection measures at key benchmarks through the construction process, including: initial installation of tree protective hoarding (as per #2, above), completion of any demolition/clearing work, excavation of any foundations, completion of any structural framing, prior to excavation for or installation of forms for parking lot, driveway/drive aisle, or walkway curbs, and final landscaping. Reports shall include any additional preservation or maintenance recommendations that may be required.

URBAN FORESTRY, TREE PROTECTION AND PLAN REVIEW

55. Prior to the registration of the plan of subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan and Landscape Plan, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
56. Prior to the registration of the 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.
57. Prior to the registration of the plan of subdivision, 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 the General Manager of Parks, Forestry and Recreation and Engineering and Construction Services.
58. Prior to the registration of the plan of subdivision, the Owner agrees to submit an application and pay the required fees and to provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of draft approval of the plan of subdivision. The ratio of replacement trees will be determined by Urban Forestry. Replacement trees will be planted on site in accordance with Urban Forestry Services requirements, or if no suitable location on site can be provided, the Owner may pay cash-in-lieu of planting, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
59. Prior to the registration of the plan of subdivision, the Owner agrees to submit an application and pay the required application fees, tree value and contractor's service agreement for the removal of trees that are subject to the City's Street By-law and associated regulations in effect on the date of draft approval of the plan of subdivision, all to the satisfaction of the General Manger of Parks, Forestry and Recreation.
60. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit equal to 120% of the value of the street trees, to guarantee the planting and maintenance by the Owner of the new street trees for a period of two years after the planting date, to the satisfaction of the General Manager of Parks, Forestry and Recreation.
61. Prior to the registration of the plan of subdivision, the Owner agrees to prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree planting strategy within the Subdivision. The booklet will be prepared to the satisfaction of the General Manger of Parks, Forestry and

Recreation and will be distributed to all homeowners for all dwellings within the Subdivision.

62. The Owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease agreements for any lands within the proposed plan of subdivision:
63. “The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property.”
64. Prior to the registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the above clause has been included in all agreements of purchase and sale and/or rental/lease agreements within the plan of subdivision to ensure that future occupants are aware that they may not receive a street tree in front of their property and be registered on title to the satisfaction of the City Solicitor.
65. Prior to any site work, the Owner agrees to protect all existing trees associated with the Subdivision for which approval to remove or injure has not been granted, in accordance with the approved Arborist Report and Tree Preservation Plan, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
66. Prior to any site work, the Owner agrees to install tree protection barriers and signage for trees to be preserved in accordance with the approved Arborist Report and Tree Preservation to the satisfaction of Parks, Forestry and Recreation and to maintain the barriers in good repair until removal has been authorized by Urban Forestry, on behalf of General Manger of Parks, Forestry and Recreation.
67. The Owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager of Parks, Forestry and Recreation.
68. The Owner agrees to contact Urban Forestry prior to commencement of planting trees on City road allowance and on private property or within common areas. The Owner further agrees to plant trees in accordance with the approved Landscape Plan and Composite Utility Plan, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
69. Following the planting of street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street addresses. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e., distances in meters from the curb, sidewalk, driveway, utility pole or pedestal).

TTC

70. The owner shall agree in the subdivision agreement to construct a new level, brushed concrete platform 16 m in length by 2.4 m in width from the curb, with a tangent of 21 metres and a taper of 25 metres, connecting to the sidewalk to the satisfaction of the TTC.

BELL CANADA

71. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
72. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

CANADA POST

73. In order to provide mail service to the development, Canada Post requests that the owner/developer comply with the following conditions:
 - a. The Owner will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
 - b. The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Toronto.
 - c. The Owner agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post. The Owner 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 do a sign off.

- d. The Owner agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
 - i. A Community Mailbox concrete base pad per Canada Post specifications;
 - ii. Any required walkway across the boulevard, as per municipal standards;
 - iii. Any required curb depressions for wheelchair access.
- e. The Owner further agrees to determine, provide and fit up a suitable gravel area 30 to 60 days prior to the first occupancy to act as a 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 locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. Specifications for this gravel area will be provided at the time the Owner notifies Canada Post of the first occupancy date. (The Owner shall provide evidence of how they intend to coordinate this activity in a timely manner to a safe and clean usable area).

74. The Owner agrees to notify all new homebuyers of the process to initiate Mail Delivery with the following clause:

Once the homeowner has closed their home sale, the new homeowner can go to the local Post office and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery. Of note, any mail which has been sent to this homeowner in the interim – to this new address - will also be available for pickup at this local Post Office - this is where mail will be held until mail delivery begins. The location of the Local Post Office is Toronto Station W, 66 Ray Avenue, Toronto, ON, Phone number 416-782-6537.