

**67 Kirkdene Drive – Zoning Amendment, Draft Plan of Subdivision Applications – Final Report**

<b>Date:</b>	May 30, 2014
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	13 196243 ESC 44 OZ & 13 196239 ESC 44 SB

**SUMMARY**

The rezoning and associated draft plan of subdivision applications propose the redevelopment of the subject lands with six (6), two-storey semi-detached dwellings on 3 new lots fronting a proposed public road.

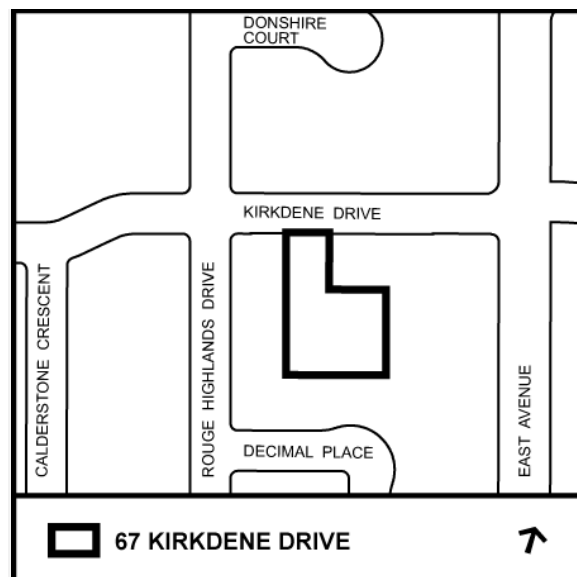
The proposed land use conforms to the Official Plan and is consistent with the Provincial Policy Statement (PPS) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The use is compatible with adjacent uses and will allow for the appropriate infill development of the site.

This report reviews and recommends approval of the application to amend the Zoning By-law and advises that the Chief Planner may approve the Draft Plan of Subdivision.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend the Centennial Community Zoning By-law No. 12077, as amended, for the lands at 67 Kirkdene Drive substantially in accordance with the draft Zoning By-law Amendment attached as



Attachment No. 6 to the report dated May 30, 2014, from the Director of Community Planning, Scarborough District.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 67 Kirkdene Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to report dated May 30, 2014.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.
4. In accordance with the delegated approval under By-law 229-2000, City Council be advised that the Chief Planner may approve the draft plan of subdivision, as generally illustrated on Attachment No. 2, subject to:
  - a. the conditions of approval as generally listed in Attachment No. 8, which must be fulfilled prior to the release of the plan of subdivision for registration; and,
  - b. any such revisions to the proposed plan of subdivision or any 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.
5. Before introducing the necessary Bills to City Council for enactment, require the applicant to resolve any outstanding concerns with the City's Engineering and Construction Services Division including:
  - a. Verification of available capacity in existing local and trunk sanitary sewer systems and identification of any infrastructure improvements or upgrades that may be necessary to accommodate the proposed development to satisfaction of the Director of Engineering and Construction Services;
  - b. Water demand analysis with hydrant testing; and
  - c. Any improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades to such infrastructure is required to support the development.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

The Preliminary Report for this application was considered by Scarborough Community Council on September 10, 2013. The recommendations of staff were adopted without amendment. The preliminary report and the decision can be found at the following link

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.SC26.25>

## **ISSUE BACKGROUND**

### **Proposal**

The applications propose the demolition of the existing two storey dwelling on the subject lands and the redevelopment of the lands with six (6) new semi-detached dwelling units. The new dwellings range in size from 134 square metres (1,438 square feet) to 232 square metres (2,506 square feet). The size of the lots proposed for each unit vary from 198.3 square metres (2,135 square feet) to 378.9 square metres (4,078 square feet) with frontages ranging from 4.6 metres (15 feet) to 24.5 metres (80 feet). The proposed lot depths range from 17.4 metres (57 feet) to 28.1 metres (92 feet), each having a minimum rear yard setback of 7.55 metres (25 feet) or greater.

A new 23 metre (75 foot) public road is proposed to provide access to the new lots. The new public road is to terminate in a cul-de-sac (Attachment No. 1: Site Plan). The height of the proposed new semi-detached dwelling units range from approximately 8.1 metres (27 feet) to 9.9 metres (32 feet) and two storeys (Attachment No. 4 Application Data Sheet, Attachment Nos. 3a & 3b: Elevations). The proposal contemplates the provision one parking space in an integral garage and a second space in the driveway for 4 of the 6 dwelling units while two parking spaces in an integral garage are proposed for each of the two remaining dwelling units.

### **Site and Surrounding Area**

The subject lands consist of a 0.31 hectare (0.77 acre) irregular 'L'-shaped parcel on the south side of Kirkdene Drive east of Rouge Highlands Drive and west of East Avenue. The subject parcel has 23 metres (75 feet) of frontage. The site slopes from east to west and is occupied by a single detached residential building. There are a number of mature trees located on or directly adjacent to the subject property.

Abutting uses include:

East: A two storey place of worship and further east are two storey detached dwellings.

West: Generally one and two storey single detached dwellings.

North: Generally one storey dwellings and back-split style dwellings and northeast of the site is Kirkdene Park.

South: Generally one and two storey single detached dwellings.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. The policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Councils 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 subject lands are designated *Neighbourhoods* within the Official Plan on Map 23 –Land Use Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses duplexes, triplexes and townhouses, as well as interspersed walk up apartments no higher than four storeys. Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally fit the existing physical character.

Policy 4.1.9 which states that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will have heights massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties; provide adequate distance and separation between building walls and using landscaping, planting and fencing, to enhance privacy where needed; front onto existing or newly created public streets wherever possible, with no gates limiting public access; and locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

## **Zoning**

The subject parcel is zoned for Institutional-Place of Worship (IPW) Uses in the new City-wide Zoning By-law No. 569-2013 (see Attachment No. 4: Zoning). In the (IPW) Zone the permitted uses include Park, Place of Worship, Religious Education Uses and Religious Residence. A range of other uses are permitted within the (IPW) zone providing compliance with specified conditions in the By-law. The lands are also subject to Exception No. 9 which restricts height, lot coverage and building setbacks to those that existed on the date of the enactment of the By-law.

The site is zoned Place of Worship (PW) in the Centennial Community Zoning By-law No. 12077, as amended. The (PW) zone permits Places of Worship and Day Nurseries.

## **Site Plan Control**

The proposed form of development is not subject to site plan control under City of Toronto By-law No. 774-2012, as amended.

## **Reasons for Application**

The Zoning By-law amendment application is required as residential uses are not permitted in the (PW) Zone in the Centennial Community Zoning By-law No. 12077, as amended, neither are residential uses permitted in the (IPW) Zone in the City-Wide Zoning By-law No. 569-2013, with the exception of a single dwelling which meets prescribed conditions.

The Draft Plan of Subdivision application is required to create new lots and to facilitate the creation and conveyance of a new public road.

The applicant has also applied for part lot control exemption permissions and should the draft plan of subdivision be approved, the part lot control exemption is required to further divide three lots into six lots.

## **Community Consultation**

Planning staff held a community consultation meeting on November 20, 2013 with the Ward Councillor and 38 members of the public. 158 notices were mailed to notify all residents and landowners within 120 metres of the site. The issues raised included height, building type, stormwater impacts of the proposed new dwellings on adjacent properties, the compatibility of the proposed facades with existing facades in the neighbourhood, privacy and tree preservation. This report addresses planning issues raised by the community.

## **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**

### **Provincial Policy Statement and Provincial Plans**

Among other things, the PPS encourages healthy, liveable and safe communities that are sustained by efficient development and land use patterns, accommodating an appropriate range and mix of residential which would include infill semi-detached redevelopment, promoting cost-effective land use patterns and standards to minimize land consumption and servicing costs, as well as those which conserve biodiversity and consider the impacts of a changing climate. The proposal is consistent with the PPS.

The guiding principles of the Growth Plan, include among others, to build compact, vibrant and complete communities; to protect, conserve, enhance and widely use the valuable natural resources of land, air and water for current and future generations; and to optimize the use of existing and new infrastructure to support growth in a compact, efficient form. The Growth Plan's General Intensification Policies also require municipalities to develop and implement through their official plans and other supporting documentation, a strategy and policies to phase in and achieve intensification and intensification targets including a plan for a range and mix of housing. The proposal conforms and does not conflict with the Growth Plan.

## **Land Use**

The subject lands are designated *Neighbourhoods* in the Official Plan. Given the site orientation and configuration it is not reasonable to require the same site standards and not possible to provide the same pattern of development as exists in the neighbourhood, however, the Official Plan provides specific policies for infill development.

Section 4.1.9 of the Official Plan requires infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties. The existing context contains 1 and 2 storey dwellings and

the applicable zoning for adjacent lands restricts height to 2 storeys (9 metres). The proposed semi-detached dwellings will not exceed 2 storeys although the physical height provided for in the draft by-law permits a maximum of 10 metres. The applicant has submitted elevations to illustrate the massing and planning staff are of the opinion that the proposed height massing and scale of redevelopment is appropriate for the site and compatible with the surrounding residential properties.

The policies direct that infill development will provide adequate distance and separation between building walls and that it will enhance privacy where needed using landscaping, planting and fencing. The applicant proposes a 1.8 metre (6 foot) high privacy fence around the perimeter of the site and a total of 10 mature trees generally around the perimeter as well, are proposed to be retained to address privacy concerns. The separation proposed between the sidewall of Lot 6 and the rear wall of existing dwelling at 389 Rouge Highlands Drive is approximately 12 metres (39 feet). The separation proposed between the rear walls of lot Lots 5 and 6 and the dwellings at 371 Decimal Place and 369 Decimal Place ranges between approximately 17 metres (56 feet) and 19 metres (62 feet). The proposed side yard setbacks between new semi-detached houses are comparable to other houses in the area. Staff are of the opinion that the proposal adequately addresses this development criteria.

The policies indicated that infill development will front onto existing or newly created public streets wherever possible with no gates limiting public access. The applicant proposes a fully serviced new 23 metre (75 foot) public road extending south from Kirkdene Road and ending in a cul-de-sac. Each new dwelling unit will front onto the new public street.

In staff's opinion the proposed development meets the applicable *Neighbourhoods* and Built Form policies.

## **Height & Setbacks**

The applicant proposes two-storey dwellings having a maximum height of 10 metres (33 feet). The applicable zoning by-law restricts height to two-storeys and 9 metres (30 feet). Planning staff have reviewed the elevations and a number of architectural features have been utilized to add visual interest to the buildings' roof's. Planning staff are of the opinion that the additional metre of height is appropriate and compatible with surrounding buildings.

The proposed front and rear yards provide adequate amenity space and landscaping opportunities. On Lots 3 and 4 (See Attachment 1: Site Plan) the applicant proposes reduced side yard setbacks than are permitted by the zoning for adjacent lots. Due to the configuration of the proposed lots and the design and siting of the semi-detached houses, the setbacks proposed are acceptable.

## **Servicing**

The Functional Servicing Report (FSR) prepared by Skira and Associates Limited in support of the application has been reviewed by Engineering and Construction Services staff. The conclusions of the applicant's FSR indicate that the proposed redevelopment can be fully serviced to the existing available services on Kirkdene Drive. Engineering and Construction Services staff has recommended conditions to the zoning by-law amendment approval including that the owner be required to: verify available capacity in existing local and trunk sanitary sewer systems and identify any infrastructure improvements or upgrades that may be necessary to accommodate the proposed development, to conduct water demand analysis with hydrant testing and resolve any issues related to improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades to

such infrastructure is required to support the development. Engineering and Construction Services will continue detailed review of the servicing, including stormwater management strategies proposed, as a part of the subdivision process.

### **Draft Plan of Subdivision Layout**

The original redevelopment scheme contemplated creating a block of land running along the west side of the new public street proposed being approximately 227 square metres (2,443 square feet) in size. The revised proposal eliminates the block by adding it to the proposed road which will be ultimately conveyed to the City. The widened road maintains the location of the sodded area adjacent to the rear yards of the adjacent dwellings on Rouge Highlands Drive and the 23 metre (75 feet) proposed road width is appropriate given that the streets in the immediate area are 20 metres wide or more. Transportation Services is satisfied with the widened road.

### **Open Space and Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are enhanced and expanded. Map 8B of the Official Plan shows the local parkland provision across the City. The lands which are the subject of this application are in an area with 3.00+ hectares of local parkland per 1000 people. The subject site is located in the highest quintile of current provision of parkland. The site is not subject to the Alternate parkland Dedication By-law, but is subject to a 5% residential parkland dedication through the City Wide Parkland Dedication By-law No. 1020-2010.

At a parkland dedication rate of 5% as specified in the By-law 1020-2010, the parkland dedication would be 0.0157 hectares (157 square metres).

The applicant is required to satisfy the parkland dedication requirement through a cash in lieu payment. The parkland dedication for the site is too small to be functional. The actual amount of cash in lieu to be paid will be determined at the time of building permit issuance. The parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

### **Community Concerns**

#### **Compatibility of front facades/elevations**

Though the community was generally satisfied with the front elevations, there was concern about the potential for major changes to the look of the facades at the time of construction. To provide some certainty related to the design of the facades of the semi-detached houses, Planning staff have included a condition in the draft plan of subdivision conditions which will require the approval of the elevations by the Director of Community Planning.

#### **Tree Preservation**

Of the 22 trees on the subject site and adjacent properties that are regulated under the private tree by-law, 10 trees are proposed for preservation. Although 12 trees were originally proposed for removal staff have determined that 1 tree is dead and another tree damaged over the winter months. The applicant now proposes 10 trees for removal. In accordance with the typical 3:1 tree replacement ratio requirement, the applicant is proposing to plant 28 trees and to pay cash-in-lieu for 2 trees to be removed. Urban Forestry

staff have indicated that they have no objection to the zoning by-law and draft plan of subdivision amendment applications. However, to ensure pertinent matters related to tree protection and planting are addressed relevant draft plan of subdivision conditions have been recommended.

## **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.

## **CONTACT**

Jeffery Sinclair, Planner  
Tel. No. 416-396-7685  
Fax No. 416-396-4265  
E-mail: jsincla@toronto.ca

## **SIGNATURE**

---

Raymond David, Director  
Community Planning, Scarborough District

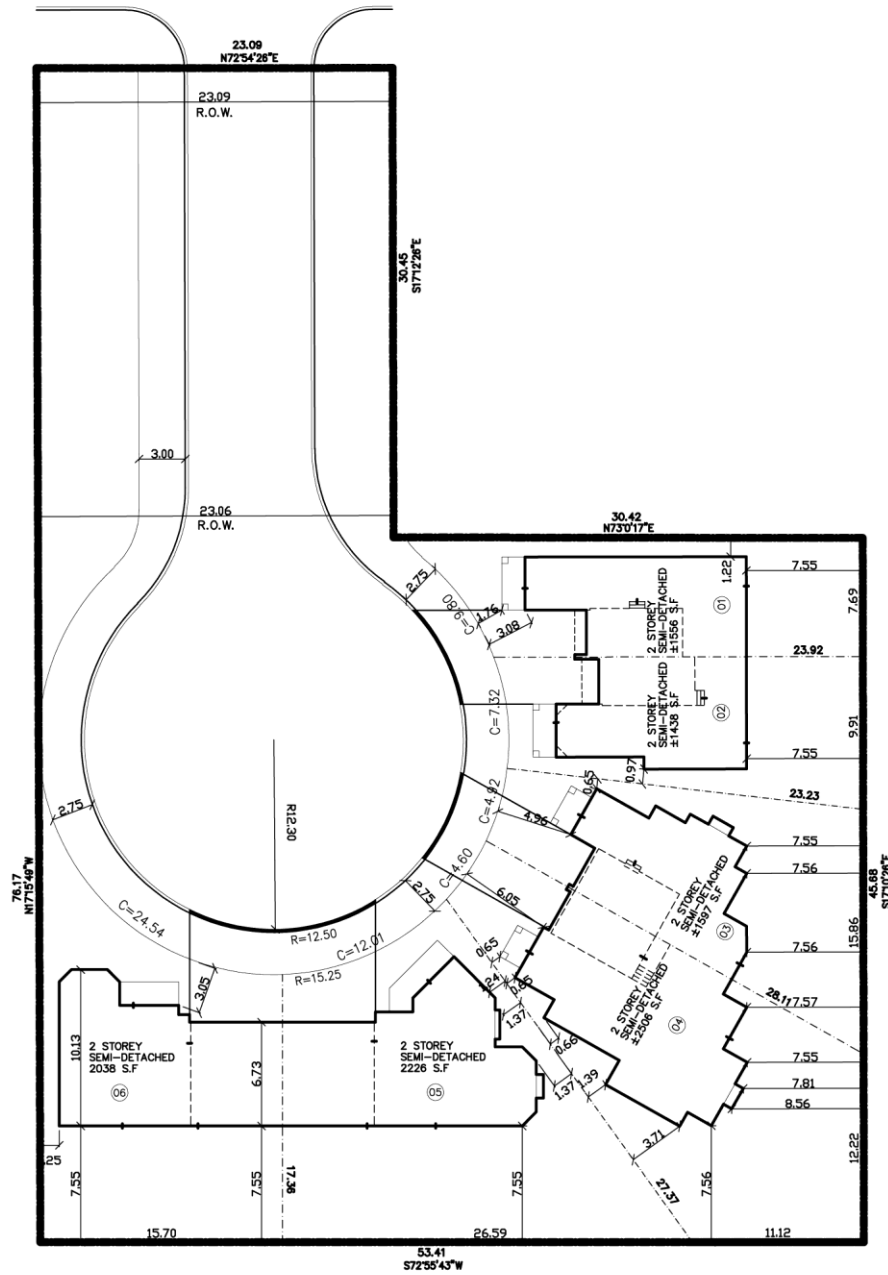
## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Draft Plan of Subdivision  
Attachment 3a, 3b, 3c: Elevations  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet  
Attachment 6: Draft Zoning By-law Amendment- Centennial Community Zoning By-law No. 12077  
Attachment 7: Draft Zoning By-law Amendment – Zoning By-law No. 569-2013  
Attachment 8: Conditions of Draft Plan of Subdivision



# Attachment 1: Site Plan

## KIRKdene DRIVE



### Site Plan

Applicant's Submitted Drawing

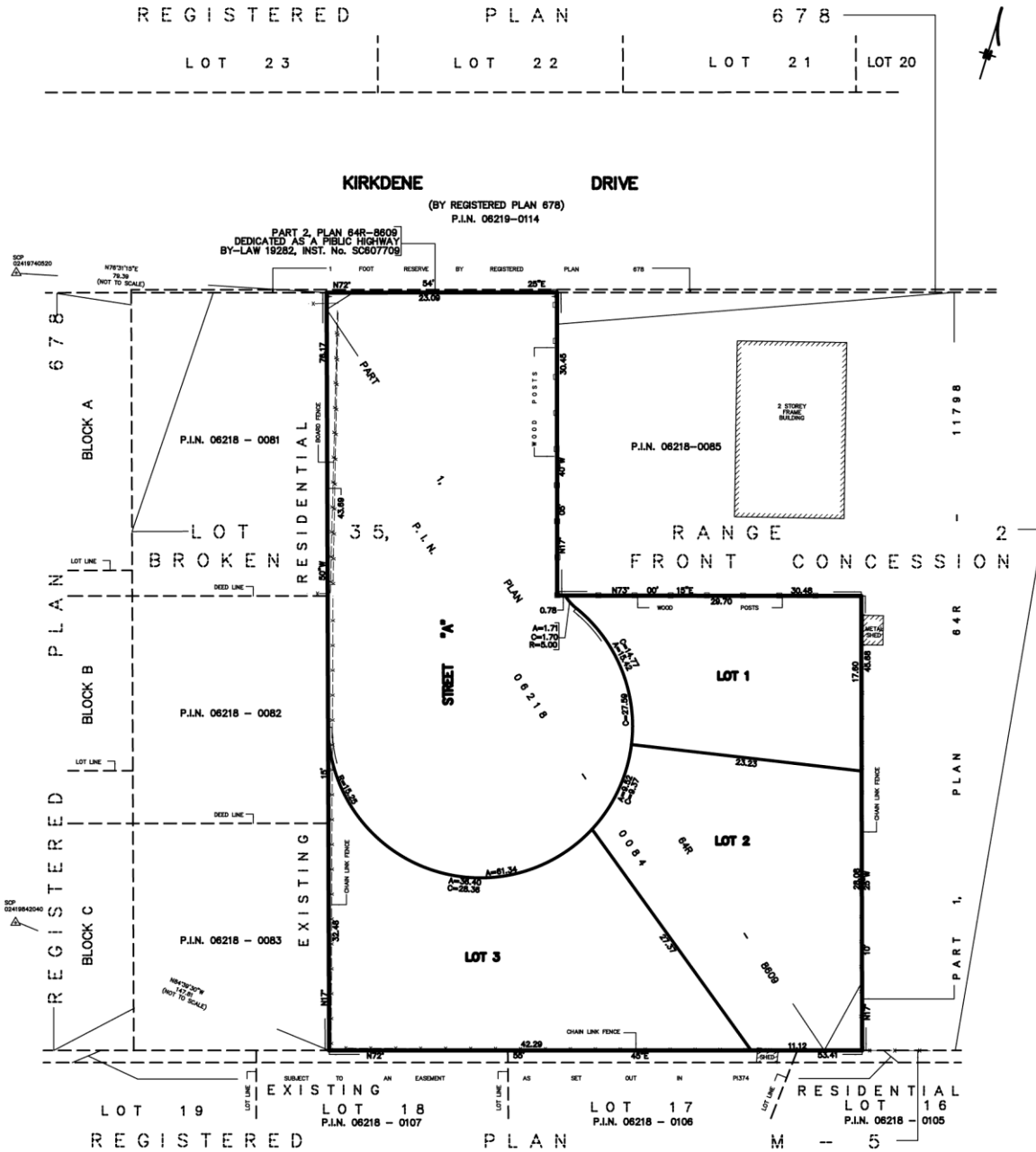
Not to Scale 

05/26/2014

### 67 Kirkdene Drive

File # 13 196243 ESC 44 OZ &  
13 196239 ESC 44 SB

# Attachment 2: Draft Plan of Subdivision



## Draft Plan of Subdivision

67 Kirkdene Drive

Applicant's Submitted Drawing

File # 13 196243 ESC 44 OZ &  
13 196239 ESC 44 SB

Not to Scale ↑  
05/26/2014

**Attachment 3a: Elevations**



---

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
05/26/2014

**67 Kirkdene Drive**

File # 13 196243 ESC 44 OZ &  
13 196239 ESC 44 SB

---

**Attachment 3b:**



**SEMI-DETACHED MODELS - FRONT ELEVATION**

---

**Elevations**

Applicant's Submitted Drawing

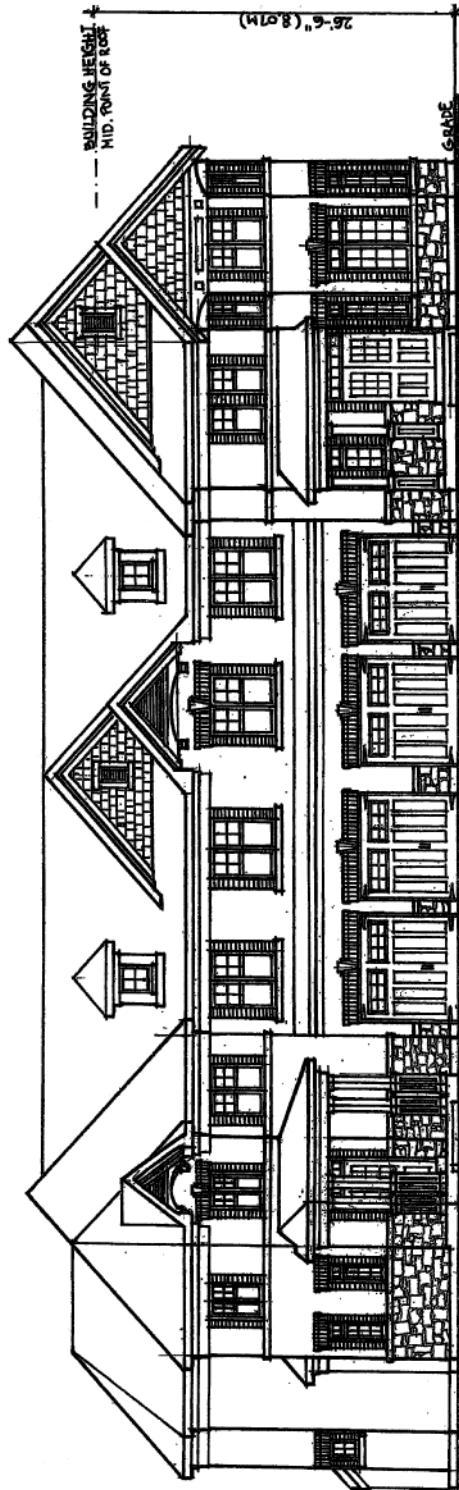
Not to Scale  
05/26/2014

**67 Kirkdene Drive**

File # 13 196243 ESC 44 OZ &  
13 196239 ESC 44 SB

---

Attachment 3c: Elevations



Model 6

Model 5

67 Kirkdene Drive

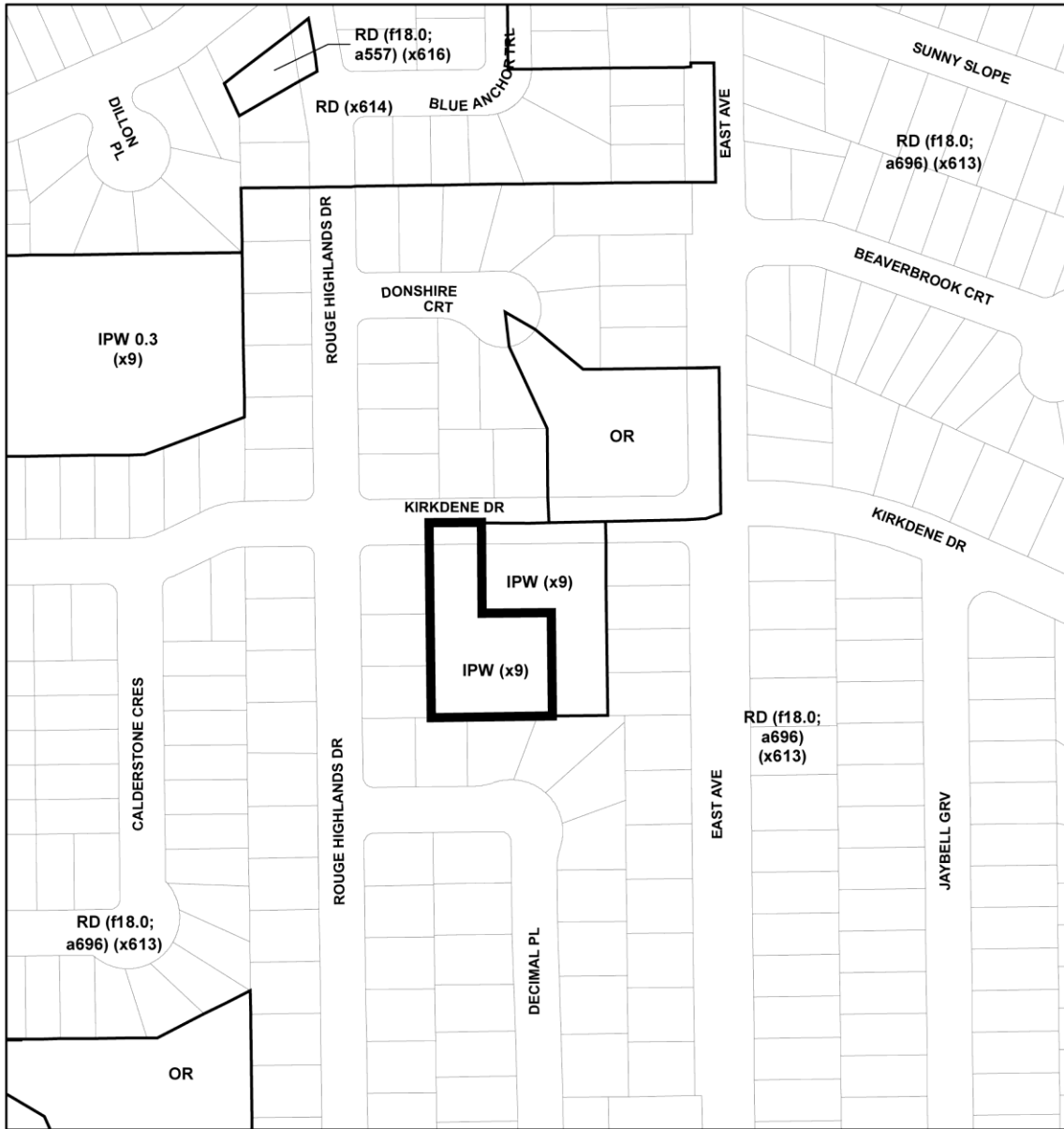
Elevation - North

Applicant's Submitted Drawing

Not to Scale  
07/24/13

File # 13 196243 ESC 44 OZ; 13 196239 ESC 44 SB

## Attachment 4: Zoning



**Zoning By-law 569-2013**

**67 Kirkdene Road**

File # 12 196243 ESC 44 OZ & 13 196239 ESC 44 SB

Location of Application

**RD** Residential Detached  
**IPW** Institutional Place of Worship

**OR** Open Space Recreation



Not to Scale  
Extracted: 05/27/2014



**Attachment 6: Draft Zoning By-law Amendment- Centennial Community Zoning By-law  
No. 12077**

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council  
on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend Centennial Community Zoning By-law No. 12077, as amended,  
with respect to the lands municipally known as,  
67 Kirkdene Drive**

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"** is amended by deleting the current zoning for the lands outlined in Schedule "1" and replacing it with following so that the amended zoning shall read as follows:

T-39C-58B-149-164-165-235-356

T-40P-43-149-164-165-236

T-39C-44A-149-164-165-237

2. **Schedule "B"** is amended by adding the following Performance Standards:

**INTENSITY OF USE**

235. Maximum two **dwelling units** per lot on the Registered Plan with a minimum lot area of 322 square metres per **dwelling unit**.

236. Maximum two **dwelling units** per lot on the Registered Plan with a minimum lot area of 249 square metres per **dwelling unit**.

237. Maximum two **dwelling units** per lot on a Registered Plan with a minimum lot area of 198 square metres per **dwelling unit**.

**FRONT YARD**

39C. Front yard - minimum 3 metres.



**SIDE YARD**

44A. Minimum 1 metre from each side.

**MISCELLANEOUS**

164. The provisions of this By-law shall apply collectively to the lot notwithstanding the division of the lot into two lots.

165. Notwithstanding the provisions of **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Section 16, **Regulations for Single-Family, Street Townhouse Dwellings, and Two-Family Dwellings**, Subsection 16.1 Maximum **height** and subsection 16.3 Maximum total **floor area** per **dwelling unit** shall not apply.

**3. Schedule "C" EXCEPTION MAP**, is amended by adding Exception No. 36 to the property shown outlined on Schedule '2' attached to this By-law.

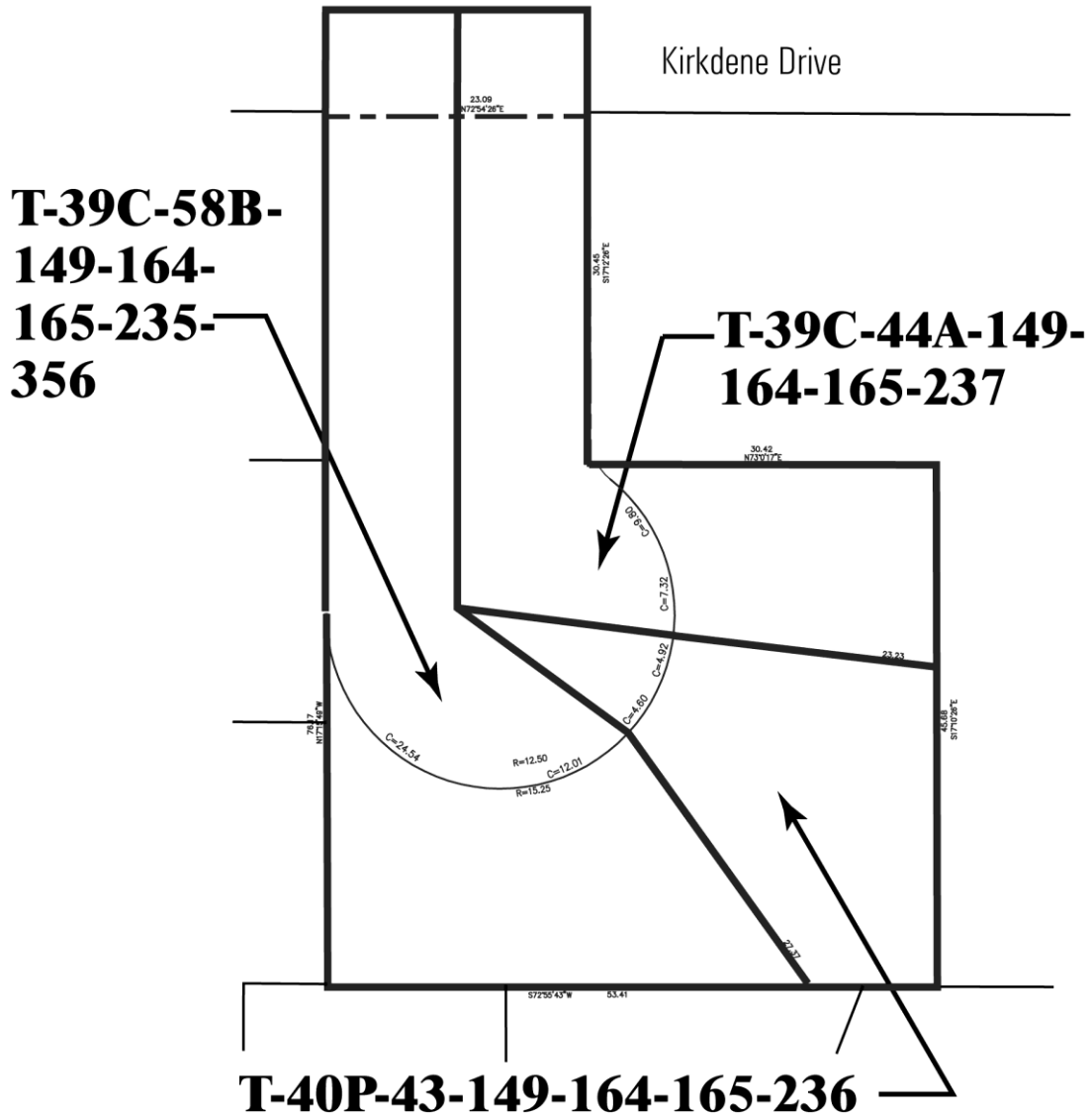
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

# Schedule '1'



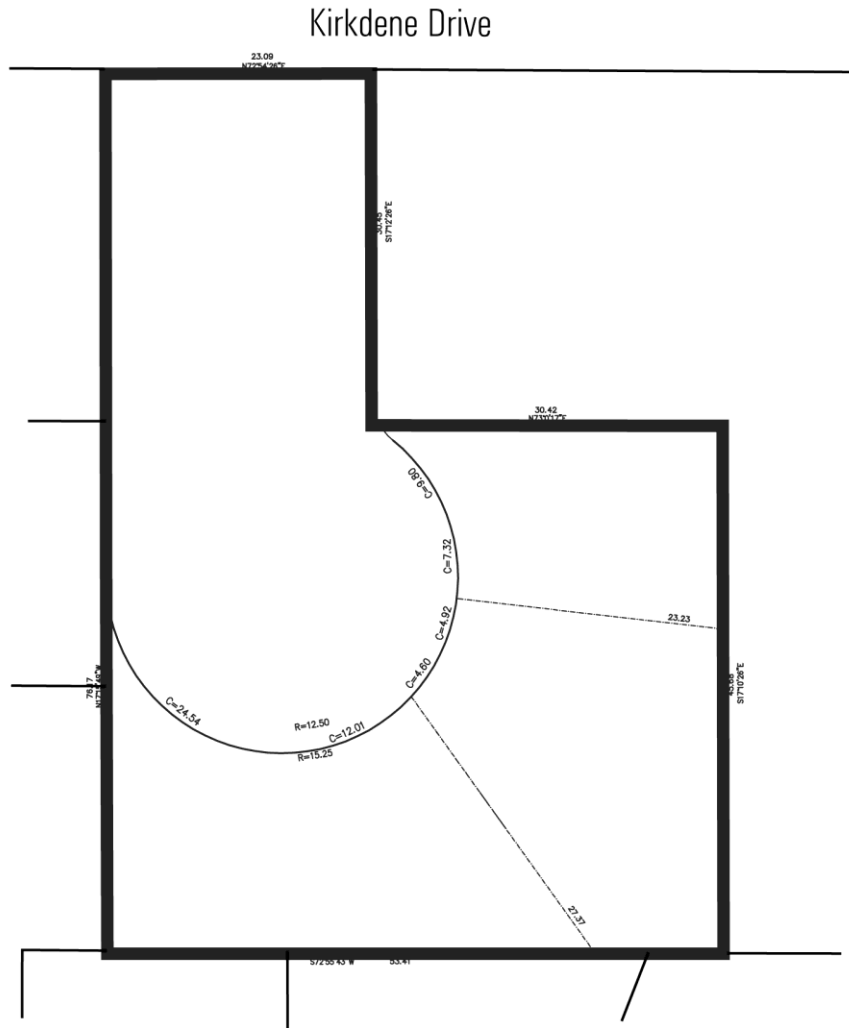
**TORONTO** City Planning Division  
**Zoning By-Law Amendment**

67 Kirkdene Drive  
 File # 13 196243 ESC 44 OZ &  
 13 196239 ESC 44 SB

 Area Affected By This By-Law

Centennial Community  
 Not to Scale  
 05/30/2014

# Schedule '2'



## Exception No. 36

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

67 Kirkdene Drive  
 File # 13 196243 ESC 44 OZ &  
 13 1962399 ESC 44 SB

 Area Affected By This By-Law

Centennial Community  
 Not to Scale  
 05/30/2014

## Attachment 7: Draft Zoning By-law Amendment – Zoning By-law No. 569-2013

Authority: Scarborough Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council; ~, 2014

### CITY OF TORONTO

Bill No. ~

**BY-LAW No. [0002, 2014]**

**To amend the Zoning By-law for the City of Toronto, being By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2014 as, 67 Kirkdene Drive**

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to **RS (x327)** as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Exception 900.4.10 (x327) so that it reads:

#### **Exception RS 327**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The regulations of this By-law will apply collectively to the lot notwithstanding the division of the lot into two lots;

(B) None of the regulations of **10.40.30.20, 10.40.40.70 (1) (3)**, prevent the erection or use of a building, structure, addition or enlargement if it complies with (C) below;

(C) Despite the uses listed in Article 10.40.20.40, the only use permitted is a **dwelling unit** if it is in a **Semi-detached House**;

(D) Maximum **height** is 10 m;

(E) On Block A as identified on Map 1 of By-law XXXX-2014 the following standards will apply:

- (i) Maximum two **dwelling units** per lot on the Registered Plan with a minimum lot area of 322 square metres per **dwelling unit**;
- (ii) Minimum **front yard setback** is 3.0 metres;
- (iii) Minimum **side yard setback** of 1.2 metres; and
- (iv) Maximum 40% coverage.

(F) On Block B as identified on Map 1 of By-law XXXX-2014 the following standards will apply:

- (i) Maximum two **dwelling units** per lot on the Registered Plan with a minimum lot area of 249 square metres per **dwelling unit**;
- (ii) Minimum **front yard setback** is 5.0 metres;
- (iii) Minimum **side yard setback** of 0.6 metres; and
- (iv) Maximum 40% coverage.

(G) On Block C as identified on Map 1 of By-law XXXX-2014 the following standards will apply:

- (i) Maximum two **dwelling units** per lot on a Registered Plan with a minimum lot area of 198 square metres per **dwelling unit**;
- (ii) Minimum **front yard setback** is 3.0 metres;
- (iii) Minimum **side yard setback** of 1.0 metre; and
- (iv) Maximum 45% coverage.

Prevailing By-laws and Prevailing Sections (None Apply)

ENACTED AND PASSED this ~ day of ~, A.D. 20XX.

Name,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



**TORONTO** City Planning  
**Diagram 1**

**67 Kirkdene Drive**

File # 13 196243 ESC 44 OZ & 13 196239 ESC 44 SB

Approved by: J. Sinclair

City of Toronto By-Law 569-2013  
 Not to Scale  
 5/30/2014



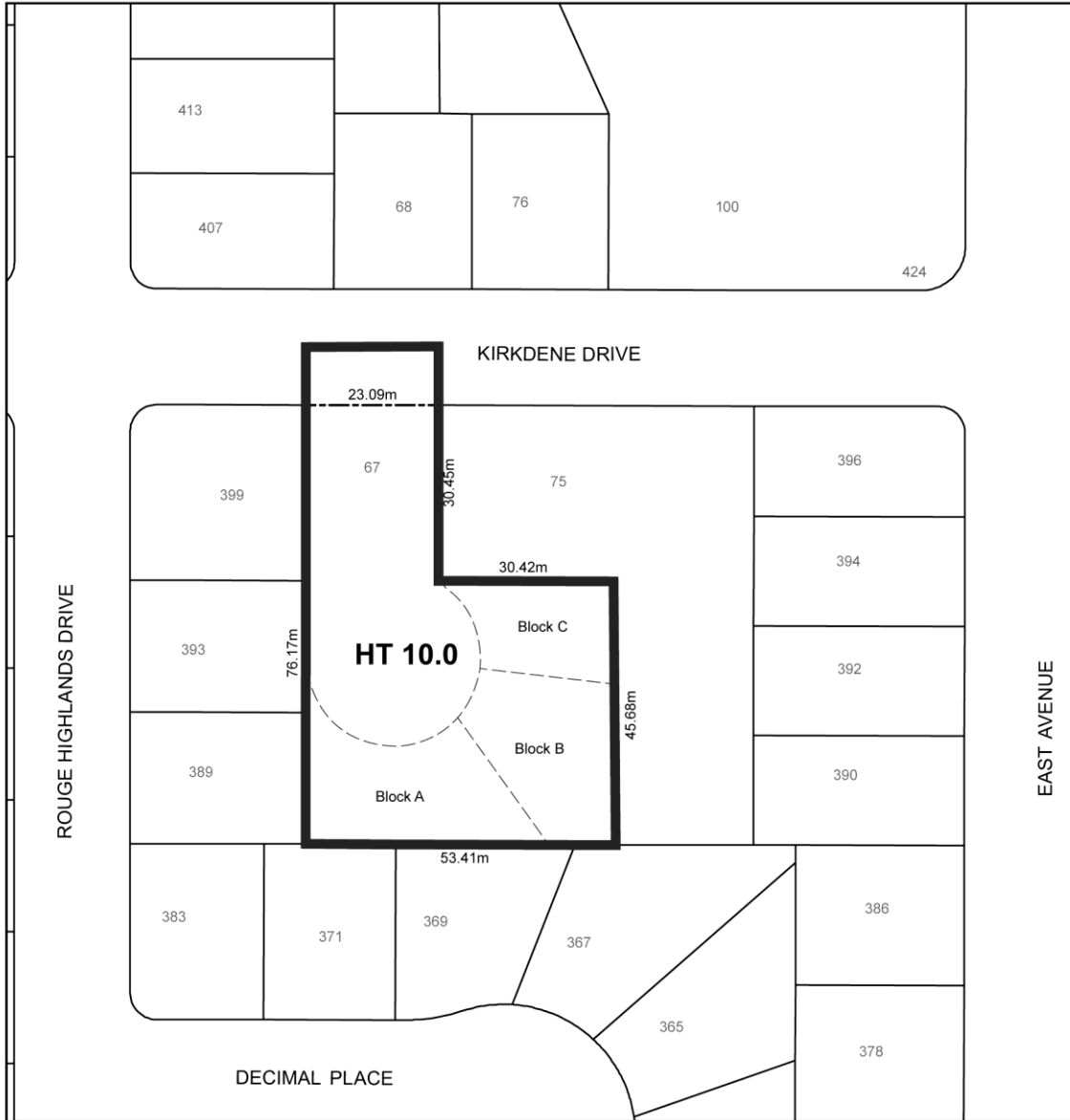
**TORONTO** City Planning  
**Diagram 2**

**67 Kirkdene Drive**

File # 13 196243 ESC 44 OZ & 13 196239 ESC 44 SB

Approved by: J. Sinclair

City of Toronto By-Law 569-2013  
 Not to Scale  
 5/30/2014



Approved by: J. Sinclair

City of Toronto By-Law 569-2013  
 Not to Scale  
 5/30/2014



## **Attachment 8: Conditions of Draft Plan of Subdivision**

### **STANDARD CONDITIONS**

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.
2. The Owner shall provide to the Director of Community Planning, Scarborough District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. 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.
5. Prior to the registration of the plan of subdivision, the Official Plan land use designation and Zoning implementing the Official Plan are in full force and effect

### **URBAN DESIGN**

1. The Owner shall submit elevation plans, including building materials, for the homes along the newly proposed 23 metre (75 foot) public street for the review and approval of the Director, Community Planning, Scarborough District.
2. Prior to the registration of the plan of subdivision, the Owner shall agree to provide the City with a detailed fencing plan, to the satisfaction of the Director, Community Planning, Scarborough District for a 1.8 metre high privacy fencing or other suitable fencing along the public street property limits and the limits of the lots that abut adjoining properties, and to make satisfactory arrangements to install the required fencing to the satisfaction of the Director, Community Planning, Scarborough District.

## **URBAN FORESTRY (Tree Protection & Plan Review)**

### Privately-Owned Trees

1. Prior to the registration of the plan of subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan and Tree Replacement Plan to the satisfaction of the General Manager of Parks, Forestry and Recreation.
2. 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.
3. The Owner shall agree in the subdivision agreement to install tree protection barriers and signage in accordance with the approved Arborist Report and Tree Preservation Plan 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.
4. The Owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager of Parks, Forestry and Recreation.
5. The Owner shall agree in the subdivision agreement 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 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.
6. The Owner acknowledges and agrees that once all site works are complete, including sodding, planting will be implemented and completed in accordance with the approved replacement planting plan, to the satisfaction of Parks, Forestry and Recreation.
7. 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.

## City-Owned Street Trees

1. 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.
2. Prior to the acceptance of engineering drawings by Engineering and Construction 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 Engineering and Construction Services.
3. Prior to the registration of the plan of subdivision, the Owner agrees to prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree planting strategy within the community. This booklet will be prepared to the satisfaction of Parks, Forestry and Recreation and will be distributed to all homeowners for all dwellings within the Subdivision.
4. 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.
5. 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.”
6. 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.
7. The Owner agrees to contact the Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her designate at least 48 hours 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.

8. Following the planting of street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street addresses. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e., distances in meters from the curb, sidewalk, driveway, utility pole or pedestal).

### **ENGINEERING AND CONSTRUCTION SERVICES**

1. The Owner shall enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
2. Dedicate all roads, corner roundings, and road widenings shown on the plan.
3. Convey to the City all 0.3 metre (one foot) reserves shown on the plan.

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 Engineering and Construction Services in consultation with the City Solicitor.

4. Submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
  - a) be in metric units and integrated to the Ontario Coordinate System (3° MTM, Zone 10, NAD 83 CSRS), showing the lands to be conveyed to the City to the Executive Director of Engineering and Construction Services, for review and approval.
  - b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
  - c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
5. Pay all costs for preparation and registration of reference plan(s).

6. Apply stormwater management techniques in the development of this subdivision to the satisfaction of the Executive Director of Engineering and Construction Services.
7. 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).
8. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
9. Submit financial security in accordance with the terms of standard subdivision agreement.

### **CANADA POST**

1. The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of the community mailbox and to indicate these locations on the appropriate servicing plans.
2. 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 and to include the exact locations (list lot numbers) of each of these community Mailbox locations.
3. The Owner will be responsible to advise any affected homeowner of any established easements granted to Canada Post.
4. The Owner will provide the following for each community mailbox site and include these requirements on the appropriate servicing plans:
  - a. An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the community mailboxes on;
  - b. Any required walkway across the boulevard, as per municipal standards;
  - c. Any required curb depressions for wheelchair access

### **BELL CANADA**

1. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication 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.

2. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.