



## STAFF REPORT ACTION REQUIRED

### 55 Mac Frost Way (Northern Portion) – Official Plan & Zoning By-law Amendment Application – Final Report

<b>Date:</b>	October 19, 2015
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	14 267707 ESC 42 OZ

## SUMMARY

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The Official Plan and Zoning Amendment applications propose to permit a 37-unit residential development at the northerly portion of the existing Cedar Brae Golf and Country Club lands. The proposal would consist of 23 street townhouses and 14 semi-detached dwelling units fronting onto an extension of Mac Frost Way. A draft plan of subdivision application has been submitted to support the Official Plan and rezoning application. The subject lands collectively are known as 55 Mac Frost Way.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.

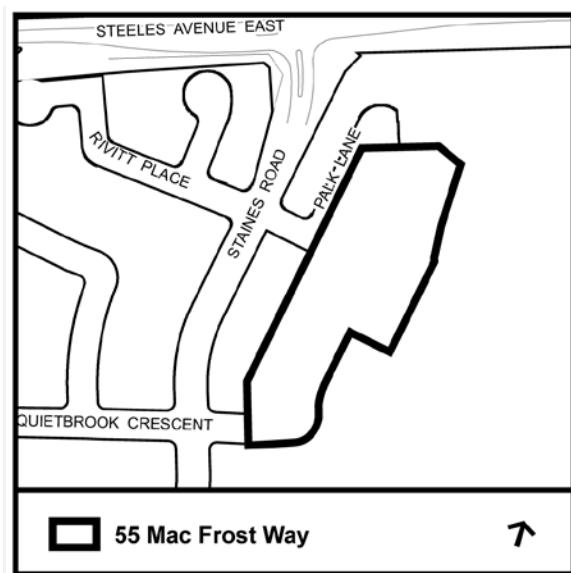
This report also advises that the Chief Planner may approve the Draft Plan of Subdivision.

## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 55 Mac Frost Way (northern portion) substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8 to



report dated October 19, 2015.

2. City Council amend the Morningside Heights Community Zoning By-law, for the lands at 55 Mac Frost Way (northern portion) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to report dated October 19, 2015.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 55 Mac Frost Way (northern portion) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to report dated October 19, 2015.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment 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 and Executive Director, City Planning intends to approve the draft plan of subdivision as generally illustrated on Attachment 2 to report dated October 19, 2015 subject to:
  - a. the conditions as generally listed in Attachment 11 to report dated October 19, 2015, which except as otherwise noted must be fulfilled prior to final approval and 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 and Executive Director, City Planning 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**

On December 15, 2004, Cedar Brae Golf and Country Club submitted an Official Plan and Zoning By-law amendment application and a plan of subdivision application which included a portion of their lands and the adjacent lands immediately to the east (6461 Steeles Avenue East). The development scheme envisioned 45 townhouses and 148 single detached dwellings. On the adjacent lands, owned by the Runnymede Development Corporation at that time, a new clubhouse, maintenance building, and fairways were contemplated. The submission of required supporting reports and a final development scheme was not made. A final decision on a development proposal was not made by City Council. The application files were subsequently closed.

More recently, applications for rezoning and draft plan of subdivision proposing a residential development on a southern portion of the Cedar Brae Golf and Country Club lands were submitted on February 3, 2012 and were subsequently approved at the Ontario Municipal Board (OMB) on July 10, 2013. The development consists of 9 single-detached dwellings fronting onto Staines Road and 28 street townhouses fronting onto Twinflower Court, a new public road. This development is under construction. The link to the final Planning staff report is:

<http://www.toronto.ca/legdocs/mmis/2013/sc/bgrd/backgroundfile-53897.pdf>

The link to the supplementary Planning staff report is:

<http://www.toronto.ca/legdocs/mmis/2013/sc/bgrd/backgroundfile-55370.pdf>

In August 2014, a site plan application (13 206923 ESC 42 SA) was approved to enable the construction of a new 2-storey clubhouse and to expand the parking area for the Cedar Brae Golf and Country Club. Construction of the new clubhouse was substantially complete as of October 2015.

## **ISSUE BACKGROUND**

### **Proposal**

For clarification purposes, the Official Plan amendment proposes to re-designate the subject development area from *Parks and Open Spaces - Other Open Space Areas* to *Neighbourhoods* on Map 22, Land Use Plan of the Toronto Official Plan; and to incorporate the subject development lands into the Morningside Heights Secondary Plan on Map 3-1, Land Use Plan, designating the subject lands to *Neighbourhoods*.

The Zoning By-law amendment proposes to rezone the subject development area from Open Space – Golf Course Zone (OG) in the City of Toronto Zoning By-law 569-2013 to Residential Semi-Detached Zone (RS), Residential Townhouse Zone (RT), and Open Space Zone (O); and to incorporate the subject lands into the Morningside Heights Zoning By-law with a zoning of Semi-Detached Residential Zone (SD), Street Townhouse Residential Zone (ST), and Public Utility Zone (PU).

The subject development area involves 1.4 hectares located at the northwestern portion of the Cedar Brae Golf and Country Club lands. The golf course lands have a total area of approximately 65 hectares. The proposal consists of a 37-unit residential development comprised of 23 street townhouses and 14 semi-detached dwelling units fronting onto a public road being an extension of Mac Frost Way. All proposed dwellings would be 2-storeys and would contain integral garages. The proposed semi-detached dwelling units would have minimum 7.6 metre lot frontages and a minimum lot depth of approximately 30 metres. The proposed townhouses would have minimum 6.2 metre frontages and lot depths that vary from 30 metres to 46.7 metres, with one unit showing a lot depth that varies from 30 metres to 13.6 metres. All proposed lots would have access from the proposed extension of Mac Frost Way.

The proposed minimum building setback from the street would be 3.0 metres for the main wall and 5.75 metres for the wall containing a garage. The proposed minimum rear yard setbacks would be 7.55 metres, except for one rear yard which would have a minimum setback of 4.2 metres at one point only. The proposed floor area for the semi-detached units would be 196 square metres. The proposed floor areas for the townhouses would range between 180 and 260 square metres.

Along the westerly and northerly limits of the development, a retaining wall varying from 0.3 metres to 1.8 metres in height would be required on the subject lands since the grade elevation rises on the subject lands from the existing properties along Staines Road and Palk Lane. Generally the higher portions of the retaining wall would occur on the east side of Palk Lane, while lower wall heights would be found adjacent to the existing single family homes on Staines Road.

A draft plan of subdivision application (14 267698 ESC 42 SB) submitted in support of the Official Plan and Zoning By-law amendments, would create 5 townhouse blocks, 7 semi-detached dwelling lots, one block for an underground stormwater tank and an 18.5 metre public road, terminating in a cul-de-sac. The residential lots and blocks would be subject to further planning applications to create individual ownerships.

The subject proposal also necessitates an amendment to the approved site plan for the clubhouse re-construction of Cedar Brae Golf and Country Club to recognize the extension of Mac Frost Way, relocate the driveway entrance for the golf course, and address changes to servicing resulting from the establishment of Mac Frost Way as a public street.

The proposed development is illustrated on Attachment 1: Site Plan, Attachment 2: Draft Plan of Subdivision and Attachment 3: Elevations. Specific details for the subject proposal are contained in Attachment 6: Application Data Sheet.

## **Site and Surrounding Area**

The portion of the Cedar Brae Golf and Country Club lands subject to the proposed residential development is adjacent to existing residential dwellings along the east side of both Staines Road and Palk Lane. This subject golf course area presently contains a golf practice area, parking and open space. The lands fall outside of the Protected Countryside as identified in the provincial Greenbelt Plan.

The subject development area slopes upward from west to east relative to the existing residential lots. The area contains a number of trees, of which 19 trees are large enough to be subject to the Private Tree By-law. These trees include a mix of Austrian Pine, Colorado Spruce and 2 White Poplars. There are also a number of smaller trees, including a hedgerow of poplar and aspen along the western property limits, of which approximately half are dead. A chain link fence separates the golf course land from the existing residential lots and Palk Lane to the west, and the southern limits of the cul-de-sac of Palk Lane to the north.

Abutting uses to the subject redevelopment area include:

- North: the cul-de-sac of Palk Lane, a large residential lot containing a single detached dwelling on the south side of Steeles Avenue East, and vacant land used for agriculture on the north side of Steeles Avenue East;
- South: the remaining Cedar Brae Golf and Country Club lands and residential uses within the Morningside Heights Community beyond;
- East: the remaining Cedar Brae Golf and Country Club lands, including the adjacent reconfigured parking area and the Rouge Valley beyond; and,
- West: residential development within the Morningside Heights Community consisting of single-detached dwellings fronting onto Staines Road and beyond and, townhouses accessed from Palk Lane, Rivett Place, and Tait Court.

## **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. These 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 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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

The Greenbelt Plan contains policies intended to provide clarity and certainty about urban structure, where and how future growth should be accommodated, and what must be protected for current and future generations. In particular, the Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on the landscape. The *Greenbelt Act*, 2005, requires municipal and other decisions under the *Planning Act* to conform to the policies in the Greenbelt Plan.

## **Official Plan**

The subject property is designated *Parks and Open Spaces - Other Open Space Areas* as shown on Map 22, Land Use Plan, which allows uses primarily for golf courses, cemeteries and open spaces associated with utilities and other specialized uses and facilities. The *Parks and Open Spaces* policies in Policy 4.3 states that development is generally prohibited except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment. Any development within *Parks and Open Spaces* will:

protect, enhance or restore trees, vegetation and other natural heritage features; preserve or improve public visibility and access, except where access will damage sensitive natural heritage features or areas; and respect the physical form, design, character and function of *Parks and Open Spaces*.

The Built Form policies in Policy 3.1.2 specify that new development be located and organized to fit with its context. New developments are to be massed to fit harmoniously into their existing planned context by creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan, providing for adequate light and privacy, and adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.

The Public Realm policies in Policy 3.1.1.14 states that new public streets will be designed to, among other matters: provide connections with adjacent neighbourhoods; provide access and addresses for new developments; allow the public to freely enter without obstruction; create adequate space for matters such as utilities and utility maintenance; and provide access for emergency vehicles. The design standards for new public local streets are contained in the Council approved Development Infrastructure Policy and Standards (DIPS).

The Natural Environment policies in Policy 3.4 support strong communities, competitive economy and a high quality of life based on protecting and improving the health of the natural ecosystem to minimize air, soil and water pollution, recognizing rainwater and snowmelt as a resource and managing and improving the quantity and quality of stormwater and groundwater infiltration and flows, as well as preserving and enhancing the urban forest. Areas within the natural heritage system which contain certain characteristics are particularly sensitive and require additional protection to preserve their environmentally significant qualities. All proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate negative impacts. The subject development area is not within the Natural Heritage System on Map 9, Natural Heritage, but would be adjacent.

Adjacent residential areas to the west and south are designated *Neighbourhoods* on Map 22, Land Use Plan. *Neighbourhoods* policies in Policy 4.1 states that *Neighbourhoods* are considered physically stable areas. Developments in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular, the patterns of streets, blocks and lanes; size and configuration of lots; heights, massing, scale and dwelling type of nearby residential properties; prevailing building types; setbacks of buildings from the street; and prevailing patterns of rear and side yard setbacks and landscaped open space. No changes will be made through rezoning that is not in keeping with the physical character of the neighbourhood.

## **Morningside Heights Secondary Plan**

In March 2000, the OMB approved the Morningside Heights Secondary Plan. The boundaries of the Secondary Plan appeared to be similar to those lands contained on the former Scarborough Morningside Heights Land Use Study initiated in 1994 which did not contain the subject development area. Policies contained within the OMB approved Morningside Heights Secondary Plan appear to describe lands beyond those boundaries identified in both the Morningside Heights Land Use Study and those within the OMB approved Morningside Heights Secondary Plan, Schedule MH4 Revised, Land Use. In addition, when the Secondary Plan was being prepared to be incorporated within the new Toronto Official Plan in the early 2000's, there were no detailed maps and/or boundary surveys available for this area. Schematic maps were created which may have resulted in unintended discrepancies. As a result, there is ambiguity in determining the policies which apply to the subject development area. Cedar Brae Golf and Country Club did not have a development application at the OMB at that time.

More specifically, it is unclear whether Neighbourhood Area "A" with Site and Area Specific Policy 4 applies to the subject development area which would provide for residential development. The adjacent residential areas to the northwest, west and south of the subject development area clearly are within the Morningside Heights Secondary Plan.

The Morningside Heights Secondary Plan states that the Morningside Heights Community will be a distinctive quality community which forms a compatible transition between the Rouge Valley to the east and the Tapscott Employment Area to the west. It is a Community that will provide approximately 2,500 housing units in a range of ground-related housing forms, including detached and semi-detached, street townhouses and other low scale forms of multiple dwellings.

Notwithstanding the provisions of the *Neighbourhoods* designation, the permitted residential uses in Morningside Heights are limited to detached, semi-detached and street townhouse dwellings, with all lots having individual frontage on a public street. In some locations as shown as Neighbourhood Area "A", block townhouses and similar low scale housing forms at a maximum height of 4-storeys and a maximum density of 100 units per hectare will also be permitted. In certain Neighbourhood Area "A" areas, Site and Area Specific Policy 4 applies. This policy states that the 30-metre setback from the Rouge River stable top-of-bank within the golf course lands will not prevent the use of the setback area for roads, exclusive use or common use open space and, recreation facilities associated with a condominium development, natural regeneration and landscaping and existing golf course and accessory uses.

Notwithstanding the provisions of the Parks and Open Space Areas designation, within Morningside Heights Secondary Plan, this designation is further subdivided, including Parks and Open Space, Area "C" (Golf Course). This sub-category applies to tableland areas within the Cedar Brae Golf and Country Club which permits open spaces, golf course, driving range, club house and accessory uses related to the golf and country club

facility. These portions of the Cedar Brae golf course land are also subject to Site and Area Specific Policy 4.

Policies relating to the Rouge Valley indicate that a 30-metre setback from the stable top-of-bank will be established and that development adjacent to the valley will have regard for the natural character of the valley, including potential impacts of light and noise and of building height and massing on views from the valley.

## **Morningside Heights Urban Design Guidelines**

The Morningside Heights Urban Design Guidelines provides a framework for development in the Morningside Heights Community to ensure that the special qualities of the local area are recognized and enhanced. The proposal will be reviewed in terms of its built form and consistency in architectural design within the Community, building setbacks from the street, building elevation variety within the streetscape, garage design and street lighting.

## **Zoning**

The subject lands are zoned Open Space – Golf Course Zone (OG) in Toronto Zoning By-law 569-2013, as approved by City Council on May 9, 2013, which is under appeal in its entirety. This zone permits: an ambulance depot, a golf course, a fire hall, a park, a police station, a public utility and a transportation use. Other uses that are subject to conditions may also be permitted: an amusement arcade, a club, cogeneration energy, an eating establishment, an education use, an outdoor patio, a personal service shop, a place of assembly, a recreation use, renewable energy, a retail store, a service shop and a take-out eating establishment.

The subject lands are not contained within the Morningside Heights Zoning By-law, approved by the Ontario Municipal Board on June 17, 2002. Cedar Brae Golf and Country Club did not have a development application before the OMB when the Morningside Heights Community was considered by the OMB. Neither is the site contained within the Upper Rouge-Hillside Community By-law 25278. As such, the subject lands did not benefit from zoning prior to adoption of the Toronto Zoning By-law 569-2013.

## **Site Plan Control**

The proposed townhouses would be subject to site plan control. An application has not been submitted.

## **Reasons for Application**

The Official Plan amendment proposes to re-designate the subject development area from *Parks and Open Spaces - Other Open Space Areas* to *Neighbourhoods* on Map 22, Land Use Plan, and to incorporate, for clarification purposes, the subject development lands into the Morningside Heights Secondary Plan on Map 3-1, Land Use Plan and designating the subject lands to Neighbourhoods in order to permit the proposed residential development.

The applicant has filed the Official Plan amendment out of an abundance of caution. The applicant is of the opinion that Site Specific Policy 4 within the Neighbourhood Area "A" designation in the Morningside Heights Secondary Plan applies to the subject development area. The subject area is beyond the 30-metre setback from the Rouge River stable top-of-bank, is within the golf course lands, and there are no other lands located west of the 30-metre setback that are east of Staines Road and that are owned by Cedar Brae Golf Course. Site Specific Policy 4 appears to describe lands, beyond those boundaries identified in both the Morningside Heights Land Use Study and those within the OMB approved Morningside Heights Secondary Plan, Schedule MH4 Revised, Land Use. The policy results in ambiguity as it applies to the subject lands. Cedar Brae Golf and Country Club did not have a development application on the subject lands prior to the 2000 OMB approval of the Morningside Heights Secondary Plan. The applicant has submitted an Official Plan Amendment in order to provide certainty in the policies applying to the subject lands.

The Zoning By-law amendment proposes to rezone the subject development area from Open Space – Golf Course Zone (OG) in the City of Toronto Zoning By-law 569-2013 to Residential Semi-Detached Zone (RS), Residential Townhouse Zone (RT), and Open Space Zone (O); and to incorporate the subject lands into the Morningside Heights Zoning By-law with a zoning of Semi-Detached Residential Zone (SD), Street Townhouse Residential Zone (ST), and Public Utility Zone (PU). The rezoning would permit the proposed semi-detached and street townhouse residential uses and would establish appropriate development standards.

## **Community Consultation**

A Preliminary Report related to these applications was considered by Scarborough Community Council at its meeting of April 14, 2015. Recommendations in the Report were amended to increase the notification area for a community consultation meeting. The amended notification area included all properties within the area bounded by Steeles Avenue East to the north, Quietbrook Crescent to the west, Passmore Avenue to the south, and Cedar Brae Golf and Country Club to the east of the subject lands.

The community meeting was held on May 27, 2015 at Thomas L. Wells Public School. Approximately 12 members of the public attended the meeting, most of who live on Staines Road directly adjacent to the subject lands. Also in attendance were the Ward Councillor, representatives of Cedar Brae Golf and Country Club, the applicants, and their consultants.

The primary concern raised during the meeting related to the perception by the residents of the homes on the east side of Staines Road (adjacent and to the west of the subject lands) that no development would occur on the golf course lands. Several residents claimed that they had paid a premium for their homes because of their location adjacent to the golf course, and were concerned about the development's impact to their property values. One resident raised a concern relating to property taxation and property values. Other concerns included maintenance issues on the Cedar Brae lands in regards to dead trees and earth works/drainage outside of the area proposed for subdivision.

## **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**

The proposal is consistent with the Provincial Policy Statement, 2014. The PPS seeks to create strong healthy communities, and promotes the use of active transportation, transit and transit supportive development. The PPS also stipulates that transportation and land use considerations shall be integrated at all stages of the planning process.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan encourages development of complete communities which include the provision of options for safe non-motorized travel, and by offering a balance of transportation options that reduces reliance upon any single mode and promotes transit, cycling and walking.

While portions of the Cedar Brae Golf Club lie within the Protected Countryside as identified in the Greenbelt Plan, the subject lands fall outside of the Protected Countryside. Accordingly, policies in the Greenbelt Plan do not apply to the proposal.

### **Land Use**

The pattern of development in the Morningside Heights community is generally consistent with the planned development as defined in the Morningside Heights Secondary Plan. Map 3-1 Land Use Plan designates certain areas as Neighbourhood Area "A". While the map is conceptual and therefore somewhat unclear in regards to the subject lands, it would appear that the majority of these lands are also designated as Neighbourhood Area "A". Land uses permitted in areas designated as Neighbourhood Area "A" include semi detached units and block townhouses. The proposed amendment to Map 3-1 Land Use Plan would provide clarity with respect to the subject lands that they fall within the Neighbourhood Area "A" designation.

Other lands designated as Neighbourhood Area "A" that lie to the northwest of the subject lands are developed with street townhouses, while lots adjacent at the southwest of the subject lands exhibit a single detached home form. The proposed mix of semi detached units and townhouses at the subject lands is considered appropriate in light of the planning context and conforms with the uses planned in the Morningside Heights Secondary Plan.

The proposed amendment to Map 22 Land Use Plan in the Official Plan would designate the lands as *Neighbourhoods* from their current designation as *Parks and Open Spaces* -

*Other Open Spaces.* A consequential amendment would be required to Map 2 Urban Structure, as outlined in Attachment 8 – Official Plan Amendment.

## **Density, Height, Massing**

Map 3-1 of the Morningside Heights Secondary Plan appears to identify the subject lands as Neighbourhood Area "A". Townhouses up to four storeys in height and a maximum density of 100 units per hectare are permitted within Neighbourhood Area "A". The proposed townhouses would be two storeys in height at a density of 67 units per hectare.

While not found in the immediate area, semi detached houses are present in other areas of Morningside Heights, where they often act as a transitional house form between townhouses and single detached homes. Likewise, the semi detached homes proposed as part of the subject application are intended to provide for an adequate transition from the townhouses at the north and east sides of the proposed development to the single detached homes adjacent to the site along Staines Road by breaking up the massing of the built form. This transitional housing type both reduces the impact of the development on the existing homes while also ensuring a reasonably consistent density and massing on the new Mac Frost Way.

All house forms would be two stories where they front onto Mac Frost Way. However, due to the grades present on the site the rear of some of the semi-detached units will have walk-out basements, thus appearing as three storey buildings as viewed from the rear. Grades are more moderate on the proposed townhouse blocks, and as a result the rear of these buildings would present as two storey buildings.

Overall lot sizes are consistent with other lots of the respective types found in Morningside Heights. Accordingly, the proposed density of development reflects that of the existing community.

## **Streetscape**

The proposed development was reviewed under, and is consistent with, the Morningside Heights Urban Design Guidelines. Front yard setbacks recess the vehicle entrance to the buildings behind the front entrance to the dwelling units, thereby reducing the impact of integral garages. Currently, thirty street trees are proposed to be located within the street right of way along Mac Frost Way, which would feature sidewalks on both sides of the street.

In accordance with City street design policy, the sidewalks would terminate at the bulb of the cul de sac, and would not encircle the bulb. A portion of the sidewalk at the south side of the existing Mac Frost Way adjacent to the home at 1 Mac Frost Way would be installed by the City to complete the pedestrian connection to Staines Road.

## **Traffic Impact, Access, Parking**

A Traffic Impact Study was submitted with the application. The study concluded that the "traffic volumes generated by the proposed development can be accommodated on the

adjacent roads with minimal impact on the boundary roads." The study further recommended that sidewalks be constructed on both sides of the new public street.

Access to the proposed units would be via front driveways from the new public street. Each unit would include an integral single vehicle front garage with single vehicle width driveway, with the exception of unit 37 (townhouse) which is proposed to have a two vehicle garage and driveway.

On street parking would be limited by the spacing of driveways and would only be available between the semi detached units. Some other on street parking may be available along the east side of the new public street south of the townhouse units.

As a result of the subdivision and new housing development, the northbound TTC stop on Staines Road would be moved southward closer and to the north side of Mac Frost Way. The southbound TTC stop which is already located at Mac Frost Way would remain as presently located.

## **Servicing**

A Functional Servicing and Stormwater Management Report has been submitted in support of the applications. The report is under review by Engineering and Construction Services with comments focussing on the relocation and potential reconfiguration of servicing for the Cedar Brae Golf Course lands as a consequence of the conversion of 55 Mac Frost Way to a public street.

Presently the servicing connections for the golf course, as well as a stormwater detention tank, are located close to the intersection of Mac Frost Way with Staines Road. The driveway entrance to the golf course will move to the east when the road plan for Mac Frost Way is registered and it becomes a public street. The developer will be responsible to provide service connections to Cedar Brae Golf Course within the new Mac Frost Way, to connect the golf course to the service connections, and to remove the existing servicing from under the public road right of way. These responsibilities will be conditions of approval of the draft plan of subdivision.

To ensure compatibility of the revised golf course servicing with that of the new subdivision, revisions are required to the site plan of Cedar Brae Golf Course. These revisions will focus on the location and configuration of site servicing and may address landscape buffers between the golf course parking lot and the new subdivision, edge and entrance treatments, and grading.

The applicant wishes to achieve certainty of the future development form through zoning approval prior to completing detailed engineering. As a result, a holding symbol "H" is recommended to be placed on the zoning. Removal of the "H" will be contingent upon completion of the detailed engineering elements to the satisfaction of the Executive Director, Engineering and Construction Services. The remaining engineering elements to be completed are:

- a) A sanitary sewer analysis
- b) A water distribution analysis and skeleton model
- c) A flow test on the municipal fire hydrant

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant is proposing to construct a residential development consisting of 37 dwelling units within a site area of 1.009 hectares ( $10,090\text{m}^2$ ). At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication would be 0.0493 hectares ( $493\text{m}^2$ ), which equates to 4.9% of the site. However there is a minimum Parkland Dedication of 5% therefore a parkland dedication of  $504.5\text{m}^2$  is required.

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

## **Urban Forestry**

An Arborist Report has been submitted in support of the applications. The Report inventories 19 by-law protected trees on and adjacent to the subject lands which vary in condition from poor to good, with one tree identified as dead. The development proposes to remove 16 trees, including a group of five large mature Colorado Spruce that are listed in fair to good condition. The three remaining trees to be retained are located on land adjacent and to the northeast of the subject lands. Two of these trees will be injured by the installation of fencing around the proposed subdivision.

Conditions of subdivision approval will address tree replacement, which will be accomplished within the right of way of the new public street as well as on the development parcels to be created through the subdivision process. Tree replacement on the remainder lands of Cedar Brae Golf Course will also be investigated. All tree replacements will be finalized prior to registration of the subdivision.

Urban Forestry requires that any trees that are removed as a result of development are replaced at a ratio of three new trees for every one tree removed. Replacement trees must have a minimum caliper of 70 mm. Where tree planting to replace trees to be removed is not physically possible on the site and/or on the remainder lands of the Cedar Brae Golf Club, the General Manager of Parks, Forestry and Recreation may accept a cash-in-lieu payment in the amount of \$583.00/tree. However, all efforts will be made to prioritize tree replacement over a cash-in-lieu payment.

## **Environment**

The subject lands are located in close proximity to the Rouge River valley. As part of the application process the long term stable geotechnical top of slope was delineated and compared to a top of slope measurement established in 1998. The subject lands fall outside of a 30 metre setback from each top of slope delineation. A 30 metre development setback from the top of a slope is desired under the Rouge Park Management Plan and is achieved by the proposed subdivision.

The provincial Greenbelt Plan designates lands within the Rouge River valley area as part of the Protected Countryside. Development is significantly restricted within lands with such designation. It has been determined that the subject lands at 55 Mac Frost Way (northern portion) are not within the Protected Countryside. This determination, and the delineation of the top of slope, have been verified with the Toronto and Region Conservation Authority. The applications have been circulated to the TRCA, who have no objection to the proposed development.

## **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. These performance measures will be secured through the Subdivision Approval process, and include: construction activity, stormwater retention balance and minimum soil volume for trees. Further performance measures may be secured through a Site Plan Approval process for the townhouse portion of the development.

## **Conclusion**

The lands proposed for subdivision and subsequent development on the northern portion of lands presently known as 55 Mac Frost Way are designated *Parks and Open Spaces - Other Open Space Areas* in the Official Plan. However the same lands, or the majority thereof, are designated Neighbourhood Area "A" in the Morningside Heights Secondary Plan. The subject applications resolve this discrepancy by designating the lands *Neighbourhoods* in the Official Plan and clarifying the extent of Neighbourhood Area "A" in the Morningside Heights Secondary Plan.

Staff are of the opinion that the proposed development is consistent, and does not conflict, with the Provincial Policy Statement, 2014, the Growth Plan for the Greater Golden Horseshoe, and the Greenbelt Plan.

The proposed development is sensitive to and reflects the prevailing development pattern in the area. The recommended amendments to zoning provisions will enable a development that logically extends the existing development pattern and achieves the directions in the Morningside Heights Secondary Plan. Site plan, elevation, and

landscape details for the townhouse blocks will be secured through the site plan process. Details of the semi detached dwellings will be secured through the building permit process. Staff will bring forward a final report on the expected part lot control applications following a technical review of those future applications.

## **CONTACT**

Tom Schwerdtfeger, Planner  
Tel. No. 416-396-7034  
Fax No. 416-396-4265  
E-mail: tschwer@toronto.ca

## **SIGNATURE**

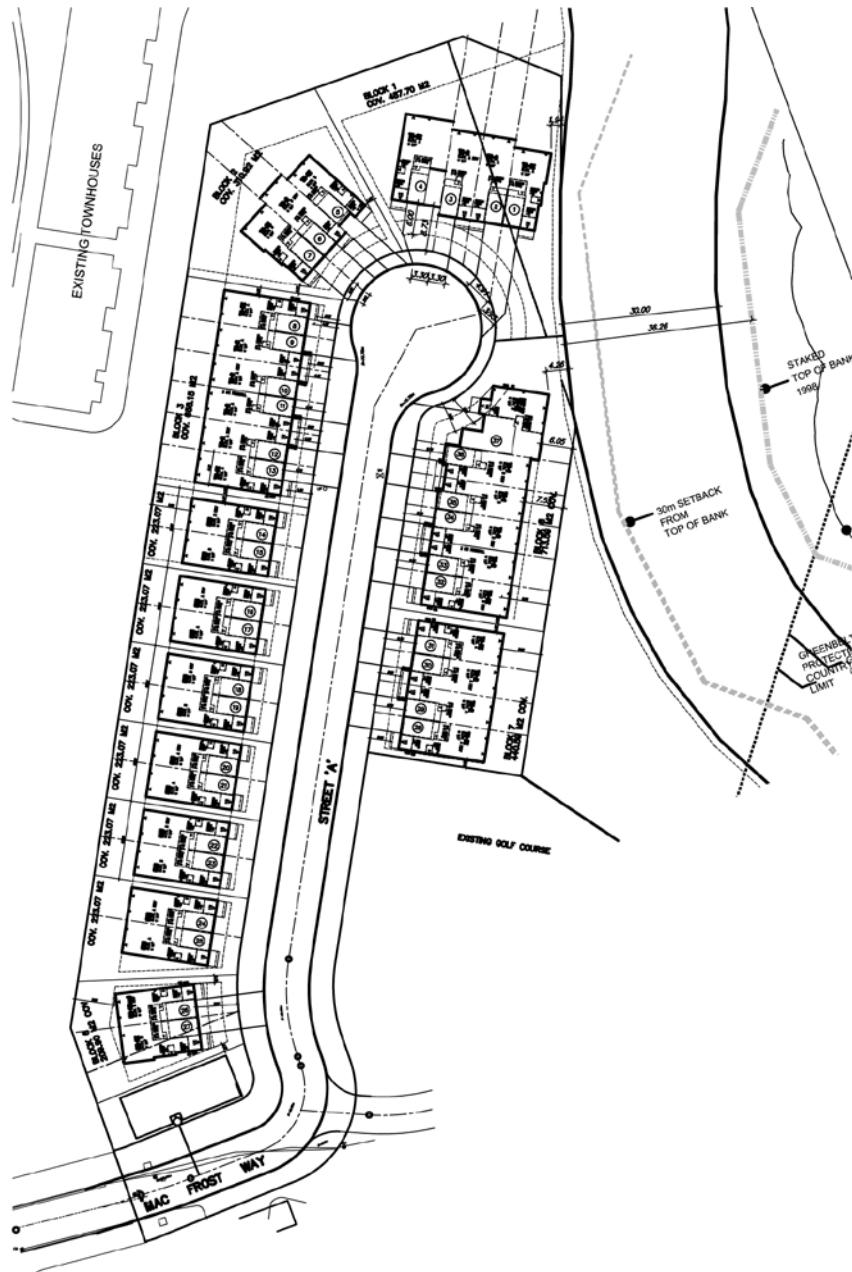
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Lorna Day, Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Draft Plan of Subdivision
- Attachment 3: Elevations
- Attachment 4: Zoning
- Attachment 5: Official Plan
- Attachment 6: Morningside Heights Secondary Plan: Map 3-1 Land Use Plan
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Official Plan Amendment
- Attachment 9: Draft Morningside Heights Zoning By-law Amendment
- Attachment 10: Draft City of Toronto Zoning By-law Amendment
- Attachment 11: Conditions of Draft Plan of Subdivision

## Attachment 1: Site Plan



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### Site Plan

Applicant's Submitted Drawing

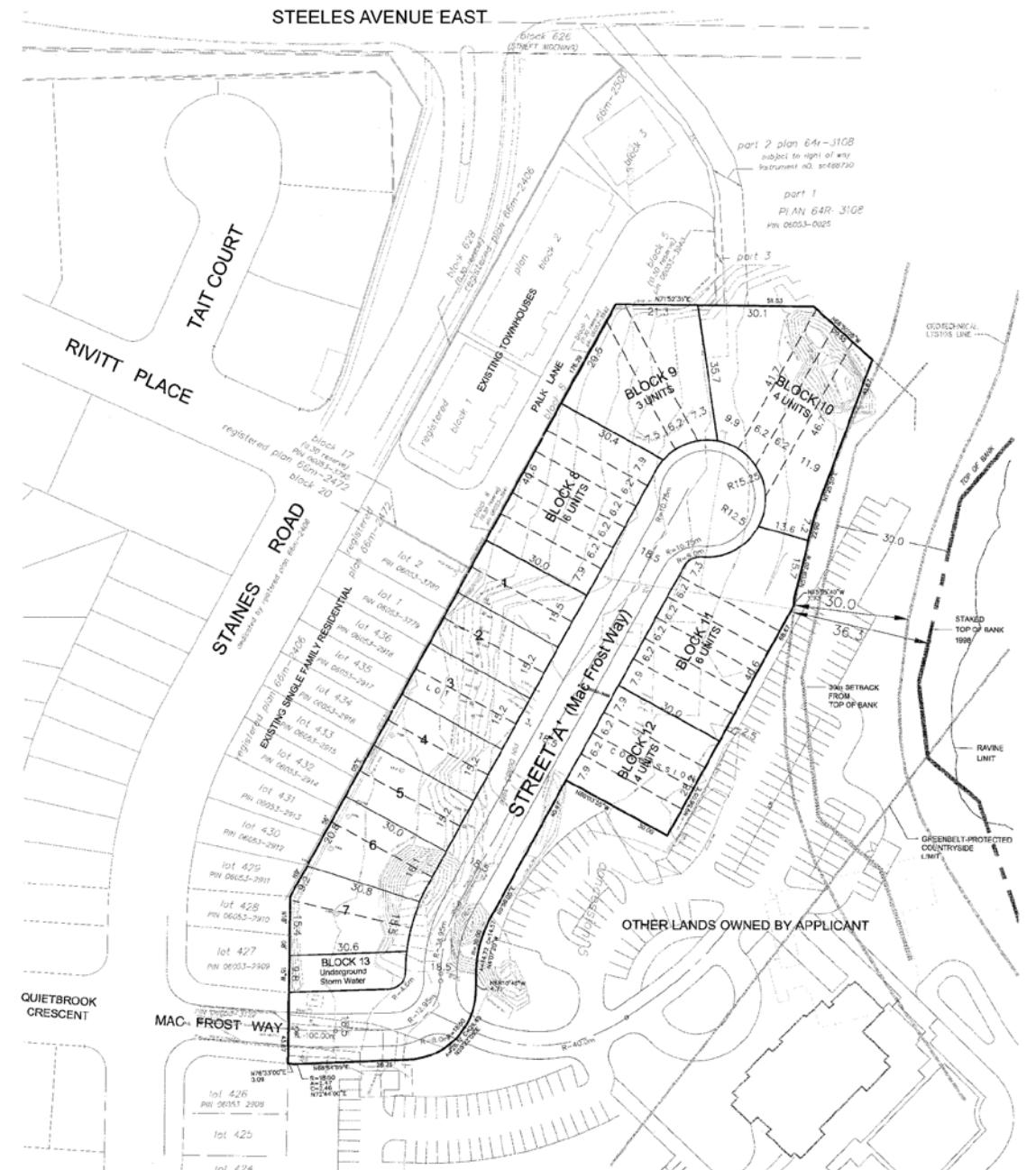
Not to Scale  
10/05/15



### 55 Mac Frost Way

File # 14 267707 ESC 42 0Z

## **Attachment 2: Draft Plan of Subdivision**



## Draft Plan of Subdivision

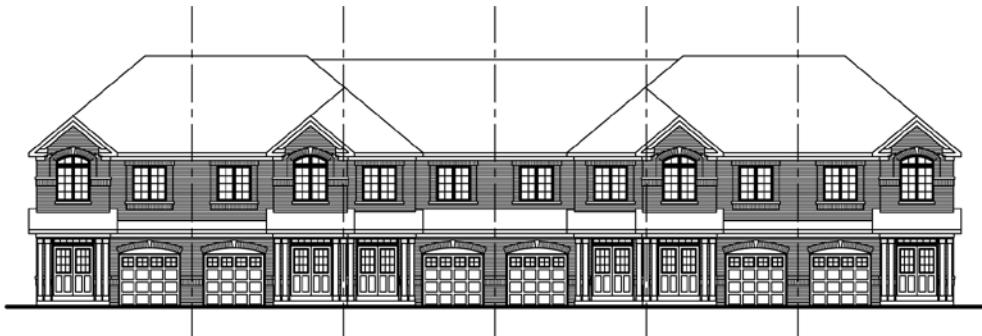
55 Mac Frost Way

**Applicant's Submitted Drawing**

Not to Scale  
10/05/15

File # 14 267707 ESC 42 0Z

### Attachment 3: Elevations



Townhouses Typical Front Elevations  
Blocks 1-5, 7



Townhouses Typical Front Elevations  
Block 8



Semi-Detached Typical Front Elevation  
Block 6

---

## Elevation Plan

Applicant's Submitted Drawing

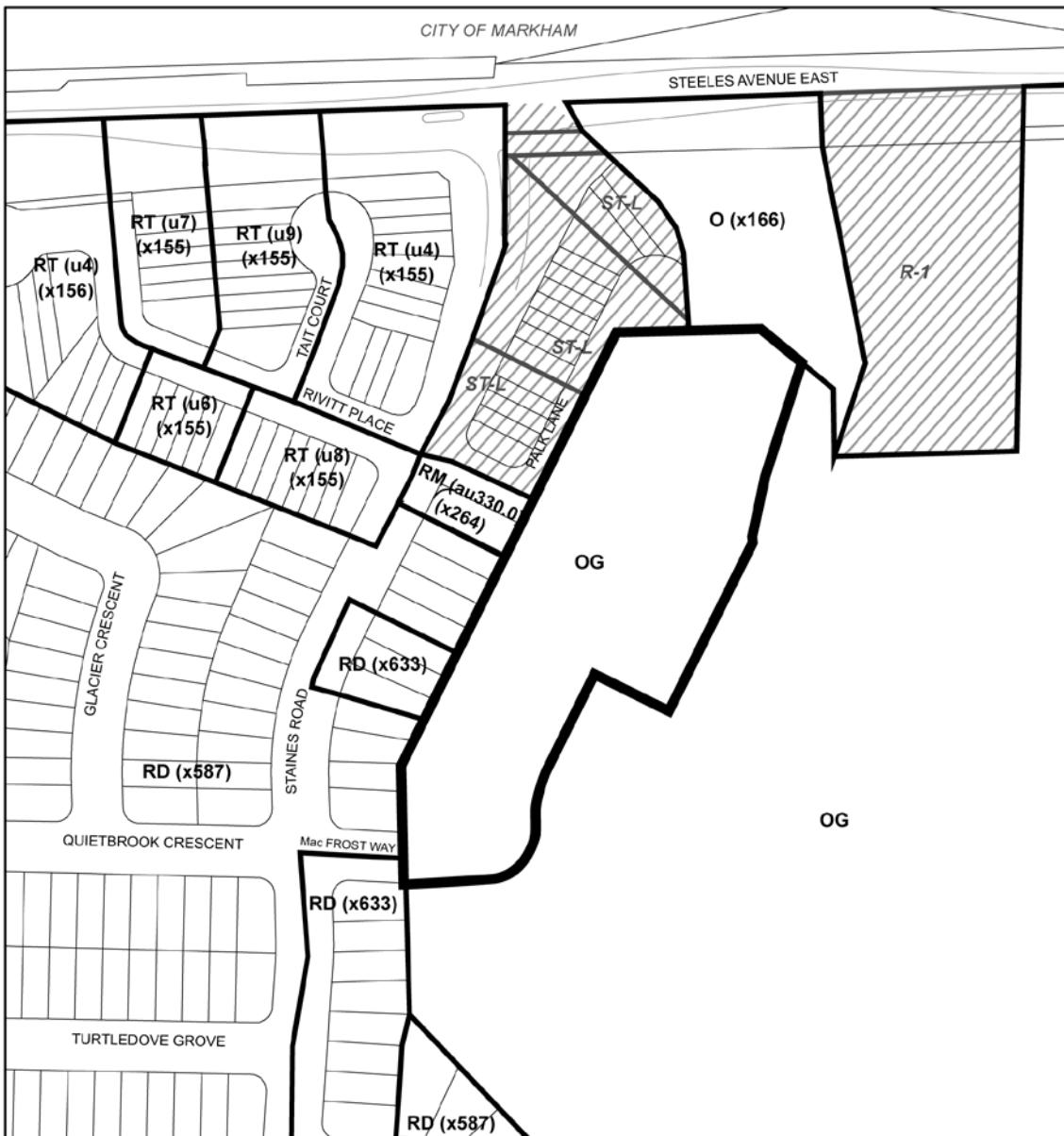
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02/02/15



55 Mac Frost Way

File # 14 267707 ESC 42 0Z

## Attachment 4: Zoning



**Zoning By-Law No. 569-2013**

**55 Mac Frost Way**

**File # 14 267707 ESC 42 OZ**

Location of Application

**RD** Residential Detached  
**RT** Residential Townhouse  
**RM** Residential Multiple

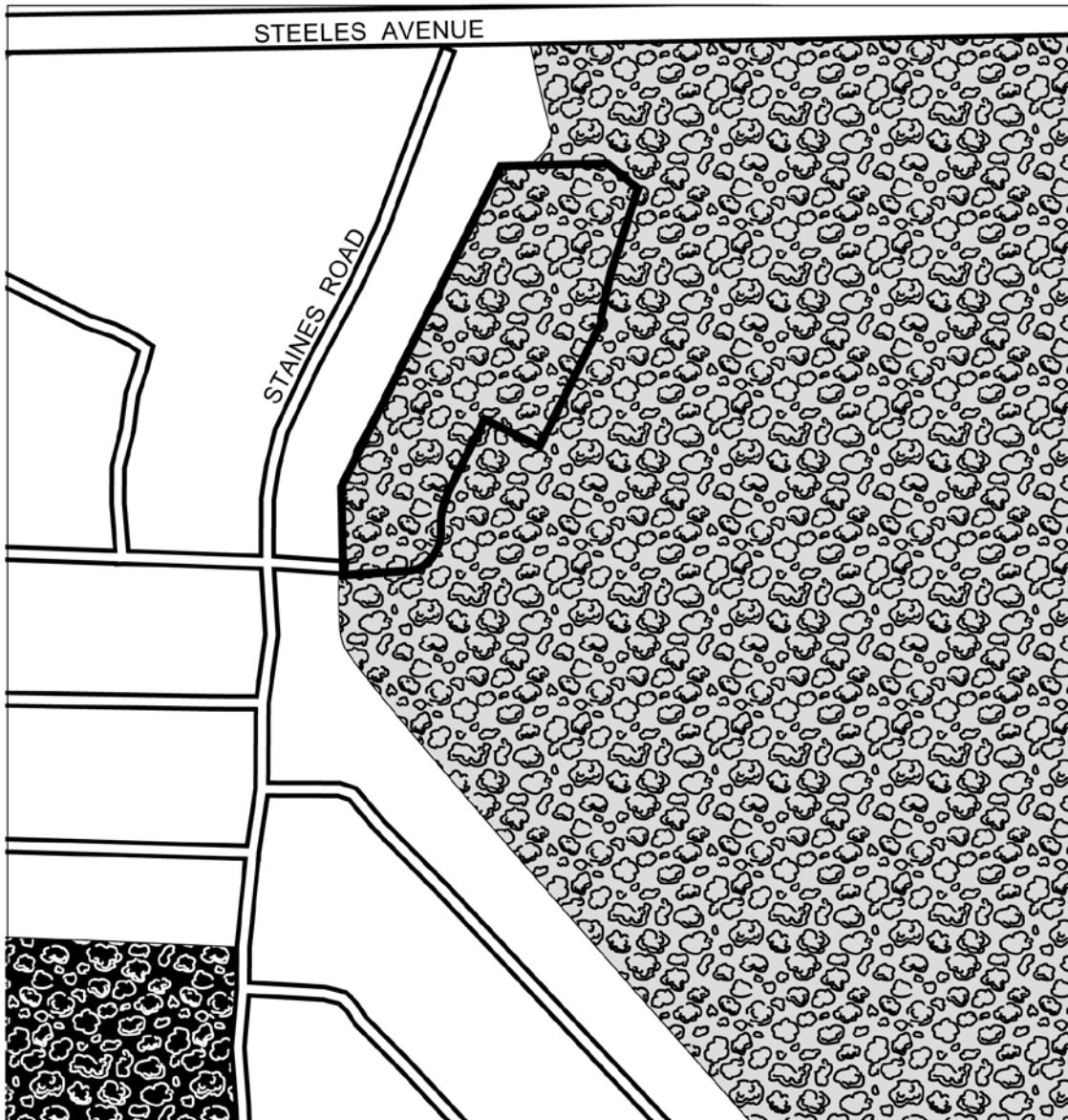
**OG** Open Space  
**UT** Utility and Transportation

See Former City of Scarborough Upper Rouge -  
 Hillside Community Bylaw No. 25278 and  
 See Former City of Scarborough Morningside Heights Community  
 (OMB Order PL000356/Decision 1076)

**R** Rural Residential Zone  
**ST-L** Street Townhouse - Lane Residential

Not to Scale  
 Extracted: 10/02/2015

## Attachment 5: Official Plan



**TORONTO**  
City Planning  
Official Plan

55 Mac Frost Way

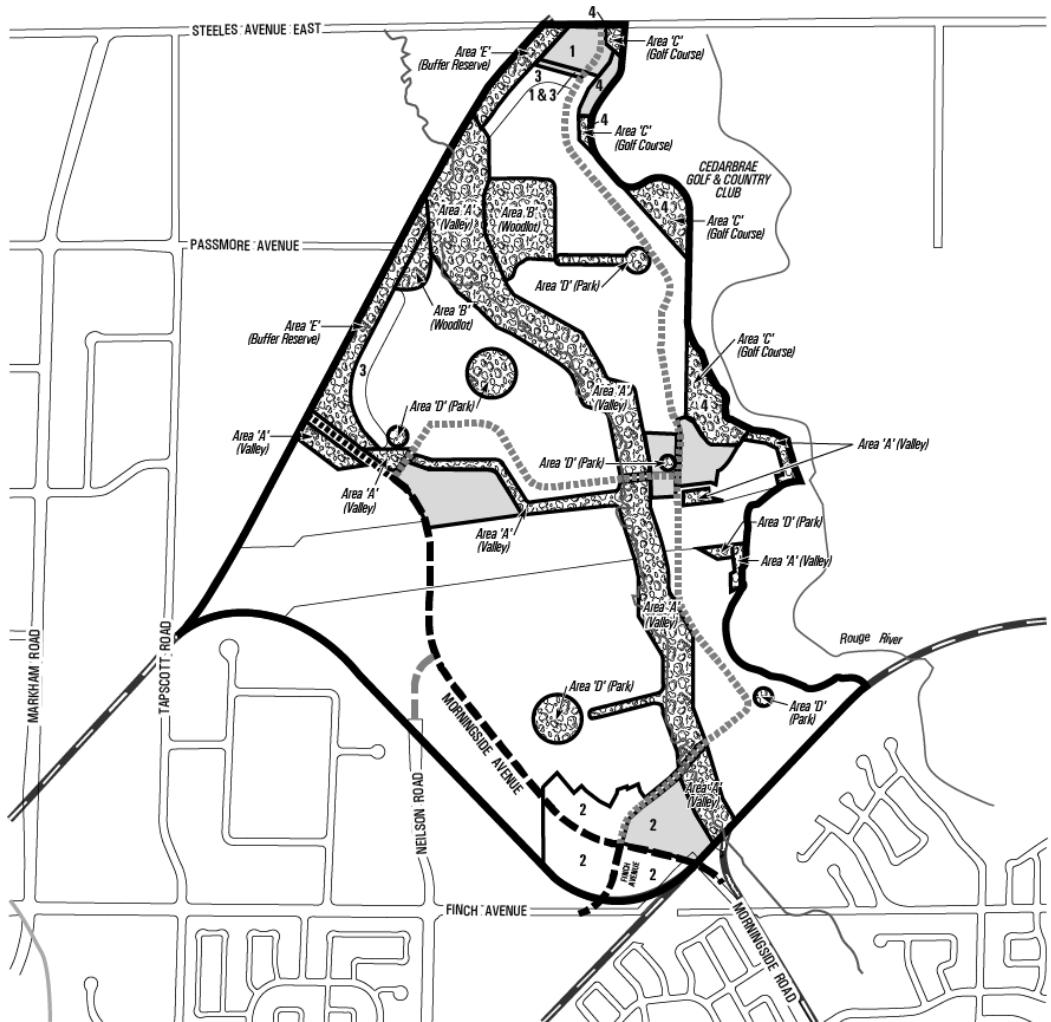
File # 14 267707 ESC 42 OZ

[Solid Black Box] Site Location  
[White Box] Neighbourhoods

Parks & Open Space Areas  
[Natural Area Symbol] Natural Areas  
[Other Open Space Symbol] Other Open Space Areas

↑  
Not to Scale  
10/02/15

## Attachment 6: Morningside Heights Secondary Plan: Map 3-1 Land Use Plan



### Morningside Heights Secondary Plan

MAP 3-1 Land Use Plan

- |                                   |                    |                  |
|-----------------------------------|--------------------|------------------|
| — Secondary Plan Boundary         | ----- Road Reserve | — Railway        |
| ■ Site and Area Specific Policies | — Major Arterial   | — Hydro Corridor |
| ■ Parks and Open Space Areas      | — Minor Arterial   |                  |
| ■ Neighbourhood Area 'A'          | ······ Collector   |                  |

June 2006

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	12 117140 ESC 42 OZ
Details	Rezoning, Standard	Application Date:	February 3, 2012
Municipal Address:	55 MAC FROST WAY		
Location Description:	**GRID E4202		
Project Description:	Proposed rezoning to permit a residential development comprised of 9 detached dwellings and 28 townhouses for a total of 37 dwelling units. The proposed detached dwellings would front onto Staines Road and the townhouses would front onto a proposed public street.		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MURRAY EVANS PLANNING			CEDAR BRAE GOLF & COUNTRY CLUB

#### **PLANNING CONTROLS**

Official Plan Designation:	Other Open Space Areas	Site Specific Provision:	Neighbourhood Area 'A'
Zoning:	Unzoned	Historical Status:	
Height Limit (m):		Site Plan Control Area:	yes

#### **PROJECT INFORMATION**

Site Area (sq. m):	14170	Height:	Storeys:	2
Frontage (m):	185.5		Metres:	0
Depth (m):	111.46			
Total Ground Floor Area (sq. m):	3539.68			<b>Total</b>
Total Residential GFA (sq. m):	6885.57		Parking Spaces:	46
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	6885.57			
Lot Coverage Ratio (%):	31			
Floor Space Index:	0.6			

#### **DWELLING UNITS**

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

Tenure Type:	Freehold	Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	6885.57
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	37	Institutional/Other GFA (sq. m):	0
Total Units:	37		

**CONTACT:**    **PLANNER NAME:**    Tom Schwerdtfeger, Planner  
**TELEPHONE:**    (416) 396-7034

## **Attachment 8: Draft Official Plan Amendment**

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

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

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

### **To adopt Amendment No. 332 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2014, as 55 Mac Frost Way**

WHEREAS authority is given to Council under 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 attached Amendment No. 332 to the Official Plan is hereby adopted pursuant to  
the *Planning Act*, as amended.

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

JOHN TORY,  
Mayor

(Corporate Seal)

ULLI S. WATKISS,  
City Clerk

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## **AMENDMENT NO. 332 TO THE OFFICIAL PLAN**

### **LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS 55 MAC FROST WAY**

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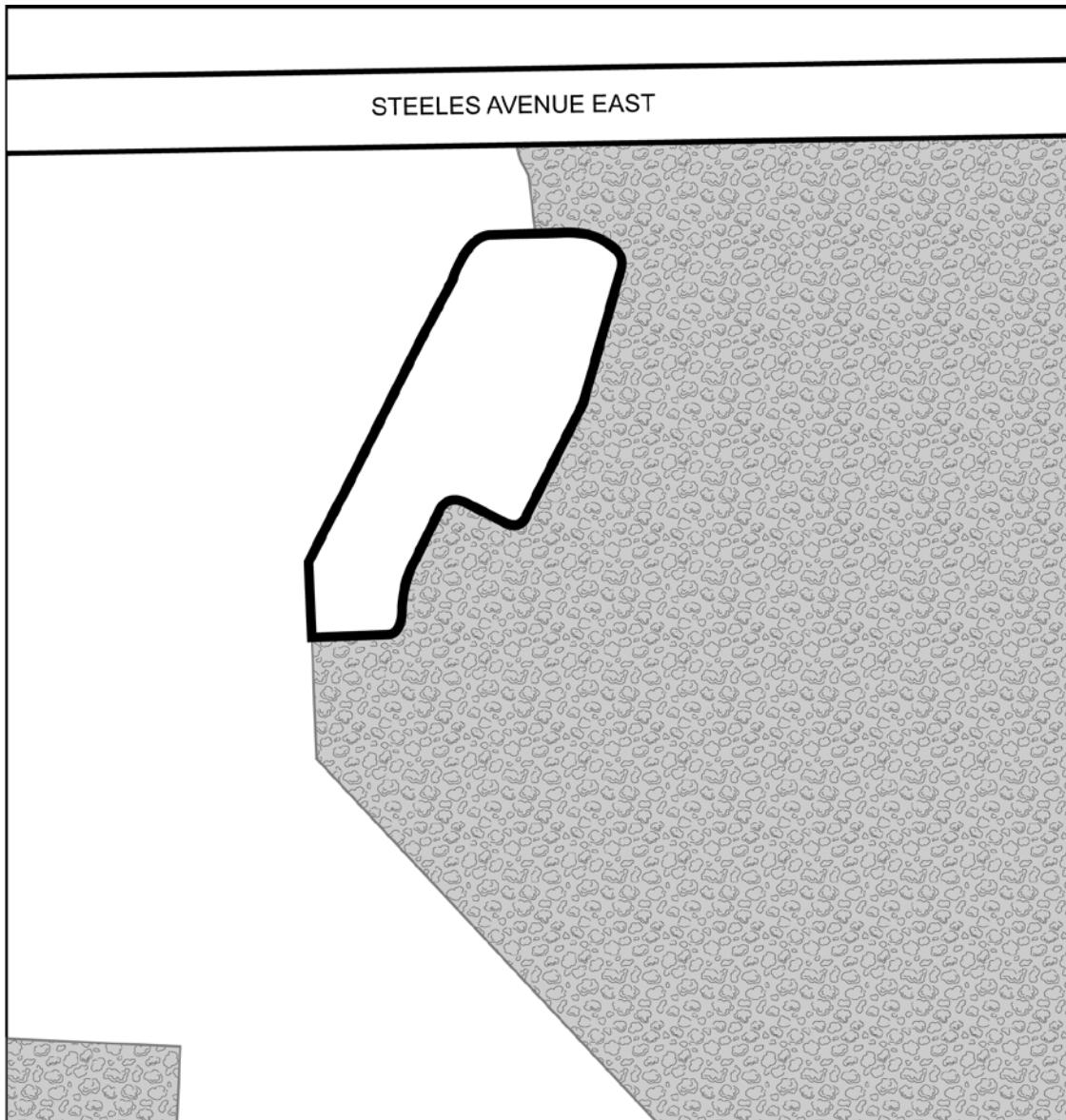
The Official Plan of the City of Toronto is amended as follows:

1. Map 2, Urban Structure, is amended by removing portions of the lands known municipally as 55 Mac Frost Way from the Green Space System, as shown on the attached Schedule 1.
1. Map 22, Land Use Plan, is amended by re-designating portions of the lands known municipally as 55 Mac Frost Way from *Other Open Space Areas* to *Neighbourhoods*, as shown on the attached Schedule 2.
3. Schedule 2, The Designation of Planned But Unbuilt Roads, is amended by adding the following:

STREET NAME	FROM	TO
Mac Frost Way	Staines Road	Terminating as a cul-de-sac north-east of the Mac Frost Way intersection with Staines Road

4. The Morningside Heights Secondary Plan is amended by adding the subject lands to Map 3-1 Land Use Plan, as shown on the attached Schedule 3.
5. The Morningside Heights Secondary Plan is amended by replacing the Site and Area Specific key map in Section 3 with the map shown on the attached Schedule 4.
6. Map 35, Secondary Plan Key Map, is revised by adding portions of the lands known municipally as 55 Mac Frost Way to the Morningside Heights Community Secondary Plan, as shown on the attached Schedule 5.

## Schedule 1



**Official Plan Amendment # 332**

Revisions to Urban Structure Map 2 to Remove lands from the Green Space System

**55 Mac Frost Way**

File # 14 267707 ESC 42 OZ



Site Location

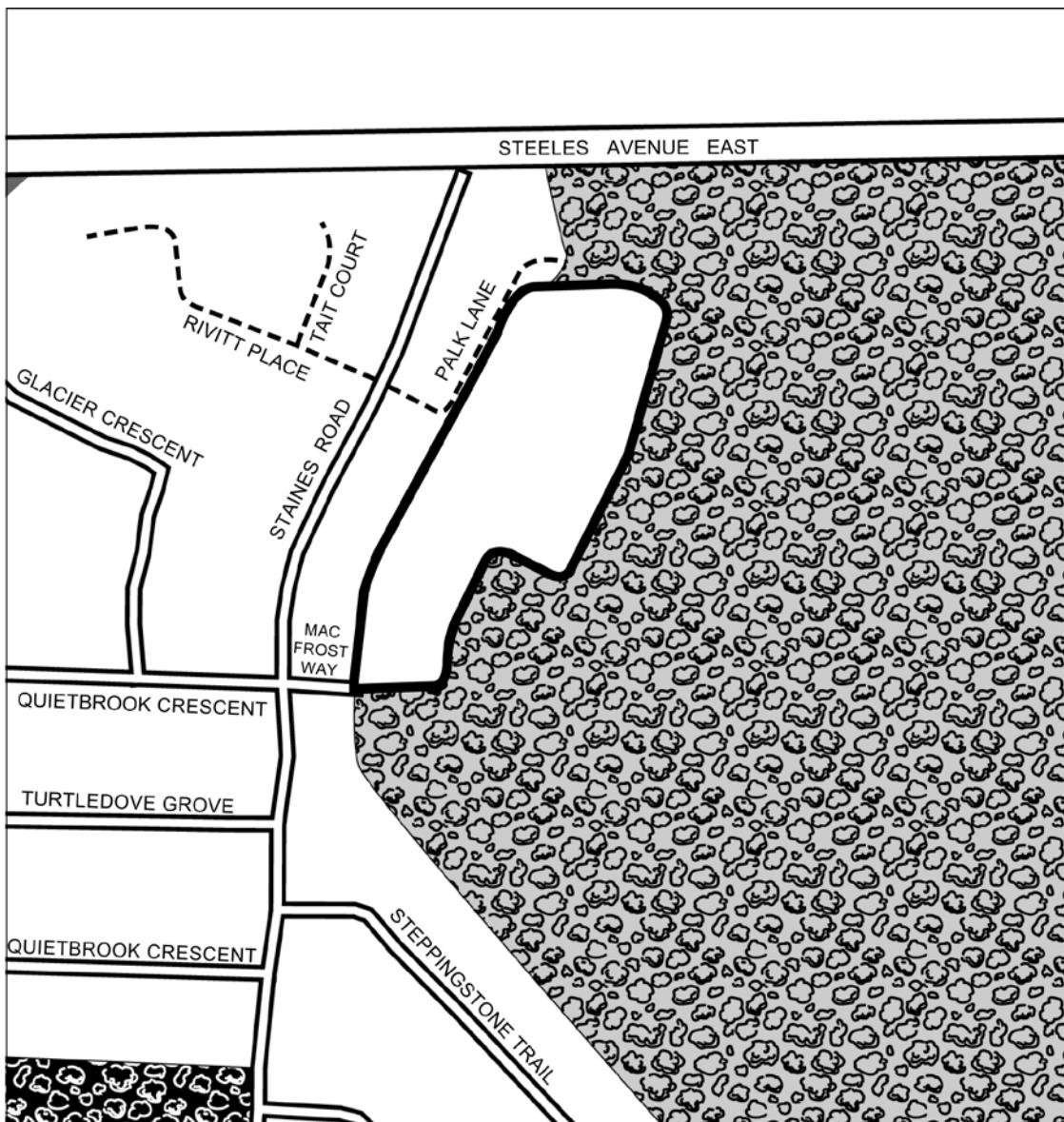


Green Space System



Not to Scale  
10/02/2015

## Schedule 2



**TORONTO** City Planning

### Official Plan Amendment # 332

Revisions to Land Use Map 22 to Redesignate lands from Other Open Space Areas to Neighbourhoods

**55 Mac Frost Way**

File # 14 267707 ESC 42 0Z

Site Location

Neighbourhoods

Parks & Open Space Areas

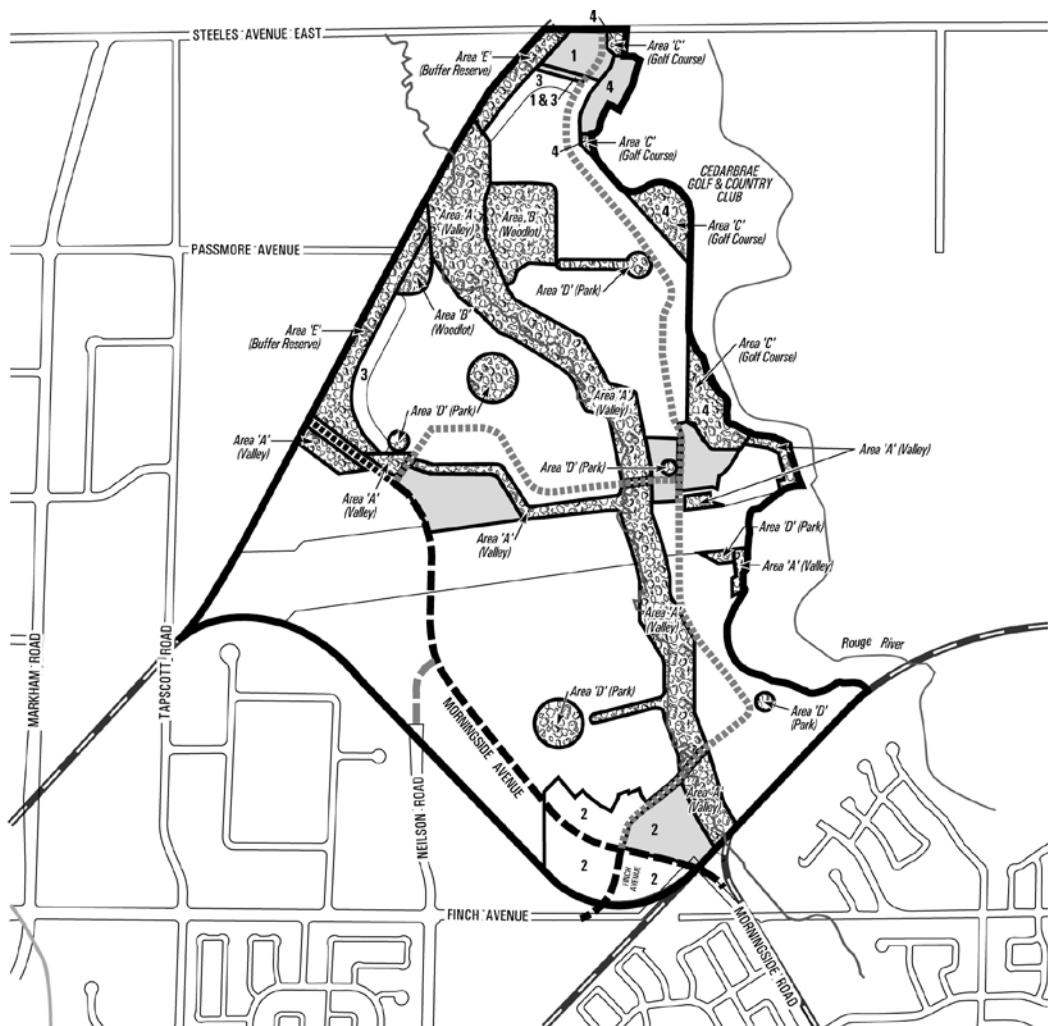
Natural Areas

Other Open Space Areas

Roads not currently shown on Land Use Map

Not to Scale  
10/02/2015

### Schedule 3



# Morningside Heights Secondary Plan

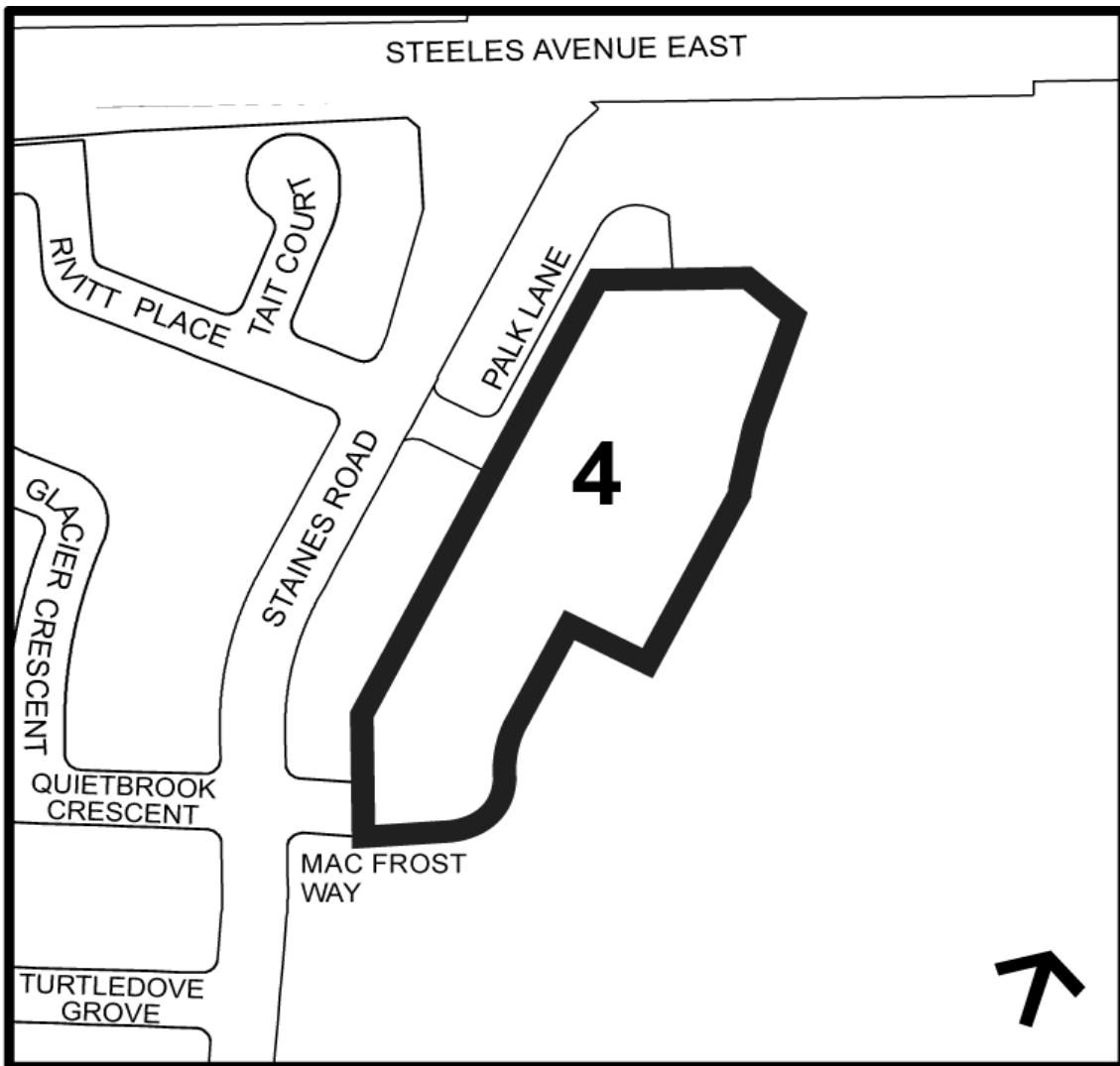
## **MAP 3-1 Land Use Plan**

- The legend consists of five entries, each with a small icon followed by a descriptive label:

  - Secondary Plan Boundary: Represented by a thick black line.
  - Road Reserve: Represented by a dotted line.
  - Railway: Represented by a thick grey line.
  - Site and Area Specific Policies: Represented by a box containing the number '1'.
  - Major Arterial: Represented by a dashed line.
  - Hydro Corridor: Represented by a double-lined grey line.
  - Parks and Open Space Areas: Represented by a box containing a stylized green and brown pattern.
  - Minor Arterial: Represented by a dash-dot line.
  - Neighbourhood Area 'A': Represented by a box containing a light grey gradient.
  - Collector: Represented by a dotted line.

October 2015

#### Schedule 4



## Schedule 5



**TORONTO** City Planning

### Official Plan Amendment # 332

Revisions to Secondary Plan Key Map 35 to Add lands to Secondary Plan Area 3 Morningside Heights

**55 Mac Frost Way**

File # 14 267707 ESC 42 0Z

Site Location

Secondary Plan Areas

Not to Scale  
10/02/2015

**Attachment 9: Draft Morningside Heights Zoning By-law Amendment**

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto  
Council on ~, 2015

Enacted by Council: ~, 2015

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2015**

**To amend the Morningside Heights Zoning By-law, as amended,  
with respect to the lands municipally known as  
55 Mac Frost Way (Northern Portion)**

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 adding a Semi-Detached Residential (SD) zone and Street Townhouse Residential (ST) zone so that the amended zoning shown on Schedule '1' reads as follows:

SD (H)-2-20-21-23-29-50-60-63-64

ST (H)-3-20-21-23-29-50-60-63-64

ST (H)-4-20-21-23-29-50-60-63-64

ST (H)-6-20-21-23-29-50-60-63-64

ST (H)-6-20-21-23-42-50-60-63-64

PU

2. **SCHEDULE "B", PERFORMANCE STANDARD CHART** of the Morningside Heights Zoning By-law, as amended, is amended by adding Performance Standards Numbers 42 as follows:

**BUILDING SETBACKS**

42. Minimum **rear yard** building setback is 4.2 m.

3. **SCHEDULE "C", EXCEPTIONS MAP**, is amended by adding Exception No. 7 to those lands known municipally as 55 Mac Frost Way (Northern Portion), as shown on Schedule '2'.
4. **SCHEDULE "C", EXCEPTIONS LIST**, is amended by adding Exception No. 7, as follows:

7. On those lands identified as Exception No. 7 on the accompanying Schedule "C" map, the following provision shall apply:

The lands zoned with the "(H)" symbol may not be used for any purpose other than those uses and buildings existing on the site as of October 1, 2015 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council.

- a) A sanitary sewer analysis is completed to the satisfaction of the Executive Director, Engineering and Construction Services.
  - b) A water distribution analysis and skeleton model is prepared to the satisfaction of the Executive Director, Engineering and Construction Services.
  - c) A flow test on the municipal fire hydrant is carried out to the satisfaction of the Executive Director, Engineering and Construction Services.
  - d) Make satisfactory arrangement for the completion of any and all system improvements including design, financing, and construction, identified through the analysis in 7a, 7b, and 7c noted above, all to the satisfaction of the Executive Director, Engineering and Construction Services.

ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY,  
Mayor

(Corporate Seal)

ULLI S. WATKISS,  
City Clerk

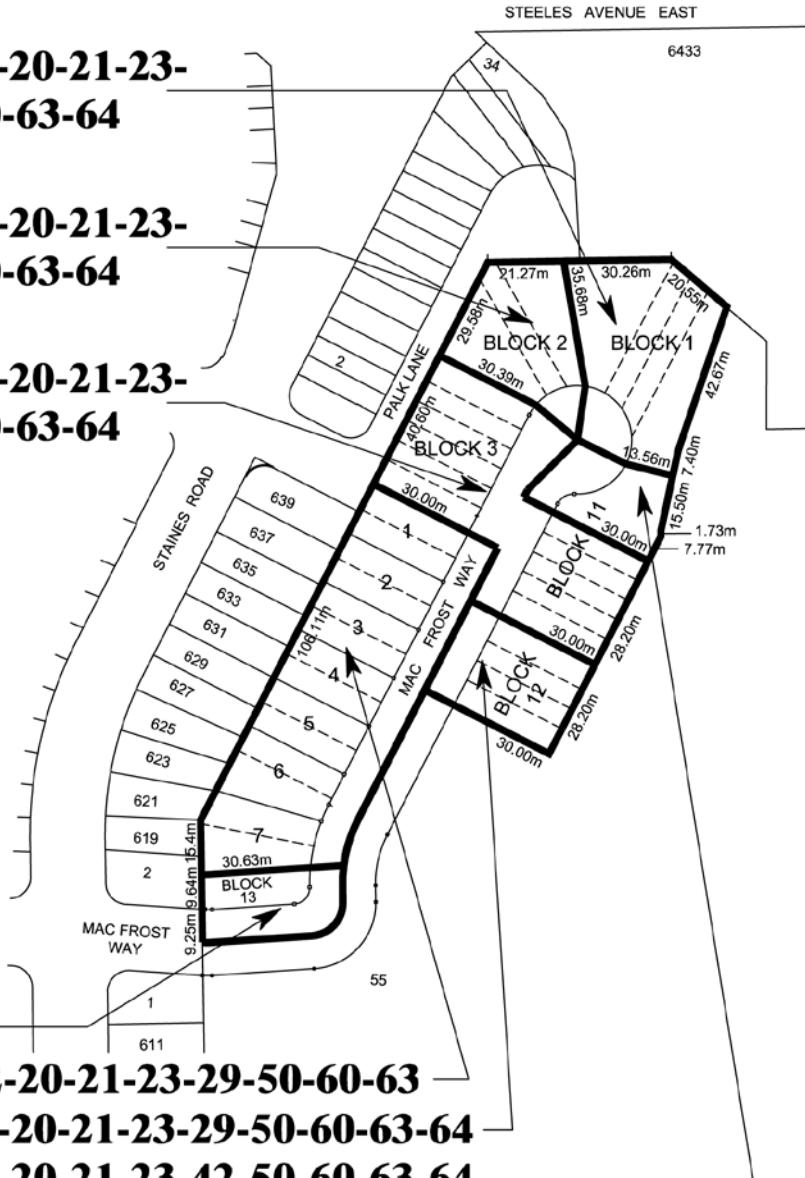
## Schedule '1'

**ST(H)-4-20-21-23-  
29-50-60-63-64**

**ST(H)-3-20-21-23-  
29-50-60-63-64**

**ST(H)-6-20-21-23-**  
**29-50-60-63-64**

**SD(H)-2-20-21-23-29-50-60-63**  
**ST(H)-4-20-21-23-29-50-60-63-64**  
**ST(H)-6-20-21-23-42-50-60-63-64**



## Zoning By-Law Amendment

55 Mac Frost Way

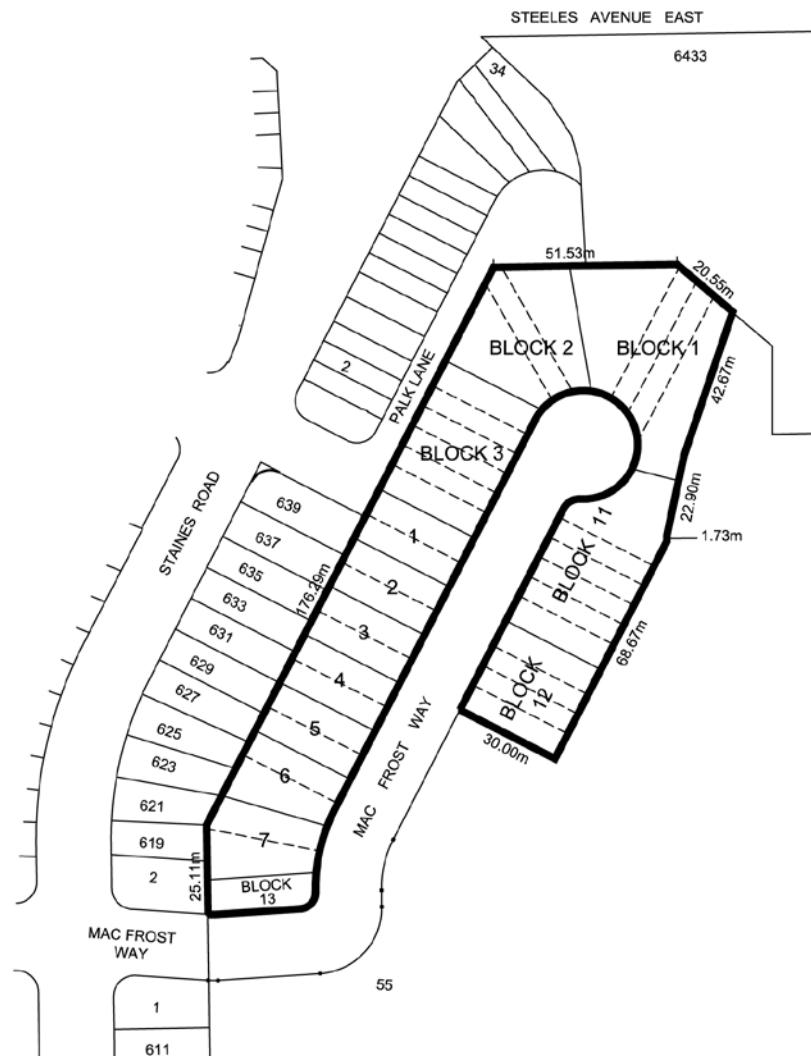
File # 14 267707 ESC 42 02

Morningside Heights Community By-Law

Not to Scale  
10/02/15

## **Area Affected By This By-Law**

## Schedule '2'



## Exception No. 7

---

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

55 Mac Frost Way  
File # 14 267707 ESC 42 0Z



Area Affected By This By-Law

Morningside Heights Community By-Law  
Not to Scale  
9/30/15

## **Attachment 10: Draft City of Toronto Zoning By-law Amendment**

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto  
Council on ~, 2015  
Enacted by Council: ~, 2015

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2015**

#### **To amend City of Toronto Zoning By-law No. 569-2013, as amended, With respect to the lands municipally known in the year 2015 as 55 Mac Frost Way (Northern Portion)**

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*;

Whereas authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law;

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 in heavy dark lines to O, (H) RS (x33), (H) RT (u3) (x12), (H) RT (u4) (x12), (H) RT (u6) (x12), and (H) RT (u6) (x49) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.4.10 Exception Number 33, as follows:

### **Exception RS 33**

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 maximum height of a **building** is 12.5 metres and 2 storeys;
- (B) The minimum **building setback** from a **lot line** that abuts a **street** is 3.0 metres;
- (C) If the **vehicle** entrance to a **building** faces a **street**, the **vehicle** entrance must be set back a minimum of 5.7 metres from the **lot line** that abuts the **street**;
- (D) The minimum **building setback** from a **side lot line** is 1.2 metres;
- (E) If the common wall of a **semi-detached house** does not exist above grade the minimum separation between the **main walls** is 1.2 metres;
- (F) The minimum **building setback** from a rear **lot line** is 7.25 metres;
- (G) Despite regulation 10.5.40.60 (1) (C), in a **rear yard** a platform with a floor no higher than the **first storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the **side yard setback**.
- (H) Despite regulation 10.5.50.10 (1) (B), for **lots** with a **lot frontage** of 6.0 metres to less than 15.0 metres, a minimum of 35% of the **front yard** must be **landscaping**; and
- (I) The lands zoned with the "(H)" symbol may not be used for any purpose other than those uses and buildings existing on the site as of October 1, 2015 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council.
  - (i) A sanitary sewer analysis is completed to the satisfaction of the Executive Director, Engineering and Construction Services;
  - (ii) A water distribution analysis and skeleton model is prepared to the satisfaction of the Executive Director, Engineering and Construction Services; and
  - (iii) A flow test on the municipal fire hydrant is carried out to the satisfaction of the Executive Director, Engineering and Construction Services.

- (iv) Make satisfactory arrangement for the completion of any and all system improvements including design, financing, and construction, identified through the analysis in 7a, 7b, and 7c noted above, all to the satisfaction of the Executive Director, Engineering and Construction Services.

Prevailing By-laws and Prevailing Sections: (None Apply).

5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 12, as follows:

### **Exception RT 12**

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 maximum number of **dwelling units** cited in the zone label applies to each block on the registered plan;
- (B) The maximum height of a **building** is 12.5 metres and 2 stories;
- (C) The minimum **building setback** from a **lot line** that abuts a **street** is 3.0 metres;
- (C) If the **vehicle** entrance to a **building** faces a **street**, the **vehicle** entrance must be set back a minimum of 5.7 metres from the **lot line** that abuts the **street**;
- (D) The minimum **building setback** from a **side lot line** is 1.2 metres;
- (E) The minimum **building setback** from a rear **lot line** is 7.25 metres;
- (J) Despite regulation 10.5.40.60 (1) (C), in a **rear yard** a platform with a floor no higher than the **first storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the **side yard setback**.
- (F) Despite regulation 10.5.50.10 (1) (B), for lots with a **lot frontage** of 6.0 metres to less than 15.0 metres, or a **townhouse dwelling unit** at least 6.0 metres wide, a minimum of at least 35% of the **front yard** must be **landscaping**; and
- (G) The lands zoned with the "(H)" symbol may not be used for any purpose other than those uses and buildings existing on the site as of October 1, 2015 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following

conditions have been fulfilled to the satisfaction of Council.

- (i) A sanitary sewer analysis is completed to the satisfaction of the Executive Director, Engineering and Construction Services;
- (ii) A water distribution analysis and skeleton model is prepared to the satisfaction of the Executive Director, Engineering and Construction Services; and
- (iii) A flow test on the municipal fire hydrant is carried out to the satisfaction of the Executive Director, Engineering and Construction Services.
- (iv) Make satisfactory arrangement for the completion of any and all system improvements including design, financing, and construction, identified through the analysis in 7a, 7b, and 7c noted above, all to the satisfaction of the Executive Director, Engineering and Construction Services.

Prevailing By-laws and Prevailing Sections: (None Apply).

6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 49, as follows:

#### **Exception RT 49**

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 maximum number of **dwelling units** cited in the zone label applies to each block on the registered plan;
- (B) The maximum height of a **building** is 12.5 metres and 2 stories;
- (C) The minimum **building setback** from a **lot line** that abuts a **street** is 3.0 metres;
- (D) If the **vehicle** entrance to a **building** faces a **street**, the **vehicle** entrance must be set back a minimum of 5.7 metres from the **lot line** that abuts the **street**;
- (E) The minimum **building setback** from a **side lot line** is 1.2 metres;
- (F) The minimum **building setback** from a rear **lot line** is 4.2 metres;
- (K) Despite regulation 10.5.40.60 (1) (C), in a **rear yard** a platform with a floor no higher than the **first storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the

**side yard setback.**

- (G) Despite regulation 10.5.50.10 (1) (B), for **lots** with a **lot frontage** of 6.0 metres to less than 15.0 metres, or a **townhouse dwelling unit** at least 6.0 metres wide, a minimum of at least 35% of the **front yard** must be **landscaping**; and
- (H) The lands zoned with the "(H)" symbol may not be used for any purpose other than those uses and buildings existing on the site as of October 1, 2015 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of Council.
- (i) A sanitary sewer analysis is completed to the satisfaction of the Executive Director, Engineering and Construction Services;
  - (ii) A water distribution analysis and skeleton model is prepared to the satisfaction of the Executive Director, Engineering and Construction Services; and
  - (iii) A flow test on the municipal fire hydrant is carried out to the satisfaction of the Executive Director, Engineering and Construction Services.
  - (iv) Make satisfactory arrangement for the completion of any and all system improvements including design, financing, and construction, identified through the analysis in 7a, 7b, and 7c noted above, all to the satisfaction of the Executive Director, Engineering and Construction Services.

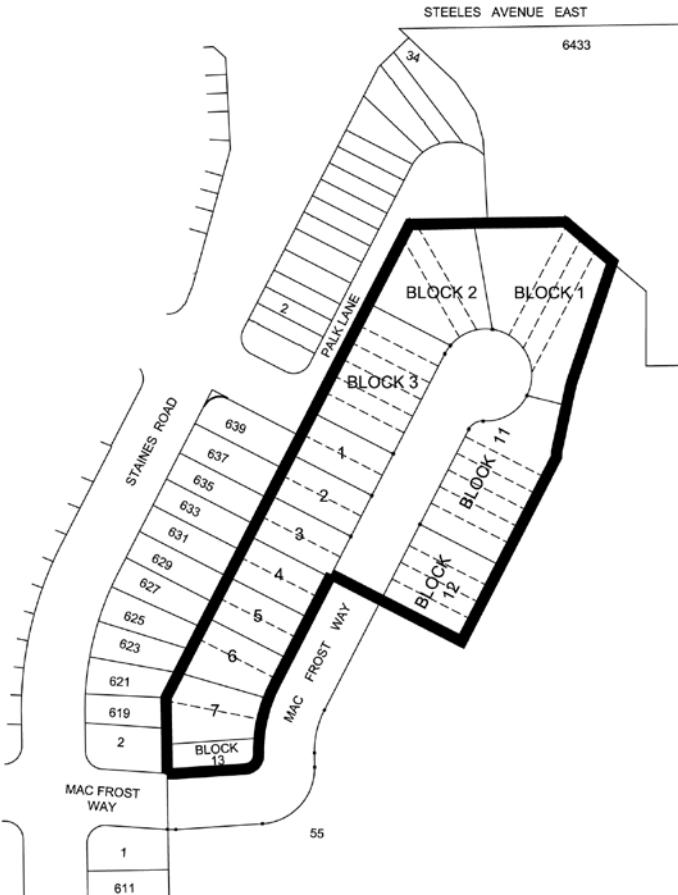
Prevailing By-laws and Prevailing Sections: (None Apply).

ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY,  
Mayor

(Corporate Seal)

ULLI S. WATKISS,  
City Clerk



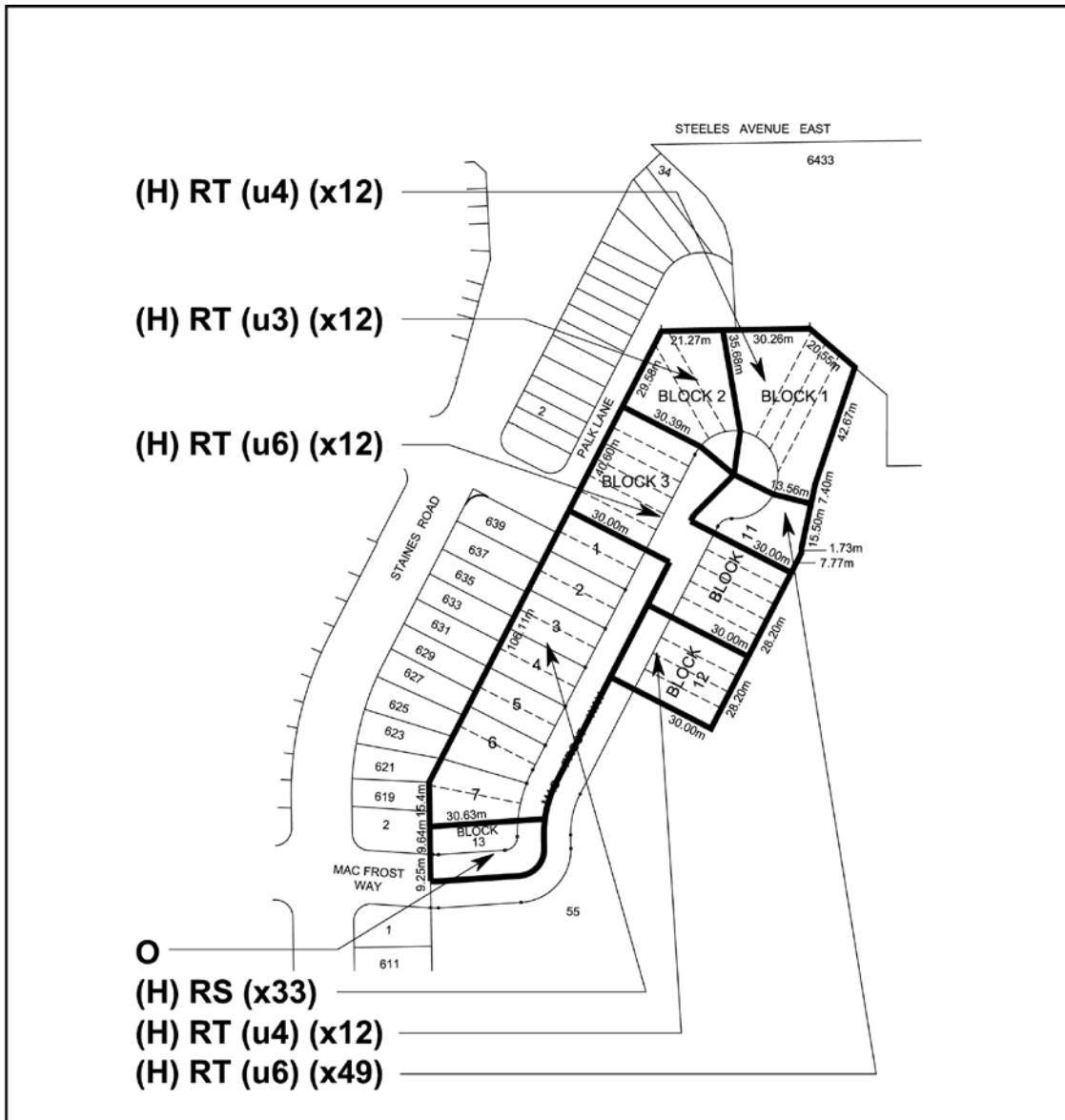
**TORONTO** City Planning  
**Diagram 1**

## 55 Mac Frost Way

File # 14 267707 ESC 42 OZ



City of Toronto By-Law 569-2013  
Not to Scale  
10/2/2015



55 Mac Frost Way

File # 14 267707 ESC 42 02

City of Toronto By-Law 569-2013  
Not to Scale  
10/2/2015

## **Attachment 11: Conditions of Draft Plan of Subdivision**

### **SUBDIVISION APPLICATION 14 267698 ESC 42 SB DRAFT PLAN OF SUBDIVISION BY EVANS PLANNING DATED JULY 6, 2015**

**55 MAC FROST WAY (Northern Portion)  
PART OF LOT 12, CONCESSION 4  
CITY OF TORONTO (former City of Scarborough)  
CEDAR BRAE GOLF AND COUNTRY CLUB**

#### **STANDARD CONDITIONS**

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
2. The Owner shall provide to the Director of Community Planning, Scarborough District, confirmation that the taxes have been paid in full. (statement of account or Tax Clearance Certificate).
4. 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.
5. 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.

#### **STREETS, DRIVEWAYS AND CORNER ROUNDINGS**

6. The applicant to illustrate, convey and dedicate all proposed public roads, turning circles, corner rounding, walkways and 0.3 metre reserves to the City of Toronto as a Public Highway, free and clear of any and all encumbrances in accordance with the Development Infrastructure Policy and Standards, to the satisfaction of the Executive Director of Engineering and Construction Services.
7. Proposed Street A must be designed and constructed in accordance with the City of Toronto Development Infrastructure Policy and Standards (DIPS) specifications and the turning circle in accordance with the acceptable engineering drawings.
8. The Owner shall agree to construct at no cost to the City of Toronto, proposed Street A and the turning circle to the satisfaction of the Executive Director of Engineering and Construction Services.

9. Pay to the City \$40.00 per lot/block towards the cost of geodetic and aerial survey.
10. 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.
11. 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 ( $3^{\circ}$  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.
12. Pay all costs for preparation and registration of reference plan(s).
13. The applicant must provide a 1.7 metre municipal sidewalk that meets the City of Toronto Development Infrastructure Policy and Standards (DIPS) requirements on both sides of the future public roadway located 0.3 metres from the property line.
14. The owner is responsible for all costs associated with the installation/alterations of municipal street signage/pavement markings required by this application.
15. The owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.
16. The Owner shall agree that all lot layouts shall create street frontages such that no driveway entrance shall overlap with the adjacent driveway approach within the boulevard. All driveway entrances shall be constructed to the satisfaction of the Executive Director, Engineering and Construction Services.
17. Residential driveways must be designed in accordance with Ontario Provincial Standard Drawing number OPSD-351.010.
18. Minimum clearances of 2 metres from any fire hydrants and 1 metre from any hydro street light/poles must be provided and maintained. If this is not possible,

the hydrants must be relocated at the owner's expense and the hydro pole(s) must be relocated by Toronto Hydro at the owner's expense.

19. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
20. Submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.

### **STREET LIGHTING**

21. Prior to the registration of the plan of subdivision, the Owner shall agree to install upgraded street lighting fixtures, similar to those installed in the previous phases of the development within the Morningside Heights Community, to the satisfaction of Toronto Hydro.
22. The Owner shall provide the approved street lighting proposal from Toronto Hydro and submit to the City the required financial security in a letter of Credit, all to the satisfaction of the Executive Director, Technical Services.

### **ENVIRONMENTAL ASSESSMENT**

26. The Owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the 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).

### **STORMWATER MANAGEMENT, GRADING AND SITE SERVICING**

27. The development is located within Basement Flooding Area #64, the applicant must retain the services of consultant engineer to conduct a Wet Weather Sanitary Analysis according to the requirements noted in "Sanitary Sewer Surcharge Approval Guideline for Development Applications" and submit drainage plans, flow sheets and hydraulic analysis, as required, in order to evaluate the impact of this development on the basement flooding area and impact of the basement flooding area on the development, to the satisfaction of the Executive Director Engineering and Construction Services.
28. There are various parts on the Plan 66R-27858 that are subject to easement in favor of Toronto Hydro, which are located within proposed municipal road. Prior to registration of the subdivision a written confirmation from Toronto Hydro must be submitted that to confirm that the facilities within the easement can be relocated.

29. Block 13 of subdivision contains underground Storm Water Management tank. The block will be owned by Toronto Water, and above and below ground facilities within the SWM block will be maintained by Toronto Water after assumption of the subdivision. Prior to registration of the subdivision the owner submits landscape and engineering drawings for the noted block to the satisfaction of General Manager of Toronto Water and Executive Director of Engineering and Construction Services.
30. Apply stormwater management techniques in the development of this subdivision and CGCC Club House lands to the satisfaction of Engineering and Construction Services.

### **SNOW REMOVAL AND BOULEVARD PARKING**

31. Prior to the registration of the plan of subdivision, the owner agrees to include the following warning clauses in all agreements of purchase and sale and/or lease agreements, and registered on title to the satisfaction of the City Solicitor:

“Purchasers are advised that where sidewalks are located adjacent to the curbs or where the ROW width is less than 18.5 metres, sidewalk snow clearing and driveway windrow clearing will not be carried out by the City. It will be the responsibility of the abutting property owner.”
32. Prior to the registration of the plan of subdivision, the Owner agrees to include the following warning clauses in all agreements of purchase and sale and/or lease agreements and registered on title to the satisfaction of the City Solicitor:

“Purchaser(s) and/or Tenant(s) are further advised that there is a City of Toronto by-law that prohibits the use of the public boulevard to satisfy parking space requirements. Casual parking (not required parking) is permitted within the confines of that portion of the boulevard within a private driveway, provided that no motor vehicle may be parked in the driveway less than 0.3 metres from the back edge of the sidewalk, or where no sidewalk exists, not less than 2.0 metres from the face of the curb or edge of the roadway. Additional vehicle parking that might otherwise be available on public streets will be subject to approval and regulations pursuant to applicable by-laws of the City of Toronto.”
33. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor’s confirmation to the City advising that the clauses set out above have been included in applicable offers of purchase and sale and/or lease agreements to ensure that future occupants are aware of the parking restrictions on these lands.

### **FENCING**

34. Prior to the registration of the plan of subdivision, the Owner shall agree to provide the City with a detailed fencing plan for 1.8 metre privacy fencing or

other suitable fencing along the perimeter of the subdivision lands where new residential lots and blocks are proposed, and to make satisfactory arrangements to install the required fencing to the satisfaction of the Director of Community Planning, Scarborough District.

35. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with a Letter of Credit as security for the installation of any required fencing equal to 120% of the value of the fencing to the satisfaction of the Director of Community Planning, Scarborough District.

#### **CEDAR BRAE GOLF & COUNTRY CLUB**

36. The owner agrees to construct or make adjustments to the following off-site works to the satisfaction of the Executive Director of Engineering and Construction Services:
  - a) New service and utility connections to Street "A" to service Cedar Brae Golf Course; and
  - b) Stormwater management facilities to serve the Cedar Brae Golf Course lands.
37. The owner agrees that the owner will not be eligible for any partial reductions of securities related to servicing until the off-site works are completed, with the exception of top curb, top asphalt, and sidewalks.
38. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement for construction of Cedar Brae Golf Course golf course' revised services within non assumed municipal road that will be constructed by the developer's contractor.
39. Submit financial security in accordance with the terms of standard subdivision agreement for construction of Cedar Brae Golf Course's revised services within non assumed municipal road that will be constructed by the developer's contractor.
40. Prior to registration of the plan, the Owner shall construct to the satisfaction of the City services in Street "A" (more particularly, storm sewers, sanitary sewers, water mains, and related appurtenances, hydro-electric service, and roadway access to base asphalt) sufficient to service the Cedar Brae Golf Course lands, and shall decommission any remaining existing private services which serve Cedar Brae Golf Course.
41. The Owner agrees to include the following warning clause in all agreements of purchase and sale agreements and/or lease agreements, to the satisfaction of the City Solicitor:

“Warning: Purchasers are advised of and acknowledge the existence of the Cedar Brae Golf and Country Club, and acknowledge that the operations of the golf

course, now or in the future, could impact upon the Purchaser's enjoyment of his or her property, which impact may include golf balls landing upon the property, which may cause damage or injury."

42. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clause set out above has been included in applicable offers of purchase and sale and/or lease agreements to ensure that future occupants are aware of errant golf balls.

## **TREE PRESERVATION AND PLANTING**

### Privately Owned Trees

43. Prior to the registration of the plan of subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan, Landscape Plans, Landscape Details, Grading Plan, Composite Utility Plan, and Toronto Green Standard Version 2.0 – Checklist and Statistics Template to the satisfaction of the General Manager of Parks, Forestry & Recreation.
44. Prior to the registration of the plan of subdivision, 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 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 & Recreation.
45. Prior to the registration of the plan of subdivision, the Owner agrees to submit an application and pay the required application fees for the injury 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. If the level of injury proposed is unacceptable, as determined by Urban Forestry, then the proposed work on site will need to be altered or an application to remove these trees will need to be submitted, all to the satisfaction of the General Manager of Parks, Forestry & Recreation.
46. 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 of Parks, Forestry & Recreation.
47. Prior to commencement of any construction activities, 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 & Recreation, and to maintain barriers in good repair until removal has been authorized by the General Manager of Parks, Forestry & Recreation.

48. 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 & Recreation.
49. 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 the General Manager of Parks, Forestry & Recreation.
50. The Owner shall agree in the subdivision agreement, to the satisfaction of the General Manager of Parks, Forestry & Recreation, to contact Urban Forestry 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

51. 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 & Recreation.
52. 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 the General Manager of Parks, Forestry & Recreation, and the Executive Director of Engineering and Construction Services.
53. 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 & Recreation and will be distributed to all homeowners for all dwellings within the Subdivision.
54. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit in the amount of \$583/tree for the proposed street trees, to guarantee the planting and maintenance by the Owner of the trees for a period of two years after

the planting date, to the satisfaction of the General Manager of Parks, Forestry & Recreation.

55. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit for any remaining street trees and install tree protection hoarding to guarantee their protection throughout the construction period, to the satisfaction of the General Manager of Parks, Forestry & Recreation.

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 subdivisions:

"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.

58. 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 per the approved street tree planting and composite utility plans, to the satisfaction of the General Manager of Parks, Forestry & 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 & 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.

59. 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 address. 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 metres from the curb, sidewalk, driveway, utility pole or pedestal) to the satisfaction of the General Manager of Parks, Forestry & Recreation.

## **SCHOOL ACCOMMODATION**

60. The Owner agrees to make satisfactory arrangements with the Toronto District School Board to erect and maintain signs, at points of egress and ingress of the

development site, advising that the Toronto District School Board makes every effort to accommodate students at local schools however, due to residential growth, sufficient accommodation may not be available. As such, students may be accommodated in schools outside the area until space in local schools becomes available. These signs shall be to the specifications of the School Boards and erected prior to registration of the plan of subdivision.

61. The Owner agrees to include in all offers of purchase and sale or lease the following warning clauses prior to the registration of the subdivision plan and for a period of 10 years after registration of the subdivision plan:

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

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

## **COMMUNITY MAILBOXES**

62. Prior to the registration of the plan of subdivision, the Owner shall make satisfactory arrangements with Canada Post concerning the location of the community mailbox, both temporary, if required, and permanent location. The Owner shall agree to incorporate the location of the mailbox on applicable servicing and engineering plans, to the satisfaction of the Executive Director, Technical Services.
63. The Owner agrees to include in all offers of purchase and sale or lease, a warning clause advising that mail delivery will be from a designated Community Mailbox.

## **NOTES TO DRAFT APPROVAL:**

1. Where any provision of the draft plan of subdivision conditions of approval makes reference to the Owner, it is understood that any rights and/or obligations accruing to the Owner are attributable to its successors and assigns.
2. Where any provision of the draft plan of subdivision conditions of approval makes reference to the draft plan, it is understood that such reference is made to the draft plan prepared by Evans Planning, dated July 6, 2015.
3. Where any provision of these draft plan of subdivision conditions of approval makes reference to a condition to be satisfied or work undertaken by the parties to

the agreement, those parties agree to pursue the resolution of such condition or work in a timely, reasonable and cooperative manner.

4. Heritage Preservation Services Advisory Comment:

In the event that deeply buried archaeological remains are encountered on the subdivision lands during construction activities, the Heritage Operations Unit of the Ministry of Culture be notified immediately at (416) 314-7149 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096.

In the event that human remains are encountered during construction, the proponent should immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8404.