

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

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**Final Report
Rezoning Application 04 204283 ESC 35 OZ
Draft Plan of Subdivision Application 04 204285 ESC 35 SB
Goldman Centennial Dev. Ltd. (John Blums Architect Inc.)
651 Warden Avenue - Oakridge Employment District
(Ward 35 - Scarborough Southwest)**

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

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 Council at such time as satisfactory arrangements and measures have been identified to address the interface with adjacent industrial uses.**

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 651 Warden Avenue, formerly Centennial College, with a total of 253 dwelling units comprised of semi-detached units, street and stacked townhouses (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 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, in a form satisfactory to the Chief Financial Officer and City Treasurer, of \$1,300.00 per residential unit (for a minimum of 253 units) to be used as a contribution towards a community centre to serve the Warden Woods Community;



- (ii) pre-payment, in a 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%); and
 - (iii) arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Centennial College - Warden Woods Campus;
- (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) 1145 to the Scarborough Official Plan which sets out a planning framework for the new Warden Woods Community Secondary Plan area. OPA 1145 is currently under appeal (by Goldman Centennial Developments Limited and others), and, therefore is not in effect. OPA 1145 is described later in this report. Goldman Centennial's individual Official Plan Amendment application has, in effect, been incorporated in OPA 1145, and the Goldman Centennial rezoning application can be dealt with within the policy context established by OPA 1145.

Goldman Group Lands

The subject site was formerly the Warden Woods Campus of Centennial College, which has relocated to the new Science and Technology Centre at Morningside Avenue and Ellesmere Road.

Minor Variance Application A028/04SC, approved on March 31, 2004, permitted the existing college building to be used for a variety of public and private (commercial) recreational, educational and community uses, facilities and services for a maximum of three years. The Goldman Group attempted to market the facility to potential tenants such as sports fitness and athletic training facilities; however the building remained vacant until it was demolished earlier this year.

Goldman Centennial Developments Limited is connected through the applicant, the Goldman Group, to Stafford Homes, the owners of the former Becker's lands at 671-679 Warden Avenue, and 2BRNOT2B Holdings, the owners of the vacant AFG Glass Factory lands at 350 Danforth Road.

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 280 residential units. The project consisted of 72 condominium stacked townhouse units, 4-storeys in height, arranged in five blocks parallel to Warden Avenue, with a common element private lane providing access to the rear of these units. The remainder of the site was proposed to be developed with 208 freehold street townhouses, 2-storeys in height, with frontage on proposed municipal roads. Two public road connections with Warden Avenue were proposed.

At its meeting of February 16, 2005, City Council adopted the recommendations of Scarborough Community Council on the Preliminary Report dated January 31, 2005. Staff were also specifically directed to work with the applicant to achieve a mix of residential dwelling types including singles, semis and townhouses, to ensure the provision of commercial uses along the Warden Avenue frontage, and to look at public roads as a priority over private roads in 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 former Centennial College site with 253 residential units. The project consists of 72 stacked townhouses, 4 storeys in height, arranged in six blocks parallel to Warden Avenue, with a common element private driveway providing access to the rear of these units. The remainder of the site is proposed to be developed with 151 freehold street townhouses and 30 semi-detached units, both 2 storeys in height, with frontage on proposed municipal roads. One public road connection with Warden Avenue is proposed (Street A).

The draft plan of subdivision indicates that the proposed network of new streets has been co-ordinated so that Streets "D" and "E" will connect to proposed roads in the proposed redevelopment of 300 Danforth Road, the Ranka Enterprises site (currently subject to Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan applications). The draft plan of subdivision identifies that Street "A" may connect to possible future roads in the future redevelopment of 250 Danforth Road, the Patterson Engineering site (for which no redevelopment interest has been expressed at this time). The draft plan of subdivision also indicates that Street "C" may connect to possible future roads in the future redevelopment of

250 Danforth Road and 663 Warden Avenue, the Tradition Fine Foods site (also for which no redevelopment interest has been expressed at this time).

Reserve blocks of 0.3 metres are proposed along all streets, where they abut the edge of the site. All but one of these 0.3 metre reserves will be conveyed to the City to allow the City to control when and how the streets are extended, or when private access may be granted. The one exception is the 0.3 metre reserve block along the north side of Street “E”, between Street “B” and Street “C” which runs parallel to the north limit of the site. This 0.3 metre reserve block will remain in the ownership of Goldman Centennial Developments Limited to facilitate future cost-sharing between the owners of 651 Warden Avenue and the owners of 663 Warden Avenue, to the extent that the provision of this section of Street “E” may facilitate access and servicing of possible future redevelopment on the 663 Warden Avenue site.

Parking spaces for the stacked townhouses are proposed to be provided in covered carports at the rear of the dwellings, with visitor parking located in the private driveway. The applicant is proposing that the stacked townhouses have curbside public garbage pick-up from Warden Avenue. Parking for the freehold street townhouses and the semi-detached units will be provided in front integral garages and driveways, with additional on-street parking available on the public roads.

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

Site and Surrounding Area

The site is located on the east side of Warden Avenue, north of Danforth Road. The property has a frontage of approximately 304 metres on Warden Avenue, is irregular in shape, and is approximately 6.6 hectares (16.3 acres) in size. The property was occupied by the former Centennial College, Warden Woods Campus. The college buildings were located on the south part of the site, with a parking area on the north part. The college buildings have been demolished.

The surrounding uses include:

North: Tradition Fine Foods bakery at 663 Warden Avenue.

South: low density residential neighbourhood.

East: Patterson Engineering at 250 Danforth Road (manufacturer of process equipment and machinery for industry), Ranka Enterprises at 300 Danforth Road (clothing manufacturer, subject to residential development applications 05 110455 ESC 35 OZ and 05 188717 ESC 35 SB), vacant industrial land at 350 Danforth Road (subject to approved residential development applications 03 035270 ESC 35 OZ and 04 117084 ESC 35 SB for 457 residential units).

West: Warden Avenue Junior Public School, townhouses, and two 23-storey apartment buildings on Burn Hill Road.

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 Goldman Centennial Developments Limited as it pertains to 651 Warden Avenue.

OPA No. 1145 will remove the subject site from the Oakridge Employment District Secondary Plan (Attachment 7), and will designate the frontage of the property as Mixed Use Areas, the south-west corner of the property as Natural Areas, and the balance of the site as Neighbourhoods, in the new Warden Woods Community Secondary Plan (see Land Use Map, 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 the Warden Woods Community Secondary Plan – Potential Linkages and Connections Map (see Attachment 9). The connection objectives of particular relevance to the 651 Warden Avenue applications include a public street connection between Warden Avenue and the proposed and potential residential development to the east, a pedestrian walkway connection between Warden Avenue and the proposed central park to the east, and a public street connection to the redevelopment sites to the east. 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 Warden Avenue and Danforth Road. The priority locations for mid-rise development include the Warden Avenue frontage south of the Hydro Corridor.

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

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, the location of the stormwater management pond, and the proposed central public park south of St. Clair Avenue, which is to be provided with parkland contributions from other area developments (Attachment 10). The general layout of the proposed development of 651 Warden Avenue 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" and "Natural Areas" along the Warden Avenue frontage, and "Neighbourhoods" to the east of Warden Avenue.

Zoning

The site is currently zoned Institutional-Educational (I-E) in the Employment Districts Zoning By-law No. 24982 (Attachment 11). The I-E zone generally permits community colleges, day nurseries, places of worship, post-secondary educational schools, however, a minor variance approved in 2004 permits the re-use of the former college buildings for recreational, educational and community uses for a period of three years. Residential uses are not permitted.

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. Goldman Centennial Developments Limited 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.

Site plan control approval applications will be required for the proposed stacked and street townhouse units on the site.

The applicant has filed Site Plan Control Application 05 207020 ESC 35 SA for approval of a temporary sales pavilion.

Tree Preservation

The applicant has submitted an Application to Injure or Destroy Private Trees to Urban Forestry Services in April of 2005 to remove 28 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 Institutional-Educational zone. A plan of subdivision application is necessary to create the proposed blocks, lots and public streets.

Community Consultation

A combined community consultation meeting on the development applications for 651, 671 and 725 Warden Avenue and 350 Danforth Road was held on February 17, 2005, which was attended by approximately 250 members of the public, the Ward Councillor, City staff, and the applicants. In accordance with Scarborough Community Council's direction, the notification area was expanded to include the properties bounded by Eglinton Avenue East to the north, Birchmount Road to the east, Victoria Park Avenue to the west and Danforth Avenue to the south.

Councillor Altobello made introductory remarks concerning the Warden Corridor Study, the need for community facilities, and input received from the school boards indicating that they would not require school sites in the Warden Corridor. Planning staff explained the planning process, and representatives of the Goldman Group and Mattamy made presentations on the applications.

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

- services should match the proposed intensification; there should be community based planning that encompasses the issues of safety, employment, childcare, healthcare, and local retail; social infrastructure should be a pre-condition to development;
- the area needs a community centre (facilities for seniors and youth), parks, recreation facilities, dog park, cycling paths, medical and dental offices, shopping (Firvalley residents have to take a taxi to a grocery store), outdoor cafes and restaurants;
- the densities are too high;
- additional population, as schools and hospitals are already overcrowded;
- it is not acceptable that children will have to be bused to Toronto District School Board schools that have capacity, a public school should be provided in the area;
- the area has its fair share of rental housing;
- increased traffic may result in infiltration into quiet residential areas;
- construction traffic and pollution are concerns;
- can additional subway riders be accommodated; and
- these properties should be restored to industrial and commercial businesses - reduce crime by restoring lost jobs.

It should be noted that the Warden Corridor Land Use Planning Study included an extensive community consultation program and the Goldman Group 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 Warden Avenue as a Mixed Use Area, the south-west corner of the site as a Natural Area, and the balance of the site as Neighbourhoods. The Mixed Use Areas and Neighbourhoods designation will permit the proposed townhouses and semi-detached dwelling units, while the Natural Areas designation will permit the proposed 0.32 hectare stormwater management pond at the south-west corner of the site.

The Warden Woods Community Urban Design Guidelines encourage mid-rise mixed use buildings of 4-8 storeys along the Warden Avenue frontage. The proposal does not include any mixed use buildings along the Warden Avenue frontage.

Scarborough Community Council, in its approval of the Preliminary Report regarding these applications directed staff to ensure the provision of commercial uses along the Warden Avenue frontage. The Goldman Group's intentions with respect to this project do not include any commercial uses. The Goldman Group, however, also owns the property at 675 Warden Avenue and advises that they intend to apply, in the near future, to construct a commercial development, including a bank, fronting on Warden Avenue. Staff are also advised that Loblaws is pursuing an option to construct a food store plus associated retail establishments at 685 Warden Avenue (the Sealy Mattress property). Ranka Enterprises is proposing a senior's apartment building at 300 Danforth Road with ground floor retail/commercial uses and professional offices and services on the second level. Planning staff are satisfied that opportunities exist to provide an appropriate level of commercial amenities to serve this new community.

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% of new housing units will be in forms other than single-detached and semi-detached houses. Approximately 88% of the dwelling units proposed are townhouses, thereby meeting the housing mix objectives of the new Toronto Official Plan and the Warden Woods Community Secondary Plan.

Affordable Housing and Community Centre

The subject site is greater than 5 hectares in size and generally would be required to meet the City's large site policies for the provision of 20% affordable housing in both the new Toronto Official Plan and the Warden Woods Community Secondary Plan.

The Warden Woods Community Secondary Plan identifies the community services and facilities priorities for the area, which 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.

Section 37 of the Planning Act, allows a municipality to secure community benefits in return for Official Plan or Zoning amendments providing for increases in height or density. The applicant has agreed to enter into a Section 37 agreement that would result in the provision of funds at the time of zoning approval as a contribution towards a community centre to serve the Warden Woods Community. The Section 37 agreement should provide for the provision and delivery of (1) a cash payment equal to \$1,300 per residential unit (for a minimum of 253 units) to be used as a contribution towards a community centre to serve the Warden Woods Community (\$328,900), and (2) 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%), also to be used towards the community centre (approximately \$165,000).

On the basis of the up-front provision of funds for a community centre, which meets one of the primary objectives of the new Warden Woods Community Secondary Plan, planning staff believe that the intent of the community services and housing policies contained in the Warden Woods Community Secondary Plan have been met.

Parkland

The Warden Woods Community Secondary Plan provides for an alternative parkland rate of 0.4 hectares per 300 dwelling units, or 5% 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. Based on the alternative parkland rate of 0.4 hectares per 300 dwelling units, the required park dedication for 651 Warden Avenue is 0.337 hectares.

The Policy and Development Section of the Parks, Forestry and Recreation Division advises that the City will be accepting the parkland dedication for 651 Warden Avenue on the Goldman Group development site at 350 Danforth Road (as approved by the Ontario Municipal Board on November 10, 2005, Decision/Order No. 2982). The dedication on the 350 Danforth Road lands represents a consolidated parkland dedication for the development proposals at 350 Danforth Road, 651 Warden Avenue and 671 Warden Avenue.

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 20 metres. Six blocks of stacked townhouses along Warden Avenue will have their garbage picked up along Warden Avenue, but parking and vehicular access will be from a private condominium driveway to the rear.

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 considered at a special joint meeting of the Planning and Transportation Committee and Works Committee on November 30, 2005. The staff recommendations were recommended for approval, subject to a further report concerning pedestrian issues. City Council adopted the DIPS standards at its meeting of December 5-7, 2005.

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 Streets A, C, D, and E, until they are extended on to the abutting

properties. This will be secured through a condition of draft plan of subdivision approval (see Attachment 4).

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 651 Warden Avenue applications. This study concluded that the existing area road network can support the proposed development with minimal impacts. To mitigate these impacts the owner is responsible for the installation of a southbound 3.25 metre left turn lane on Warden Avenue at the proposed new public road (Street A). This southbound left turn lane will be secured through a condition of draft plan of subdivision approval (see Attachment 4).

Pedestrian Connection to the Park

The Warden Woods Community Secondary Plan and the Conceptual Master Plan identify a pedestrian linkage from Warden Avenue to the new park. The proposed connection would have run in an easterly direction from Warden Avenue, opposite Cataraqui Court. If such a linkage were established it would attract children from the Cataraqui Court area to cross Warden Avenue to access the new park. The Transportation Services Division advises that given spacing distances between existing and proposed traffic signals along Warden Avenue, no traffic controls to allow safe pedestrian crossing of Warden Avenue are possible at this location. Accordingly, it was determined that providing the proposed pedestrian linkage at this location would compromise public safety. As an alternative, particular attention will be paid to the pedestrian amenities along Streets A, B and E to ensure that a high quality pedestrian route to the new park from Warden Avenue is provided.

In the future, if the Tradition Fine Foods site redevelops, a new pedestrian route opposite the existing traffic signals at Fir Valley Court can be provided. This will offer the opportunity to provide a direct high quality pedestrian route from Warden Avenue to the park.

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 per stacked townhouse unit. Visitor parking will be supplied along a condominium driveway at the rear of these dwelling units. The street townhouses and semi-detached units would provide 1 parking space in the garage with the opportunity for an additional vehicle to be parked in the driveway leading to the garage. The provision of 1 formal parking space per unit meets the minimum zoning by-law standard and the additional parking space will accommodate visitor or additional resident parking. The Secondary Plan also states that on-street parking will be permitted where appropriate to enhance street activity, provide a buffer between vehicular traffic and sidewalks, create a desirable pedestrian environment and contribute to the community's parking supply.

Servicing

The applicant has submitted a Functional Servicing Report to the City, which demonstrated that the proposed development could 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 the existing sanitary sewer and watermain on Warden Avenue have sufficient capacity to service the proposed subdivision. A Stage II Stormwater Management Report will be required for review by Technical Services indicating that the municipal storm sewer on Warden Avenue has the capacity to service the applicant's proposal.

The Toronto and Region Conservation Authority has no objections to the application, subject to a condition of draft plan of subdivision requiring the owner to submit a satisfactory detailed design report for the proposed stormwater management pond.

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 subject property is bordered on the north by Tradition Fine Foods at 663 Warden Avenue, an industrial food processor (bakery) and Patterson Engineering to the east at 250 Danforth Avenue, an industrial metal fabrication plant. 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. The applicant has been encouraged to work with the abutting industrial owners to reach agreement with respect to appropriate 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.

Environmental Clearances

Prior to Centennial College's use of this property, it was used as a munitions factory. 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 30 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. One particular concern discussed during the processing of this application was the applicant's proposal to construct stacked townhouses with sunken patios (below grade entrances and private amenity areas) along Warden Avenue. While this could be argued to be a design detail which could be left to the future Site Plan Control stage, planning staff were particularly concerned that this form of development would detract from the City's design objectives for Warden Avenue. Planning staff have worked with the applicant to resolve this issue, and have identified several potential design alternatives. The applicant has agreed to remove these below grade entrances from the proposed stacked townhouses fronting on Warden Avenue. Accordingly, the draft zoning by-law amendment (Attachment 2) includes regulations which will preclude retaining walls and patios within the Warden Avenue frontage street yard.

Through the review of Site Plan Control applications, planning staff will work to ensure that corner units are designed to achieve articulated elevations on both streets. See Attachment 12 for examples of the types of dwelling units proposed. Fencing should be provided on all flankage lots where the side yard is exposed to the street.

Upgraded streetscapes should be provided. Specifically, the primary route to the park from Warden Avenue, along Street A, Street B, and Street E should include, but shall not be limited to upgraded pedestrian lighting and enhanced landscaping. The stormwater management pond must also be designed to be aesthetically pleasing with pedestrian amenities, such as walkways, pedestrian lighting, and landscaping.

Commemoration of the former Centennial College – Warden Woods Campus

The Centennial College – Warden Woods Campus, established in 1967, was the first Community College in Ontario. Its contribution to the heritage of this area should be commemorated in accordance with Policy 2.2.15 (d) of the Secondary Plan which indicates that: "Where appropriate, development in the Secondary Plan Area will incorporate elements representing the heritage and history of the area, through: ... Creating historic markers and plaques." The Toronto Historical Board produces bronze plaques to commemorate heritage features, and this would be an appropriate feature for incorporation at an appropriate location on this site. The Section 37 agreement should require the applicant to commemorate the former Centennial College – Warden Woods Campus to the satisfaction of Heritage Preservation Services.

Street Tree Planting and Utilities Conflict

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 (see Attachment 4).

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 \$1.9 million. This is an estimate only, based on a proposed total dwelling unit count of 253. The actual charges will be assessed upon issuance of building permits.

Conclusions:

The applicant has participated fully in the Warden Corridor Land Use Study. The applicant has made a series of revisions to the proposal to address issues raised by the City and the community. Planning staff are satisfied regarding the land use, and the general layout of the road network to facilitate pedestrian and vehicular traffic. Agreement has also been reached with respect to the housing types proposed, the pedestrian connection to the park and the size and location of the stormwater management pond.

The proposal also helps to achieve the parkland and community centre objectives of the Warden Woods Community Secondary Plan. The proposed development of the 651 Warden Avenue (Centennial College) site is generally 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 proposed Zoning By-law Amendment and Draft Plan of Subdivision applications are generally supportable. However, prior to the Zoning By-law Amendment being enacted and the Draft Plan of Subdivision being approved, Goldman Centennial Developments Limited is required to withdraw its appeals of the Warden Woods Community Secondary Plan and Zoning By-law, enter into a Section 37 agreement with the City to secure contributions for a community centre serving the Warden Woods Community, commemoration of the former Warden Woods Campus of Centennial College, 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

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

(A copy of Attachments 1 and 5-12, 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 following persons addressed the Community Council in connection with the foregoing matter:

- Jason I. Park, Solicitor, Goodman and Carr, on behalf of the applicant owners; and
- Ted Cymbaly, General Manager, Weston Consulting Group.

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 651 Warden Avenue

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 651 Warden Avenue 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 – 14 – 22 – 41 – 63 – 64 – 148 – 149 – 160 – 206 – 207

TH – 15 – 22 – 41 – 63 – 64 – 148 – 149 – 160 – 206 – 207

A – 64 – 83 – 103 – 145 – 163 – 202 – 206 – 207 – 208 – 209 – 210

O

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

14. One **semi-detached dwelling** per **lot** having a minimum **lot frontage** of 17.4 m and a minimum **lot area** of 430 m².
15. One **townhouse dwelling** per 6.0 m of **lot frontage** and a minimum **lot area** of 150 m² per **dwelling unit**.

STREET YARD SETBACK

83. Minimum 3 m and a maximum of 5 m from the **street** line of Warden Avenue, except that the **main wall** behind an exterior balcony may be **setback** a maximum of 7 m from the **street** line. The required minimum and maximum **setbacks** shall be measured to the **street** line of Warden Avenue only, notwithstanding the establishment of any 0.3 m reserve adjacent to the **street**. For all other **street yards**, minimum 2.0 m except that the **main wall** containing the vehicular access to a garage shall be **setback** a minimum of 3.0 m.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES

103. Minimum 10.5m from the easterly lot line of a parcel abutting the **street** line of Warden Avenue.

HEIGHT

145. Minimum 4 **storeys** and maximum 8 **storeys** for **apartment buildings**. Maximum 13 m and 3 **storeys** for **townhouse dwellings**, as measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street** line.
148. Maximum **basement height**: 1.8 m.
149. Maximum 12 m and 3 **storeys**, as measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street** line.

MISCELLANEOUS

206. Notwithstanding **Clause VI – PROVISIONS FOR ALL ZONES, 16 - Permitted Encroachments into Required Yards**, the following projections and their supporting structural members, to the maximum distances shown below and in no case closer than 0.3 m to a street line, shall not be considered part of the **main wall** and may extend into required **front, rear** or **side yards**, including required **main wall** separation distances, except as otherwise specified:

Chimneys, pilasters and projecting columns	0.5 m
Roof overhang, cantilevered elements, Canopies, eaves, porticoes	1 m (rear and side yards) and 0.5 m (front yard)
Balconies, decks and unenclosed porches projecting into a front yard, rear yard or a side yard abutting a street :	1.55 m, except shall not be within 0.3 m of street line
First storey enclosed apartment building entry vestibule within the street yard adjacent to Warden Avenue:	2.4 m
Balconies, decks and unenclosed porches projecting into an interior side yard :	0.3 m
Exterior steps:	No Limit

First storey cantilevered bay, bow or dormer windows projecting into a front yard, rear yard or a side yard abutting a street :	1 m, except 0.65 m where the required building setback is 1.5 m or less
Cantilevered bay, bow or dormer windows above first storey :	0.5 m
Decks into a rear yard:	2 m

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.
208. The threshold of building entrances (excluding garages doors) facing Warden shall not be lower than the finished grade of the pedestrian walkway at the **street** line leading to the entrance.
209. The **street** yard adjacent to Warden Avenue adjacent to any residential use in the first **storey** shall only be used for **landscaping**, which includes permitted projections and may include driveways but does not include patios.
210. Maximum 68 **dwelling 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. 8:
8. On those lands identified as Exception No. 8 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 \$1,300.00 per **dwelling unit** towards provision of 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 Centennial College – Warden Woods Campus.

- (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.

ENACTED AND PASSED this ~ day of ~ , A.D. 2006.

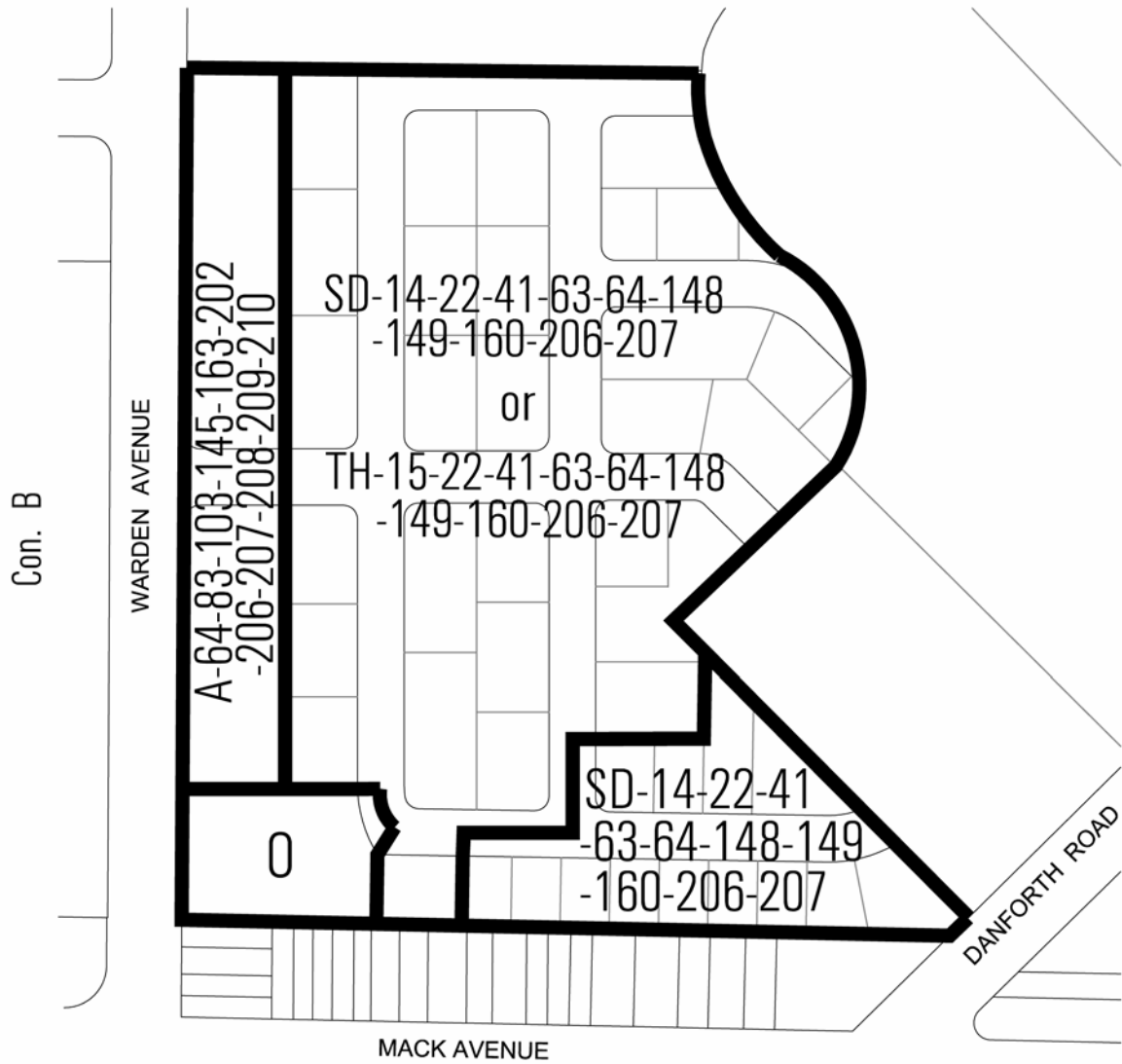
DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

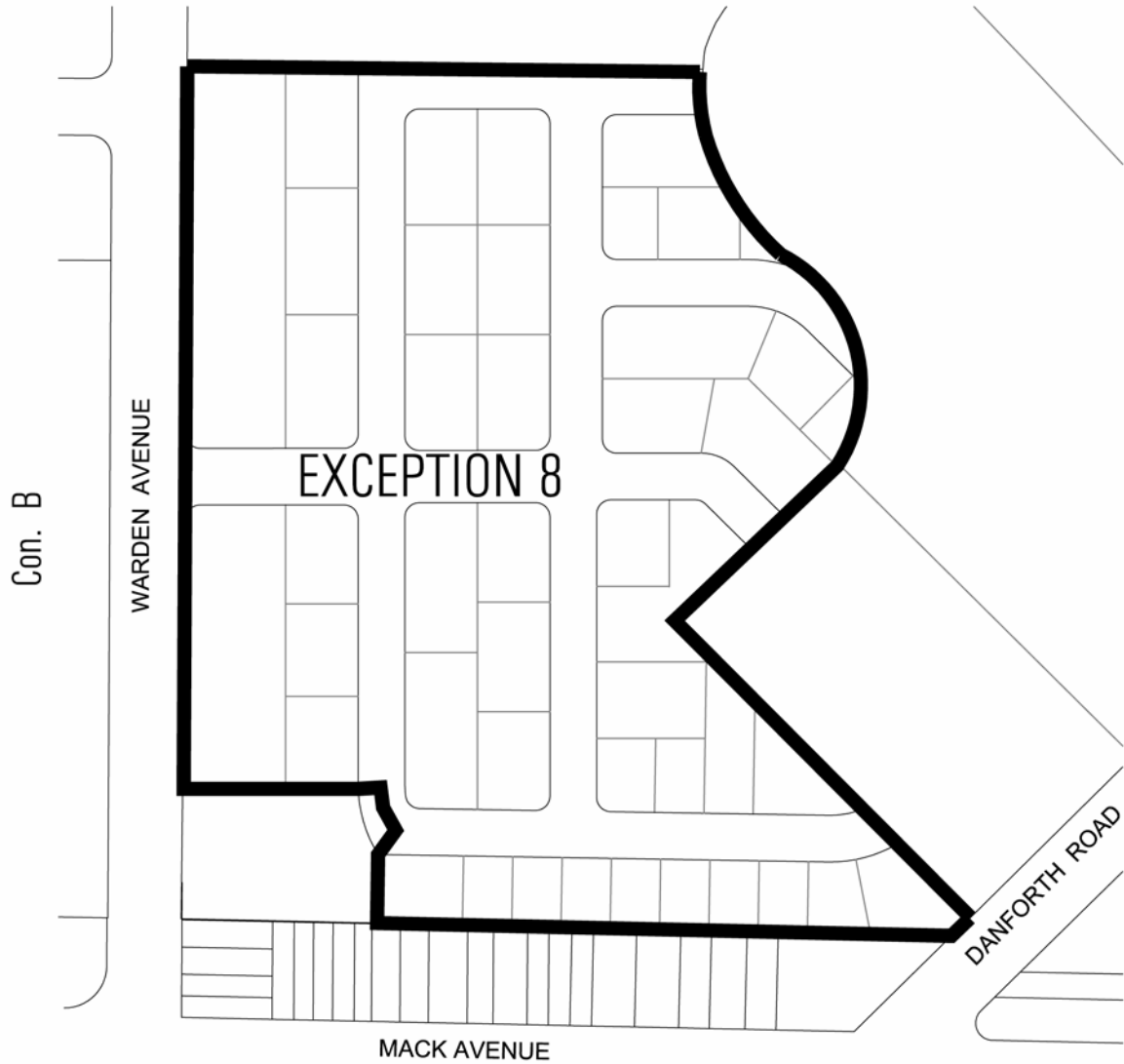
Schedule '1'

Lot 32



Schedule '2'

Lot 32



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

651 Warden Avenue

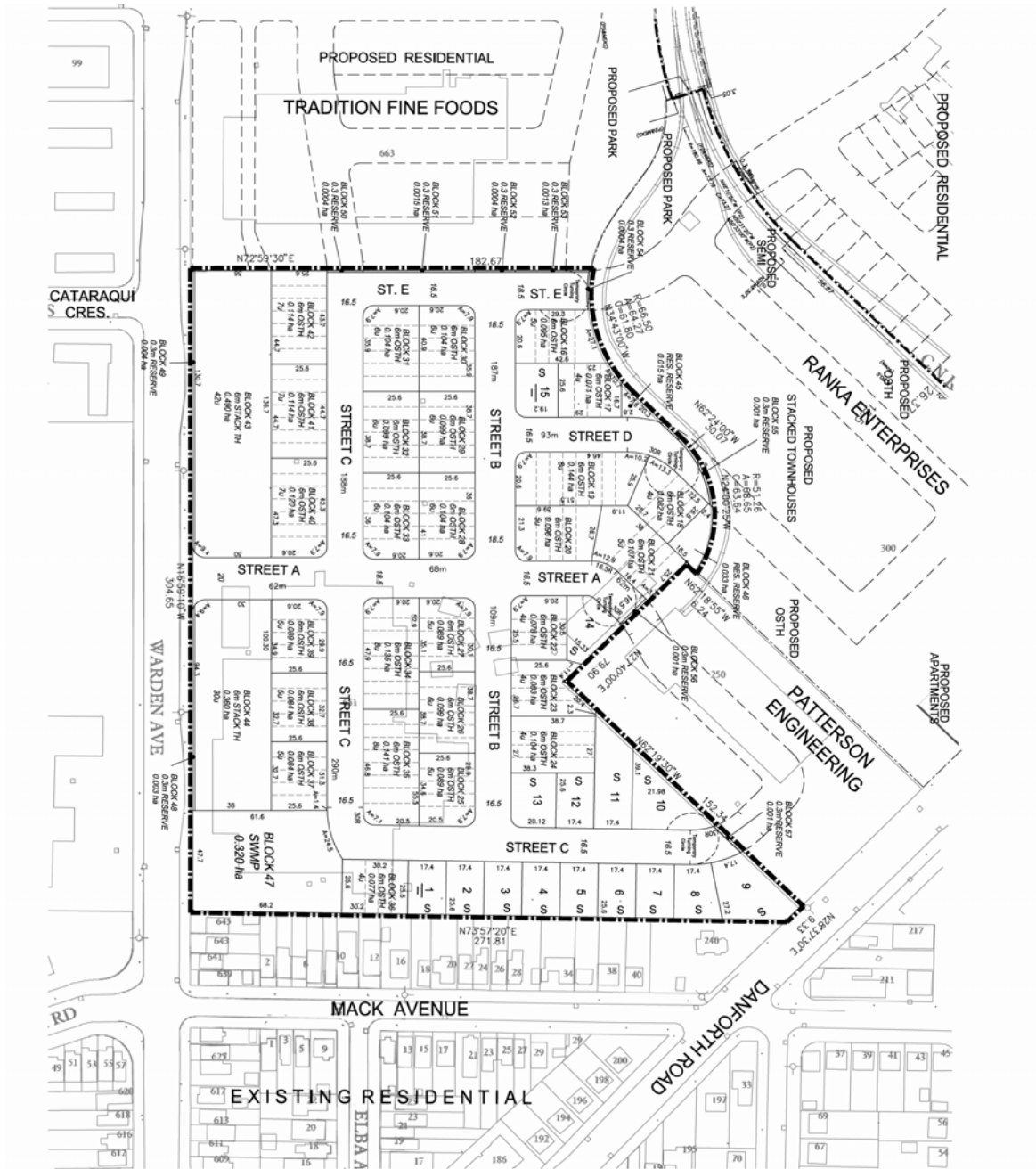
File # 04-204283 OZ

 Area Affected By This By-Law

Oakridge Employment District Bylaw
Not to Scale
1/3/06


Attachment 3

Proposed Plan of Subdivision



Subdivision Plan

Applicant's Submitted Drawing

Not to Scale
1/3/06



651 Warden Avenue

File # 04-204283 0Z

Conditions of Draft Plan of Subdivision Approval

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

January 4, 2006

**SUBDIVISION APPLICATION 04 204285 ESC 35 SB
DRAFT PLAN OF SUBDIVISION PREPARED BY BOUSFIELDS INC.
DRAWING NO. 0406-60dp DATED DECEMBER 22, 2005**

**651 WARDEN AVENUE
PART OF LOT 32, CONCESSION B
CITY OF TORONTO (FORMERLY CITY OF SCARBOROUGH)
GOLDMAN CENTENNIAL DEVELOPMENTS LIMITED**

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, and 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, C, D and E to the satisfaction of the Executive Director, Technical Services as follows:
 - (a) Street A from Warden Avenue to Street B shall be constructed with a 20 metre road allowance tapering to an 18.5 metre road allowance with sidewalks on both sides, Street B north of Street A and Street E east of the west limit of Street B shall be constructed with an 18.5 metre road allowance with sidewalks on both sides; and
 - (b) All other roads shall be constructed with a 16.5 metre road allowance.

Temporary Turning Circles

11. Prior to the registration of the plan of subdivision, the Owner shall provide and make appropriate arrangements for temporary turning circles with a curb radius of 9.5 metres and a street line radius of 15 metres at the easterly limits of Streets A, C, D and E to the satisfaction of the Executive Director, Technical Services.

Functional Access Plan – Lot 9 and Lot 10

12. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements with the Executive Director, Technical Services regarding the submission of a functional access plan illustrating access to Lot 9 and Lot 10 to the satisfaction of the Executive Director, Technical Services.

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 Warden Avenue, should adjustments be required along Warden Avenue. 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. Prior to the registration of the plan of subdivision, the Owner shall provide municipal concrete sidewalks from within the boundaries of the plan of subdivision along Streets A, B, C, D, E and along the east side of Warden Avenue, to the satisfaction of the Executive Director, Technical Services.

Southbound Left Turn Lane on Warden Avenue – Functional Drawing

19. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed functional drawing of the required southbound left turn lane on Warden Avenue at the proposed access to this site to the satisfaction of the Executive Director, Technical Services.

Southbound Left Turn Lane on Warden Avenue – Costs of Installation

20. Prior to the registration of the plan of subdivision, the Owner shall pay for and install the southbound left turn lane on Warden Avenue at the proposed access to the subject property to the satisfaction of the Executive Director, Technical Services.

Future Traffic Signal at Warden Avenue and Street A

21. Prior to the registration of the plan of subdivision, the Owner shall provide securities, to the satisfaction of the Executive Director, Technical Services, in the amount of \$200,000 for a possible future signal at Warden Avenue and Street A should a traffic signal be warranted within 5 years of full and complete construction of the proposed development within this plan.

Pavement Marking Plan

22. Prior to the registration of the plan of subdivision, the Owner shall pay for and provide a detailed pavement-marking plan to the satisfaction of the Executive Director, Technical Services.

Corner Roundings

23. The Owner shall convey 6 metre corner roundings (street line radius) on both sides of Street A intersecting Warden Avenue 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

24. 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

25. 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

26. Prior to the registration of the plan of subdivision, the Owner is required to submit, a Stage II Stormwater Management Report with the first submission of engineering drawings addressing stormwater quality and quantity all to the satisfaction of the Executive Director, Technical Services in consultation with the Toronto and Region Conservation Authority.

Block 47 (Storm Water Management Pond) – Conveyance Requirement

27. The Owner shall agree to convey Block 47 (Storm Water Management Pond) to the City of Toronto at such time as is satisfactory to the Executive Director, Technical Services.

Block 47 (Storm Water Management Pond) – Conveyance Costs

28. The Owner shall pay for the costs of the conveyance of Block 47 (Stormwater Management Pond) including any Land Transfer Tax and the preparation and registration of all relevant documents to the satisfaction of the City Solicitor.

Block 47 (Storm Water Management Pond) – Landscape Plan

29. Prior to the registration of the plan of subdivision and in conjunction with engineering drawing approvals, the Owner must submit a Landscape Plan for Block 47 (Storm Water Management Pond) all to the satisfaction of the Executive Director, Technical Services,

the Toronto and Region Conservation Authority, the Chief Planner and Executive Director and the General Manager of Parks, Forestry and Recreation.

Block 47 (Storm Water Management Pond) - Implementation of Landscape Plan

30. The Owner shall agree to implement the approved Landscape Plan for Block 47 (Storm Water Management Pond) to the satisfaction of the Executive Director, Technical Services, the Toronto and Region Conservation Authority and the General Manager of Parks, Forestry and Recreation.

Servicing

31. 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 and shall post a Letter of Credit equal to 120% of the value of the cost and installation of all sewer services to the satisfaction of the Executive Director, Technical Services.

Record of Site Condition and Remedial Action Plan

32. 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

33. 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

34. 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

- 35. 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

- 36. 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

- 37. 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

- 38. 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

- 39. 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

40. 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

41. The City acknowledges and agrees that the 1.21 ha park dedication at 350 Danforth Road, identified as Block 138 (Park) as shown on the draft plan of subdivision referenced as No. 0265-1-25dp, prepared by Bousfields Inc., revised dated June 6, 2005, is in fulfilment

of the alternative parkland dedication rate of 0.4 ha per 300 units for 651 Warden Avenue. The Owner acknowledges and agrees that if the above noted park dedication has not been conveyed to the City prior to the registration of the draft plan of subdivision for 651 Warden Avenue, the Owner will provide the City with a cash in lieu of parkland payment in the form of a letter of credit, equal to an alternative parkland dedication rate of 0.4 ha per 300 units at 651 Warden Avenue, prior to the registration of the draft plan of subdivision for 651 Warden Avenue.

Parkland Dedication – Cash-in-Lieu

42. In the event future modifications to the plan of subdivision for 651 Warden Avenue results in a shortfall to the consolidated parkland dedication requirement with 350 Danforth Road and 671 Warden Avenue, the Owner agrees that such shortfall will be achieved through a cash-in-lieu of parkland dedication payment to the City, payable prior to the registration of the plan of subdivision.

Parkland Dedication – Cost Sharing Agreement

43. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with assurances that satisfactory arrangements have been established between the Owners of 651 Warden Avenue, 671 Warden Avenue and 350 Danforth Road regarding cost sharing, the development of the parkland dedication to base park condition and the above base park improvements. Such assurances shall be provided by the Owner's solicitor to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Base Park Improvements – Letter of Credit

44. Prior to the registration of the plan of subdivision, a letter of credit representing the base park improvements in its entirety through the subdivision agreement for 350 Danforth Road. The letter of credit shall be secured to the satisfaction of the General Manager of Parks, Forestry and Recreation. The Owners are asked to clarify any cost sharing arrangements with the Owners of 350 Danforth Road and 671 Warden Avenue, prior to the registration of the draft plan of subdivision for 651 Warden Avenue.

Base Park Improvements – Development Charges

45. Prior to the registration of the plan of subdivision, the Owner's total obligation with respect to the design and installation of the Parkland Improvements will not exceed the aggregate amount of the Park Development Portion (5.34%) of the Development Charges for all dwellings in the 651 Warden Avenue subdivision.

Park Development Component of Development Charges – Letter of Credit

46. Prior to the registration of the plan of subdivision, the Owner agrees to provide a letter of credit equal to 120 percent the value of the Parks and Recreation Service (Park Development Portion, 5.34 percent) component of the development charges for the improvements above and beyond Base Park development. The Owner shall receive a

credit against the Parks and Recreation Service (Park Development Portion, 5.34 percent) component of the development charges for the cost of the parkland improvements provided over and above the Base Park Improvements.

Park Development Funding

47. Prior to the registration of the plan of subdivision, the Owner shall acknowledge and agree, to the satisfaction of the General Manager of Parks, Forestry and Recreation that should additional funding for the park development be made available through abutting developments, at the City's discretion; the Owner will incorporate these funds into Above Base Improvements on Block 138 – 350 Danforth Road (Park).

Certification of Completion of Parkland Development

48. At the time the parkland has been developed, all liens have been cleared and the City is ready to assume the park block, the Owner will provide certification from their landscape architect that all work has been completed as per the approved plans. At that time, the submitted letters of credit for park improvements will be released, subject to the satisfaction of the General Manager of Parks, Forestry and Recreation save and except for 20 percent, which will be held for two years as a performance guarantee after the park block has been assumed by the City.

Completion of Parkland Development

49. 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 (Block 138 – 350 Danforth Road). 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 of Parks, Forestry and Recreation.

Park – Prohibition on Stockpiling

50. Prior to the registration of the plan of subdivision, the Owner acknowledges and agrees that stockpiling of any soils or materials on Block 138 – 350 Danforth Road (Park) as shown on the draft plan of subdivision referenced as No. 0265-1-25dp, prepared by Bousfields Inc., revise dated June 6, 2005 is prohibited, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.

Warning Clause – Winter Maintenance of Public Lands

51. Prior to the registration of the plan of subdivision, the Owner agrees to include in all 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 clauses advising that the City will not be responsible for any winter maintenance walkways in the adjacent storm water management pond lands, parkland or opens space owned by the City.

Warning Clause – Solicitor Confirmation – Winter Maintenance of Public Lands

52. 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 above have been included in applicable offers of purchase and sale and/or rental agreements to ensure that future occupants are aware of the winter maintenance restriction.

Letters of Credit – Terms and Conditions

53. Prior to the registration of the plan of subdivision, all Letters of Credit to be held by the Parks, Forestry and Recreation division that are to be provided by the Owner, unless determined otherwise by the General Manager of Parks, Forestry & 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

54. 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

55. 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 of Parks, Forestry and Recreation.

Tree Planting on Private Property – Notification to City

56. The Owner shall agree in the subdivision agreement, to the satisfaction of the General Manager of 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

57. 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

58. 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

59. 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

60. 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

61. 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 of Parks, Forestry and Recreation.

Street Tree – Letter of Credit

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

Street Tree Planting Requirements

63. 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 of 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.

Warning Clause – Street Tree Planting

64. 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 of Parks, Forestry and Recreation.

Warning Clause – Solicitor Confirmation – Street Tree Planting

65. 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.

Tree Planting Strategy Information Booklet

66. 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 of Parks, Forestry and Recreation and will be distributed, prior to closings, for all homeowners of dwellings on Lots 1 to 15 (all inclusive) and for all homeowners of dwellings within Blocks 16 to 44 (all inclusive).

Transit Signal Priority – Toronto Transit Commission

67. The Owner shall agree in the Subdivision Agreement that a Letter of Credit will be posted by the Owner and held by the Toronto Transit Commission for transit signal prioritization in the immediate vicinity of the subdivision land to the satisfaction of the Toronto Transit Commission.

Conveyance of Land to City of Toronto

68. 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

69. 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

70. 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 percent of the value of the fencing to the satisfaction of the Chief Planner and Executive Director.

Archaeological Assessment

71. 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

72. 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

73. 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

74. 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

75. The Owner shall agree in the subdivision agreement to implement and bear all costs associated with the recommendations including, but not limited to, the construction and installation of all berms, acoustic fences, 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.

Noise and Vibration Mitigation – 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 mitigation measures including, but not limited to, the construction and installation of all berms, acoustic fences, at-source mitigation measures (on-site and off-site) for 120 percent 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

77. 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

78. 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

79. 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.

Deferred Development – Temporary Turning Circles

80. Prior to the registration of the plan of subdivision, the Owner shall agree to defer residential development of Lot 14, Block 16, Block 18, Block 19 and Block 21 and other lots or blocks as required by the Executive Director, Technical Services, until such time as the Chief Planner and Executive Director and Executive Director, Technical Services, in accordance with the Warden Woods Community Secondary Plan and having regard to established Urban Design Guidelines are satisfied that planned future road connections to the east have been secured, or protected for, and that any temporary turning circle easements on the subject lands can be accommodated or are no longer required.

Deferred Development – Residential Reserve Block 45 and Block 46

81. Prior to the registration of the plan of subdivision, the Owner shall agree to defer residential development on Blocks 45 and Block 46 until such time as these blocks have been consolidated with the adjacent lands to the east of the limits of this plan of subdivision, known municipally as 300 Danforth Road.

Site Plan Control

82. 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 single-detached and semi-detached dwellings.

Model Homes

83. 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

84. Prior to the registration of the plan of subdivision, the Owner shall be required to modify the draft plan of subdivision as follows:
- (i) for temporary turning circles with a curb radius of 9.5 metres and a street line radius of 15 metres at the easterly limits of Streets A, C, D and E 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 the 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 Bousfields Inc. and dated December 22, 2005, being drawing No. 0406-60dp.
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.

