

**TORONTO CITY COUNCIL DECISION DOCUMENT
MEETING ON SEPTEMBER 28, 29 AND 30, 2005**

City Council's actions on each Clause in the following Reports and Notices of Motions considered at the meeting are contained in this Decision Document. Declarations of Interest, if any, are included and all additional material noted in this document is on file in the City Clerk's Office, Toronto City Hall. Please refer to the Council Minutes for the official record of Council's proceedings.

Notices of Motions:

J(35) Status and Directions Report 2 – 350 Danforth Road, 74 Santamonica Boulevard and portion of former CNR Right-of-Way

Moved by Councillor Altobello, seconded by Councillor De Baeremaeker

“**WHEREAS** the Goldman Group has appealed its Official Plan, Zoning and Subdivision applications regarding 350 Danforth Road to the Ontario Municipal Board (OMB), which has scheduled a pre-hearing conference for October 7, 2005; and

WHEREAS City Council, at its meeting of July 19, 20, 21 and 26, 2005, directed staff to continue to negotiate with the applicant to resolve the outstanding matters, with a view to reaching a settlement, and authorized the City Solicitor or Chief Planner to report back to City Council for further instructions prior to the Ontario Municipal Board hearing scheduled to commence on November 21, 2005; and

WHEREAS City Council, at its meeting of July 19, 20, 21 and 26, 2005, authorized the Chief Planner and Executive Director to report directly to the September 28, 2005, Council meeting if a settlement cannot be reached prior to that time; and

WHEREAS the Chief Planner and Executive Director, City Planning, has prepared a report dated September 30, 2005, identifying the issues and recommending appropriate actions by staff;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (September 30, 2005) from the Chief Planner and Executive Director, City Planning, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on September 28, 29 and 30, 2005, adopted this Motion, without amendment.

In adopting Motion J(35), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (September 30, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council:

- (1) direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board prehearing conference to represent the City’s interests, as outlined in this report;*
- (2) subject to Recommendation (5) below, support an Official Plan Amendment and proposed Land Use Designations for the residential redevelopment of the property at 350 Danforth Road, plus the former CN Corridor lands, based on the policy framework and land use designations established in the proposed Warden Woods Community Secondary Plan;*
- (3) subject to Recommendation (5) below, support a zoning by-law amendment for the proposed development of 457 residential units (34 singles, 112 semi-detached and 311 townhouses). The zoning to include appropriate land use, height, density, and other performance regulations, as well as community benefits requirements under Section 37 of the Planning Act and any necessary holding provisions;*
- (4) subject to Recommendation (5) below, support the draft plan of subdivision, substantially as illustrated in Attachment 1: Proposed Draft Plan of Subdivision, subject to related conditions of draft plan approval incorporating the City’s standard conditions of draft plan approval, modified to incorporate site-specific conditions of draft plan approval, dealing with matters such as, but not limited to:
 - (i) addressing the requirements of the Technical Services Division with respect to the proposed lane parallel to Danforth Road;*
 - (ii) appropriate studies, mitigation, and warning requirements with respect to the interface between the new residential development and the TTC Birchmount Bus Garage and adjacent industrial uses;*
 - (iii) provision of pedestrian walkways, including a walkway between the proposed development and Santamonica Boulevard;**

- (iv) *required environmental and archaeological clearances, including the funding of a peer reviewer for environmental studies pertaining to land to be conveyed to the City;*
 - (v) *school accommodation warning clauses;*
 - (vi) *dedication and improvement of parkland, as illustrated on Attachment 1, of approximately 1.21 hectares, which will count towards satisfying the parkland requirements of the 350 Danforth Road applications, and the 651 Warden Avenue and 671 Warden Avenue applications;*
 - (vii) *required fencing plan;*
 - (viii) *provision and conveyance of the required stormwater management pond;*
 - (ix) *tree planting requirements;*
 - (x) *required corner roundings and temporary turning circles;*
 - (xi) *required Danforth Road traffic improvements; and*
 - (xii) *required securities;*
- (5) *advise the Ontario Municipal Board that its support of the Official Plan, Zoning, and Subdivision, as outlined in Recommendations (2), (3) and (4) above, is conditional upon and subject to:*
- (i) *securing a cash contribution, pursuant to Section 37 of the Planning Act, at the time of Zoning By-law approval, of \$1300.00 per dwelling unit (for a minimum of 457 units) to be used for the provision of a community recreation facility to serve the Warden Woods Community;*
 - (ii) *securing pre-payment of the indoor parks and recreation component of the City's Development Charges By-law, in the form of a Letter of Credit due at the time of Zoning By-law approval, and which can be cashed by the City 90 days from the date of Zoning approval;*

- (iii) the Section 37 agreement provide that the applicant agree to work with the City and other area developers to ensure that satisfactory arrangements are secured with respect to the timely provision of community facilities in accordance with the priorities of the Warden Woods Community Secondary Plan;*
 - (iv) satisfactory arrangements for improvement and dedication of 1.21 hectares of parkland; and*
 - (v) the owner agreeing to withdraw its appeal of the new Toronto Official Plan with respect to these lands;*
- (6) direct the City Solicitor to ensure that Council's conditions, as set out in Recommendation (5) above, are met through the use of appropriate holding provisions in the zoning by-law, by requesting the Ontario Municipal Board to withhold its order until satisfactory arrangements have been made, and/or through such other agreements or arrangements that the City Solicitor may determine to be appropriate and that the appropriate City officials be authorized to execute such agreements; and*
- (7) authorize the City Solicitor to settle the appeals at the October 7, 2005 pre-hearing, subject to achievement of the matters or conditions set out in Recommendations (2), (3), (4), (5) and (6) above, and substantially in accordance with the Official Plan, Zoning, and Subdivision details set out in this report".*

Council also considered the following:

- Report (September 30, 2005) from the Chief Planner and Executive Director, City Planning.