

Consolidated Clause in Scarborough Community Council Report 1, which was considered by City Council on January 31, February 1 and 2, 2006.

15

**Final Report  
Rezoning Application 05 110455 ESC 35 OZ  
Draft Plan of Subdivision Application 05 188717 ESC 35 SB  
100738 Ontario Limited (Burka Varacalli Architects)  
300 Danforth Road - Oakridge Employment District  
(Ward 35 - Scarborough Southwest)**

*City Council on January 31, February 1 and 2, 2006, adopted this Clause without amendment.*

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**The Scarborough Community Council recommends that City Council:**

- (1) adopt the staff recommendations in the Recommendations Section of the report (January 4, 2006) from the Director, Community Planning, Scarborough District; and**
- (2) direct the Chief Planner and Executive Director, City Planning, to report to City Council at such time as satisfactory arrangements and measures have been identified to address the interface with adjacent industrial uses and to include in that report a response to the concerns expressed regarding truck access for the abutting industrial owner.**

The Scarborough Community Council held a statutory public meeting on January 17, 2006, and notice was given in accordance with the *Planning Act*.

**The Scarborough Community Council submits the report (January 4, 2006) from the Director, Community Planning, Scarborough District.**

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law and to approve a Draft Plan of Subdivision for a residential development at 300 Danforth Road consisting of 348 dwelling units in a variety of housing forms, including semi-detached units, street and stacked townhouses, and an 8 storey senior's apartment building and a public park (see Attachment 1 - Site Plan).

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

(1) amend Zoning By-law No. 950-2005 for the Warden Woods Community and Zoning By-law 24982, Employment Districts Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2;

(2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment, as may be required;

(3) before introducing the necessary Zoning By-law Amendment to City Council for enactment, require the owner to:

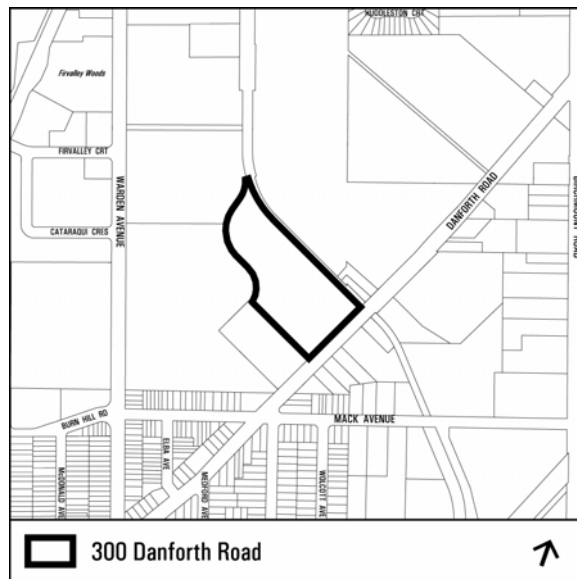
(a) enter into an agreement, pursuant to Section 37 of the Planning Act securing:

(i) a cash contribution of \$1,000 per senior citizen's dwelling unit (for a minimum of 128 units) and \$1,300.00 per dwelling unit for all other dwelling units (for a minimum of 220 units), to be used as a contribution towards a community centre to serve the Warden Woods Community. The agreement will also include a clause for an additional \$300 per dwelling unit for future conversion of senior's units to standard dwelling units;

(ii) pre-payment, in the form satisfactory to the Chief Financial Officer and City Treasurer, of the Indoor Recreation Facilities Portion of the Parks and Recreation Component of the City's Development Charges (payable as of July 1, 2005, plus 10 percent); and

(iii) arrangements for the commemoration of the Lily Cup to the satisfaction of the Manager of Heritage Preservation Services;

(b) submit a letter, satisfactory to the City Solicitor, withdrawing their appeals of Official Plan Amendment No. 1145 (Warden Woods Community Secondary Plan) and Zoning By-law No. 950-2005 (Warden Woods Community Zoning By-law); and



- (c) submit studies and analysis identifying appropriate mitigation and/or buffering measures for residential uses that are in close proximity to industrial land uses to the satisfaction of the Chief Planner and Executive Director;
- (4) recommend to the Chief Planner that the draft plan of subdivision be approved, generally as illustrated on Attachment 3, proposed plan of subdivision, subject to:
- (a) the conditions as generally listed in Attachment 4, which except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration of any phase thereof;
  - (b) such revisions to the proposed subdivision plan or such additional or modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development; and
  - (c) draft plan approval not being issued until appropriate Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.

#### Background:

##### Warden Corridor Land Use Planning Study

This proposal has been reviewed and evaluated in conjunction with the Warden Corridor Land Use Planning Study. At its meeting on October 28, 2005, City Council implemented the results of the Land Use Study by enacting Official Plan Amendment (OPA) No. 1145 to the Scarborough Official Plan which sets out a planning framework for the new Warden Woods Community Secondary Plan area. OPA No. 1145 is currently under appeal (by Ranka Enterprises and others), and, therefore is not in effect. OPA No. 1145 is described later in this report. Ranka Enterprises' individual Official Plan Amendment application has, in effect, been incorporated in OPA No. 1145, and the Ranka Enterprises' zoning application can be dealt with within the policy context established by OPA No. 1145.

##### Heritage Listing and Retention

The front portion of the Ranka Enterprises building at 300 Danforth Road contains the former Lily Cups Office Building, which was constructed in 1949 as part of the Lily Cups Limited factory, which produced food containers including paper cups.

In the early part of 2005, City Council included the former Lily Cups Office Building on the City of Toronto Inventory of Heritage Properties. The Lily Cups Office Building heritage features include the south, east and west walls of the office building, the flat roof above the office building, and the oversized 'paper cup' integrated into the south elevation, which is a distinguishing architectural feature. The purpose of listing the property on the inventory of heritage properties is to enable staff to monitor applications and encourage the retention of its character defining features.

## Subdivision Approval

Subdivision approval authority has been delegated to the Chief Planner. The Planning Act requires, however, that a public meeting be held to provide adequate information to the public and to allow them to make their views known. The public meeting for this application has been combined with the public meeting for the proposed zoning by-law amendment. Following the public meeting, the Chief Planner will issue Draft Plan of Subdivision approval, including conditions of approval, in accordance with Council's recommendations regarding this application. Once the conditions of approval have been satisfied, the Chief Planner will approve the Subdivision. In granting draft plan approval and subdivision approval the Chief Planner has the authority to consider minor adjustments to the subdivision layout without giving further notice, and the authority to amend or add to the conditions of approval, generally within the intent of Council's recommendation.

## Proposal

The development applications as originally submitted were to permit the development of the site with 358 residential units. The project consisted of 236 townhouses, a 7 storey, 122 unit, retirement apartment building with convenience retail uses on the ground floor, and a 1,830 square metre public park at the north end of the site. The proposed townhouses included 50 freehold units, 2 storeys in height, with integral garages, on the north part of the site, and 186 condominium stacked townhouses, 3 storeys plus basement mezzanine, with underground parking, on the middle part of the site. The development included a proposed system of public roads, with 18.5 metre rights-of-way, with connections to future redevelopments at 350 Danforth Road and 651 Warden Avenue, and to Danforth Road.

At its meeting of May 17, 18 and 19, 2005, City Council adopted the recommendations of Scarborough Community Council on the Preliminary Report dated April 19, 2005. Staff were also specifically directed to work with the applicant to ensure that there is a broader range of housing types provided on this site.

In response to issues raised by Council, the Community and the technical review of the application by City Divisions and agencies, there have been a number of revisions to the applications. The revised applications propose amendments to the Employment Districts Zoning By-law No. 24982, as well as a Draft Plan of Subdivision, to permit the redevelopment of the Ranka Enterprises site with 348 residential units. The project consists of 12 semi-detached units and 40 freehold street townhouses, 2 storeys in height, with frontage on public streets. The remainder of the site is proposed to be developed with 168 stacked townhouses, 4-½ storeys in height, and an 8 storey, 128 unit, senior's apartment building with main floor commercial and second floor offices fronting Danforth Road. A 2,275 square metre public park is also being proposed at the north end of the site.

Parking spaces for the stacked townhouses and the 8 storey senior's apartment building will be located underground. Parking for the semi-detached and freehold townhouses will be in front integral garages and driveways, with additional on-street parking available on the public roads. A portion of the parking spaces for the proposed retail commercial and professional offices and

visitors to the senior's apartments will be located on the surface behind the 8 storey senior's apartment building.

The applicant is proposing that the semi-detached and street townhouse units have curbside public garbage pick-up from the public rights-of-way. Garbage pick-up for the 8 storey senior's apartment building and the stacked townhouses will be from two centralized service areas, all to the satisfaction of the Executive Director, Technical Services. Through the Site Plan Control process for this portion of the development and the senior's apartment building, a garbage management plan will be required, to ensure that convenient garbage collection arrangements with appropriate separation of materials will be achieved.

The draft plan of subdivision (Attachment 3) indicates that the proposed network of new streets has been co-ordinated so that Street "B" will connect to roads proposed in the redevelopment proposals for 350 Danforth Road and 651 Warden Avenue. Street "C" has been co-ordinated so that it will also connect with a road proposed in the redevelopment proposal for 651 Warden Avenue. One public road (Street A) connection with Danforth Road is proposed.

Detailed design of the development will proceed by way of Site Plan Control, and will require future Condominium or Part Lot Control Exemption applications.

Additional project information is provided in the Application Data Sheet (Attachment 5).

#### Site and Surrounding Area

The site is located on the north side of Danforth Road, east of Warden Avenue. The property has a frontage of approximately 145 metres, and is approximately 3.7 hectares (9 acres) in size. The site is irregular in shape, and narrows at its north end.

The property is currently occupied by a 1 to 2 storey industrial building of approximately 18,000 square metres. The "cup" feature in the south façade of the building includes the "Lily Cups" corporate logo in its floor tiles. Ranka Enterprises uses the building to manufacture clothing and assemble winter boots. A discount clothing shop is located at the front of the building. The "Bollywood" south asian restaurant is also located at the Danforth Road frontage, and provides eat-in, catering and take-out services.

The surrounding uses include:

- North: a portion of the 350 Danforth Road lands (subject to approved development applications 03 035270 ESC 35 OZ and 04 177084 ESC 35 SB for 457 residential units), proposed neighbourhood park and stormwater management pond, and Tradition Fine Foods bakery at 663 Warden Avenue.
- South: Oakridge Employment District south of Danforth Road, and low density residential development.
- East: McGale Ladder Company at 328 Danforth Road, 350 Danforth Road, TTC Birchmount Bus Garage at 400 Danforth Road, and the Oakridge Employment District south of Danforth Road.

West: former Centennial College at 651 Warden Avenue (subject to development applications 04 204283 ESC 35 OZ and 04 204285 ESC 35 SB for approximately 250 dwelling units), Patterson Engineering at 250 Danforth Road, and Warden Avenue Junior Public School.

The active development applications in the Warden Woods Community are shown on Attachment 6.

### Scarborough Official Plan

#### Warden Woods Community Secondary Plan (OPA No. 1145)

City Council adopted Official Plan Amendment No. 1145 to the Scarborough Official Plan on October 28, 2005. Seven appeals of OPA No. 1145 were filed, including an appeal by Ranka Enterprises as it pertains to 300 Danforth Road.

OPA No. 1145 removes the subject site from the Oakridge Employment District Secondary Plan (Attachment 7), and designates the frontage of the property as Mixed Use Areas, the majority of the site as Neighbourhoods, and the north-east portion of the site as Parks in the new Warden Woods Community Secondary Plan (Attachment 8). The plan establishes a policy framework for considering rezoning applications to permit residential uses.

The Warden Woods Community Secondary Plan pays particular attention to the timely provision of community services and facilities, in highly visible and accessible locations, to serve new and existing residents. The priorities identified for Warden Woods include a community centre, community health centre, and child care. The Secondary Plan recognizes that there is an existing shortfall of community recreation facilities, and that the early provision of a community centre is of primary importance, which Council may determine, takes precedence over achievement of other community services and facilities and housing objectives. A Community Service Strategy was adopted by Council at the same time as the Secondary Plan.

The Secondary Plan also addresses linkages and connections including connections to arterial roads, linkages between neighbourhoods within Warden Woods and to natural and open spaces, and pedestrian and bicycle routes, which are illustrated on Map 2 (Attachment 9). The connection objectives of particular relevance to the 300 Danforth Road applications include public street connections between Danforth Road and the proposed residential developments to the north, west and east, and a pedestrian connection between Danforth Road and the proposed central park. These connection objectives are also outlined in the Urban Design Guidelines appended to the Secondary Plan.

The Urban Design Guidelines encourage mid-rise mixed use buildings of 4-8 storeys along Danforth Road and Warden Avenue. The priority locations for mid-rise development include the Danforth Road frontage.

The Warden Woods Community Secondary Plan also deals with adjacency issues to industry within and abutting the secondary plan area.

Policy 2.2.15 of the Secondary Plan indicates that:

“Where appropriate, development in the Secondary Plan Area will incorporate elements representing the heritage and history of the area, through:

- (a) Incorporating heritage elements, themes or commemoration into building design;
- (b) Incorporating heritage elements, themes or commemoration into the design of view corridors and open spaces;
- (c) Installing public art;
- (d) Creating historic markers and plaques; and
- (e) Introducing historically relevant names for new streets, the community centre, and other public places in the Warden Woods community.”

#### Warden Woods Conceptual Master Plan

The Urban Design Guidelines include a Conceptual Master Plan illustrating key physical components of the new community, including streets and blocks patterns, potential development on the site, the location of the stormwater management pond, and the proposed central public park south of St. Clair Avenue, to be provided with parkland contributions from other area developments (Attachment 10). The general layout of the proposed development for 300 Danforth Road complies with the intent of the Conceptual Master Plan.

#### New Toronto Official Plan

At its meeting of November 26-28, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister’s decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. The hearing commenced on June 13, 2005 and will continue on January 25, 2006.

The Plan encourages a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods, to meet the current and future needs of residents. New housing supply is encouraged through intensification and infill consistent with the Plan.

At its meeting of October 26-31, 2005, City Council adopted as amended, the staff recommendations on the Phase 3 Final Report of the Warden Corridor Land Use Planning Study, including that the City Solicitor be directed to request the Ontario Municipal Board to modify the new Toronto Official Plan to implement the new Warden Woods Community Secondary Plan as approved. This will have the effect of revising the land use designation for these lands from “Employment Uses” to “Mixed Use” along the Danforth Road frontage, “Neighbourhood” to the north of Danforth Road, and “Parks” at the northern limit of the site.

## Zoning

The site is currently zoned Industrial (M), and General Industrial (MG)/Special Industrial (MS) in the Employment Districts Zoning By-law No. 24982 (see Attachment 11). These zones permit industrial uses, offices (excluding dental and medical), educational and training facilities, recreational uses, and day nurseries, as well as places of worship on sites abutting certain arterial roads. Public parks are permitted in all Employment Districts zones. Residential uses are not permitted in the M, MG or MS zones.

City Council adopted Warden Woods Community Zoning By-law No. 950-2005 on October 28, 2005, which includes all of the lands in the new community, including the subject site, but only applies new zoning provisions to the City-owned lands north and south of St. Clair Avenue. By-law No. 950-2005 is a “parent” zoning by-law, which provides the framework to which implementing zoning by-laws for the various development applications can be added as they are enacted. Ranka Enterprises has also appealed By-law No. 950-2005 to the Ontario Municipal Board.

## Site Plan Control

The site is subject to site plan control pursuant to By-law No. 1047–2005, enacted by City Council on December 7, 2005 which designates all of the lands in the Warden Woods Community as being under site plan control, and exempts single and semi-detached dwellings from site plan control. The applicant has filed Site Plan Approval Application 05 110441 ESC 35 SA.

Site plan control approval will be required for the proposed 8 storey senior’s apartment building, and the stacked and street townhouse units.

## Tree Preservation

Urban Forestry Services advises that there is one privately owned tree that qualifies for protection under the Private Tree By-law. It will be necessary for the applicant to submit an Application to Injure/Destroy Trees. Upon completion of construction, replacement tree planting on private property must be implemented to the satisfaction of Urban Forestry Services. A letter of credit to guarantee replanting will be required as a condition of draft plan of subdivision approval.

## Reasons for the Application

An amendment to the zoning by-law is required, as residential uses are not permitted in the General Industrial Uses – High Performance Standards, and Special Industrial Uses zones. A plan of subdivision application is necessary to create the proposed blocks, lots and public streets.

## Community Consultation

A community consultation meeting on the development application for 300 Danforth Road was held on December 13, 2005, which was attended by approximately 30 members of the public, the Ward Councillor, City staff, and the applicant.

In accordance with Scarborough Community Council's direction, the notification was expanded to include the interested parties participating in the Warden Corridor Land Use Planning Study.

Planning staff made introductory remarks concerning the Warden Corridor Land Use Planning Study and explained the planning process, representatives of Ranka Enterprises made a presentation on the application, and Councillor Altobello provided closing remarks.

The following is a summary of the issues concerning the development applications at 300 Danforth Road and redevelopment in the Warden Corridor, which were raised by area residents at the meeting and in written submissions:

- parking supply – is there enough to meet the demands of the residents, visitors, and the users of the retail/commercial and professional office component of the site?;
- how long to build out? – concerns about the impacts of construction;
- the City should make certain that servicing is co-coordinated between all the developments in the Warden Corridor;
- a preference for public versus private rights-of-way;
- 8 storey retirement apartment building – how can we guarantee that seniors will be living in it?, not enough green space for seniors, too close to the Birchmount Road bus garage, rental building, and building is too tall – should be reduced to 6 storeys;
- does it meet Ministry of Environment guidelines regarding compatibility between industrial and sensitive land uses?;
- will houses on Mack Avenue remain?;
- concerns about density/intensification – there is not one single detached dwelling unit in this proposal;
- stacked townhouses – what are they; how do they work, and will they lower the value of the homes in the surrounding neighbourhood?;
- what are the price points for the proposed units, will this be affordable housing?;
- concerns about green space and trees;
- increased traffic – how will all of these cars get out to Danforth Road on one street?;

- how is the City going to deal with commemoration/preservation of the Lily Cup?;
- impacts on wildlife which will be displaced by construction;
- completion of environmental assessment – site remediation to make it suitable for residential development;
- will there be school warning clauses in agreements of purchase and sale?; and where will all the power come from to service this development (and other growth in the GTA)?

Following the community meeting, the applicant revised their proposal to decrease the number of stacked townhouses by 24 units and replace them with 6 semi-detached dwellings fronting on Street B opposite the park.

On December 19, 2005, a follow up meeting was convened by Councillor Altobello with Warden Woods area community association executives, and planning staff presented the revisions proposed by Ranka in response to the concerns raised at the December 13<sup>th</sup> Community Consultation Meeting.

On December 15, 2005, a letter of concern was received from Patterson Engineering, a metal fabrication plant located at 250 Danforth Road. This industry is located immediately south-west of the subject property. The following concerns were registered: that their property has been zoned for industrial including open air storage since 1946 and they wish to maintain their operations since they cannot find any comparable properties that would allow them to relocate; that the Ministry of Environment requires a 70 metre separation distance from industrial to more sensitive land uses such as residential and if these separations distances are not observed, the new residents will complain about their operations; and access to the north eastern shipping doors, which is designed to receive 54 foot long trailers was guaranteed through a gentleman's agreement with the owners of 300 Danforth Road.

It should be noted, as well, that the Warden Corridor Land Use Planning Study included an extensive community consultation program and Ranka Enterprises has participated fully in this consultation program.

#### 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 draft plan of subdivision conditions.

## Comments:

### Land Use and Form of Development

The Warden Woods Community Secondary Plan as adopted by Council designates the frontage of Danforth Road as a Mixed Use Area, the north end of the site as Parks, and the balance of the site as Neighbourhoods. The Mixed Use Areas designation will permit the 8 storey, 128 unit, senior's apartment building with main floor commercial and second floor offices fronting onto Danforth Road. The Neighbourhoods designation will permit the proposed townhouses and semi-detached dwelling units, while the Parks designation will permit the proposed 2,275 square metre park at the north end of the site, which forms part of a larger central park that serves the new Warden Woods Community.

The Warden Woods Community Urban Design Guidelines encourages mid-rise mixed use buildings of 4-8 storeys along the Danforth Road frontage and this proposal includes a mid-rise mixed use building of 8 storeys along the Danforth Road frontage. The recommended Zoning By-law Amendment zones this portion of the site as Commercial-Residential (CR), which would permit this mid-rise mixed use building. During the Warden Corridor Land Use Planning Study there was a strong indication from the community that it is important that commercial uses be provided as an amenity to serve the new community and to create a better street environment along the main streets in the study area. Ranka's proposed mixed use building is a positive response to this objective.

This proposal locates the highest densities along Danforth Road, with lower densities to the north, and the lowest heights and densities adjacent to the central park, and this gradation of densities is consistent with the proposed hierarchy of development in the Warden Woods Community Secondary Plan. Overall, the proposed residential and commercial uses of this property conform to the Warden Woods Community Secondary Plan and implement the Warden Woods Community Urban Design Guidelines as adopted by Council.

### Housing Mix

The proposal meets the objectives of the new Toronto Official Plan and the Warden Woods Community Secondary Plan that a minimum of 30 percent of new housing units will be in forms other than single-detached and semi-detached houses. Approximately 95 percent of the dwelling units proposed are townhouses and senior's apartments, thereby meeting the housing mix objectives of the new Toronto Official Plan and the Warden Woods Community Secondary Plan.

At its meeting of May 17, 18 and 19, 2005, City Council adopted the recommendations of Scarborough Community Council on the Preliminary Report dated April 19, 2005. Staff were specifically directed to work with the applicant to ensure that there is a broader range of housing types provided on this site. Also, the community consultation meeting of December 13, 2005 identified the lack of single and semi-detached dwelling units as a major concern. As a result of this community meeting, the applicant revised their proposal to decrease the number of stacked townhouses by 24 units and replace them with 6 additional semi-detached dwellings fronting Street B adjacent to the park. The total residential dwelling unit count was reduced from 366 to 348 dwelling units, and the total percentage of grade-related units (singles, semis, and street

townhouses) was increased from approximately 12.5 percent of the total to 15 percent of the total.

This project is in an area well served by public transit, and will be within walking distance of the Warden Subway Station once the planned pedestrian routes for the Warden Woods Community have been achieved. The project is not located in immediate proximity of any existing neighbourhoods, and the intensity will represent a reasonable transition from the planned new development on the 350 Danforth Road site. Planning staff believe that this represents a reasonable form of development which implements the intensification objectives of the new City of Toronto Official Plan and the Provincial Policy Statement.

### Parkland

The Warden Woods Community Secondary Plan provides for an alternative parkland rate of 0.4 hectares per 300 dwelling units, or 5 percent of the land area, whichever is greater. The alternative rate may be taken as a cash payment in lieu of land dedication. Alternative Parkland Rate By-law No. 952-2005 provides for the alternative parkland rate of 0.4 hectares per 300 dwelling units.

The proposed unit count for this development proposal is approximately 348 dwelling units. The Parks, Forestry and Recreation Division advise that the owner would be required to provide a parkland dedication (land, cash-in-lieu or combination thereof) of 0.46 hectares. The applicant's plan proposes a park dedication of 0.22 hectares. The shortfall in the required parkland dedication will be achieved through cash-in-lieu of parkland dedication payment secured as a condition of subdivision approval. This payment would represent the difference between the alternative parkland dedication requirement of 0.4 hectares per 300 dwelling units and the actual conveyance made by the applicant and would be based on the market value of the land. This cash-in-lieu payment is to be used for improvements to the conveyed parklands and for park and facility improvements in the Warden Woods Community.

The location of the proposed 0.22 hectare park at the north end of the site is acceptable to the Parks, Forestry and Recreation Division as it forms an addition to the proposed park dedication at 350 Danforth Road. This combined park will be 1.43 hectares and is collectively referred to as the "Warden South Park". The Warden Woods Secondary Plan establishes the need for a park at this location of between 2.0 and 2.5 hectares. The proposed combined park is situated so as to maintain the opportunity to enlarge the Warden South Park if and when redevelopment occurs at 663 Warden Avenue, the Tradition Fine Foods site.

The Section 37 agreement should secure the provision and delivery of a cash contribution of \$1,000 per senior citizen's dwelling unit (for a minimum of 128 units) and \$1,300.00 per dwelling unit for all other dwelling units (for a minimum of 220 units), to be used for the provision of a community recreation facility to serve the Warden Woods Community. This represents a total contribution of \$414,000. The agreement will also include a requirement that future conversion of senior citizen's dwelling units to standard dwelling units shall be subject to an additional cash contribution of \$300 per dwelling unit to be used for community recreation facilities to serve the Warden Woods Community. The Section 37 agreement should also secure the pre-payment of the Indoor Recreation Facilities Portion of the Parks and Recreation

Component of the Development Charges (as of July 1, 2005 plus 10 percent), also to be used towards the community centre.

### The Lily Cup

The Lily Cup and portions of the existing building have been listed by City Council as heritage resources. The possibility of preserving these features and incorporating them into the design of the senior's apartment building has been discussed with the applicant, but the applicant advises that such an arrangement is not practical. During the community consultation phase of the Warden Corridor Land Use Planning Study, it was clearly the opinion of the participants that there was little or no support for retention of the Lily Cup. Accordingly, planning staff are working closely with the applicant, the City's Heritage Preservation Services and Urban Design staff to develop a suitable commemoration strategy for the Lily Cup. The City of Toronto Heritage Preservation Services requires:

- prior to the issuance of a demolition permit, documentation (this would include photographs and measured drawings) of the building to the satisfaction of the Manager of Heritage Preservation Services;
- prior to registration of the plan of subdivision, arrangements for commemoration (this would include replication of the Lily Cup terrazzo floor / logo feature, a Toronto Historical Board plaque and archival photography display panels in the new building) to the satisfaction of the Manager of Heritage Preservation Services; and
- a letter of credit to the City of Toronto in the amount of \$10,000 to secure the owner's obligations with respect to documentation, display and plaque, and an additional amount, to be determined, to secure the replication of the Lily Cup terrazzo floor / logo feature, all to the satisfaction of the Manager of Heritage Preservation Services.

The Section 37 agreement should secure the commemoration of the Lily Cup to the satisfaction of the Manager of Heritage Preservation Services, generally as outlined in this report.

### Schools

The Toronto Catholic District School Board (TCDSB) has advised that the anticipated pupil yield for the current development applications in the Warden Corridor can be accommodated in existing TCDSB school facilities, although possibly not in permanent facilities as additional portables may be required depending on the phasing of any new residential development. A new school site will not be required.

The Toronto District School Board (TDSB) has advised that there is insufficient space at the local schools to accommodate students anticipated from this proposed development and others in the area. The TDSB has requested warning clauses in all offers of purchase and sale, and site signs advising that local school accommodation may not be available until adequate space or funding becomes available, and of the potential for busing. At the same time, as noted, the TDSB has advised that it does not require an additional school site in Warden Woods. The nearby Warden Avenue Junior Public School at 644 Warden Avenue in the Oakridge

Community is approximately 4 hectares (10 acres) in size, whereas a standard elementary school is only 2 hectares (5 acres) in size. The potential exists to create an additional school, or additional school capacity on this site, should either of the School Boards' estimates prove to have been conservative.

## Development Infrastructure Policy and Standards (DIPS) Review Issues

### Public Road Right-of-Ways

The new Toronto Official Plan recognizes the diverse roles of City streets, and states that new streets should be public streets. New streets are to be designed to:

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

The proposal is designed with a public road system with rights-of-ways ranging from 16.5 metres to 18.5 metres.

The Development Infrastructure Policy and Standards (DIPS) Phase 2 Report, dated November 16, 2005, containing City staff's recommendations for a set of design standards for public local residential streets and criteria for their use, including two options for both 18.5 metre and 16.5 metre rights-of-way, was adopted by City Council at its meeting of December 5-7, 2005. A further report regarding pedestrian issues was requested.

The Technical Services Division advises that it will be more difficult for operating divisions to provide City services on the narrower 16.5 metre public streets. This difficulty pertains to driveway windrow clearing and sidewalk snow clearing. Technical Services advises that a warning clause must be included in the purchase and sale agreement and registered on title indicating that driveway windrow clearing and sidewalk snow clearing will not be provided by the City for streets with less than an 18.5 metre right-of-way and/or with sidewalks adjacent to the curb.

In order to accommodate snow clearance and garbage collection, Technical Services requires the applicant to provide temporary turning circles with a curb radius of 9.5 metres and a street line radius of 15 metres at Street C and both ends of Street B, until such time as they connect to the corresponding new streets on the abutting development lands of 350 Danforth Road and 651 Warden Avenue.

### Traffic Impact

The Warden Corridor Land Use Planning Study included a transportation review. It concluded that the development levels proposed could be accommodated by the existing transportation system, with a few local operational improvements.

The applicant also submitted a Traffic Impact Study in support of the 300 Danforth Road applications. The proposed development is expected to generate approximately 30 inbound vehicles and 100 outbound vehicles in the AM peak hour. In the PM peak hour approximately 100 inbound vehicles and 60 outbound vehicles are anticipated. The applicant's study (accepted by the City's transportation staff) concluded that the existing area road network can support the proposed development with minimal impacts. To mitigate these impacts the owner is required to provide a letter of credit to the Toronto Transit Commission (TTC) with an upset limit of \$50,000 to equip the Birchmount Road / St. Clair Avenue East and Danforth Road/Mack Avenue intersections with transit signal priority, to eliminate the bus bay on Danforth Road and install a concrete passenger platform, and to install an east/northbound left turn lane on Danforth Road at the proposed new public road (Street A). These requirements will be secured through conditions of draft plan of subdivision approval.

### Parking

The Warden Woods Community Secondary Plan area will be planned and designed to encourage walking, cycling, and transit use as a means to reduce the use of private automobiles. The applicant is proposing to provide 1 parking space in the garage with the opportunity for an additional vehicle to be parked in the driveway leading to the garage for the street townhouses and semi-detached dwelling units. The provision of 1 formal parking space per unit meets the minimum zoning by-law standard and the additional "casual" parking space will accommodate visitor or additional resident parking.

The Transportation Services Division suggests that the stacked townhouse component should provide a minimum of 1.6 parking spaces per unit (including 0.2 visitor spaces per unit). The applicant's proposed plan indicates that this high parking standard can be achieved. The appropriate zoning requirement for parking for this project, however, needs to take into consideration the proximity to the Warden Subway Station and the Danforth Road and Warden Avenue bus routes, and the City's objectives to promote transit use and reduce dependency on the private automobile. Accordingly, the City's draft zoning by-law establishes the minimum parking requirement for the stacked townhouse portion of this proposed development at 1.4 parking spaces per unit, which includes 0.2 visitor parking spaces.

Parking for the senior's apartments is proposed to be at a rate of 0.5 spaces per dwelling unit plus 3 spaces per 100 square metres for commercial/office uses. The 31 surface parking spaces located at the rear of the senior's apartment building can serve the immediate needs of visitors to

the retirement apartment building, the ground floor retail/commercial component and the second floor professional offices. At a rate of 3 spaces per 100 square metres for a total of approximately 3200 square metres of commercial/office uses, 96 parking spaces are required. The difference in required commercial/office parking spaces is accommodated in the underground parking garage of the senior's apartment building. The City will endeavour through the site plan control process to locate these required commercial/office parking spaces in an accessible, visible, and convenient location.

The zoning by-law will permit restaurants within the commercial component. For up to 150 square metres of restaurants, parking will be required at a minimum rate of 3.0 spaces per 100 square metres, but for any restaurant floor area in excess of 150 square metres, the City's standard restaurant parking requirement of 10.7 spaces per 100 square metres will apply.

The roads in this proposed development will be designed with sufficient pavement width to accommodate two way traffic and on-street parking on one side. This will provide an additional supply of visitor parking in support of this development and the neighbourhood park.

#### Servicing

The applicant has submitted a Conceptual Servicing Report to the City which demonstrated that the proposed development can be serviced through the utilization of both existing and new infrastructure, without any adverse impact to the municipal services of the surrounding area. Technical Services advises that this report is acceptable. A Stage II Stormwater Management Report will be required for review and approval by Technical Services addressing water quantity and quality.

The Toronto and Region Conservation Authority (TRCA) has reviewed the applicant's Conceptual Servicing Report and their comments regarding stormwater management have not been addressed. However, the TRCA has indicated that their concerns can be addressed through the stage II Stormwater Management Report and this will be ensured through a condition of draft plan of subdivision approval.

#### Interface with Industrial Uses

Existing industrial uses within the Warden Woods community are an important asset to the community providing jobs within walking distance of area residents, and tax assessment for the City. New community land uses must be planned to provide a comfortable interface with existing employment uses.

The City's Economic Development Division has indicated that they understand the changing nature of the surrounding area. Nevertheless, there remain several industries nearby and those interests deserve to be respected and protected, particularly Patterson Engineering and Tradition Fine Foods.

The subject property is bordered on the south-west by Patterson Engineering at 250 Danforth Avenue, an industrial metal fabrication plant, Tradition Fine Foods at 663 Warden Avenue, an industrial food processor (bakery) to the north-west, and McGale Ladder Manufacturing is

located to the north-east. In accordance with Policies 2.7.2 and 2.7.3 of the Secondary Plan regarding mitigating impacts between industrial and sensitive land uses such as residential the owner of the site will have to mitigate the impacts of these industrial uses on the residential uses proposed. These mitigation measures may include, but are not limited to buffers, screening, berming and/or other attenuation measures. These measures will be implemented based on studies and analysis to be conducted by the developers of the sensitive uses, to the satisfaction of the City. In addition, warning clauses will be required in the conditions of draft plan of subdivision approval and in agreements of purchase and sale to inform new residents of the potential land use conflicts. Through this process, the applicant is encouraged to enter into discussions with nearby industries to identify concerns and agree on mitigation measures. The applicant will be required to submit these studies and analysis identifying appropriate mitigation and/or buffering measures prior to enactment of the zoning by-law. This requirement and associated mitigation measures will be implemented through appropriate conditions of draft plan of subdivision approval or site plan approval.

As was noted earlier, at the Community Information Meeting on December 13, 2005, concern was expressed about the potential impact of the Toronto Transit Commission (TTC) Bus Garage on the proposed senior's apartment building. The TTC has not expressed any concern about potential impacts, and the bus garage is more than 300 metres distant from the proposed senior's building. This exceeds the minimum separation distance for Class III industries (the highest impact category of industry) from sensitive land uses, set out in the Ministry of Environment Land Use Compatibility Guidelines. The resident's concerns focused on noise and air quality. At this separation distance, noise will not be an issue. With respect to air quality, the TTC advises that about 75% of the TTC's fleet of buses will be replaced over then next few years. The new buses to be purchased will dramatically reduce the level of emissions in comparison to the buses being replaced. A dramatic increase in air quality in proximity to the bus garage can be anticipated.

As noted earlier in this report, Patterson Engineering, a metal fabrication plant located at 250 Danforth Road has expressed compatibility concerns regarding the proposed residential uses at 300 Danforth Road. Concerns were also expressed about "a gentleman's agreement" regarding truck access utilizing the 300 Danforth Road property. This latter issue is a private matter between the two adjacent landowners.

The compatibility issues raised by Patterson Engineering are precisely the issues intended to be addressed under policies 2.7.2 and 2.7.3 of the Warden Woods Community Secondary Plan. Patterson has referenced a 70 metre separation distance set out in the Ministry of Environment Land Use Compatibility Guidelines. This is the separation distance recommended for Class II industries from residential. For Class I industries, a separation distance of 20 metres is recommended. The guidelines also acknowledge that it may not be possible to achieve the recommended separation distances for land use conversions in areas undergoing transition from employment uses to other more sensitive land uses. In these instances, mitigation measures and warning clauses for purchasers of new residential units can be considered. Patterson's "Class" under the guidelines and appropriate mitigation and or buffering is something which will be considered through environmental studies required by Policy 2.7.2 of the Secondary Plan. These will be secured through appropriate conditions of draft plan of subdivision approval.

The applicant and the applicant for the proposed residential development at 651 Warden Avenue (which also abuts the Patterson site and the Tradition Fine Foods Site) have both been advised to enter into discussions with Patterson Engineering and Tradition Fine Foods with the objective of reaching agreement regarding appropriate buffering / mitigation / warning measures. Agreed upon measures can be secured through private agreements between the parties, and appropriate conditions pertaining directly to the development site can be secured in the subdivision agreement.

The applicant has also been advised to enter into similar discussions with the owners of the McGale Ladder site to the north-east.

### Environmental Clearances

The past and present uses of the subject property have been industrial. Effective October 1, 2005, the Ministry of Environment (MOE) assumed full responsibility for environmental clearances in Ontario. Accordingly, no building permit for residential development will be issued until appropriate clearances have been issued by the MOE. In addition, MOE clearance will be made a condition of draft plan of subdivision approval to ensure that the subdivision is not registered until the suitability of the site for residential purposes has been verified.

### Urban Design Issues

The majority of the development (all except the 12 semi-detached dwellings) is subject to site plan control. Building massing and details, and streetscape and landscape details will be reviewed against the Warden Woods Community Urban Design Guidelines. See Attachments 12 and 13 for examples of the types of elevations proposed.

### Semi-Detached Dwelling Units

The semi-detached unit that flanks the park adjacent to Street B should be oriented to front, or appear to front Street B with an upgraded flankage elevation. This will provide a consistent orientation along Street B given that the other six semi-detached units face the park. This will provide a more animated street frontage to the park users and sidewalk pedestrians than a traditional side-wall detail. Appropriate orientation and elevation details will be secured by a condition of subdivision approval.

### Street Townhouses

Through the Site Plan Control process, adjustments to the townhouse designs will be pursued to minimize the impact of the garage, and to provide more variation to the block elevations and more individuality for each unit.

### Stacked Townhouses

As specified in the Warden Woods Urban Design Guidelines, in order to ensure privacy, minimize the impact of traffic noise, promote a pleasant streetscape and an animated and safe

public realm, the use of below grade entrances and patios for the stacked townhouses should be minimized, particularly along the public streets. Where possible, amenity spaces such as patios for lower level units (including below-grade, at-grade, and slightly above-grade units) should be located at the interior portion of the site, and not adjacent to the public street. This will be secured through the site plan approval process.

#### Senior's Apartment Building

One of the concerns at the community consultation meeting of December 13<sup>th</sup>, 2005 was the lack of an outdoor amenity area and/or green space for the proposed senior's apartment building. Through the site plan control process, the City will endeavor to provide additional outdoor amenity areas and/or green space for the proposed building. The applicant has indicated that the proposed building will provide recreational/amenity areas on the third floor and provide a roof top garden.

Concern was also expressed that the building will be too tall and will "stick out like a sore thumb". As indicated in the elevations on Attachment 13, the eight storey building will have a two storey base stepping back to a recessed third floor. The building will then step back through floors four to seven, and once again will be recessed on the eighth floor. The materials presented and the building articulation proposed will minimize the building's massing and presence on the street and the surrounding neighbourhood. Planning staff are satisfied that an eight storey building is appropriate at this location and, is not out of character with other building heights in the area, along Birchmount Road, Warden Avenue and St. Clair Avenue East. The site plan approval process will be used to secure these architectural details.

#### Streetscape

Enhanced streetscape treatments should be provided, especially for Danforth Road, park-side streets (Street B), and major streets leading to the park (Street A). Such treatments may include, but shall not be limited to pedestrian scale lighting, enhanced landscaping, decorative fences and bicycle parking.

#### Street Tree Planting and Utilities Coordination

The applicant has submitted a conceptual landscape plan. Urban Forestry requires the applicant to provide a composite utility plan in conjunction with a formal landscape plan, indicating all existing and proposed utilities such as hydro, light standards and fire hydrants for the proposed subdivision. This will allow city staff to ensure that the City's objectives for generous tree planting and growth are met, while also allowing the development to be properly serviced. This requirement will be established as a condition of draft plan of subdivision approval.

#### Implementation

The draft Zoning By-law Amendment attached as Attachment 2 includes regulations addressing land use, intensity of use, building height, parking requirements, landscaping, etc. The conditions of draft plan of subdivision approval, attached as Attachment 4, address detailed implementation issues to ensure the orderly development of the lands such as the construction of the new public roads, street lighting, road improvements, environmental safeguards, parkland

conveyance and improvements, tree planting, fencing, appropriate warning clauses in agreements of purchase and sale, etc.

### Development Charges

It is estimated that the total Development Charges for this project will be approximately \$2.1 million. This is an estimate only, based on a proposed total dwelling unit count of 348. The actual charges will be assessed upon issuance of building permits.

### Conclusions:

The applicant has participated fully in the Warden Corridor Land Use Planning Study. Some members of the community are concerned about the proposed level of intensification on this site. Concerns about height of the senior's building, about the stacked townhouses, and about the absence of single-detached housing have been expressed. Planning staff are satisfied that this site is well removed from existing neighbourhoods, and that proposed developments will provide appropriate transitions. Planning staff believe that this is appropriate intensification of a site well served by public transit. Abutting industries will continue to operate, and compatibility issues will need to be addressed through mitigation, buffering, and/or warning clauses. These issues can be addressed through appropriate conditions of draft Plan of Subdivision approval. Accordingly, planning staff support the land use, the general layout of the road network, the housing types proposed, and the park size and location. Agreement has also been reached with respect to the commemoration of the Lily Cup.

The proposal helps to achieve the parkland and community centre objectives of the Warden Woods Community Secondary Plan. The proposed development of 300 Danforth Road, the Ranka Enterprises site, is consistent with the Warden Woods Community Secondary Plan. It is consistent with the Conceptual Master Plan and contributes in large measures to its implementation. The applicant's Zoning By-law Amendment and Draft Plan of Subdivision applications are supportable. However, prior to the Zoning By-law Amendment being enacted and the Draft Plan of Subdivision being approved, Ranka Enterprises must be required to withdraw its appeals of the Warden Woods Secondary Plan and Zoning By-law, enter into a Section 37 agreement with the City to secure the community benefits identified in this report, and submit the necessary studies/analysis to mitigate any impacts between the residential uses proposed and the existing industrial land uses to the satisfaction of the Chief Planner and Executive Director.

### Contact:

Perry Korouyenis, Planner

Ph: (416) 396-4927; Fax: (416) 396-4265; Email: pkorouy@toronto.ca

(A copy of Attachments 1 and 5-13, referred to in the foregoing report were forwarded to all Members of Council with the January 17, 2006 agenda of the Scarborough Community Council, and copies thereof are also on file in the Office of the City Clerk at the Scarborough Civic Centre.)

The Scarborough Community Council received a communication (January 10, 2006) from H. W. Haischt, President and General Manager, Patterson Industries (Canada) Limited, expressing concerns about the rezoning application.

The following persons addressed the Community Council in connection with the foregoing matter:

- Irving Gleiberman, Solicitor;
- H. W. Haischt, President and General Manager, Patterson Industries (Canada) Limited;
- Beatrice Starmans, Gator Custom Windows;
- Ted Cymbaly, General Manager, Weston Consulting Group Inc.; and
- William McDonald.

Attachment 2

Draft Zoning By-law Amendment

Authority: Scarborough Community Council Report No. ~, Clause No. ~,  
as adopted by City of Toronto Council on ~, 2006

Enacted by Council: ~, 2006

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2006**

**To amend Zoning By-law No. 950-2005, the Warden Woods Community Zoning By-law, as amended, and the Scarborough Employment Districts Zoning By-law No. 24982 (Oakridge Employment District), as amended, with respect to 300 Danforth Road**

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. Schedule "A" of the Employment Districts Zoning By-law No. 24982 (Oakridge) is amended by deleting the zoning applying to the lands at 300 Danforth Road shown outlined on Schedule '1'.

2. Schedule "A" of the Warden Woods Community Zoning By-law No. 950-2005 is further amended by substituting new zoning on the subject lands as shown on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

SD – 19B – 22 – 41 – 63 – 64 – 140 – 160 – 207

TH – 19C – 22 – 41 – 63 – 64 – 141 – 160 – 207

A – 19D – 84 – 102 – 152 – 162 – 169 – 207

CR – 19E – 102 – 151 – 167 – 168 – 202 – 207 – 211 – 212 – 213

P

3. **Clause V – INTERPRETATION, (f) – Definitions** is amended by adding the following definitions:

**Lot Frontage**

shall mean the horizontal distance between **side lot lines** or the projection of the **side lot lines**, measured along a straight line drawn perpendicular to a line joining the midpoints of the **front** and **rear lot lines** at a point equivalent to the minimum front **setback** applying to the **lot**.

4. Schedule "B", **Performance Standards Chart**, is amended by adding the following Performance Standards:

**INTENSITY OF USE**

19B. One **semi-detached dwelling** per **lot** having a minimum **lot frontage** of 15 m and a minimum **lot** area of 470 m<sup>2</sup>.

19C. One **townhouse dwelling** per 6.0 m of **lot frontage** and a minimum **lot** area of 155 m<sup>2</sup> per **dwelling unit**.

19D. One suite (individual **dwelling unit**) per 60 m<sup>2</sup> of lot area.

19E. Maximum 3 200 m<sup>2</sup> **gross floor area** of non-residential uses.

**STREET YARD SETBACK**

84. Minimum 1.5 metres.

**HEIGHT**

151. Maximum 8 **storeys**.

152. Maximum 15.0 metres.

## **PARKING**

167. Minimum 0.5 parking spaces per senior citizen's apartment unit.
168. Minimum 3.0 parking spaces per 100 m<sup>2</sup> for the first 150 m<sup>2</sup> of restaurant **gross floor area**. Parking for restaurant **gross floor area** in excess of 150 m<sup>2</sup> shall be in accordance with **Clause VII – GENERAL PARKING REGULATIONS FOR ALL ZONES**.
169. Minimum 1.4 spaces per **dwelling unit**, provided at a minimum rate of:
  - (a) Resident – 1.2 spaces per unit
  - (b) Visitor – 0.2 spaces per unit

## **MISCELLANEOUS**

207. A minimum 1.5 m strip of land abutting the **street** line shall only be used for **landscaping**, which includes permitted projections and may include driveways but does not include patios.
  211. The threshold of building entrances facing Danforth Road shall not be lower than the finished grade of the pedestrian walkway at the **street** line leading to the entrance.
  212. The **street** yard of Danforth Road adjacent to any residential use in the first **storey** shall only be used for **landscaping**, which includes permitted projections but does not include patios.
  213. Maximum 128 Senior Citizen apartment units.
5. Schedule 'C' of the Warden Woods Community Zoning By-law No. 950-2005, **EXCEPTIONS LIST**, is further amended by adding the following Exception No. 11:
11. On those lands identified as Exception No. 11 on the accompanying Schedule 'C' map (Schedule '2'), the following provisions shall apply:
    - (a) Matters to be provided pursuant to Section 37 of the *Planning Act*:
      - (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:
        - (1) Financial contribution to the City of Toronto in the amount of \$1,000 per Senior Citizen's apartment unit and \$1,300 per unit for other **dwelling units** to be used as a contribution towards a community centre to serve the Warden Woods Community.

- (2) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Lily Cup factory on this site.
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in Section (1)(a) herein and which shall be registered on title to the lands to which this By-law applies.
6. Schedule 'C' of the Warden Woods Community Zoning By-law No. 950-2005, **EXCEPTIONS LIST**, is further amended by adding the following Exception No. 12:
12. On those lands identified as Exception No. 12 on the accompanying Schedule 'C' map (Schedule '2'), the following provisions shall apply:
- (a) Within the **Commercial/Residential (CR)** zone, the only residential use permitted shall be Senior Citizen's apartment units.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

### Schedule '1'

Lot 32

SD-19B-22-41-63-  
64-140-160-207

A-19D-84-102-152-  
162-169-207

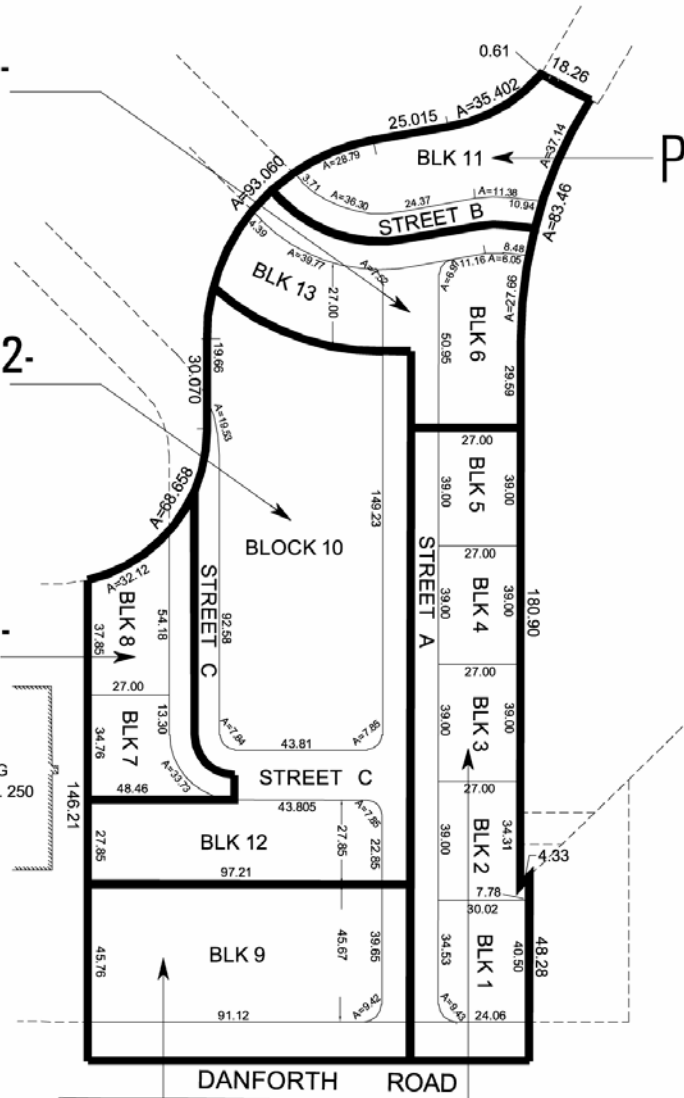
Con. B

TH-19C-22-41-63-  
64-141-160-207

EXISTING  
BUILDING No. 250

CR-19E-102-151-167-  
168-202-207-211-212-213

TH-19C-22-41-63-  
64-141-160-207



**Toronto** City Planning  
Division  
**Zoning By-Law Amendment**

300 Danforth Road  
File # 05-110455 OZ and 05-188717 SB

 Area Affected By This By-Law

Oakridge Employment District By-law  
Not to Scale  
01/05/06

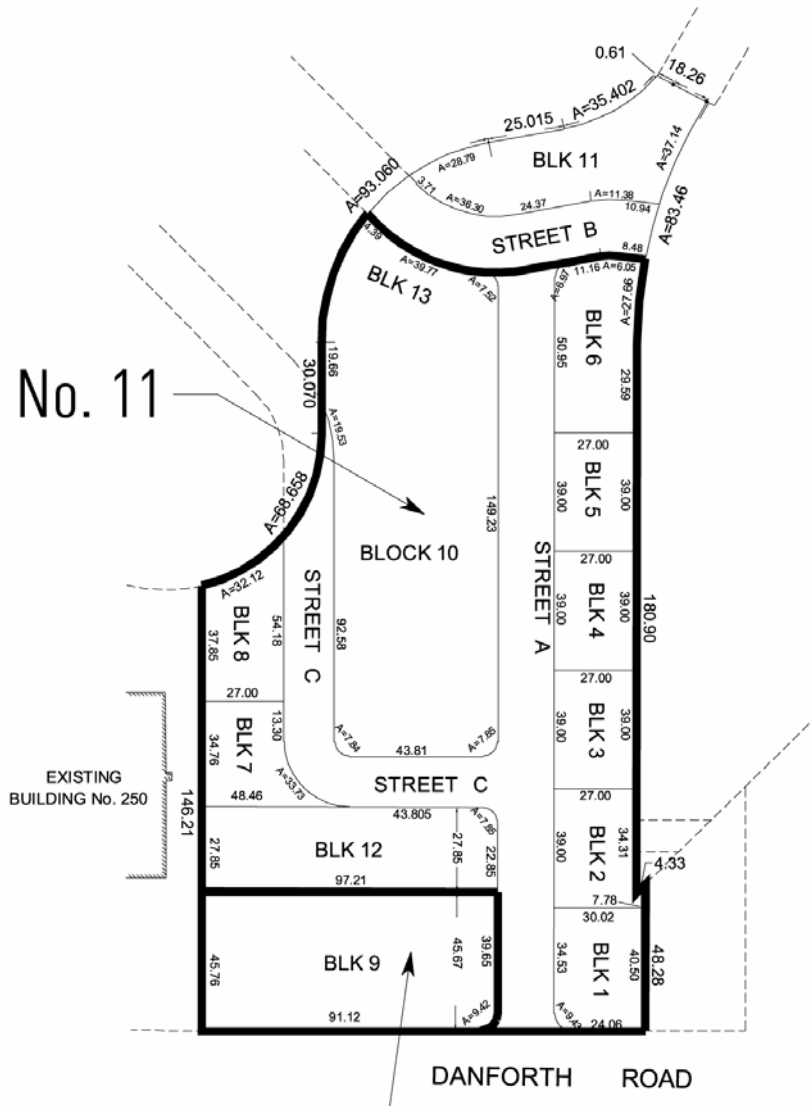


### Schedule '2'

Lot 32

Exception No. 11

Con. B



Exception No. 11 and 12

 **TORONTO** City Planning  
Division  
**Zoning By-Law Amendment**

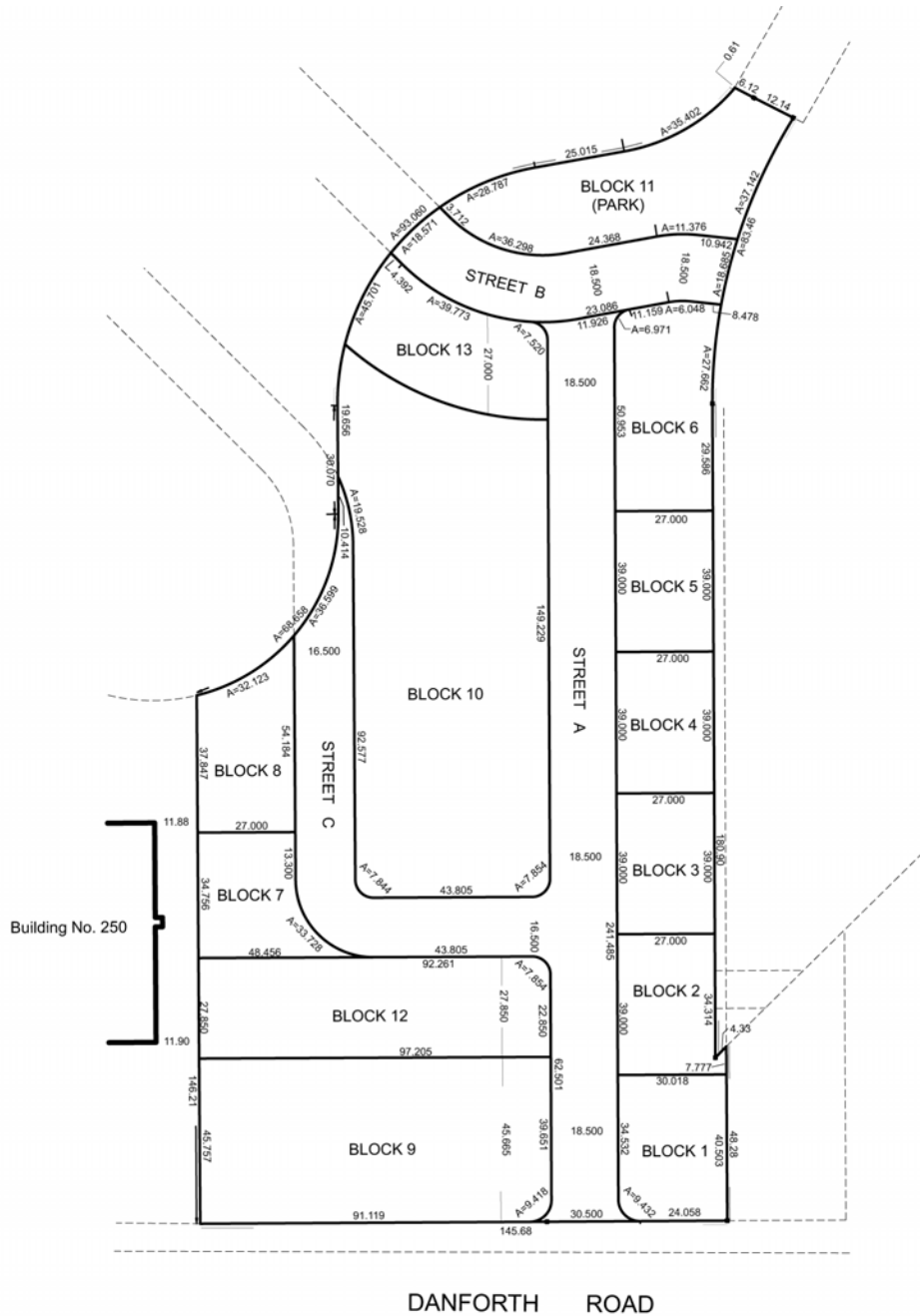
300 Danforth Road  
File # 05-110455 OZ and 05-188717 SB

 Area Affected By This By-Law

Oakridge Employment District By-law  
Not to Scale  
01/04/06



Attachment 3 – Proposed Plan of Subdivision



Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale  
12/20/05 →

300 Danforth Road

File # 05-110455 OZ and 05-188717 SB

Conditions of Draft Plan of Subdivision Approval

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

**January 4, 2006**

**SUBDIVISION APPLICATION 05 188717 ESC 35 SB  
DRAFT PLAN OF SUBDIVISION PREPARED BY WILLIAM J. PLAXTON LIMITED  
DRAWING NO. 0542, DATED DECEMBER 12, 2005**

**300 DANFORTH ROAD  
PART OF LOT 32, CONCESSION B  
CITY OF TORONTO (FORMER CITY OF SCARBOROUGH)  
1007328 ONTARIO LIMITED**

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Subdivision Agreement

1. The Owner shall enter into a Subdivision Agreement in a form and content satisfactory to the City of Toronto. The Owner shall forward the executed Subdivision Agreement to the Toronto and Region Conservation Authority, the Toronto District School Board, the Toronto Catholic District School Board, and the Toronto Transit Commission for reference and information.

Section 37

2. Prior to registration of the plan of subdivision, the Owner shall enter into a Section 37 Agreement with the City of Toronto. Final registration of the plan of subdivision shall not be permitted until the Owner has executed said Agreement, subsequently registered to the satisfaction of the City Solicitor.

Zoning

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

Tax Payment

4. Prior to the registration of the plan of subdivision, the Owner shall pay the City in full all taxes on all lands included in the said plan of subdivision for the current taxation year, which taxes shall be estimated by the City, if required and where such taxes have been estimated, they shall be subject to readjustment upon final determination thereof.

Easement Requirements

5. Prior to the registration of the plan of subdivision, Owner shall agree to provide such easements to the City as deemed necessary by the Executive Director, Technical Services for utilities, drainage and servicing purposes to the appropriate authorities in order to service this plan of subdivision.

#### Surveys, Mapping, Road Widening, Street Tree Planting, Upgraded Lighting, Etc.

6. Prior to the registration of the plan of subdivision, the Owner shall agree to pay the cost of all geodetic surveys, aerial mapping, conveyance of road widenings, street tree planting, boulevard plantings, upgraded street lighting and fire hydrant maintenance within the plan of subdivision satisfactory to the Executive Director, Technical Services.

#### Intersection and/or Road Improvements

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

#### Transportation Related Red-line Changes

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

#### Preparation of Final Plan of Subdivision

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

#### Construction of Right-of-Ways

10. Prior to the registration of the plan of subdivision, the Owner shall agree to construct and dedicate as public right-of-ways, at no cost to the City, Streets A, B, and C to the satisfaction of the Executive Director, Technical Services as follows:
  - (a) Proposed Street A shall be constructed within a 20 metre road allowance from Danforth Road to proposed Street C (required to provide separate outbound left and right turn lanes at Danforth Road) then tapered down to 18.5 metres to the southerly limit of proposed Street B. Municipal sidewalks shall be installed on both sides of Street A;
  - (b) Proposed Street B shall be constructed within an 18.5 metre road allowance. Municipal sidewalks shall be installed on both sides of Street B; and

- (c) Proposed Street C shall be constructed within a 16.5 metre road allowance with a municipal sidewalk on one side of Street C.

#### Temporary Turning Circles

11. Prior to the registration of the plan of subdivision, the Owner shall agree to provide and make arrangements for temporary turning circles with a curb radii of 9.5 metres and a street line radius of 15 metres at both the east and west limits of Street B and the west limit of Street C to the satisfaction of the Executive Director, Technical Services.

#### Temporary Turning Circles – Deferred Development

12. Prior to the registration of the plan of subdivision, the Owner shall agree to defer residential development on portions of Block 6 (Semi-Detached Residential), Block 10 (Stacked Condominium Townhouses), Block 13 (Semi-Detached Residential) and other lots or blocks as required by the Executive Director, Technical Services, until the Owner has demonstrated to the satisfaction of the Executive Director, Technical Services, in consultation with the Chief Planner and Executive Director, that planned future road connections to the east and west have been secured and that any temporary turning circle easements on the subject lands can be accommodated or are no longer required.

#### Warning Clause – Windrow and Sidewalk Snow Clearing

13. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clause in all agreements of purchase and sale and registered on title to the satisfaction of the City Solicitor:

“Purchasers are advised that private driveway windrow clearing and sidewalk snow clearing will not be provided by the City for streets with less than 18.5 metre right-of-ways and/or with sidewalks adjacent to the curb.”

#### Warning Clause – Solicitor Confirmation – Windrow and Sidewalk Snow Clearing

14. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware of the City’s snow clearing practices.

#### Naming of Streets

15. Prior to the registration of the plan of subdivision, the Owner shall agree to name road allowances to the satisfaction of the Executive Director, Technical Services.

#### Street Lighting

16. The Owner shall agree to provide upgraded street lighting, at no cost to the City, within the plan of subdivision and external to the plan of subdivision including street lighting

along Danforth Road, should adjustments be required along Danforth Road. Such street lighting shall be installed prior to occupancy to the satisfaction of the Executive Director, Technical Services, in consultation with the Chief Planner and Executive Director.

#### Driveways

17. The Owner shall agree that all lot layouts shall create street frontages such that no driveway entrance shall overlap with the adjacent driveway approach within the boulevard. All driveway entrances shall be constructed to the satisfaction of the Executive Director, Technical Services.

#### Sidewalks

18. The Owner shall agree to provide municipal concrete sidewalks from within the boundaries of the plan of subdivision along Streets A, B and C and along the north side of Danforth Road, and shall be completed prior to occupancy of any dwellings, to the satisfaction of the Executive Director, Technical Services.

#### Left Turn Lane on Danforth Road - Detailed Functional Servicing Drawing

19. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed functional drawing of the required northbound left turn lane on Danforth Road at Street A to the satisfaction of the Executive Director, Technical Services. The aforementioned northbound turn lane shall provide a minimum storage length of 25 metres with a minimum taper of 50 metres to the satisfaction of the Executive Director, Technical Services.

#### Left Turn Lane on Danforth Road - Costs for Installation

20. Prior to the registration of the plan of subdivision, the Owner shall agree to pay for and install a northbound left turn lane on Danforth Road at Street A and Danforth Road to the satisfaction of the Executive Director, Technical Services.

#### Pavement Marking Plan

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

#### Corner Roundings

22. The Owner shall convey 6 metre corner roundings (street line radius) on both sides of Street A and the southern access to the property (fire route access) intersecting Danforth Road and a 5 metre corner rounding (street line radius) at all internal intersections of streets to the satisfaction of the Executive Director, Technical Services.

### Warning Clause – Parking For Single-Family, Semi-Detached and Non-Lane Townhouse Units

23. Prior to the registration of the plan of subdivision, the Owner shall include in all offers of purchase and sale agreements and/or lease agreements for all single family, semi-detached and townhouse dwelling units (not having access from a lane), the following warning clause:

“Warning: Purchasers are advised that the City of Toronto Zoning By-law for these lands requires parking to be provided at a rate of 1.0 space per dwelling unit and that all units have at least one space in a garage which meets these requirements. In addition to the Zoning By-law requirements, the Owner has provided hard surfaces, where applicable, which may be partially located within the City owned right-of-way leading to the parking space within the garage. The purchaser is further advised that any modification to the driveway or to the adjacent landscaping located within the City’s right-of-way is subject to the approval of the City of Toronto.”

### Warning Clause – Solicitor Confirmation – Parking For Single-Family, Semi-Detached and Non-Lane Townhouse Units

24. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable offers of purchase and sale and/or lease agreements to ensure that future occupants are aware of the parking restrictions on these lands.

### Stage II Storm Water Management Plan

25. Prior to the registration of the plan of subdivision and in conjunction with engineering drawing approvals, the Owner is required to submit a Stage II Stormwater Management Report with the first submission of engineering drawings addressing how storm water quality and quantity targets will be met to the satisfaction of the Executive Director, Technical Services in consultation with the Toronto and Region Conservation Authority.

### Servicing

26. Prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner shall construct all necessary watermain, storm and sewer service improvements necessary to service the plan of subdivision to the satisfaction of the Executive Director, Technical Services.

### Record of Site Condition and Remedial Action Plan

27. The Owner shall agree that, prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner shall undertake to complete any necessary remediation work in accordance with an accepted Remedial Action Plan and to provide to the City a Record of Site Condition (RSC) satisfactory to the Ministry of the Environment.

## Environmental Site Assessment – Lands to Be Conveyed

28. Prior to the earlier of the release for construction of services or registration of the plan of subdivision, the Owner agrees to submit Environmental Assessment Reports and a Remedial Action Plan to the City, and further receive the City's peer review concurrence pertaining to all lands conveyed to the City, in fee simple and as easement interest both internal and external to the subdivision lands, all to the satisfaction of the Executive Director, Technical Services. The costs of the peer review shall be borne by the Owner.

## Hydroelectric

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

## Telecommunications

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

## Gas - Arrangements

31. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements, financial and otherwise (including providing easements), with a natural gas provider for the delivery of gas services to the plan of subdivision to the satisfaction of the Executive Director, Technical Services.

## Gas – Grading

32. Prior to the registration of the plan of subdivision, the Owner shall agree to grade all streets to final elevation approved by the City prior to the installation of the gas lines and

to provide the necessary field information required for the installation of the gas lines, all to the satisfaction of Enbridge Gas Distribution or such other gas provider.

#### Gas - Installation

33. The Owner shall agree that all of the natural gas distribution systems will be installed within the proposed road allowance to the satisfaction of Enbridge Gas Distribution or such other gas provider.

#### School Board - Signs

34. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements with the Toronto District School Board and the Toronto Catholic District School Board to erect and maintain signs, at points of egress and ingress of the development site or in a manner otherwise acceptable to the School Boards, advising that sufficient accommodation may not exist at local schools, and as such, alternative accommodation will be made. These signs shall be to the specifications of the School Boards and erected prior to registration of the plan of subdivision.

The Toronto District School Board sign shall advise that:

“The Toronto District School Board makes every effort to accommodate students locally. However, due to residential growth, sufficient accommodation may not be available in this area for all students. Students may be accommodated in facilities outside the area until adequate funding or space becomes available. For information regarding designated school(s), please call (416) 394-7526.”

The Toronto Catholic School Board sign shall advise that:

“The Toronto Catholic District Board has plans to provide for the accommodation of all students from this development area. The accommodation may not be in the local development area at this time. Student accommodation, if not in this area, will be in the existing facilities located in adjacent areas.

For information regarding Catholic Schools serving this development, please call the Planning Department at (416) 222-8282 ext. 2277.”

#### Warning Clause – School Accommodation

35. Prior to the registration of the plan of subdivision, the Owner shall agree to include in all offers of purchase and sale or lease the following warning clause prior to registration of the 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; and Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with

the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area."

and

"Despite the best efforts of the Toronto Catholic District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area and that students may later be transferred"; and

"The purchasers or tenants agree for the purpose of transportation to school, if bussing is provided by the Toronto Catholic District School Board, that children will not be bussed from home to school and/or from school to home, but will meet the bus at designated locations in or outside of the area."

#### Parkland Dedication - Conveyance

36. Prior to the registration of the draft plan of subdivision, the Owner will convey a parkland dedication of 0.23 ha, as identified as Block 11 (Park) on the draft plan of subdivision prepared by William J. Plaxton Limited, Project Number 0542, dated December 12, 2005 to the City of Toronto for parkland purposes. The City hereby acknowledges that the location and configuration of these lands on the plan of subdivision are in partial fulfillment of the alternative parkland dedication rate of 0.4 hectares per 300 dwelling units and based on the unit count identified in the above plan. The Owner agrees that the shortfall based on the proposed unit count, or any additional units, will be achieved through a cash-in-lieu of parkland dedication payment to the City, payable prior to issuance of the building permit for the 172<sup>nd</sup> unit.

#### Parkland Dedication - Cash-In-Lieu

37. The City agrees that any cash in lieu of parkland payments will be used for improvements to the conveyed parklands and for park and facility improvements in the Warden Woods Secondary Plan area. Such improvements shall be at the discretion of the General Manager, Parks, Forestry and Recreation in consultation with the local Councillor.

#### Parkland Dedication - Legal Description, Reference Plans, Etc.

38. Prior to the registration of the draft plan of subdivision, the Owner shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for the parkland dedication lands.

#### Parkland Dedication - Costs

39. Prior to the registration of the plan of subdivision, the Owner shall agree to pay for the costs of such dedication and the preparation and registration of all relevant documents.

#### Parkland Conveyance Requirements

40. Prior to the registration of the plan of subdivision, the Owner shall ensure that lands to be dedicated as parkland to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments except those existing already on the lands that are for the benefit of the City of Toronto, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.

#### Prohibition on Parkland

41. Prior to the registration of the plan of subdivision, the Owner shall agree that all transformers, switching boxes, or other utility boxes are prohibited on Block 11 (Park) and on the boulevards surrounding the Block 11 (Park) to the satisfaction of the General Manager, Parks, Forestry, and Recreation.

#### Community Mail Boxes

42. Prior to the registration of the plan of subdivision, the Owner shall agree that any community mail boxes are prohibited on Block 11 (Park) or on the boulevard surrounding Block 11 (Park) to the satisfaction of the General Manager, Parks, Forestry and Recreation.

#### Parkland Conveyance Requirements – Environmental Assessment

43. Prior to conveyance of the Block 11 (Park) to the City, the Owner shall be responsible for an environmental assessment of the lands to be dedicated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the parkland dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant acceptable to Technical Services, Development Engineering Division shall prepare the environmental assessment. Prior to transferring the Parkland to the City, the environmental assessment may be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the "Peer Reviewer"), and the conveyance of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Technical Service section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

#### Temporary Fencing for Park

44. Prior to conveyance of the Block 11 (Park), the Owner shall be responsible for the installation and maintenance of temporary fencing, to the satisfaction of the General Manager of Parks, Forestry and Recreation around Block 11 (Park) until such time as the development of Block 11 (Park) occurs.

#### Base Park Improvements Details

45. The Owner will be responsible for the construction and installation of Base Park Improvements to Block 11 (Park), the dedicated parkland, to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following:
- (i) Grading (inclusive of 150 mm topsoil supply and placement);
  - (ii) City standard fencing, where deemed necessary;
  - (iii) Buffering/screening between the park and adjacent employment uses;
  - (iv) All necessary drainage systems;
  - (v) Electrical and water connections to the street line where deemed necessary; and
  - (vi) Street trees along all public road allowances, which abut City owned parkland.

Details of when such work is to be completed are to be finalized prior to the registration of the draft plan of subdivision and shall be to the satisfaction of the General Manager, Parks, Forestry and Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for the costs associated with the above noted base park improvements.

#### Base Park Improvements - Letter of Credit

46. Prior to the registration of the Draft Plan of Subdivision, the Owner will post a certified cheque as security for the installation of the base park improvements, and the fencing equal to 120% of the value of the base park improvements and fencing on the dedicated parkland to the satisfaction of the General Manager, Parks, Recreation and Forestry.

#### Completion of Parkland Development

47. The Owner shall endeavour to complete development of the parkland on or about the date of occupancy of the dwelling units closest to the parkland. But in any event, the parkland must be complete and delivered to the City no later than 1 year after the date of issuance of any occupancy permit for any dwelling on the Plan of subdivision or at the discretion of the General Manager, Parks, Forestry and Recreation.

#### Certification of Completion of Parkland Development

48. At the time the parkland has been developed, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for park improvements will be released subject to the satisfaction of the General Manager, Parks, Forestry and Recreation, less 20% of the total value which will be retained for a two year period as a performance guarantee.

#### Base Park Improvements - Cash-in-Lieu

49. At the time of conveyance, the Owner shall agree that the General Manager, Parks, Forestry and Recreation may elect to receive cash-in-lieu of some or all of the elements of Base Park improvements.

#### Park Final Design and Programming

50. Prior to the registration of the plan of subdivision, the Owner shall agree that the final design and programming of the conveyed parkland to the City shall be at the discretion of the General Manager, Parks, Forestry and Recreation.

#### Park Development Component of Development Charges – Letter of Credit

51. Prior to the registration of the plan of subdivision, the Owner will provide a certified cheque equal to 100% the value of the Park Development Component (5.34%), to the satisfaction of the General Manager, Parks, Forestry and Recreation of the Development Charges to be used for the development of the “Warden South Park”. The City agrees that, in exchange, the City will provide the Owner with an equal credit towards Development Charges for the development of 300 Danforth Road.

#### Park - Final Grading Plan and Drainage Plan

52. Prior to the registration of the draft plan of subdivision, the Owner agrees to submit a final grading plan which will ensure that the grading and drainage for Block 11, the dedicated parkland, is compatible with the grades of the park dedication (Block 138) on the adjacent development at 350 Danforth Road, and that the grading and drainage for the dedicated parkland is compatible with the adjacent employment uses at 663 Warden Avenue, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Executive Director, Technical Services.

#### Park - Prohibition on Stockpiling

53. Prior to the registration of the plan of subdivision, the Owner shall agree that stockpiling of any soils or materials on Block 11 (Park), the dedicated parkland, is prohibited, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.

#### Park – Possible Interim Construction Staging Area

54. Prior to the occupancy of the first residential dwelling unit in the vicinity of Block 11 (Park), the Owner may be permitted to utilize the parkland site as an interim construction staging area, subject to the terms and conditions of a Parkland Occupation Permit, to the satisfaction of the General Manager, Parks, Forestry and Recreation.. The permit will outline the details of the park occupancy, restoration and associated fees. The terms of the permit shall be to the satisfaction of the General Manager of Parks, Forestry and Recreation.

#### Warning Clause – Winter Maintenance of Public Lands

55. Prior to the registration of the plan of subdivision, the Owner shall ensure that all applicable Offers of Purchase and Sale and/or Rental Agreements for the development will include clauses, to the satisfaction of the General Manager of Parks, Forestry and Recreation, advising that the City will not be responsible for any winter maintenance of walkways in the parkland or adjacent storm water management pond lands.

#### Warning Clause – Solicitor Confirmation - Winter Maintenance of Public Lands

56. Prior to formal acceptance by the City, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clauses set out in this paragraph have been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware of winter maintenance practices in this park.

#### Letters of Credit – Terms and Conditions

57. The Owner shall agree that all Letters of Credit to be held by Parks, Forestry & Recreation (Policy & Development ) that are to be provided by the Owner, unless determined otherwise by the General Manager of Parks, Forestry and Recreation, are intended to be in current dollars and, accordingly, shall be adjusted, either upwards or downwards, annually on the anniversary of the date of execution of the associated subdivision agreement, in accordance with the change in the Statistics Canada Quarterly, Capital Expenditure Price Statistics during such one year period. Provided, however, that in no case shall the amount actually payable by the Owner at any time be less than the minimal amount set out in that agreement.

#### Tree Replacement Plan

58. Prior to the registration of the plan of subdivision, the Owner agrees to submit a tree replacement plan to the satisfaction of the General Manager of Parks, Forestry and Recreation.

#### Tree Removal Requirements

59. Prior to the release of tree removal permits, the owner agrees to pay the required permit fees, and to provide 70 mm diameter caliper replacement trees for removed 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. Replacement trees will be planted on site in accordance with Urban Forestry Services requirements, or may be planted off-site if it is determined that a suitable location on site cannot be provided, all to the satisfaction of the General Manager, Parks, Forestry and Recreation.

#### Tree Planting on Private Property – Notification to City

60. The Owner shall agree in the subdivision agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation, to contact Urban Forestry Services 48 hours

prior to the planting of trees on private property or within common areas, and further agrees to plant the trees in accordance with the approved planting plans.

#### Tree Protection in Accordance with Arborist Report and Tree Preservation Plan

61. Prior to the registration of the plan of subdivision, the Owner agrees to protect all existing trees associated with the development 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 Manager, Parks, Forestry and Recreation.

#### Tree Protection Barriers and Signage

62. Prior to any site work, the Owner agrees to install tree protection barriers and signage to the satisfaction of the General Manager of Parks, Forestry and Recreation, and to maintain barriers in good repair until removal has been authorized by the General Manager of Parks, Forestry and Recreation.

#### Notification of Tree Protection Requirements

63. Prior to the registration of the plan of subdivision, the Owner agrees 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.

#### Composite Utility Plan

64. Prior to registration of the draft plan of subdivision, the Owner shall prepare a composite utility plan, prepared by a licensed municipal servicing engineer, who shall co-ordinate, on behalf of the City and to City standards, all utility company installation proposals within the public right-of-ways. This same consulting engineer shall provide a composite utility plan, indicating the utility company's installations of services within the municipal road allowances created and/or extended to services this development. Such plan shall be prepared to the satisfaction of the Executive Director, Technical Services.

#### Street Tree Planting Plan

65. The Owner shall provide a street tree planting plan, in conjunction with a composite utility plan that indicates the species, size, and location of all proposed boulevard trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities. The street tree planting plan shall be satisfactory to the Executive Director, Technical Services and the General Manager, Parks, Forestry and Recreation.

#### Street Tree – Letter of Credit

66. The Owner shall post a Letter of Credit as security for the installation of the street trees equal to 120% of the value of the street trees to the satisfaction of the General Manager, Parks, Forestry and Recreation.

### Street Tree Planting Requirements

67. The Owner shall plant the street tree plantings as per the approved planting plan and composite utility plan to the satisfaction of the General Manager, Parks, Forestry and Recreation. There shall be a two-year maintenance period, with an annual inspection involving Urban Forestry and the Owner (and their agents). At the end of the renewable guarantee period and if the trees are in good condition, the City will release the letter of credit guaranteeing the street tree planting following an inspection involving the Owner, the company responsible for the planting and a City forestry representative.

### Tree Planting Strategy Information Booklet

68. Prior to the registration of the plan of subdivision, the Owner shall 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 plantings within the community. This booklet will be prepared to the satisfaction of the General Manager, Parks, Forestry and Recreation and will be distributed to all homeowners for all dwellings within Blocks 1 to 8 (Semi-Detached Dwellings) all inclusive, Block 10 (Stacked Condominium Townhouses) and Block 12 (Stacked Condominium Townhouses).

### Warning Clause – Street Tree Planting

69. The Owner shall ensure that there shall be no wording in any agreement of purchase and sale that states that there will be one street tree per lot, or words that are likely to create the expectation that a purchaser will receive a tree in front of their property to the satisfaction of the General Manager, Parks, Forestry and Recreation.

### Warning Clause – Solicitor Confirmation – Street Tree Planting

70. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clauses set out above have been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware of that they may not receive a street tree in front of their property.

### Danforth Road Bus Bay Removal and Restoration – Functional Drawing

71. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed functional drawing of the removal and restoration of the existing bus bay on the Danforth Road frontage to the satisfaction of the Toronto Transit Commission and the Executive Director, Technical Services.

### Danforth Road Bus Bay Removal and Restoration - Costs

72. Prior to the registration of the plan of subdivision, the Owner shall agree to pay for and install the bus bay as per the detailed functional drawing of the removal and restoration of the existing bus bay on Danforth Road as approved by the Toronto Transit Commission and the Executive Director, Technical Services.

#### Danforth Road Bus Bay Removal and Restoration - Letter of Credit

73. The Owner shall agree in the Subdivision Agreement that a Letter of Credit will be posted by the Owner and held by the TTC for the relocation of the TTC Bus Shelter along the Danforth Road frontage of the subdivision land if required by the TTC to the satisfaction of the Toronto Transit Commission.

#### Conveyance of Land to City of Toronto

74. The Owner shall ensure that land to be conveyed to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments except those existing already on the lands that are for the benefit of the City of Toronto or those required by the City of Toronto as part a result of this plan of subdivision.

#### Fencing Plan

75. Prior to the registration of the plan of subdivision, the Owner shall prepare a detailed fencing plan and to install any required privacy or decorative fencing to the satisfaction of the Chief Planner and Executive Director.

#### Fencing Plan – Letter of Credit

76. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit as security for the installation of any required privacy or decorative fencing equal to 120% of the value of the fencing to the satisfaction of the Chief Planner and Executive Director.

#### Archaeological Assessment

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

#### Other City Requirements

78. The Owner acknowledges and agrees to complete or comply with any other requirements by the City acting reasonably that result from the City's examination and review of all requisite plans, drawings, reports, and submissions required by the City to facilitate the development.

#### Upgraded Lighting and Appurtenances

79. Prior to the registration of the plan of subdivision, the Owner shall agree to provide upgraded street lighting and appurtenances in accordance with the approved street lighting plan to the satisfaction of the Executive Director, Technical Services and the Chief Planner and Executive Director.

#### Noise and Vibration Study

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

#### Implementation of Noise and Vibration Study Requirements

81. The Owner shall agree in the subdivision agreement to implement and bear all costs associated with the recommendations including, but not limited to, at-source mitigation measures (on-site and off-site) and registration of appropriate warning clauses of the noise and vibration study required and accepted by the Chief Planner and Executive Director the registration of appropriate warning clauses of the noise and vibration study required and accepted by the Chief Planner and Executive Director.

#### Noise and Vibration Mitigation – Letter of Credit

82. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit as security for the installation of any required mitigation measures including, but not limited to, at-source mitigation measures (on-site and off-site) for 120% of the value of such items to the satisfaction of the Chief Planner and Executive Director.

#### Location of Noise Attenuation Requirements on Tree Planting and Landscape Plans

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

#### Demolition of Buildings and Structures

84. Prior to the registration of the plan of subdivision, the Owner shall demolish any existing buildings and structures to the satisfaction of the Executive Director, Technical Services and the Chief Building Official.

### Warden Woods Urban Design Guidelines and Master Plan

85. Prior to the registration of the plan of subdivision, the Owner shall covenant and agree in the subdivision agreement to implement the Warden Woods Urban Design Guidelines and Master Plan, prepared by the City of Toronto, City Planning, Urban Design.

### Orientation of Semi-Detached Dwelling Units Along Street B

86. Prior to the registration of the plan of subdivision, the Owner shall agree to orient and design the elevation details of semi-detached dwellings units along Street B, opposite the Park, in a manner satisfactory to the Chief Planner and Executive Director.

### Deferred Development – Block 8 and Block 10

87. Prior to the registration of the plan of subdivision, the Owner shall agree to defer development on portions of Block 8 and Block 10 for development with the adjacent lands to the south and west of the limits of the plan of subdivision.

### Site Plan Control

88. Prior to the registration of the plan of subdivision, the Owner shall acknowledge that the property is under site plan control and that the City will require future site plan control applications for all proposed developments within the boundaries of the plan of subdivision, save and except semi-detached and single-detached dwellings.

### Model Homes

89. Prior to the registration of the plan of subdivision, the Owner may be permitted to construct model homes, to the satisfaction of the Chief Planner and Executive Director provided that the Owner agrees to enter into a Model Home Agreement to secure the following, amongst other matters:
- (i) ensures that financial security and insurance have been posted with the City to the satisfaction of the City Solicitor;
  - (ii) agrees to provide a letter of credit (which amount to be determined to the satisfaction of the City Solicitor) for each model home proposed to be held as a security for the costs of demolition and removal of the model home(s) and to rectify any unsafe site conditions and non-compliance with zoning and;
  - (iii) agrees to assume all risks as a result of construction of the model home(s) prior to registration of the plan of subdivision.

### Modifications to Draft Plan of Subdivision

90. Prior to the registration of the plan of subdivision, the Owner shall be required to modify the draft plan of subdivision as follows:

- (i) create separate blocks (along Streets A, B and C, where they abut adjacent lands) for 0.3 metre reserves to be conveyed to the City, to the satisfaction of the Executive Director, Technical Services;
- (ii) provide temporary turning circles with a curb radii of 9.5 metres and a street line radius of 15 metres at both the east and west limits of Street B and the north limit of Street C to the satisfaction of the Executive Director, Technical Services.

NOTES:

1. Draft approval of this subdivision is in effect for a period of 5 years from the date draft approval was issued. At its direction, the City, may after the 5 years have lapsed, elect to modify some or all of the conditions of draft approval or revoke the draft approval.
2. Where any provision of these draft plan of subdivision conditions of approval makes reference to the Owner, it is understood that any rights and/or obligations accruing to the Owner are attributable to its successors and assigns.
3. Where any provision of these draft plan of subdivision conditions of approval makes reference to the draft plan, it is understood that such reference is made to the draft plan prepared by William J. Plaxton Limited, Project Number 0542, dated December 12, 2005.
4. Where any provision of these draft plan of subdivision conditions of approval makes reference to a condition to be satisfied or work undertaken by the parties to this agreement, those parties agree to pursue the resolution of such condition or work in a timely, reasonable and cooperative manner.

