

**111 Plunkett Road, Formerly Part of 135 Plunkett Road –
Zoning By-law Amendment and Draft Plan of
Subdivision Applications – Request for Direction**

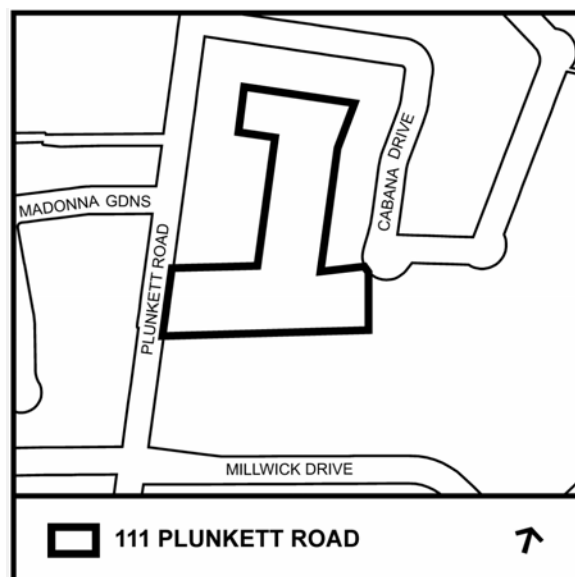
Date:	October 25, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 7 – York West
Reference Number:	13 162096 WET 07 OZ and 13 162112 WET 07 SB

SUMMARY

These applications propose to amend the former City of North York Zoning By-law No. 7625 and to seek Draft Plan of Subdivision approval to develop a new residential neighbourhood on the former St. Gasper Catholic School site at 111 Plunkett Road, formerly part of 135 Plunkett Road. This extension to the surrounding neighbourhood would be comprised of 21 residential semi-detached building lots (42 dwellings), a new public walkway and a new public road. The proposed buildings would be three storeys and range in height from 8.8 to 10 metres.

The Draft Plan of Subdivision application proposes to establish a new public road, public walkway and residential development blocks. The new public road would provide access to Plunkett Road with a right-of-way width of 18.5 metres and terminate in two cul-de-sacs at the east and north ends of the site.

The applicant has appealed its Zoning By-law Amendment and Subdivision applications to the Ontario Municipal Board (OMB). This report recommends that the City Solicitor, together with appropriate City staff, attend the OMB hearing in support of the Zoning By-law Amendment



application. Also in accordance with Chapter 415-16, 18 and 18.1 of the Municipal Code, the Acting Chief Planner and Executive Director, City Planning, advises City Council that he intends to authorize the City Solicitor to attend the OMB in support of the application for Draft Plan of Subdivision as generally illustrated in Attachment 2 and subject to the Conditions in Attachment 7 to this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and other appropriate City staff to attend the Ontario Municipal Board hearing to settle the appeal of Zoning By-law Amendment Application Number 13 162096 WET 07 OZ at 111 Plunkett Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 6 to this report.
2. In accordance with the delegated approval under By-law No. 229-2000, as amended, City Council be advised that the Acting Chief Planner and Executive Director, City Planning intends to authorize the City Solicitor to support the OMB appeal of Draft Plan of Subdivision Application Number 13 162112 WET 07 SB at 111 Plunkett Road as generally illustrated on Attachment 2 to this report, subject to:
 - a. The Conditions as generally listed in Attachment 7 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 Acting 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.
3. In the event the Ontario Municipal Board (OMB) allows the appeal in whole or in part, City Council direct the City Solicitor to request the OMB to withhold its Order on the Zoning By-law Amendment and the Draft Plan of Subdivision until:
 - a. The owner submits, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, an updated Functional Servicing and Stormwater Management Report;
 - b. The Chief Engineer and Executive Director, Engineering and Construction Services has confirmed that the hydrogeological assessment, included under Appendix F of the Functional Servicing Report dated June 2016 prepared by WSP Canada Inc. confirms whether there will be any short-term or long-term discharge of groundwater, directly or indirectly, to a City sewer;

- c. A draft zoning by-law be submitted to the satisfaction of the City Solicitor and Acting Chief Planner and Executive Director, City Planning; and
 - d. Draft Plan of Subdivision Conditions be submitted to the OMB to address the technical requirements of the development including among other matters, the construction of streets and services, tree protection and planting and grading as determined by the Acting Chief Planner and Executive Director, City Planning.
4. City Council authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to the Recommendations of this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 17, 2012 the Committee of Adjustment approved on condition a consent to sever a former school site into two parcels (Committee of Adjustment file B6/12EYK). The Certificate of Consent was issued May 17, 2013 to allow for the conveyance of a parcel which contains the former St. Gaspar Catholic School building and is currently occupied by Nile Academy, a private school which offers co-educational programming for students from Kindergarten to Grade 12 in English, French and Turkish. The retained parcel is the redevelopment lands and is the subject of the Draft Plan of Subdivision and Zoning By-law Amendment applications.

A Preliminary Report dated, May 27, 2013 was considered by Etobicoke York Community Council at its meeting of June 18, 2013. The decision of Community Council and a copy of the Preliminary Report can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY25.12>

ISSUE BACKGROUND

Proposal

The subdivision proposes 21 residential lots and the creation of a new public road connecting to Plunkett Road (see Attachment 1: Site Plan). The new public road would have a right-of-way of 18.5metres and would terminate in two cul de sacs. A public walkway with a width of 7.5 metres is proposed between Cabana Drive and the proposed public road at the southeastern portion of the site.

The proposed zoning amendment is intended to implement the proposed Draft Plan of Subdivision and create site specific performance standards for the development of the subject lands.

The lands are proposed to be developed with 21 semi-detached lots (42 dwellings). The gross floor area of the proposed dwellings would range from 160 m² to 250 m². Each semi-detached house is proposed to be 3 storeys with a height of 10 metres except for the

two blocks at the north end of the site (Blocks 19 and 20 on the Draft Plan of Subdivision) which would have heights of 8.8 metres. Each unit would provide 2 parking spaces, one in an integral garage and one in the driveway. The proposed minimum lot frontage is 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each pair of semi-detached units. The proposed minimum lot area is 205 m² for each semi-detached dwelling lot and 419 m² for each pair of semi-detached units. The proposed maximum lot coverage for each semi-detached dwelling unit is 45% of the lot. The proposed buildings would have minimum rear yard setbacks of 7.5 metres, minimum side yard setbacks of 1.2 metres and minimum front yard setbacks of 6.0 metres. For additional details, see Attachment 5: Application Data Sheet.

Site and Surrounding Area

The subject property is located in the residential neighbourhood southeast of the intersection of Islington Avenue and Steeles Avenue West.

The subject site is located on east side Plunkett Road and is irregularly shaped. The site has an approximate area of 2.43 ha (6.0 acre) with a lot frontage of 54.85 metres and a depth of 165.55 metres. The site is currently vacant. The property was previously used by Nile Academy and St. Gaspar Catholic Elementary School as part of the general recreational area for the school, and contained a soccer field and some additional surface parking.

Surrounding uses include:

North and East: residential neighbourhood consisting of semi-detached houses;
South: semi-detached houses fronting on Plunkett Road and an industrial area fronting on Millwick Drive; and
West: Former school site (Nile Academy and St. Gaspar Catholic Elementary School) which is currently being demolished and residential detached and semi-detached houses.

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 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 property is designated *Neighbourhoods* on Map 13 –Land Use Map in the Official Plan. *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*.

Chapter 2 of the Official Plan entitled Shaping the City contains principles for steering growth and change to some parts of the City, while protecting our *Neighbourhoods* and green spaces from development pressures. *Neighbourhoods* are seen as being stable but not static. Section 2.3.1 recognizes that *Neighbourhoods* will not stay frozen and that some physical change will occur as enhancements, additions and infill housing occurs on individual sites over time. Policy 1 of Section 2.3.1 of the Official Plan states that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas. Policy 5 encourages that environmental sustainability be promoted in *Neighbourhoods* by investing in naturalization and landscaping improvements, tree planting and preservation, sustainable technologies for stormwater management and energy efficiency.

The development criteria contained in the *Neighbourhoods* policies are supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area. The policies require that new development:

- be located and organized to fit with its existing or planned context;
- frame and support adjacent streets, parks and open spaces;
- locate main building entrances to be clearly visible from the public sidewalk;
- locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets;
- consolidate and minimize the width of driveways and curb cuts across the public sidewalk;
- limit surface parking between the front face of a building and the public street or sidewalk;
- be massed and its exterior façade designed to fit harmoniously into its existing and planned context and limit its impact on neighbouring streets;
- mass new buildings to frame adjacent streets and open spaces in a manner that respects the existing street proportion;
- create appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- provide adequate light and privacy;
- adequately limit any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas;
- provide amenity space adjacent streets and open spaces for pedestrians;

- co-ordinate landscape improvements in setbacks to create attractive transitions from the private to the public realms; and
- provide indoor and outdoor amenity space for residents.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. These criteria are intended to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally fit the existing physical character. Policy 4.1.5 of the Official Plan states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

Policy 4.1.5 further states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of a neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

Official Plan Amendment No. 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the *Healthy Neighbourhoods*, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill development on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs and Housing approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Zoning

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. All school sites in the City were excluded from By-law No. 569-2013. As such, the former City of North York Zoning By-law continues to apply to the lands. The subject lands are zoned R4 - One-Family Detached Dwelling Fourth Density Zone in the former City of North York Zoning By-

law No. 7625, as amended. The R4 zone permits detached dwellings, community centres, parks, schools and places of worship (see Attachment 4- Zoning).

Site Plan Control

The proposed development for semi-detached houses is not subject to Site Plan Control under City of Toronto By-law No. 774-2012.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report was submitted with the application and is currently under review by City staff.

Plan of Subdivision

An application for plan of subdivision has also been submitted to establish the public road, public walkway and individual lots (Application 13 162112 WET 07 SB).

Tenure

The applicant has advised that the proposed 42 residential units would be freehold units.

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 a Stage 1 and 2 Archaeological Assessment in support of the proposal.

Reasons for the Application

A Zoning By-law Amendment application is required to permit the semi-detached houses. The proposed amendment would also establish appropriate performance standards for the semi-detached dwelling lots. The Draft Plan of Subdivision is necessary to create the proposed new lots, public road and public walkway.

Community Consultation

A community consultation meeting was held on June 5, 2013 at 135 Plunkett Road (in the gymnasium of the Nile Academy). Approximately 30 members of the public attended along with the Ward Councillor, the applicant, their consulting team and City staff. Issues raised were:

- proposed selling price of the new units;
- size of units proposed;
- traffic generated by the new development;
- concern with below grade garages;
- concern with the future use of the school;
- school capacity;
- infrastructure capacity (sewer and water); and
- timing for construction.

Comment provided at the meeting and subsequent to the meeting were used to inform the evaluation of the application.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed development is consistent with the 2014 PPS. It would accommodate appropriate residential infill growth, supporting the policy objectives related to focusing growth in existing settlement areas. The proposal supports efficient land use, reduces land consumption related to residential development, makes efficient use of infrastructure and is transit supportive.

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

The applicant has proposed 21 semi-detached lots (42 dwellings). This building type is contemplated by the *Neighbourhoods* designation in the Official Plan and is a permitted building type for the surrounding residential neighbourhoods which are predominately comprised of semi-detached dwellings. Planning staff are of the opinion that the proposed land use is appropriate for the subject site given the Official Plan designation and the uses found within the neighbourhood. The proposal would result in a development that is compatible with the surrounding neighbourhood, provide for an appropriate amount of development and integrate the site into the surrounding neighbourhood.

To assist in integrating the proposed development into the established residential neighbourhood, the applicant has proposed to limit the proposed height of the dwellings on the two blocks at the north end of the site and on the eastern end and adjacent to the pedestrian walkway (Blocks 10, 19 and 20 on the Draft Plan of Subdivision which would have side yards adjacent to the rear yards) to a height of 8.8 metres. In addition, the applicant is proposing a Landscape Master Plan which would assist in buffering the development. The Landscape Master Plan shows that approximately 110 new trees will be planted along the perimeter of the site in the rear yards of the new lots. The applicant has also agreed to provide enhanced elevations for the corner block (Block 1). Should the development be approved, the enhanced building elevations for Block 1 and the proposed

tree planting would be secured in the Conditions of Draft Plan of Subdivision Approval in Attachment 7.

Traffic Impact and Proposed Public Road

Concerns were raised by the community regarding the traffic impacts associated with this development.

As part of the submission, the applicant submitted a 'Traffic Operations Review', dated March 19, 2013, prepared by BA Consulting Group Ltd., in conjunction with the proposal. The review indicates that the proposed 42 semi-detached units are forecast to generate approximately 32 and 42 total two-way vehicle trips during the weekday morning and weekday afternoon peak periods, respectively.

Based on the projected volume of vehicle traffic, the applicant's traffic engineering consultant has not identified any negative level-of-service or operational impacts to the adjacent road network. Transportation Services staff concur with the consultant's findings and conclude that no road or operational improvements are required to the adjacent street system to accommodate site-generated traffic.

The Draft Plan of Subdivision proposes a new public road with all the proposed dwellings fronting the new road. The proposed east-west road would be situated approximately 60 metres south of Madonna Gardens connecting to the east side of Plunkett Road, creating a new 'T' intersection. This east-west road would extend easterly terminating in two cul de sacs.

The Draft Plan of Subdivision proposes the east-west portion of the road to have an 18.5-metre right-of-way width with a 30.5 metre diameter right-of-way turning basin at the east terminus of this road. The proposed north-south portion of the road would have an 18.5 metre right-of-way width, with a 30.5 metre diameter right-of-way turning basin at the north terminus of this road.

Staff have no objections to the proposed location of the east-west road connection to Plunkett Road. In general, the layout and alignment of the proposed public roads is acceptable; however, the applicant has not provided site and engineering plans to confirm the design details of these new roads. The applicant is required to submit site and engineering plans to reflect the design cross-section according to DIPS No. 2B and 'Turning Circle' DIPS No. 5. In addition, the two new unsignalized intersections shall provide 9.0-metre corner radii. The road design will be secured as part of the approval of the engineering plans to be approved as part of Draft Plan of Subdivision.

Parking

Concerns were raised by the community regarding the amount of parking proposed for the development.

According to former City of North York Zoning By-law No. 7625, at least two on-site parking spaces must be provided for each semi-detached dwelling. In addition, the new

City-wide Zoning By-law No. 569-2013 requires at least one on-site parking space to be provided for each dwelling unit in a semi-detached house.

Each unit would provide 2 parking spaces, one in an integral garage and one in the driveway. Each single-vehicle garage would have internal dimensions of 3.2 metres in width by 5.6 metres in length. The front wall of each integral garage would be set back a minimum of 6.0 metres from the street line, in order to accommodate one additional informal vehicle parking space, if required, on the driveway.

As part of the approval of the engineering plans to be approved as part of Draft Plan of Subdivision, the applicant will be required to show the location and design of driveway access to each of 42 semi-detached units in order to accommodate on-street visitor parking. The applicant will be required to design the driveways in a paired configuration with a minimum of 5.0 metres between paired driveways.

The submitted site plan drawings illustrate paired driveway configurations of 6.1 metres in width, or two 3.05-metre wide driveways. The site plan shall be revised to illustrate paired driveway configurations of 6.0 metres in width, or two 3.0-metre wide driveways. Should the development be approved, these requirements would be included in the Conditions of Draft Plan of Subdivision Approval in Attachment 7.

Sidewalks

Currently, there is a 1.5-metre wide concrete boulevard sidewalk extending along the east side of the Plunkett Road, adjacent to the subject site. In addition, there is an existing 2.5-metre wide private walkway which currently provides pedestrian access between the school site and the existing 1.5-metre wide boulevard sidewalk along the west side of Cabana Drive.

The proposed draft plan shows a 7.5-metre wide walkway (Block 22) at the northeast corner of the proposed turning basin on the east-west road, along the existing walkway alignment. The proposed walkway would be conveyed to the City, to provide a connection between Cabana Drive and the proposed east boulevard sidewalk of the new residential street.

The applicant is required to design the new municipal sidewalk along both sides of the new east-west and north-south roads which will be secured as part of the Draft Plan of Subdivision approval.

Servicing

The applicant has submitted a Functional Servicing Study and Stormwater Management Report. The report concludes there is generally sufficient servicing capacity within the existing municipal infrastructure to accommodate the proposed development. This conclusion has generally been accepted by Engineering and Construction Services staff subject to the submission and acceptance of the final consolidated Functional Servicing Plan. Should the development be approved, the requirements for any new municipal

infrastructure and/or upgrades to the existing infrastructure would be secured as part of the Draft Plan of Subdivision approval.

Groundwater

All applicants with an active Planning Application within the City of Toronto received a letter from City Planning advising that the discharge of groundwater, whether directly or indirectly to a City sewer, is subject to the provisions of the City's Sewer By-Law (Toronto Municipal Code, Chapter 681). Development Engineering has been further advised by Toronto Water staff that all site plan and re-zoning applications must submit a hydrogeological investigation for their review during the development application review process to confirm whether there will be any short-term or long-term discharge of groundwater, directly or indirectly, to a City sewer.

The hydrogeological assessment, included under Appendix F of the Functional Servicing Report, has been circulated to Toronto Water, the Environmental Monitoring & Protections unit for review. It is recommended that if the OMB approve of the Zoning By-law Amendment and Draft Plan of Subdivision applications, that the OMB withholds its order until the Chief Engineer and Executive Director, Engineering and Construction Services has confirmed that the hydrogeological assessment confirms whether there will be any short-term or long-term discharge of groundwater, directly or indirectly, to a City sewer.

Solid Waste Management

Based on the information provided by the applicant, the City would provide single-family, curbside cart collection services for garbage, recycling and organic waste provided that the development is built in accordance with the "City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code as amended from time to time.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 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 acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for 21 semi-detached residential buildings (42 units). In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to an approximately 5.02% parkland dedication (560 m²). Parks, Forestry and Recreation staff have advised that the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as a dedication of 560m² is not of a suitable size to develop a programmable park within the existing

context of this development site. In addition, the site is in close proximity to Plunkett Park, which contains outdoor bocce courts, picnic shelter and playground.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Street Trees

The revised Arborist Report indicates that the development proposes to remove one City-owned tree and to preserve ten City-owned trees and two protected private trees.

Urban Forestry staff require a Tree Protection Security in the amount of \$12,693.00 to ensure protection for the trees in question throughout the construction period, for the 10 City-owned trees to be preserved.

Urban Forestry staff require an Application to Injure or Destroy Trees and applicable fees for permission to injure the trees due to proposed work on grading and/or removal of existing asphalt surface within the trees' minimum protection zones, for the City-owned and privately-owned trees to be preserved.

For the City-owned tree to be removed, Urban Forestry staff require an Application to Injure or Destroy Trees and applicable fees for permission to remove the tree along with a payment for Appraised Tree Value in the amount of \$583.00 and a complete Contractor's Service Agreement prior to permit issuance.

The applicant is advised that removal of or injury to protected City or private trees may occur only upon receipt of a "Tree Removal/Injury Permit" issued by the General Manager of Parks, Forestry and Recreation and provided that building and/or demolition permits have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of or injury to the trees involved.

A Landscape Master Plan has submitted which shows 21 new street trees proposed along the new public road and approximately 110 new trees on private property along the rear lot lines of the new dwellings.

Should the development be approved, all of the above matters will be secured as part of the Draft Plan of Subdivision approval.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. In support of the proposal, the applicant submitted a Stage 1 and 2 Archaeological Assessment which indicated that there were no archaeological resources found on site.

The applicant is advised that in the event that:

- i) deeply buried archaeological remains are encountered on the property during construction activities, the owner should contact Heritage Preservation Services and the Ministry of Culture; and
- ii) human remains are encountered during construction, the owner should contact both the Ministry of Culture, and Registrar or Deputy Registrar of Cemeteries.

Should the development be approved, these requirements would be included in the Conditions of Draft Plan of Subdivision Approval in Attachment 7.

School Board Requirements

Toronto District School Board staff have requested the proponent be required to erect Notice Signs and that warning clauses be included in all purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the immediate neighbourhood. Should the development be approved, these requirements would be included in the Conditions Draft Plan of Subdivision Approval in Attachment 7.

There were no comments received from the Toronto District Catholic School.

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.

Should the development be approved, the Draft Zoning By-law Amendment and the Conditions of Draft Plan of Subdivision Approval would secure the Tier 1 development performance for Construction Activity and Stormwater Retention.

Noise and Vibration Impacts

The applicant submitted noise, vibration and air quality studies in support of the proposal. In terms of vibration impact, the study concluded there would be no impacts from the neighbouring industrial uses on the proposed residential development. In terms of noise impact, the study recommended that noise abatement in the form of acoustical barrier is required at southern side of Lots Numbers 3 to 5 on the Draft Plan of Subdivision. It is also recommended that a 1.8 metre high noise barrier wall be provided to mitigate noise impacts from the Stationary Facilities located on the south side of the proposed development. The report notes that although not required from acoustical point of view, it

is recommended that the wall should be linearly extended to both sides of the acoustical barrier so as to cover the entire southern lots for architectural and aesthetic reasons.

These studies were peer reviewed and the City's peer reviewers concurred with the findings of the reports. The proposed mitigation measures are generally acceptable to staff.

The owner would be required to include warning clauses in all offers of purchase and sale or any lease agreements to notify prospective purchasers or tenants that the property may be subject to noise, odour, dust, vibrations and other nuisance impacts by neighbouring industry. Should the development be approved, the Conditions of Draft Plan of Subdivision Approval in Attachment 7 would require the owner to implement the recommendations of these reports including the requirement for the warning clauses.

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision has been submitted to establish 21 residential blocks, a public walkway and a new public road. The new public road would provide access to Puckett Road.

Through Chapter 415-16, 18 and 18.1 of the Municipal Code, as amended, City Council has delegated authority to the Chief Planner and Executive Director, City Planning to approve plans of subdivision and to determine appropriate conditions of approval. This includes the authority to give instructions to the City Solicitor regarding a position to take at the Ontario Municipal Board (OMB) in connection with an appeal of a draft plan of subdivision and to enter into agreements on behalf of the City to secure such conditions of approval as are appropriate.

The Recommendations of this report advise City Council that the Acting Chief Planner and Executive, City Planning intends to authorize the City Solicitor to support the appeal of the Draft Plan of Subdivision and secure appropriate conditions of subdivision approval, including conditions relating to site servicing.

As the Conditions of Draft Plan of Subdivision approval have yet to be finalized, the Recommendations of this report also direct the City Solicitor to request the OMB to withhold its Order until the City and the owner presents the OMB with Draft Plan of Subdivision Conditions to address the technical requirements of the development including among other matters, the construction of streets and services, tree protection and planting and grading as determined by the Acting Chief Planner and Executive Director, City Planning.

Section 37

Policy 5.1.1 of the Official Plan allows the City to request the provision of community benefits for a proposed development seeking a significant increase in height and/or density, in accordance with Section 37 of the *Planning Act*. Given the proposed increase in height and density is not significant enough to trigger the application of these policies,

this development proposal would not be subject to the Section 37 policies of the Official Plan.

135 Plunkett Road (Phase 2)

In the spring of this year, the owner met with staff and the Ward Councillor to discuss the development of 135 Plunkett Road (the portion of the site where the former school building was situated). Staff encouraged the owner to consolidate the Phase 2 lands into this current application so the two Phases could be reviewed and assessed comprehensively. The owner advised that they would not revise the current application to include the Phase 2 lands and that they would be filing a separate application in the future. To date no application has been filed for the Phase 2 lands.

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 and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal is compatible with the surrounding neighbourhood, provides for an appropriate amount of development and integrates the site into the surrounding neighbourhood. It is therefore recommended that the City Solicitor attend the OMB hearing in support of the Zoning By-law Amendment as outlined in this report.

The proposed Draft Plan of Subdivision is consistent with Section 51 of the *Planning Act* as it would conform to the Official Plan, provides for the orderly development of the lands and proposes appropriate utilities and City services. The Acting Chief Planner and Executive Director, City Planning, in accordance with Chapter 415-16, 18 and 18.1 of the Municipal Code, will authorize the City Solicitor to attend the OMB in support of the application for Draft Plan of Subdivision as generally illustrated in Attachment 2 and subject to the Conditions in Attachment 7.

CONTACT

Gregory Byrne, Senior Planner
Tel. No. (416) 394-8238
Fax No. (416) 395-6063
E-mail: Greg.byrne@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: Typical Elevations

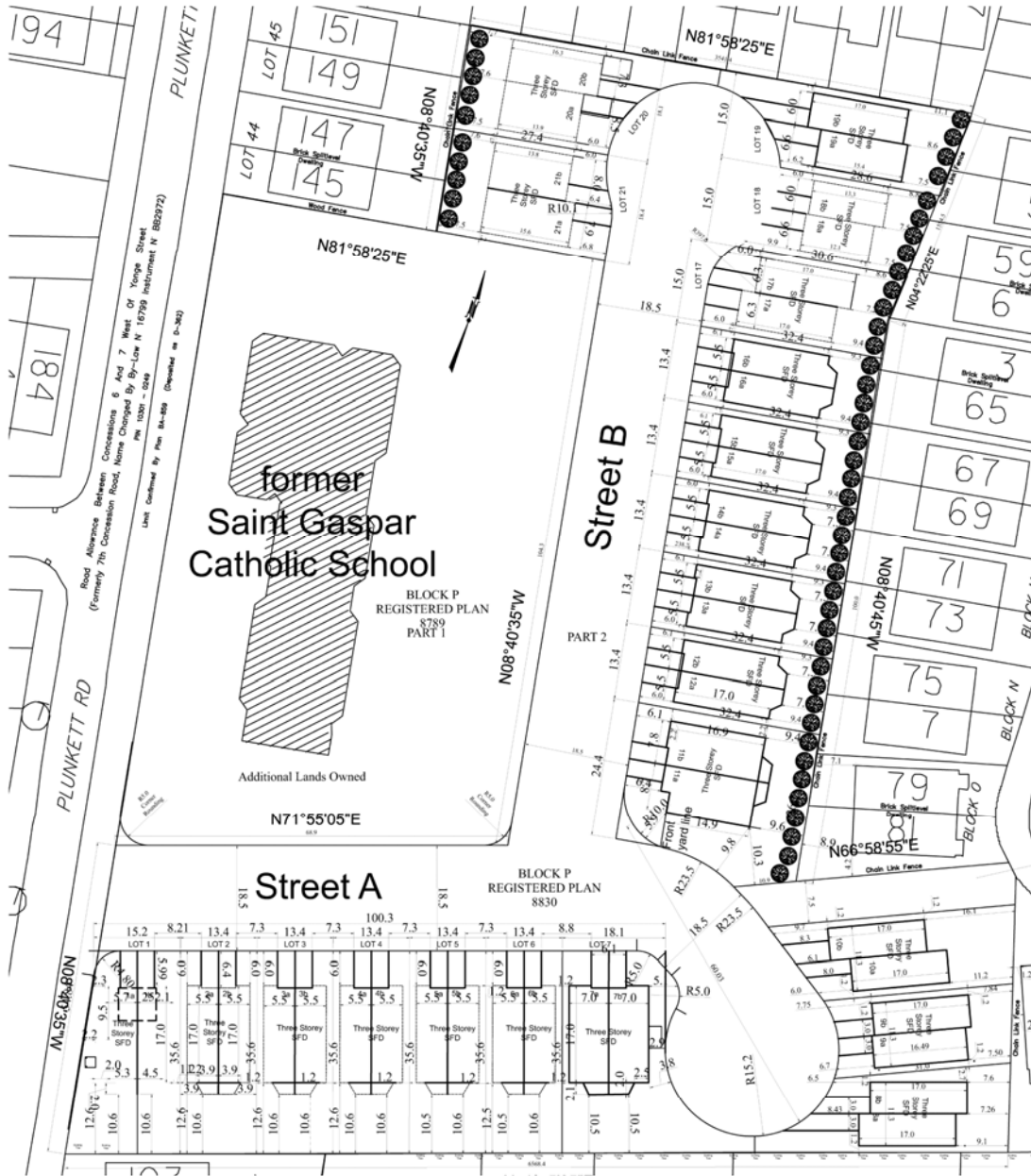
Attachment 4: Zoning

Attachment 5: Application Data Sheet

Attachment 6: Draft Zoning By-law Amendment Approval

Attachment 7: Conditions of Draft Plan of Subdivision Approval

Attachment 1: Site Plan



Site Plan

111 Plunkett Road

Applicant's Submitted Drawing

Not to Scale 

File # 13 162096 WET 07 02

Attachment 2: Draft Plan of Subdivision



Plan of Subdivision

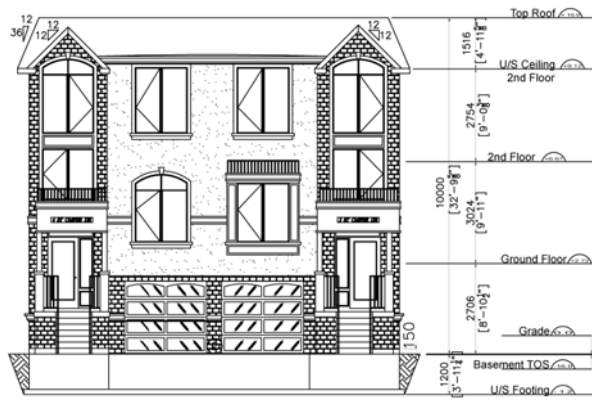
Applicant's Submitted Drawing

Not to Scale 10/24/2017

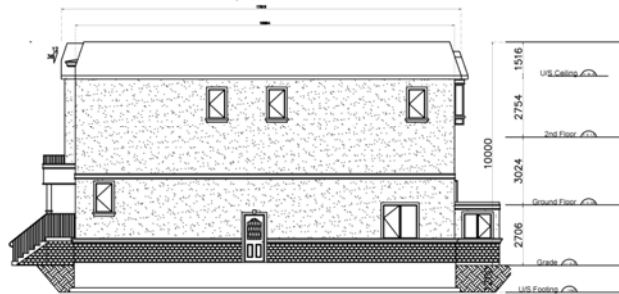
111 Plunkett Road

File # 13 162096 WET 07 0Z

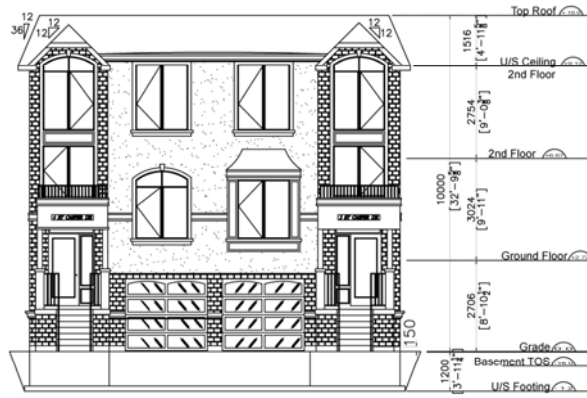
Attachment 3: Typical Elevations



Front Elevation
Option A



Right Elevation
Option A & B



Front Elevation
Option B

Elevations (Typical)

Applicant's Submitted Drawing

Not to Scale
09/19/2017

111 Plunkett Road

File # 13 162096 WET 07 0Z

Attachment 4: Zoning



Zoning By-Law No. 569-2013

111 Plunkett Road

File # 13 162096 WET 07 02



Location of Application

- | | |
|--------------------------------|---------------------------------------|
| RD Residential Detached | CR Commercial Residential |
| RM Residential Multiple | EL Employment Light Industrial |
| | OR Open Space Recreation |



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



Not to Scale
 Extracted: 09/19/2017

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	13 162096 WET 07 OZ
Details	Rezoning, Standard	Application Date:	May 3, 2013

Municipal Address: 135 PLUNKETT ROAD

Location Description: PLAN 8830 BLK P & PLAN 8789 BLK P - EXEMPT PER SEC.3(1)4 OF THE ASSM'T ACT R.S.O.(90) C.A.31. **GRID W0702

Project Description: Proposed amendments to the former City of North York Zoning By-law No. 7625 to permit the development of 21 residential semi-detached buildings (42 dwellings). The Draft Plan of Subdivision application proposes to establish a new public road, public walkway and residential development blocks.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC			ST. GASPAR'S DEVELOPMENT CORP.

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N/A
Zoning:	R4	Historical Status:	N/A
Height Limit (m):	8.0	Site Plan Control Area:	YES

PROJECT INFORMATION

Site Area (sq. m):	24,282	Height:	Storeys:	
Frontage (m):	54.85		Metres:	8.8 and 10.0
Depth (m):	165.55			
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):	6,520		Parking Spaces:	48
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	6,520			
Lot Coverage Ratio (%):	45			
Floor Space Index:				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:		Residential GFA (sq. m):	6,520	
Bachelor:		Retail GFA (sq. m):	0	0
1 Bedroom:		Office GFA (sq. m):	0	0
2 Bedroom:		Industrial GFA (sq. m):	0	0
3 + Bedroom:		Institutional/Other GFA (sq. m):	0	0
Total Units:	42			

CONTACT:	PLANNER NAME:	Gregory Byrne, Senior Planner
	TELEPHONE:	(416) 394-8238

Attachment 6: Draft Zoning By-law Amendment

**CITY OF TORONTO
BY-LAW No. ___ - 2017**

To amend the City of North York Zoning By-law No. 7625 of North York with respect to lands municipally known as 111 Plunkett Road.

WHEREAS authority is given to Council of the City of Toronto 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. The lands subject to this by-law are those lands delineated by heavy black lines shown on Schedule “1” attached hereto.
2. Schedules “B” and “C” of Zoning By-Law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this by-law.
3. Section 64.17 of By-Law No. 7625 is amended by adding the following new subsection:

“64.17 (53) RM2 (53)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (a) The maximum number of dwelling units shall not exceed 38.
- (b) The minimum lot area shall be 205 square metres for each semi-detached dwelling unit and 419 square metres for each semi-detached dwelling.
- (c) The minimum lot frontage shall be 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each semi-detached dwelling.
- (d) The minimum front yard setback shall be 6.0 metres.
- (e) The minimum rear yard setback shall be 7.5 metres.
- (f) The minimum side yard setback shall be 1.2 metres for each semi-detached dwelling.

- (g) The maximum building height is shall be 10.0 metres.
- (h) The maximum lot coverage for each semi-detached dwelling unit shall be 45%.
- (i) The provisions of this exception shall apply collectively to the lands zoned RM2(53) notwithstanding their future severance, partition or division for any purpose.

4. Section 64.17 of By-Law No. 7625 is amended by adding the following new subsection:

“64.17 (54) RM2 (54)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (a) The maximum number of dwelling units shall not exceed 4.
- (b) The minimum lot area shall be 205 square metres for each semi-detached dwelling unit and 419 square metres for each semi-detached dwelling.
- (c) The minimum lot frontage shall be 6.7 metres for each semi-detached dwelling unit and 13.4 metres for each semi-detached dwelling.
- (d) The minimum front yard setback shall be 6.0 metres.
- (e) The minimum rear yard setback shall be 7.5 metres.
- (f) The minimum side yard setback shall be 1.2 metres for each semi-detached dwelling.
- (g) The maximum building height is shall be 8.8 metres.
- (h) The maximum lot coverage for each semi-detached dwelling unit shall be 45%.
- (i) The provisions of this exception shall apply collectively to the lands zoned RM2(54) notwithstanding their future severance, partition or division for any purpose.

5. Sections 64.17(____) of By-law No. 7625 of the former City of North York are amended by adding Schedule RM2(____) to this by-law.

6. Within the lands municipally known in the year 2017 as 111 Plunkett Road, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions

are complied with:

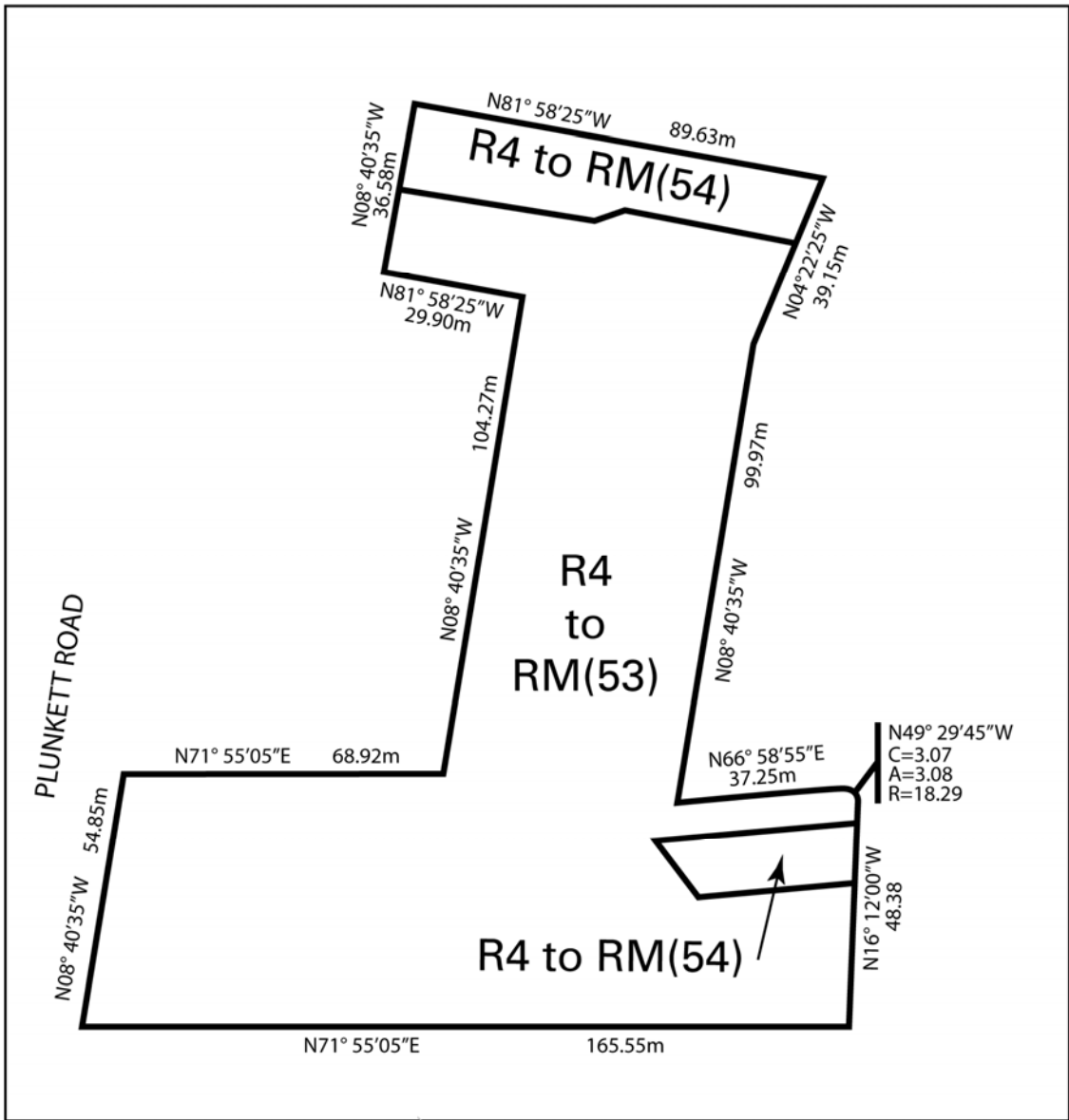
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
- (b) all water mains and sanitary sewers and appropriate appurtenances, have been installed and are operational

ENACTED AND PASSED this ____ day of _____, 20__.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Map 1

111 Plunkett Road

File # 13 162096 WET 07 0Z



Former North York By-Law 7625
Not to Scale
10/24/2017

Attachment 7: Conditions of Draft Plan of Subdivision Approval

1. The owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
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. The zoning by-law amendment implementing the proposed development is in full force and effect.
4. 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.
5. 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.

ENGINEERING AND CONSTRUCTION SERVICES

6. The owner is required to prepare all documents and to convey to the City, at nominal cost, Block 22 and the proposed 18.50 metres public road, not including the proposed retaining wall, in fee simple, such lands to be free and clear of all physical and title encumbrances, to the satisfaction of the Engineering and Construction Services and Transportation Services Divisions in consultation with the City Solicitor.
7. The owner is required to submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The 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 lands in a schedule on the face of the plan;
8. The owner is required to pay all costs for preparation and registration of reference plan(s).
 9. The owner is required to conduct environmental site assessments for the lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
 10. Provide a detailed Stormwater Management Report, and apply stormwater management techniques in the development of this subdivision to the satisfaction of the Executive Director, Engineering and Construction Services.
 11. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the Executive Director of Engineering and Construction Services, and that existing drainage patterns on adjacent properties shall not be altered.
 12. The owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease for all residential units equipped with sump pumps: "The Purchaser/Tenant and/or Lessee specifically acknowledges and agrees that the resident unit is fitted with a sump pump for the purpose of draining stormwater from the foundation of the building and pumping it to the exterior of the building for disposal by permeation into the ground and by runoff. A stormwater connection to the City's storm service is prohibited by City By-law. It is the homeowner's/occupier's responsibility to maintain the sump pump and to ensure its proper operation at all time."
 13. The owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease for any lands within the proposed plan of subdivision: "The Purchaser/Tenant and/or Lessee shall not alter the stormwater management measures (swales, rear lot catch basins, soakaway pits, etc.) implemented within the back yards and shall maintain them free and clear of any encumbrances and structures."
 14. The owner will be required to provide, in the Purchase and Sale Agreement, a warning clause to be registered on title informing the homeowners that they are responsible for the upkeep and maintenance of rear yard catch basins, drainage swales, catch basin leads and soakaway pits located on private property.
 15. The owner shall submit detailed engineering design drawings and detailed cost estimates for the proposed road and services.

16. The owner also shall submit a detailed pavement marking and signage plan including signage cost, pavement markings, and any other costs deemed necessary by Transportation Services, prior to the registration and execution of the Subdivision Agreement.
17. The owner is required to pay engineering and inspection fees in accordance with the terms and conditions of the City's standard Subdivision Agreement.
18. The owner is required to submit financial security in accordance with the terms of the standard Subdivision Agreement.
19. 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
20. Provide certification to the Executive Director of 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.
21. 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).
22. 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.
23. The owner is required to install fences along the proposed retaining wall and along the Block 22 to separate public and private properties.
24. 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.
25. Written confirmation from THESL and THESI that said arrangement 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.

26. Submit a digital copy of the final plan of subdivision in DGN or DWG formats, prepared in metric units with all lot/block corners integrated with the Ontario Coordinate System.

PARKS, FORESTRY AND RECREATION

27. 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.
28. 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.
29. 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.
30. Prior to the registration of the plan of subdivision, the owner agrees to submit an application and pay the required fees for the proposed injury to 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 and to the satisfaction of the General Manger of Parks, Forestry and Recreation.
31. 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.
32. 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.
33. 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.

34. The Owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease agreements for any lands within the proposed plan of subdivision:
“The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property.”
35. 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.
37. 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.
38. 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.
39. 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.
40. 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.
41. 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).

SCHOOLS

42. The owner shall enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call (416) 394-7526."

43. These signs shall be to the Board's specifications and erected prior to registration or the issuance of any building permit.
44. The owner agrees to include in all offers of purchase and sale or lease the following warning clauses prior to the registration of the subdivision plan and for a period of 10 years after registration of the subdivision plan:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if busing is provided by the Toronto District School Board, that students will not be bussed home to school and/or from school to home, , but will meet the bus at designated locations in or outside of the area."

ARCHAEOLOGICAL

45. The owner agrees in the Subdivision Agreement to include the following clause:

"i. 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

ii. 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".

46. If any expansions to the boundaries of the subject property are proposed, the owner will be required prior to final approval and registration of the Plan to submit further archaeological assessment work;

NOISE AND VIBRATION

47. Prior to final approval and registration of this plan, the owner shall agree in the subdivision agreement, in wording satisfactory to the City Solicitor, to carry out

or cause to be carried out the Recommendations of the Report prepared by WSP Canada Inc, titled "Environmental Noise Assessment Report – Update", dated March 3, 2017 and any addendum to these reports as may be required by the City for the abatement of noise and vibration control.

48. The owner shall include warning clauses in all offers in all offers of purchase and sale residential units or any lease agreements to notify prospective purchasers or tenants that the property may be subject to noise, odour, dust, vibrations and other nuisance impacts by neighbouring industry.
49. The owner shall insert the following clauses in all Offers to Purchase and agreements of Purchase and Sale or Lease and, as applicable, in any Condominium declarations associated with the lands and such clauses, as applicable, shall remain on title for each Lot and Block. The warning Clauses shall be referenced to the applicable lots and blocks within the draft Plan of Subdivision approved:

"Purchasers/Tenants are advised that the development is located near existing industrial and commercial operations to the south of the development site. Nearby operations may operate 24 hours a day, 7 days a week with outdoor shipping and trucking operations. Notwithstanding the inclusion of mitigation features, noise and vibrations impacts emanating from the industrial area may sometimes affect all or parts of the development;

Purchasers/Tenants are advised that due to the proximity of adjacent industry and businesses, the property may be subject to noise, noxious odour, dust vibrations and other nuisance impacts arising from the operation of these uses; and

Purchasers/Tenants are advised that in purchasing or leasing they acknowledge and accept the existence of industrial uses, and accept that owners and/or operators of these uses will not be responsible for any complaints of claims arising from the continued legal operation and/or expansion of the same."

LANDSCAPING

50. Prior to the registration of the plan of subdivision, the owner agrees to submit a landscape plan for the tree planting within the rear yards of the of the new residential units and on Block 22 to the satisfaction of the Director, Community Planning, Etobicoke York District in consultation with the General Manger of Parks, Forestry and Recreation.
51. 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 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 Direct, Community Planning, Etobicoke York District.

52. The owner shall include warning clauses in all offers in all offers of purchase and sale residential units or any lease agreements to notify prospective purchasers or tenants that the trees planted in the rear yard are required to be provided and maintained by the owner.

LOT 1

53. The owner shall agree in the subdivision agreement, in wording satisfactory to the City Solicitor, that the owner shall submit upgraded side and front building elevation drawing for the corner lot on Lot 1 to the satisfaction of the Director of Community Planning, Etobicoke York District prior to the owner applying for a building permit for any building on Lot 1.

CANADA POST

54. The owner covenants and agrees to provide the City with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved composite utility plan, at the time of sidewalk and/or curb installation. The Owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the Owner has paid for the activation and equipment installation of the CMBs.

55. The owner agrees to consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The Owner will then indicate these locations on the appropriate servicing plans.

The Temporary and Permanent Mail Box Pads will be incorporated into the C.U.P. for registration.

56. The owner agrees, prior to offering any units for sale, to display and maintain a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
57. The owner agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The owner also agrees to note the locations of all Community Mail Boxes within the development, as well as being responsible for officially notifying the purchasers of the exact Community Mailbox locations. Also, the owner and Canada Post will have the right to change CMB locations should it be deemed necessary. The CMB locations are to be included in the purchase offer. The purchaser will be required to sign off on this item. Should the owner fail to comply with this step it will leave the owner responsible to deal with all related customer inquiries.

58. The owner will provide a suitable and safe temporary site for Community Mail Box placement until curbs, sidewalks, and final grading are completed at the permanent Community Mail Box locations. This temporary mailbox pad will be a compacted gravel area with a minimum of a single row of patio stones for mailbox placement. Temporary pad specifications will be provided to the Owner during the siting process. This location must be set-up a minimum of 30 days prior to first occupancies
59. The owner agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
 - i. Any required walkway across the boulevard, per municipal standards
 - ii. Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
60. The owner agrees to inform all homebuyers of the process to initiate mail delivery for their new home address. The homeowner can visit the Oakville Post Office 2420 Speers Rd Oakville 905-338-1199 and provide their home warranty information along with their driver's license to identify their new mailing address. CMB keys will be distributed through the station counter for the new CMB compartment once the site is on delivery. In the interim any mail sent to the homeowner will be available for pickup at the station counter.
61. The owner agrees to submit a plan detailing all corner lots and Blocks is where access (vehicle and/or pedestrian) to the Lot of Block us from the flankage, in order for the City and Canada Post to determine and approve the appropriate locations for Community Mailboxes. This plan must be reviewed and approved by City staff prior to building permit issuance.
62. That the owner agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that home mail delivery is not expected. The owner further agrees to determine the location of the "Community Mailboxes, Miniparks, Postal Kiosks, or other centralized mail facilities are to be in installed to the standards as provided by the City and Canada Post as part of the installation of public services.
63. The owner agrees to place the following notification in all offers of purchase and sale for all lots and/or units and in the City's development agreement to be registered on title

"Purchasers and/or tenants of lots or units are advised that home/business mail delivery will be from designated centralized mail boxes and that purchasers are to be notified by the developer/owner regarding the exact centralized mail box locations prior to the closing of any home sales."

BELL CANADA

64. The owner shall indicate in the Agreement, in words satisfactory to Bell Canada,

that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. 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”.

The owner is advised to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

Bell Canada is Ontario’s principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The owner is hereby advised that prior to commencing any work, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the owner elects not to pay for the above noted connection, then the owner will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

TORONTO HYDRO

65. Prior to final approval and registration of the plan, the owner shall provide written confirmation to the Director Community Planning, Etobicoke York District that the owner has made satisfactory arrangements, financial and otherwise with Toronto Hydro for the installation of an underground electrical distribution system and street lighting system;

ADVISORY OF OTHER CITY REQUIREMENTS

The owner is advised that the following approvals and/or permits are required for this development:

Transportation Services

- 1 The applicant must obtain the necessary authorizations and permits from the City’s Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant is advised to contact the Right-

of-Way Management Unit at 416-394-8348 regarding site-specific permit and licensing requirements.

2. The applicant is advised that any physical or landscaping features that they propose to install within public right(s)-of-way are subject to encroachment agreements. The applicant is responsible for the costs of installing and maintaining these encroachments. For further information regarding encroachment agreements, please contact Elio Capizzano, Right-of-Way Management Unit at 416-394-8422.

Fire Services

3. Revisions are required to the submitted site development plans, as discussed in section B3.2 above. The applicant is also advised that as established by Toronto By-Law, Chapter 880, it is required that an approved fire access route be provided. Application shall be submitted to Toronto Fire Services prior to occupancy.

Site Servicing

4. Upon Draft Plan Approval, submit a detailed engineering submission in accordance with the requirements of the City's Design Criteria for Sewers and Watermains.
5. The owner will be required to make an application to the General Manager of Toronto Water for the installation of any proposed services within the municipal right-of-way, after acceptance of the stormwater management report and site servicing plan by Engineering and Construction Services.
6. Please be advised that effective June 2008, reuse of sewer connections is no longer acceptable in accordance with the City's Sewer Use By-Law. In accordance with the requirements of the by-law, all new developments now require new connections.
7. In accordance with the City's Water Supply By-law, if a building or structure on a property is demolished or substantially demolished, the water service connection shall be disconnected by the City at the connection point to the City watermain. As such, reuse of the existing water service connections will not be feasible.

Wet Tap Procedure

8. The applicant is advised that pursuant to an order issued by the Ontario Ministry of the Environment and Climate Change, all wet taps performed on City watermains must be performed by, or under the supervision of, a Certified Operator in accordance with Ontario Regulation 128/04. The City of Toronto Protocol respecting the performance of and verification of wet taps can be found at
<https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=1ed73d3085131410VgnVCM10000071d60f89RCRD&vgnnextchannel=9deeabff06721410VgnVCM10000071d60f89RCRD>

Utilities

9. The owner is financially responsible for all costs associated with the excavation, improvement, removal and/or relocation of any above or below-grade public or private utility resulting from the development of this property.

Toronto Hydro Approval

10. The owner shall obtain approval from Toronto Hydro Street Lighting Incorporated, THSLI, for removing and/or relocating any utility with attached municipal street lighting and for any upgrades. The owner is advised to contact THSLI (416-542-3195) or at the Toronto Hydro web site: www.torontohydro.com/streetlighting for comment and cost estimates for required fieldwork.

Environmental Site Assessment

11. City Council requires that all lands to be conveyed to the City be tested to verify that the contaminations do not exceed the Site Condition Standards or Property Specific Standards as prescribed in the Provincial regulations.
12. Owners are advised that conveyance of Risk Assessed Land to the City must be in accordance with Clause 18, of Works Committee Report 2, “The Use of Risk Assessment Approach to Manage Contaminated Lands Prior to Land Conveyances to the City Under the Planning Act” adopted by City Council on April 25, 26 and 27, 2006. (copy available at the web site: <http://www.toronto.ca/legdocs/2006/agendas/council/cc060425/wks2rpt/cl018.pdf>)
13. Owners are also advised to seek clarification, as early as possible, from the City’s Chief Building Official (CBO), whether the development proposed land use will require a Record of Site Condition (RSC) in accordance with O. Reg. 153/04. Owners are required to inform Engineering and Construction Services of the CBO’s decision as soon as possible. When a RSC is required, a copy should be provided to the Engineering and Construction Services as early as possible to avoid untimely delays in the conveyance process.
14. All land conveyances to the City are therefore, subject to the Harmonized Peer Review Process and require concurrence by the City’s peer reviewer and appropriate filing of the Record of Site Condition. The owner is responsible for all costs associated with the peer review service.
15. As per the City’s Standard Subdivision Agreement, the owner is advised that they are required to pay all costs associated with the City retaining a third-party peer reviewer including a 7% administrative cost to the City, and submit a certified cheque payable to the City of Toronto in the amount of \$8,000.00, as an initial deposit towards the cost of the peer review to the Executive Director, Engineering and 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). To date, this peer review process has not been initiated by Development Engineering Staff.

Municipal Numbering

16. The applicant is advised to contact Mr. John House, Property Records Supervisor, at 416-392-8338 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. For details please see:
<http://www.toronto.ca/mapping/numbers/index.htm>

Street Naming Requirements

17. The applicant is advised to contact Mr. Kerry Ferguson, Titles and Status Supervisor, at 416-392-7757 to initiate the street naming process. The applicant will be required to follow the City of Toronto's Street Naming Policy which can be found at:
http://www.toronto.ca/mapping/street_naming/index.htm.

It should be noted that all public streets, private access roads and private walkways should be named in order to facilitate access to the units fronting these streets, roads and walkways.

Other Conditions

18. Further comments concerning detailed design will be provided after Draft Plan Approval.
19. If the proposed development is to be phased, a detailed phasing plan will be required.

Urban Forestry, Supervisor of Tree Protection & Plan Review

20. The applicant should be advised that application and all security deposits and payments must be submitted to the attention of Supervisor of Urban Forestry, Supervisor of Tree Protection & Plan Review, at the Etobicoke Civic Centre, 399 The West Mall, Main Floor - North Block. Payments must be made payable to Treasurer, City of Toronto in the form of a letter of credit, certified cheque, bank draft, money order, or by credit or debit cards at our office.

If you require further information, please contact Hai Nguyen, Urban Forestry Planner, at 416-394-8918, or by e-mail at hnguyen3@toronto.ca.

Rogers

- 215 Please be advised that Rogers Communications Canada Inc. (RCCI) has aerial & buried cable plant facilities. Applicant must proceed with caution when installing their new infrastructure. The applicant is responsible for any damage to Rogers Cable.

Stake-outs can be arranged by calling 1-800-400-2255.

If Rogers cable is in conflict with the work you are doing and you require us to relocate our plant, please provide RCCI with detailed drawings and give us sufficient time before construction so that we may coordinate any necessary work that apply to this reconstruction.

For additional information, please don't hesitate to contact Pourya Rezazadeh at 416- 764-2131.

Enbridge Gas Distribution

64. The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea10@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and /or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

The applicant will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea10@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

The applicant will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.