STAFF REPORT
ACTION REQUIRED

Southwest of Alton Towers Circle and Goldhawk Trail – Rezoning and Draft Plan of Subdivision Applications – Final Report

<table>
<thead>
<tr>
<th>Date:</th>
<th>January 31, 2011</th>
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</thead>
<tbody>
<tr>
<td>To:</td>
<td>Scarborough Community Council</td>
</tr>
<tr>
<td>From:</td>
<td>Director, Community Planning, Scarborough District</td>
</tr>
<tr>
<td>Wards:</td>
<td>Ward 41 – Scarborough-Rouge River</td>
</tr>
<tr>
<td>Reference Numbers:</td>
<td>10 186614 ESC 41 OZ &amp; 10 186609 ESC 41 SB</td>
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SUMMARY

These applications were made on June 1, 2010 and are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The Toronto District School Board (TDSB) is the owner of a 6.07 hectare vacant secondary school site that has been declared surplus. The Conseil Scolaire de District du Centre-Sud-Ouest (CSDCSO) is seeking to develop a French elementary school on the northern portion (1.95 hectares) of the lands and has submitted a site plan control application (10 230629 ESC 41 SA) that is currently under review. Applications have also been submitted to the Committee of Adjustment to sever the lands with an associated variance. This report considers zoning by-law amendments and draft plan of subdivision applications which apply to the southern portion of the lands (4.12 hectares), for a 75-unit single detached residential subdivision.

The proposal conforms to the City’s Official Plan and the Growth Plan for the...
Greater Golden Horseshoe and is consistent with the Provincial Policy Statement. The proposal is appropriate for the site and compatible with the surrounding residential neighbourhood.

This report reviews and recommends approval of the application to amend the zoning by-law and also advises that the Chief Planner intends to approve the draft plan of subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Milliken Community Zoning By-law No. 17677 for the former City of Scarborough for the lands southwest of Alton Towers Circle and Goldhawk Trail substantially in accordance with the draft zoning by-law amendment attached as Attachment No. 4.

2. City Council amend the City of Toronto Zoning By-law No. 1156-2010 for the land southwest of Alton Towers Circle and Goldhawk Trail, substantially in accordance the draft zoning by-law amendment attached as Attachment No. 5.

3. City Council amend the site plan control by-law to delete the subject lands from site plan control substantially in accordance with the draft by-law attached as Attachment No. 6.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendments as may be required.

5. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the draft plan of subdivision as generally illustrated on Attachment No. 1 subject to:

   a. the conditions as generally listed in Attachment No. 7, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration; and

   b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.

Financial Impact
The recommendations in this report have no financial impact.
DECISION HISTORY

At its meeting of August 17, 2010, Scarborough Community Council amended and adopted the recommendations of the Preliminary Report for the rezoning and draft plan of subdivision applications and expanded the notice area. The report can be accessed via the following link:


The Toronto District School Board (TDSB) submitted an application to the Committee of Adjustment to sever the northern portion of the site (1.95 hectare) fronting on Alton Towers Circle for an elementary school. The Conseil Scolaire de District du Centre-Sud-Ouest (CSDCSO) school board is seeking to develop a French elementary school and day nursery on the site. A site plan control application has been submitted and Planning staff are finalizing the review.

On January 17, 2011, the Committee of Adjustment gave provisional consent to the conveyance of the 1.95 hectare parcel of land for the development of a French elementary school and a day nursery. The Committee also approved a variance to permit the conveyed land to be used for an elementary school and day nursery whereas the zoning by-law permits only a public secondary school. The Committee decisions are subject to appeal periods that end early February, 2011.

The zoning by-law amendment and draft plan of subdivision applications apply to the remainder of the lands (4.12 hectare), which are proposed for development as a residential subdivision of 75 single detached houses.

ISSUE BACKGROUND

Proposal
The applications for a zoning by-law amendment and draft plan of subdivision have been submitted to permit a 75-unit residential development of two-storey, single detached houses on a 4.12 hectare parcel of land with public roads and a public park.

Site and Surrounding Area
The subject site is owned by the TDSB and is part of a subdivision that was originally approved approximately 25 years ago. The area has a number of schools, parks, a community centre, a shopping plaza and churches that are located on Alton Towers Circle.

The site was intended for a secondary school that was never constructed due to school enrolments and existing school capacities in the area. The site has remained vacant and was declared surplus by the TDSB.
The site is located in the southwest quadrant of Alton Towers Circle, between Steeles Avenue East to the north and McNicoll Avenue to the south, west of McCowan Road. Access to the site will be from Goldhawk Trail.

The site is irregular in shape and is currently used as open space.

Surrounding land uses:

North: The property to the north of the proposed residential subdivision is proposed to be developed as a French language elementary school and is the subject of a site plan control application. Further north is the Goldhawk Community Centre and other institutional uses including two churches and two elementary schools.

Northeast: On the north side of Alton Towers Circle are 3 high rise condominium towers that are approximately twenty storeys each. North of this apartment neighbourhood is a local shopping plaza.

South & East: Established residential subdivisions of single detached homes.

Southwest: A public elementary school.

West: Goldhawk Park is located to the west of the site and is approximately 7.23 hectares.

**Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include building strong communities; wise use and management of resources; and, protecting public health and safety. City Council’s planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council’s planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

**Official Plan**

The site is designated as 'Neighbourhoods' in the official plan. 'Neighbourhoods' are considered physically stable areas made up of residential uses in lower scale buildings. Policies in the 'Neighbourhoods' designation require that proposals respect and reinforce the existing physical character of the neighbourhood and the prevailing building type will be the predominant form of development in the neighbourhood. Parks, low-scale local
institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in 'Neighbourhoods'.

**Zoning**
The site is zoned for a school in the Milliken Community By-law No. 17677 for the former City of Scarborough. The School zone permits a day nursery and a school, and has building setback requirements from streets of 3 metres. There is a site-specific exception (No. 20) that limits the school use to a secondary school.

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized zoning by-law for the City of Toronto. By-law No. 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set.

Within the new zoning by-law, this site is identified as “not part of this By-law”. At its meeting held on May 19, 2010, the Planning and Growth Management Committee directed that the section of the new zoning by-law that pertains to school sites be removed until further consultation with the Toronto District and the Toronto Catholic District School Boards and other stakeholders. To fulfill the direction of the Committee, all the school sites owned and identified by the Toronto District and the Toronto Catholic District School Boards were removed from the zoning by-law and are now identified as ‘not part of this By-law’. Accordingly, none of the provisions of By-law No. 1156-2010 currently apply to the subject site.

Since this site is intended to be redeveloped as a residential subdivision and will not remain as TDSB lands, an amendment to the new zoning by-law is included in the recommendations to bring the site into conformity with the new zoning by-law. The proposed amendment to the new zoning by-law is set out in Attachment No. 5.

**Site Plan Control**
The entire site is currently subject to site plan control. Staff have reviewed the application and recommend that if the proposed zoning by-law amendment is approved, the proposed subdivision of single, detached houses be removed from site plan control as set out in the attached by-law (Attachment No. 6). The site is not within an environmentally sensitive area such as a ravine that would impact Toronto's natural environment, and it is a subdivision of single detached houses, which normally are not subject to site plan control.

**Reasons for Application**
A site-specific zoning by-law amendment is required to allow single detached residential units, provide for appropriate development standards and a neighbourhood park. The draft plan of subdivision is required to create public roads, individual lots and the park parcel.
Community Consultation
Prior to filing an application, the applicant held meetings with the community on October 15, 2009, April 13, May 25, and June 14, 2010. At the meetings, some of the issues that were raised were: the preference to retain the lands as open space; concerns with the width of proposed roads and the amount of traffic that would be generated by the residential development.

The City's community consultation meeting was held on August 24, 2010 and was attended by approximately 150 members of the public. Also in attendance were Ward 41 Councillor Chin Lee, Toronto District School Board Trustee Shaun Chen, French Language School Board Trustee Francois Guerin, representatives from the Toronto District School Board (applicant) as well as City Planning staff. The City's meeting was subject to an expanded notice requirement to the area bounded by Steeles Avenue East, Brimley Road, McNicoll Avenue and McCowan Road. Notice of the community consultation meeting was sent to approximately 3,500 households. There were questions from the community regarding the possibility of the site remaining as a park and sportsfields. There were also some concerns regarding traffic and street parking in the area. There were suggestions for street signage to limit parking and a four-way stop at Alton Towers Circle and Goldhawk Trail.

Agency Circulation
The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards and conditions of draft plan approval.

COMMENTS
The proposed subdivision provides an opportunity to develop vacant lands with a well-integrated residential subdivision which respects and reinforces the existing physical character of the surrounding residential neighbourhood. The proposal retains significant trees, adds a public park and allows for the development of the northern parcel as a French language elementary school.

Issues of concern expressed by the community with this proposal are with respect to the retention of the lands for greenspace, as well as traffic and street parking.

Provincial Policy Statement and Provincial Plans
The current Provincial Policy Statement (PPS) came into effect on March 1, 2005. Applications filed after this date are subject to the PPS. The proposal is consistent with the PPS and represents appropriate development and use of the lands, maximizing the use of public resources and infrastructure while providing a built form that will help build stronger communities.
The application is subject to the 2006 Growth Plan for the Greater Golden Horseshoe. Similar to the PPS, the Growth Plan supports intensification in proximity to transit services and amenities. The proposal conforms and does not conflict with the Growth Plan.

**Land Use**

The official plan 'Neighbourhoods' designation provides for the reinforcement of the existing physical character of the neighbourhood. The proposal supports the 'Neighbourhoods' development criteria by respecting and reinforcing the existing physical character of the neighbourhood. Policy criteria in Section 4.1.5 state that "Development in established 'Neighbourhoods' will respect and reinforce the existing physical character of the neighbourhood" which includes: the patterns of streets and blocks; the size and configuration of lots; the heights, massing, scale and dwelling types of nearby residential properties; the prevailing building types; setbacks of buildings (front, rear, side yards); and landscaped open space.

The applicant originally conceived of a development with a higher density and more intense house forms, but after meeting with the community and as a result of discussions with the City, they revised their plans and made applications for a subdivision of single detached residential lots that fit in the context of the surrounding single detached residential community. Lot sizes in this proposed subdivision generally consist of 10.7 to 12 metres frontages with depths of 27 to 35 metres. Existing lots on the west side of Goldhawk Trail, backing on to the proposed subdivision have generally 12 metre frontages with 30 metre depths. Proposed lots backing on to Goldhawk Park are proposed to have 27 metre depths. Other existing lots in the area on the east side of Goldhawk Trail generally have 10-12 metre frontages and 25-30 metre depths.

Lot locations and sizes reflect the adjacent lots and also accommodate the existing trees that have been determined to be significant through this review.

**Traffic Impact and Access**

Access to the proposed subdivision was determined as part of the original plan of subdivision from Goldhawk Trail. Blocks 46 & 47 were deeded to the City to be held for possible road access to Block 45 (the subject site). A road stub dedication by-law was passed in 2010 as By-law No. 610-2010.

A Traffic Operation Assessment was prepared for the applicant by MMM Group dated May 2010. The study evaluated the proposed residential subdivision and the proposed elementary school. Through forecasting the inbound and outbound vehicles in the am and pm peak hours, the study found that impact of site generated traffic is expected to be minimal, even at peak periods. The projected traffic increases could be accommodated on the boundary roads. The proposed accesses, driveways and streets are also expected to operate well under future total traffic conditions.
There were some concerns expressed by the community regarding street parking in the neighbourhood and the need for a four-way stop at Alton Towers Circle and Goldhawk Trail. Since this is an existing condition, these matters can be reviewed by a request from the Ward Councillor to Transportation Services staff, who can review the need for additional street parking signage and a four-way stop.

**Open Space/Parkland**

The parkland for this community, including the adjacent Goldhawk Park, was planned with the original plan of subdivision that was registered in 1984. This site was declared surplus in 2009 by Toronto Lands Corporation and the property was first offered for sale to public agencies. At that time, the City did not elect to purchase the property for parkland.

The parkland dedication requirement for these lands was satisfied through a prior subdivision agreement and, therefore, no further parkland dedication is required. However, the applicant has agreed to provide Block 76 (0.058 hectares) to the City as a small park. The Parks, Forestry & Recreation Division will accept the noted block based on conditions contained in Attachment 6.

The park provides for the retention of two significant white oak trees (trees 59 & 61) and an ash tree (tree 60) and also provides access to Goldhawk Park and the pedestrian walkways that provide connections from the subdivision to the elementary schools and Alton Towers Circle.

**Streetscape**

The proposed subdivision plan provides for a contextually appropriate streetscape with new public streets lined with single detached residential lots and a small park fronting on the public street that will provide a physical and visual connection to Goldhawk Park. The proposed lots are compatible with the uses and built form in the surrounding neighbourhood and will meet the City's minimum front yard setbacks of 6 metres and the front yard soft landscaping requirements of 50%. The street right-of-way will meet city standards to provide for adequate room for street trees and boulevard landscaping.

**Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The Toronto Green Standard Checklist indicates that the applicant will meet the Tier 1 compliance level through the approval process. Performance measures for construction activity and stormwater retention that are part of the required Tier 1 development features will be secured through the subdivision approval process.
Development Charges
It is estimated that the development charges for this project will be $1,051,875.00 (based on 2011 rates). This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT
Heather Inglis Baron, Planner
Tel. No. (416) 396-5004
Fax No. (416) 396-4265
E-mail: hinglis@toronto.ca

SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS
Attachment 1: Draft Plan of Subdivision
Attachment 2: Zoning
Attachment 3: Application Data Sheet
Attachment 4: Draft Zoning By-law Amendment (Milliken By-law No. 17677)
Attachment 5: Draft Zoning By-law Amendment (Toronto By-law No. 1156-2010)
Attachment 6: Draft Site Plan By-law Amendment (Site Plan Control By-law 21319)
Attachment 7: Conditions of Draft Plan of Subdivision
Attachment 1: Draft Plan of Subdivision
Attachment 2: Zoning

[Image of a map indicating zoning areas such as CP, NP, SC, SD, and highlighting the southwest of Alton Towers Crcl and Goldhawk Trail.]
### Attachment 3: Application Data Sheet

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<th>Rezoning Draft Plan of Subdivision</th>
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<tr>
<td>Application Number:</td>
<td>10 186614 ESC 41 OZ</td>
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<tr>
<td></td>
<td>10 186609 ESC 41 SB</td>
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<tr>
<td>Details</td>
<td>Rezoning, Standard</td>
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<td>Application Date: June 1, 2010</td>
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<td>Municipal Address:</td>
<td>0 ALTON TOWERS CRCL W S</td>
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<td>PLAN M2131 BLK 45 **GRID E4102</td>
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<td>Project Description:</td>
<td>Application to rezone a vacant and surplus Toronto District School Board site (4.1 ha) to permit 75 single detached residential units with frontage on three new public roads. Concurrent Draft Plan of Subdivision application 10 186609 ESC 41 SB.</td>
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<td>Applicant:</td>
<td>BOUSFIELDS INC.</td>
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<td>Agent:</td>
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<td>Architect:</td>
<td>TORONTO DISTRICT SCHOOL BOARD</td>
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<td>Owner:</td>
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#### PLANNING CONTROLS

| Official Plan Designation:       | Neighbourhoods                     |
| Zoning:                         | SC - School Zone                   |
| Height Limit (m):               |                                   |
| Site Specific Provision:        |                                   |
| Historical Status:              |                                   |
| Site Plan Control Area:         | Y                                  |

#### PROJECT INFORMATION

| Site Area (sq. m):              | 41180                              |
| Frontage (m):                  | 0                                  |
| Depth (m):                     | 307                                |
| Total Ground Floor Area (sq. m):| 0                                  |
| Total Residential GFA (sq. m):  | 13680                              |
| Total Non-Residential GFA (sq. m):| 0                                   |
| Total GFA (sq. m):             | 0                                  |
| Lot Coverage Ratio (%):        |                                   |
| Floor Space Index:             | 0                                  |

#### DWELLING UNITS

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#### FLOOR AREA BREAKDOWN (upon project completion)

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#### CONTACT:

<table>
<thead>
<tr>
<th>PLANNER NAME:</th>
<th>Heather Inglis Baron, Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE:</td>
<td>(416) 396-5004</td>
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</tbody>
</table>
Attachment 7: Conditions of Draft Plan of Subdivision

City File No.: 10 186609 ESC 41 SB

That Draft Plan of Subdivision Application 10 186609 ESC 41 SB be draft plan approved, subject to the following conditions:

A) STANDARD CONDITIONS

1. That this approval applies to the draft plan of subdivision prepared by Bousfields Inc, dated December 6, 2010;

2. That draft approval shall expire after 5 years of the date of draft approval having been given.

3. The Owner shall submit a Draft Plan to the satisfaction of the Executive Director of Technical Services.

4. That the Owner shall execute the City's standard subdivision agreement, and shall satisfy all the pre-registration conditions.

5. 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.

6. Prior to the registration of the plan of subdivision, the Owner shall provide to the Director, Community Planning, Scarborough District, confirmation that the taxes have been paid in full (statement of account or Tax Clearance Certificate).

B) TECHNICAL SERVICES

7. The applicant shall submit a Stage 2 Stormwater Management Report to the satisfaction of the Executive Director of Technical Services.

8. The applicant is responsible for all costs associated with the installation/alterations of municipal street signage required by this subdivision.

9. The applicant is required to convey, dedicate and construct the proposed public roads (Streets A, B and C), street line radius, turning circles, corner rounding,
walkways, road widening and 0.3 metre reserves to the City of Toronto as a Public Highway, to the satisfaction of the Executive Director of Technical Services.

10. The applicant shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Technical Services in consultation with the City Solicitor.

11. The applicant shall submit a draft Reference Plan of Survey, metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office.

12. The applicant shall pay all costs for preparation and registration of reference plan(s).

13. The applicant shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Technical Services.

14. The applicant shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).

15. The environmental reports are to receive the City’s peer review concurrence pertaining to all lands to be conveyed to the City prior to the registration of the plan of subdivision or release for construction.

16. The applicant is responsible for upgrading any off-site infrastructure improvements, at their cost, that may be required as a result of any findings of the servicing study.

17. The owner is responsible for any and all costs of roadway improvements including any and all hardware modifications, pavement markings and changes to the existing traffic control signal timing plants as may be required as a result of any findings of the traffic study.

18. Prior to acceptance of the engineering drawings, the Applicant must provide a composite utility plan, signed off by each of the utility companies and City Urban Forestry Division.

**ROADWAYS**
19. The Owner must provide 6 metre corner roundings at all intersection locations with 8 metre curb radii.

20. The Owner is responsible for all costs associated with the installation/alterations of municipal street signage/pavement markings required by this subdivision.

**STREET LIGHTING**

21. The Owner shall submit the appropriate Street Lighting details in support of development applications directly to Toronto Hydro (Street Lighting Division). Toronto Hydro will assess, comment upon and ultimately approve all proposed street lighting proposals and the associated changes or additions to the existing street lighting system.

22. The Owner shall provide to the City of Toronto the approval on the street lighting proposal from Toronto Hydro and submit to the City the required financial security in a Letter of Credit.

**PARKING**

23. Each single-detached dwelling must have a minimum of one resident parking space per unit.

**GRADING**

24. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the Executive Director of Technical Services.

25. Existing drainage patterns on adjacent properties shall not be altered.

**FENCES**

26. Wooden privacy fence is to be constructed to City standard on lots that have side yards that abut a right-of-way.

**ENVIRONMENTAL SITE ASSESSMENT**

27. 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 easements interests, both internal and external to the subdivision lands.
28. The Owner agrees to pay all costs associated with the City retaining a third-party peer reviewer and submit a certified cheque payable to the City of Toronto in the amount of Five Thousand Dollars ($5,000.00) as a deposit towards the cost of the peer review, and to make further deposits in the specified amount as required by the City from time to time, all to the satisfaction of the Executive Director of Technical Services.

UTILITIES

29. The developer is to provide a composite utility plan illustrating the location and spacing of proposed utilities and street trees. The Composite Utility Plan must be signed off by all utility companies and City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Technical Services.

MUNICIPAL NUMBERING

30. The applicant is advised to contact Mr. Robert Sevigny, Municipal Numbering Supervisor, at 416-392-8451 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. Please see http://www.toronto.ca/mapping/numbers/index.htm for details.

STREET NAMING REQUIREMENT

31. The applicant is advised to contact Mr. Desmond Christopher, Street and Parcel Mapping Supervisor, at 416-392-1831 to initiate the street naming process. The applicant will be required to follow the City of Toronto’s Street Naming Policy which can be found at http://www.toronto.ca/mapping/streetnaming/index.htm. It should be noted that all public streets, private access roads and private walkways should be named in order to facilitate access to the units fronting these streets, roads and walkways.

C) CITY PLANNING

32. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.

33. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with a fencing plan and make satisfactory arrangements to install any required fencing to the satisfaction of the Chief Planner and Executive Director.
34. 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 the 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.

D) PARKS

35. Prior to the issuance of a building permit, the Owner shall construct temporary fencing along the entire boundary of the subject site that abuts the parkland and Block 76 to the satisfaction of the General Manager of Parks, Forestry and Recreation.

36. Prior to the occupation of subject property the Owner is required to construct and install a 1.8 metre high, black vinyl coated chain link fence, without gates, along the entire boundary of the subject site that abuts parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation.

37. Prior to the issuance of a building permit, the Owner will provide a letter of credit equal to 120% of the value of the chain link fence to the satisfaction of the General Manager of Parks, Forestry and Recreation.

38. Upon completion of the construction of the 1.8 metre high, black vinyl coated chain link fence, along the entire boundary of the subdivision that abuts City owned parkland, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for the fencing will be released subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, less 20% of the total value which will be retained for a two year period as a performance guarantee.

39. Prior to the registration of the draft plan of subdivision, the Owner will convey Block 76 to the City of Toronto for parkland purposes. The final location and configuration of the parkland on the plan of subdivision will be to the satisfaction of the General Manager of Parks, Forestry and Recreation.
40. Prior to the registration of the draft plan of subdivision, the Owner shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for Block 76 (parkland) dedication lands.

41. The Owner shall pay for the costs of such dedication and the preparation and registration of all relevant documents.

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

43. The Owner acknowledges and agrees that stockpiling of any soils or materials or use as an interim construction staging area on the parkland and Block 76 is prohibited, unless otherwise approved by Parks, Forestry and Recreation.

ENVIRONMENTAL ASSESSMENT

44. Prior to conveyance of Block 76 (parkland) to the City, the Owner shall be responsible for an environmental assessment of the lands to be dedicated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that Block 76, (parkland) dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant acceptable to Technical Services, Development Engineering Division shall prepare the environmental assessment. Prior to transferring the Block 76 (parkland) to the City, the environmental assessment may be peer reviewed by an environmental consultant retained by the City at the Owner’s expense (the “Peer Reviewer”), and the conveyance of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the Owner’s environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Technical Service section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

PARKLAND GRADING AND DRAINAGE

45. Prior to the registration of the plan of subdivision, the Owner shall ensure that the grading and drainage of the adjacent Blocks are compatible with the grade of the parkland and Block 76 to the satisfaction of the General Manager, Parks, Forestry & Recreation and the Executive Director, Technical Services.
E) FORESTRY

PRIVATELY OWNED TREES

46. Prior to the registration of the plan of subdivision, the Owner agrees to submit an arborist report and tree replacement plan to the satisfaction of the General Manager of Parks, Forestry and Recreation.

47. Prior to the release of tree removal permits, the Owner agrees to submit an application and pay the required application fees, and to provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City’s Private Tree By-law and associated regulations in effect on the date of Draft Approval of the Plan of Subdivision. The ratio of replacement trees will be determined by Urban Forestry. Replacement trees will be planted on site in accordance with Urban Forestry Services requirements, or if no suitable location on site can be provided, the Owner may submit cash-in-lieu of planting, all to the satisfaction of the General Manager of Parks, Forestry and Recreation.

48. 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.

49. 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.

50. 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.

51. 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.

CITY OWNED STREET TREES

52. Prior to the registration of the plan of subdivision, 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 street 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 General Manager of Parks, Forestry
and Recreation.

53. Prior to the acceptance of engineering drawings by Technical Services, the Owner
agrees to provide a composite utility plan, indicating the location of all
underground and above ground utilities, as well as proposed tree planting
locations, to the satisfaction of Parks, Forestry and Recreation, and Technical
Services.

54. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of
Credit equal to 120% of the value of the street trees, to guarantee the planting and
maintenance by the Owner of the new street trees for a period of two years after
the planting date, to the satisfaction of the General Manager of Parks, Forestry
and Recreation.

55. Prior to the registration of the plan of subdivision, the Owner agrees to contact the
Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her
designate prior to commencement of street tree planting. The Owner further
agrees to plant the street trees as per the approved street tree planting and
composite utility plans, 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 two-year maintenance period, if the street trees are in good
condition, the General Manager of Parks, Forestry and Recreation shall accept
maintenance responsibilities, and return the Letter of Credit. The Owner
acknowledges that any trees requiring removal will be replaced, maintained and
guaranteed by the Owners for an additional two-year period.

56. The Owner agrees that the following clause will be included in all agreements of
purchase and sale and/or rental/lease agreements for any lands within the
proposed plan of subdivision:

“The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a
street tree in front of their property.”

57. Prior to the registration of the plan of subdivision, the Owner agrees to provide its
Solicitor’s confirmation to the City advising that the above clause has been
included in all agreements of purchase and sale and/or rental/lease agreements
within the plan of subdivision to ensure that future occupants are aware that they
may not receive a street tree in front of their property and be registered on title to
the satisfaction of the City Solicitor.
F) **BELL**

58. The Owner is advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is advised that they may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (ie. 911 Emergency Services).

G) **CANADA POST**

59. The Owner agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

60. The Owner will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.

61. The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plans.

62. The Owner will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

   i) An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.

   ii) Any required walkway across the boulevard, as per municipal standards.

   iii) Any required curb depressions for wheelchair access.

63. The Owner further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new residences as soon as the homes are occupied.