



STAFF REPORT ACTION REQUIRED

6435, 6441 and 6443 Kingston Road– Official Plan Amendment, Zoning Amendment and Draft Plan of Subdivision Applications – Final Report

Date:	October 21, 2015
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 44 – Scarborough East
Reference Number:	14 137806 ESC 44 OZ & 14 137816 ESC 44 SB

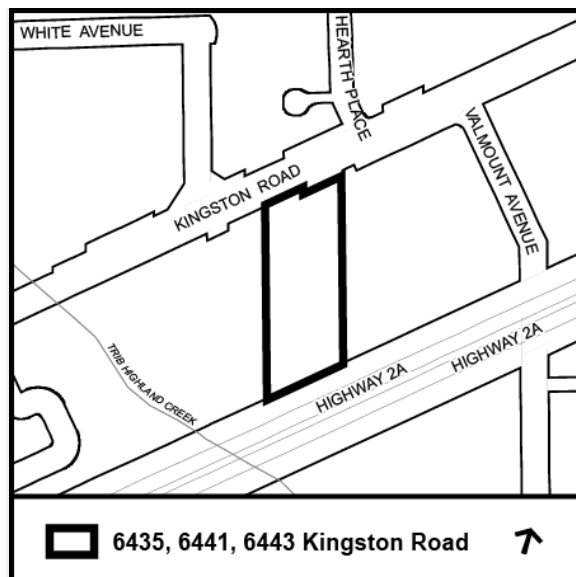
SUMMARY

This application proposes to amend the Official Plan and applicable zoning By-laws, to permit the redevelopment of 6435, 6441 and 6443 Kingston Road with 20 new residential dwelling units comprised of 6 semi-detached dwellings within 3 buildings and 14 detached dwellings. An associated draft plan of subdivision application has been filed to facilitate the creation of new lots, blocks and a new 18.5 metre (60 foot) public street.

The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe. The land use proposed is compatible with adjacent and nearby land uses and adequately addresses applicable infill development criteria. The redevelopment is appropriate given the area context and will result in no adverse impacts.

This report reviews and recommends approval of the applications to amend the Official Plan and the relevant zoning By-laws.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 6435, 6441 and 6443 Kingston Road substantially in accordance with the draft Official Plan Amendment attached as Attachment 7 to report dated October 21, 2015.
2. City Council amend City of Toronto Zoning By-law No. 569-2013, as amended for the lands at 6435, 6441 and 6443 Kingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 to report dated October 21, 2015.
3. City Council amend Zoning By-law 10827, as amended for the lands at 6435, 6441 and 6443 Kingston Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9 to report dated October 21, 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 No. 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 21, 2015 subject to:
 - a. the conditions as generally listed in Attachment 10 to report dated October 21, 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

The Preliminary Report for this application was considered by Scarborough Community Council (SCC) on June 17, 2014. The recommendations of staff were adopted without amendment. The preliminary report and the decision of SCC can be found at the following hyperlink.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.SC33.19>

ISSUE BACKGROUND

Proposal

The applicant proposes to demolish all existing structures on the subject lands and to redevelop the site with 20 new dwelling units comprised of 2 semi-detached dwellings and 14 detached dwellings on a newly proposed 18.5 metre (60 foot) public street and an additional 4 semi-detached dwellings fronting Kingston Road.

The proposed detached dwellings and semi detached dwelling at the southwest end of the proposed public street are 2 storeys (11 metres or 36 feet) in height and have frontages ranging from approximately 9.7 metres (32 feet) to 13.7 metres (45 feet) while the semi-detached dwellings on Kingston Road are 3 storeys in height (12 metres or 39 feet) and have proposed frontages ranging from approximately 9.5 metres (33 feet) to 12 metres (36 feet).

The new dwellings range from approximately 150 square metres (1,615 square feet) to 216 square metres (2,325 square feet) in size. The applicant proposes front and rear yard setbacks of 3 metres (10 feet) and 6.6 metres (22 feet) respectively for all detached dwellings while a 7.5 metre (25 foot) rear yard setback is contemplated for the proposed semi-detached dwellings. The proposal contemplates side yard setbacks of 1.2 metres (4 feet) on one side and 0.65 metres (2 feet) on the opposite side with the exception of 3 buildings. Of note, the applicant proposes a minimum 1.2 metre (4 foot) side yard setback and 2 metre (7 foot) flankage yard setback to the new street for the semi-detached buildings fronting Kingston Road while a sideyard setback of 1.2 metres (4 feet) on one side and 3.2 metres (10.5 feet) adjacent to a future 'road reserve' block is proposed for the detached dwelling at the southeast of the site. (Attachment 2: Draft Plan of Subdivision, Attachment 1: Site Plan)

A new 18.5 metre (60 foot) public road is proposed to extend south from Kingston Road terminating in a cul-de-sac at the south end of the site. In addition to the new residential lots, the applicant proposes the creation of a number of blocks which will not form a part of the redevelopment including a 'road widening' block along Kingston Road, an 'open space' block adjacent to Highway 2A, a 'residential reserve' block, 'future road' block and a '0.3 metre reserve' block at the southeast end of the site.

Site and Surrounding Area

The subject site is located south of Kingston Road, north of Highway 2A, west of Valmount Avenue and east of Meadowvale Road. The lands are approximately 0.93 ha (2.3 ac) in size and are comprised of 3 properties municipally known as 6435, 6441 and 6443 Kingston Road. The subject lands slope from north to south. The property at 6435 Kingston Road has a structure comprised of a dwelling unit and a retail/commercial use. A total of 4 accessory structures such as sheds and storage exist at the south end of the site. The remaining two properties each contain a detached dwelling unit.

Abutting uses include:

North: Townhouses, detached dwellings and auto repair/service uses;

South: Highway 2A;

East: Detached dwellings and auto repair uses beyond Valmount Avenue.

West: Detached dwellings and further west is Highland Creek and townhouses close to Meadowvale Road and Kingston Road.

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. These areas are physically stable areas providing for a variety of lower-scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods be sensitive, gradual and generally “fit” the existing physical character (Attachment 5: Official Plan).

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 be 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.

The Built Form policies of the Official Plan, contained in Section 3.1.2, provide a number of policies related to the form of new development, recognizing that for the most part future development will be built on infill and redevelopment sites and will need to fit in, respecting and improving the character of the surrounding area. Among other things, these policies include that new development will:

- be located and organized to fit with its existing and/or planned context. Development will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces;
- locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces; and,

- be massed and its exterior face will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties.

The lands are also located within the Highland Creek Community Secondary Plan. The Plan contains general policies applicable to the subject lands which direct that the *Neighbourhoods* land use designation will include only single detached dwellings, on lots having a minimum lot area of 450 square metres (4,845 square feet).

In addition, Map 2-3 (Tertiary Plan) in the Highland Creek Community Secondary Plan illustrates potential residential infill development in various areas through the Highland Creek Community. The Tertiary Plan delineates a lotting pattern illustrating a potential road running south from Kingston Road and turning eastward ending in a cul-de-sac.

A portion of the south-west end of the site is also located within the Natural Heritage System (Map 9 of the Official Plan). Policies in Section 3.4, The Natural Environment, require, among other things that:

- a study will be required to assess a proposed development's impact on the natural environment and propose measures to reduce negative impacts on and where possible, improve the natural heritage system;
- where the underlying land use designation provides for development in or near the natural heritage system, development will:
 - (a) recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of other objectives for the area; and,
 - (b) minimize adverse impacts and when possible, restore and enhance the natural heritage system.

Site Plan Control

The lands are subject to Site Plan Control, however, the proposed form of development is not subject to Site Plan Control under the City of Toronto By-law No. 774-2012, as amended.

Zoning

The subject lands are zoned Single-Family Residential (S) in the Highland Creek Community Zoning By-law No. 10827, as amended. Permitted uses include single-family dwellings, correctional group homes and group homes. Ancillary uses permitted include domestic or household arts and private home day care. The northerly portion of both 6441 and 6443 Kingston Road permit one single family dwelling per lot as shown on a registered plan while 6435 and the southerly portion of 6441 and 6443 Kingston Road permits one single family detached dwelling per parcel of land having a minimum lot frontage of 15 metres (50 feet) on a public street, and a minimum lot area of 696 square metres (7,492 square feet).

The lands are zoned Residential Detached (RD) in the new City-Wide Zoning By-law No. 569-2013, as amended. The RD zone permits detached houses as well as lower-scale community oriented uses and buildings. The lands at 6435 Kingston Road and the southerly portion of 6441 and 6443 Kingston Road are subject to (RD) Exception No. 715 and the northerly portion of 6441 and 6443 is subject to (RD)

Exception No. 692. Both exceptions contain prescriptive performance standards regulating floor area, setbacks, lot frontage and lot area.

Reasons for Application

The Official Plan amendment (OPA) has been filed to permit the semi-detached building type and reduced lot areas within the Highland Creek Community Secondary Plan which does not permit the form of development the proposed lot size. The rezoning application is required to permit the redevelopment and to establish relevant performance standards. The draft plan of subdivision is required to facilitate the creation of lots and blocks and the conveyance of a new public road.

Community Consultation

A community consultation meeting was held on July 22, 2014 with Planning staff, the Ward Councillor and 3 members of the public. A total of 135 meeting notices were mailed to notify all residents and landowners within 120 metres of the site. The issues raised included the capacity of the local schools to accommodate additional students, appropriateness of noise levels on future occupants of the development due to the proximity of the new homes to Highway 2A, privacy issues the proposal creates for adjacent lots and the impact of increased traffic volumes generated by the development on existing traffic patterns.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal focuses the infill development to a settlement area, makes more efficient use of land and existing infrastructure and contemplates the enhancement and protection of a significant natural feature through added landscaping and the conveyance of the subject feature into public ownership. The proposal is consistent with the policies of the PPS.

The subject proposal represents new growth through intensification of the lands and through the introduction of new residences which is supportive of the policy direction in the Growth Plan for the Greater Golden Horseshoe of creating complete communities through a mix of housing types. Staff are of the opinion that the proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The Highland Creek Community is generally characterized by one and two storey detached residential buildings, on lots having a minimum lot area of 450 square metres (4,844 square feet). However, several site and area specific policies permit semi-detached, and townhouse built forms on smaller lot areas.

Policy 4.1.9 of the Official Plan provides direction for infill development on properties that vary from the local pattern in terms of lot size, configuration and /or orientation in established neighbourhoods. The policies direct that infill development will have heights, massing and scale appropriate for the site

and be compatible with that permitted by zoning for adjacent and nearby residential properties. The existing zoning along Hearth Place to the north, to the east and to the west of the site permits a maximum height of 2 storeys (10 metres) whereas zoning permissions at a number of nearby existing residential developments along Kingston Road permit a maximum of 3 storeys (12 metres). The applicant proposes 2 storey (11 metre) detached and semi-detached dwellings along the proposed road and 3 storey (12 metre) semi-detached dwellings along Kingston Road. The applicant has submitted elevations and cross sections which illustrate proposed massing consistent with a traditional detached two storey dwelling and elevation for a 3 storey built form along Kingston Road.

The policies direct that infill development will provide adequate distance and separation between building walls and to use landscaping, planting and fencing, to enhance privacy where needed. The applicant proposes a side yard building setback of 1.2 metres (4 feet) on one side and 0.65 metres (2 feet) on the opposite side creating a similar sidewall to sidewall relationship as already exists in the area. Between the semi-detached dwellings on Kingston Road and the detached dwellings to the south, a total rear wall to sidewall distance of 8.7 metres (29 feet) comprised of a 7.5 metre (25 foot) deep backyard incorporating new tree plantings, a fence and a 1.2 metre (4 feet) side yard setback. The applicant also proposes a 1.8 metre high wood privacy fence, generally located in a portion of any side yard abutting another residence to enhance privacy. The proposal contemplates a rear to sidewall relationship of approximately 12.5 metres (41 feet) separation distance to the closest adjacent dwelling to the west of the site and 13 metres (43 feet) to the closest adjacent dwelling to the east. To further address privacy concerns affecting the lands immediately adjacent to the site, all 4 existing trees are proposed to be retained on the adjacent property to the east and west. Additional trees are proposed to be planted in the backyards for all lots backing on to the adjacent lands in addition to privacy fencing.

The policies direct that new infill development will front onto existing or newly created public streets wherever possible and the proposal contemplates the provision of a fully serviced 18.5 metre (60 foot) public road which is intended to provide access to 16 of the 20 newly proposed dwelling units while the balance of the units will front onto the existing public road (Kingston Road).

Planning staff are satisfied that the heights, massing and scale is appropriate for the site and compatible with the surrounding properties and are of the opinion that the applicant has adequately addressed the relevant development criteria.

Map 2-3 Tertiary Plan in the Highland Creek Secondary plan delineates a lotting pattern which envisions conceptually how a new public road and lots could be configured if the subject lands and adjacent development parcels to the east were to be redeveloped. The Map illustrates a new road running south from Kingston Road and turning east terminating in a cul-de-sac. The proposal contemplates a new public road extension from Kingston Road terminating in a cul-de sac at its southerly terminus. The applicant proposes a 'residential reserve' block and 'future road' block which will permit the future extension of the road and lotting fabric to be built in a manner comparable to that envisaged by the Tertiary Plan. The infill redevelopment implements the potential lot and road pattern concept, in part, and will allow for the extension of the road and lots to the east.

Planning staff opine that this applicable Secondary Plan policy has been addressed.

Natural Environment

The south-west end of the site is located within the Natural Heritage System (Map 9 of the Official Plan). The policies indicate that a study will be required to assess a proposed development's impact on the natural environment and propose measures to reduce negative impacts on and where possible improve the natural heritage system. The policies also indicate that there should be recognition of natural heritage value and potential impacts and that impacts should be minimized.

The applicant provided a Natural Heritage Impact Study prepared by Ages Consultants Limited which assessed the development impact and proposed measures to reduce impacts. The study has been reviewed and accepted by relevant city staff and the Toronto Region Conservation Authority (TRCA). In keeping with the recommendations of the report the applicant proposes the creation of a 10 metre (33 foot) wide, 0.07 ha (0.17 ac) sized naturalized 'buffer' block which is intended to be conveyed into public ownership. The buffer block abutting Highway 2A is being provided to protect the valley feature and vegetation communities. The applicant proposes the provision of chain link fencing to protect the existing trees and proposes additional tree planting within the buffer.

The TRCA and City staff raise no objection to the Official Plan Amendment and Rezoning on the condition that the 'buffer' block be zoned 'Open Space' Zone and that the 'buffer' block be conveyed into the TRCA's ownership. The draft zoning amendments rezone the 'buffer' block to an 'Open Space' Zone and the applicant has agreed to convey the block to the TRCA. All relevant natural heritage issues have been addressed.

Tree Preservation & Ravine By-law

A portion of land at the southwest end of the subject lands and adjacent lands to the west are regulated by the Ravine Protection By-law. Of the 6 trees regulated by the Ravine Protection By-law, 1 tree is proposed for removal to facilitate redevelopment of the lands. The application has been reviewed by Urban Forestry (Ravine By-law and Natural Feature Protection) staff and they raise no issues with the OPA or Rezoning applications and have provided draft plan of subdivision conditions.

The application was also circulated to Urban Forestry (Tree Protection and Plan Review) and they have indicated that they are supportive of the proposed redevelopment and have provided draft plan of subdivision conditions to ensure that further refinements to the tree planting and preservation measures proposed are addressed through the ongoing subdivision process (Attachment 10: Draft Plan of Subdivision Conditions).

Servicing

The applicant has submitted a Functional Servicing Report prepared by Skira and Associates Limited in support of the proposed redevelopment. The report concludes that the proposed development can be fully serviced to the existing available services on Kingston Road. Engineering and Construction Services staff have reviewed the report and associated submission materials and have no issues related to the OPA or rezoning of the lands.

Noise

A Noise Control Feasibility Study prepared S.S Wilson and Associates Consulting Engineers was submitted in support of the proposal. The consultant evaluated and analyzed the outdoor noise levels as

well as indoor noise levels for the proposed residential dwellings. To address noise concerns a number of measures have been recommended including such things as acoustical fencing, building acoustical insulation and air conditioning units. Of note, the consultant concludes that it is feasible to control sound levels within outdoor and indoor areas of the redevelopment to meet provincial guidelines and municipal noise level standards. The applicant has confirmed that they will implement the measures recommended in the report and staff are satisfied that the applicant has satisfactorily addressed noise considerations.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 + 2.99 hectares of local parkland per 1,000 people. The subject site is located in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant is proposing 20 residential units within a net site area of 0.64 hectares (6,400 square metre or 68,889 square feet). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020 – 2010, the parkland dedication would be 0.0266 hectares (266 square metres or 2863 square feet), which equates to 4.1% of the site. However, a minimum cap of 5% applies and hence the parkland dedication would be 0.0320 hectares (320 square metres or 3444 square feet).

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.

Transportation Impact, Parking and Access

The applicant submitted a Preliminary Traffic Review prepared by Urban & Environmental Management in support of the application. The study concludes that the proposed development will not have negative impacts on the existing traffic operations of Kingston Road and nearby intersections and that the proposal is functional from a transportation perspective.

The applicant proposes the provision of 1 required parking space within an integral garage for each new dwelling unit with adequate space for a second vehicular parking space within the driveway which meets the Highland Creek Community Zoning By-law No. 10827, as amended parking requirements and the requirements of the new Zoning By-law No. 569-2013, as amended.

The applicant proposes to construct and dedicate a new 18.5 metre (60 foot) public road which will provide for an appropriate extension to the road network and adequate pedestrian and vehicular access and circulation.

The study along with relevant materials has been reviewed by the appropriate city staff and there remain no objections to the proposed redevelopment as transportation impact, parking and access concerns have been adequately addressed.

School Capacity

The applicant's proposal has been circulated to the Toronto District School Board (TDSB) as well as the Toronto Catholic District School Board (TDCSB), however, the TDSB was the only respondent. The Board noted that there is sufficient space at the local schools to accommodate additional students from this proposed development. The local elementary school is operating at capacity, however, the impact from the proposed development is insufficient to require any warning clauses, which would normally be requested by the Board.

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. Tier 1 performance measures such as erosion and sediment control measures, stormwater retention and water quality for stormwater run-off, through the requirement of an acceptable stormwater management report will be secured through the Subdivision Approval process. Other Tier 1 measures include Tree Protection and plantings of new shade trees, provision of native species of trees and a watering program will also be secured through the Subdivision Approval process.

Conclusion

The proposal is consistent with the policies of the PPS and adequately addressed policy directives for the Growth Plan for the Greater Golden Horseshoe. The relevant policies of the Official Plan have been adequately addressed and the proposed configuration of blocks and the new public road implement the potential lot and road pattern concept in the Tertiary Plan. The proposed rezoning and draft plan of subdivision will facilitate the orderly development of the subject lands and the proposal represents an appropriate infill development that is compatible with the surrounding neighbourhood.

CONTACT

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

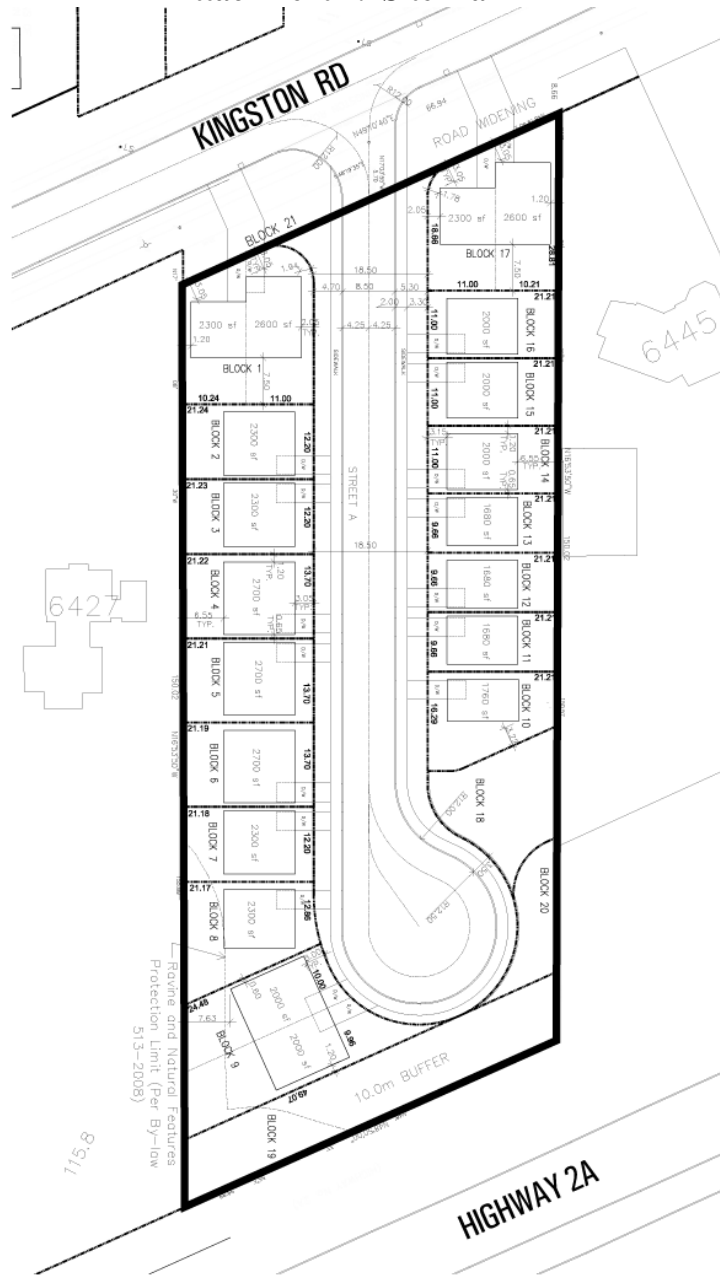
SIGNATURE

Lorna Day, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Draft Plan of Subdivision
Attachment 3(a):	Elevations
Attachment 3(b):	Elevations
Attachment 4:	Zoning
Attachment 5:	Official Plan
Attachment 6:	Application Data Sheet
Attachment 7:	Draft Official Plan Amendment
Attachment 8:	Draft Zoning By-law Amendment– Zoning By-law No. 569-2013
Attachment 9:	Draft Zoning By-law Amendment –Zoning By-law No. 10827
Attachment10:	Conditions of Draft Plan of Subdivision

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

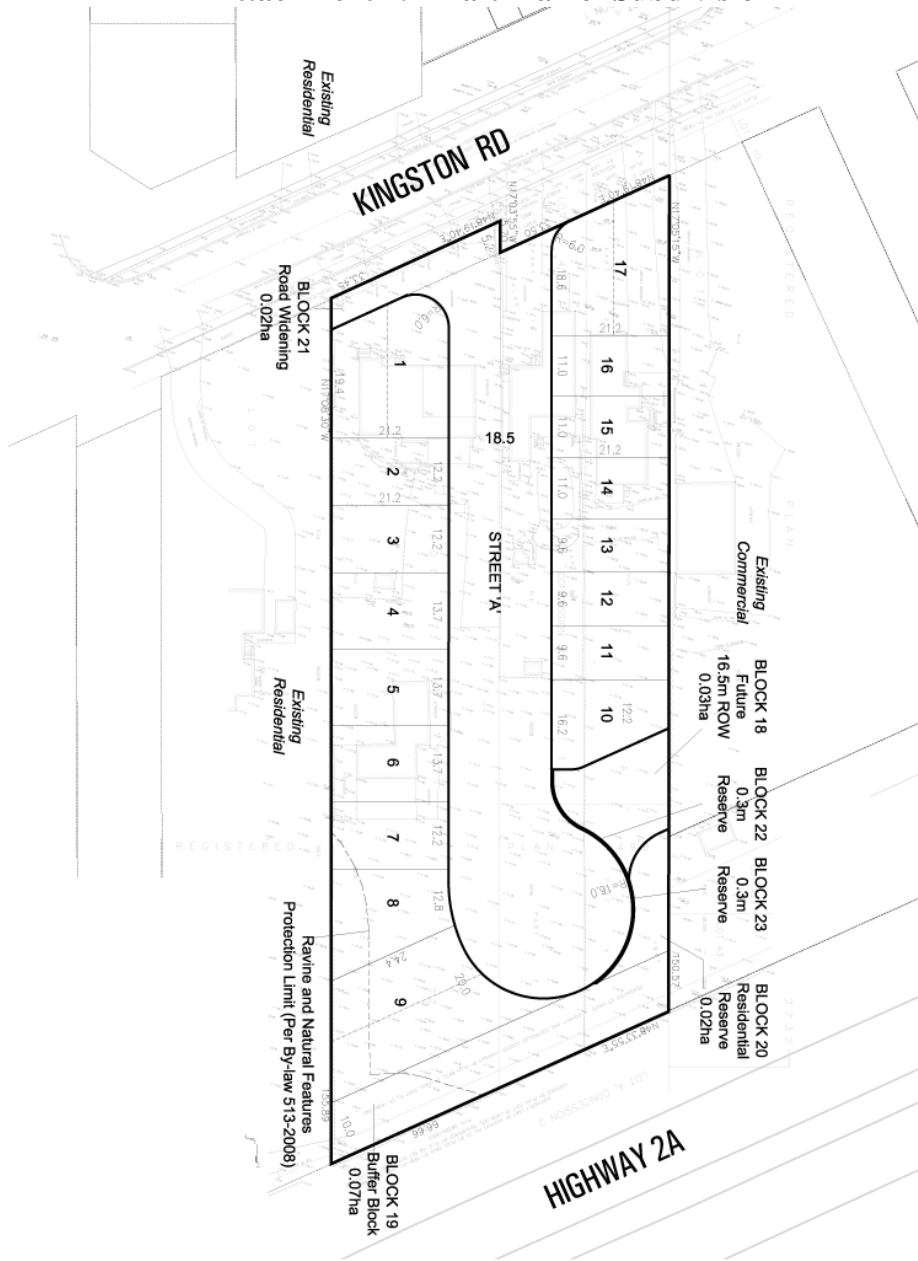
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6435, 6441, 6443 Kingston Road

File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB

Attachment 2: Draft Plan of Subdivision



Draft Plan of Subdivision

6435, 6441, 6443 Kingston Road

Applicant's Submitted Drawing

Not to Scale
09/22/15

File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB

Attachment 3(a): Elevations



Front Elevation - Single



Front Elevation - Single



Front Elevation - Single

Elevations

Applicant's Submitted Drawing

Not to Scale
10/06/15

6435, 6441, 6443 Kingston Road

File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB

Attachment 3(b): Elevations



Front Elevation - 3 Storey Semi



Front Elevation - 2 Storey Semi

Elevations

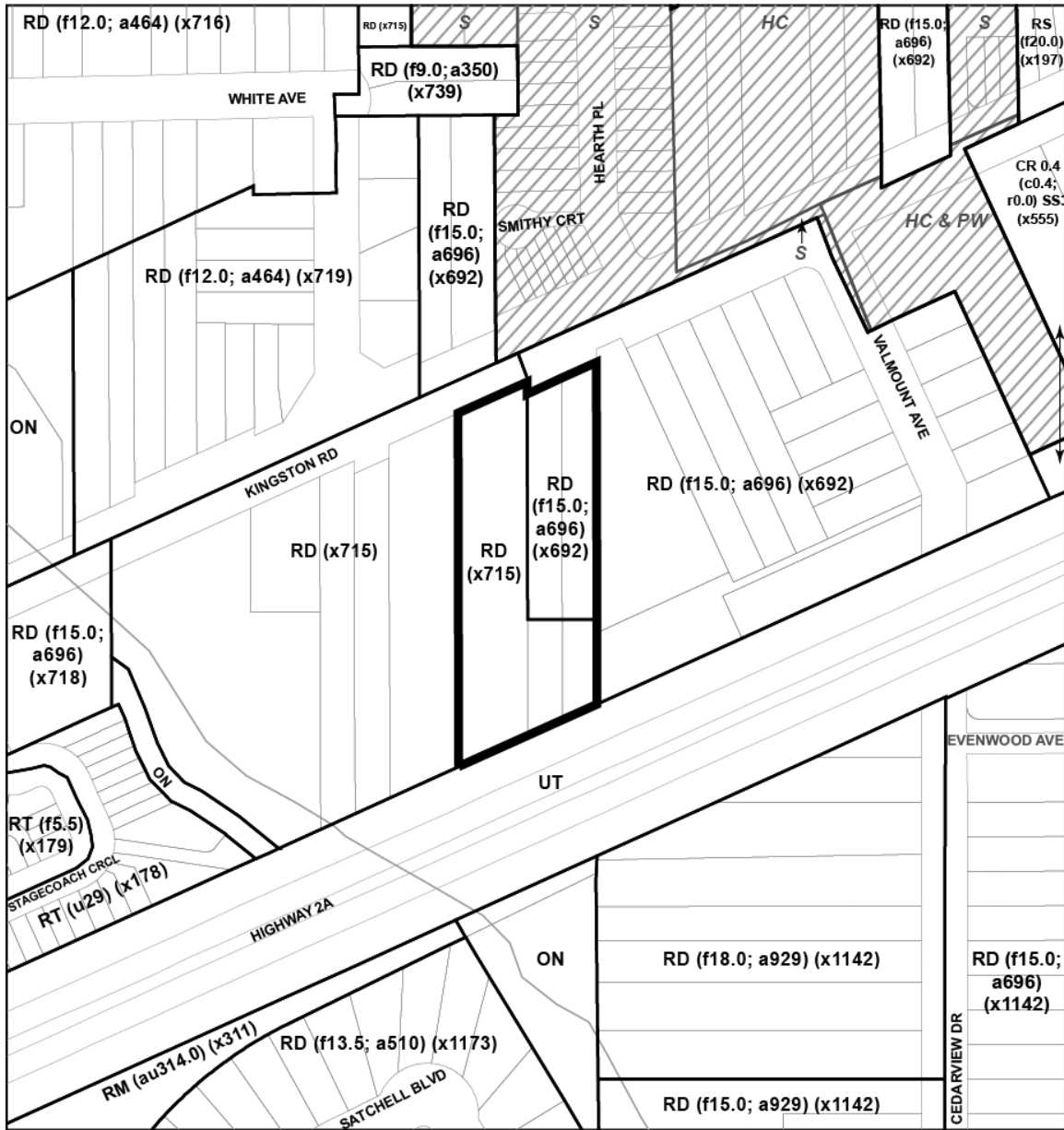
Applicant's Submitted Drawing

Not to Scale
10/06/15

6435, 6441, 6443 Kingston Road



File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB


Attachment 4: Zoning



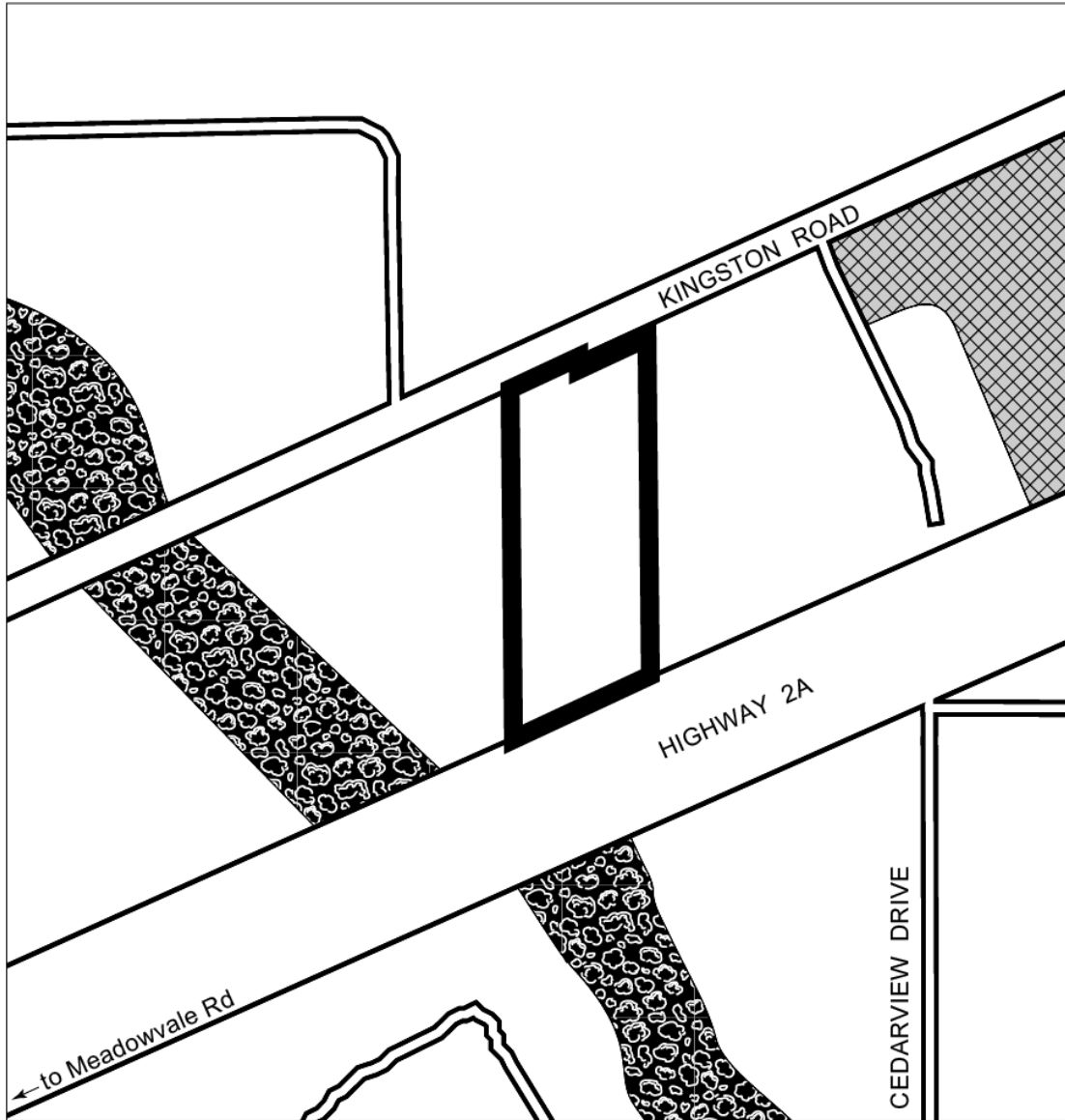
TORONTO City Planning
Zoning By-law 569-2013

6435, 6441, 6443 Kingston Road
 File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB

	Location of Application		See Former City of Scarborough Highland Creek Community Bylaw No. 10827
	Residential Detached		Single-Family Residential
	Residential Semi-Detached		Highway Commercial
	Residential Townhouse		Place(s) of Worship
	Residential Multiple		
	Commercial Residential		
	Open Space Natural		
	Utility and Transportation		


 Not to Scale
 Extracted 05/14/2014

Attachment 5: Official Plan



TORONTO City Planning
Official Plan

6435, 6441, 6443 Kingston Road

File # 14 137806 ESC 44 OZ; 14 137816 ESC 44 SB




 Not to Scale
 05/13/14

Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 137806 ESC 44 OZ & 14 137816 ESC 44 SB
Details	OPA & Rezoning, Standard	Application Date:	April 3, 2014

Municipal Address: 6435, 6441 & 6443 KINGSTON RD
 Location Description: PLAN 3499 PT LOT 22 **GRID E4404
 Project Description: To permit 3 semi-detached buildings (6 dwelling units) and 14 detached dwellings and the introduction of a 18.5 m wide public street.

Applicant:	Agent:	Architect:	Owner:
KORSIAK & COMPANY			1583690 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	RD	Historical Status:
Height Limit (m):	10	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	9300	Height:	Storeys:	2 & 3
Frontage (m):	66.95		Metres:	11 & 12
Depth (m):	153			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	4078		Parking Spaces:	20
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4078			
Lot Coverage Ratio (%):	0			
Floor Space Index:	0.44			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	20

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	4078	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: **PLANNER NAME:** **Jeffery Sinclair, Planner**
 TELEPHONE: **416-396-7685**

Attachment 7: Draft Official Plan Amendment

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 adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2014, as
6435, 6441 and 6443 Kingston Road**

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. 291 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

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 291 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS
6435, 6441 and 6443 Kingston Road

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

1. Chapter 6, Section 2, Highland Creek Community Secondary Plan is amended by adding Site and Area Specific Policy No. 17 to Subsection 2, Site and Area Specific Policies:

17. 6435, 6441 and 6443 Kingston Road

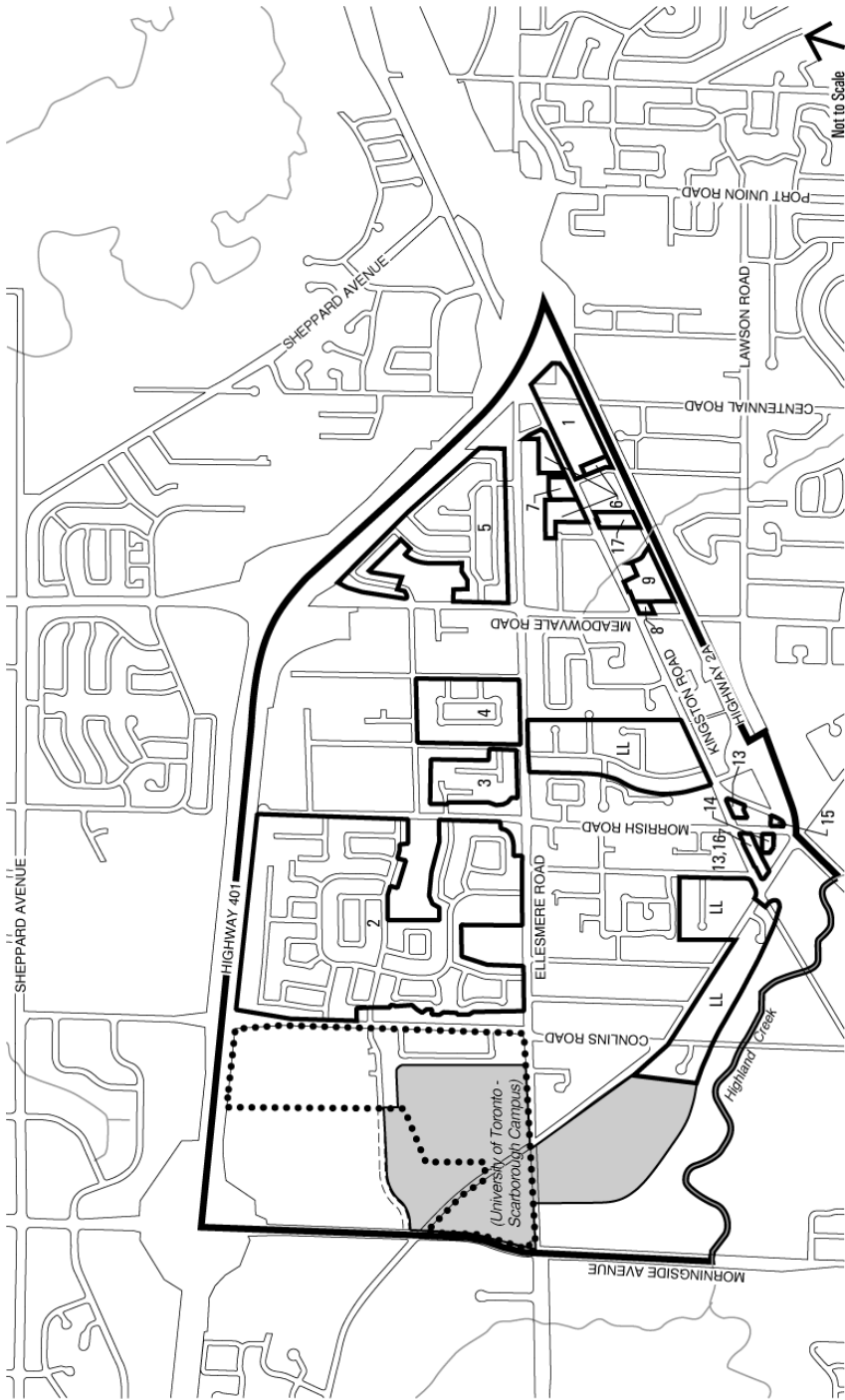
For the lands shown as 17 on Map 2-1:

- (a) only detached and semi-detached dwellings are permitted; and
- (b) the minimum lot size requirement of 450 square metres does not apply.



2. Chapter 6, Section 2, Highland Creek Community Secondary Plan, Map 2-1, Urban Structure is amended by adding Site and Area Specific Policy No.17 to the lands on the south side of Kingston Road, as shown on the attached Schedule '1'.
3. Chapter 6, Section 2, Highland Creek Community Secondary Plan, General Policies, is amended by deleting Policy 1.3 and replacing it with the following:
 - 1.3 Map 2-3 illustrates potential residential infill development to ensure continuity of roads and to provide for a compatible lotting pattern.

Schedule '1'



Highland Creek Secondary Plan
MAP 2-1 Urban Structure Plan

-  Secondary Plan Boundary
-  Proposed Road
-  Area 'A'
-  Site and Area Specific Policies
-  Large Lot Areas

September 2015

Attachment 8: Draft Zoning By-law Amendment–Zoning By-law No. 569-2013

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX-2014]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2015 as 6435, 6441 and 6443 Kingston Road

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; 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*; and

The Council of the City of Toronto enacts:

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 **RD (x183)** and **ON** as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.3.10 Exception Number 183 so that it reads:

Exception RD 183

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) Minimum **front yard setback** of 3 m except that the garage main wall containing the vehicular access shall be **setback** a minimum of 6 m;
- (B) A sales office and model home, used exclusively for the initial sale of **dwelling units** is permitted;
- (C) Maximum **lot** coverage is 50%;

- (D) On Area A as identified on Diagram 3 of By-law No. XXXX-2015 the following will apply:
- (i) The only permitted **residential building** type is a **semi-detached house**;
 - (ii) The minimum **lot frontage** is 20 metres. If a **semi-detached house** is on two **lots** the required minimum **lot frontage** for each **lot** is 50% of the required minimum **lot frontage**;
 - (iii) The maximum **height** is 11 metres and 2 **storeys**;
 - (iv) The minimum **rear yard setback** is 7.5 metres;
 - (v) The minimum **side yard setback** is 1.2 metres from one side and 0.6 metres from the other side; and
 - (vi) On the side with the 1.2 metre **building setback**, the minimum separation distance between **buildings** must be 2.4 metres.
- (E) On Area B as identified on Diagram 3 of By-law No. XXXX-2015 the following will apply:
- (i) The minimum **lot frontage** is 9.5 metres;
 - (ii) The maximum **height** of a **building** is 11 metres and 2 **storeys**;
 - (iii) The minimum **side yard setback** is 1.2 metres from one side and 0.6 metres from the other side;
 - (iv) On the side with the 1.2 metre **building setback**, the minimum separation distance between **buildings** must be 2.4 metres; and
 - (v) The minimum **rear yard setback** is 6.5 metres.
- (F) On Area C as identified on Diagram 3 of By-law No. XXXX-2015 the following will apply:
- (i) The minimum **lot frontage** is 12 metres;
 - (ii) The maximum **height** is 11 metres and 2 **storeys**;
 - (iii) The minimum **side yard setback** of 1.2 metres from one side and 0.6 metres from the other side;
 - (iv) On the side with the 1.2 metre **building setback**, the minimum separation distance between **buildings** must be 2.4 metres; and
 - (v) The minimum **rear yard setback** is 6.5 metres.
- (G) On Area D as identified on Diagram 3 of By-law No. XXXX-2015 the following will apply:
- (i) The only permitted **residential building** type is a **semi-detached house**;
 - (ii) If a **semi-detached house** is on two **lots**, the required minimum **lot frontage** is 9 metres for one of the two **lots** and a minimum of 11 metres for the other **lot**;
 - (iii) The maximum **height** is 12 metres and 3 **storeys**;
 - (iv) The minimum **rear yard setback** is 7.5 metres;
 - (v) The minimum **side yard setback** of 1.2 metres and the minimum **flankage yard setback** of 2.0 metres; and

- (vi) The **front lot line** is the property line abutting Kingston Road.
- (vii) Regulation 10.5.80.40(3) does not apply.

(H) On Area E as identified on Diagram 3 of By-law No. XXXX-2015 the following will apply:

- (i) The minimum **lot frontage** is 16 metres;
- (ii) The maximum **height** is 11 metres and 2 **storeys**;
- (iii) The minimum **rear yard setback** is 6.5 metres; and
- (iv) The minimum **side yard setback** is 1.2 metres to the north **side lot line** and 3.2 metres to the south **side lot line**.

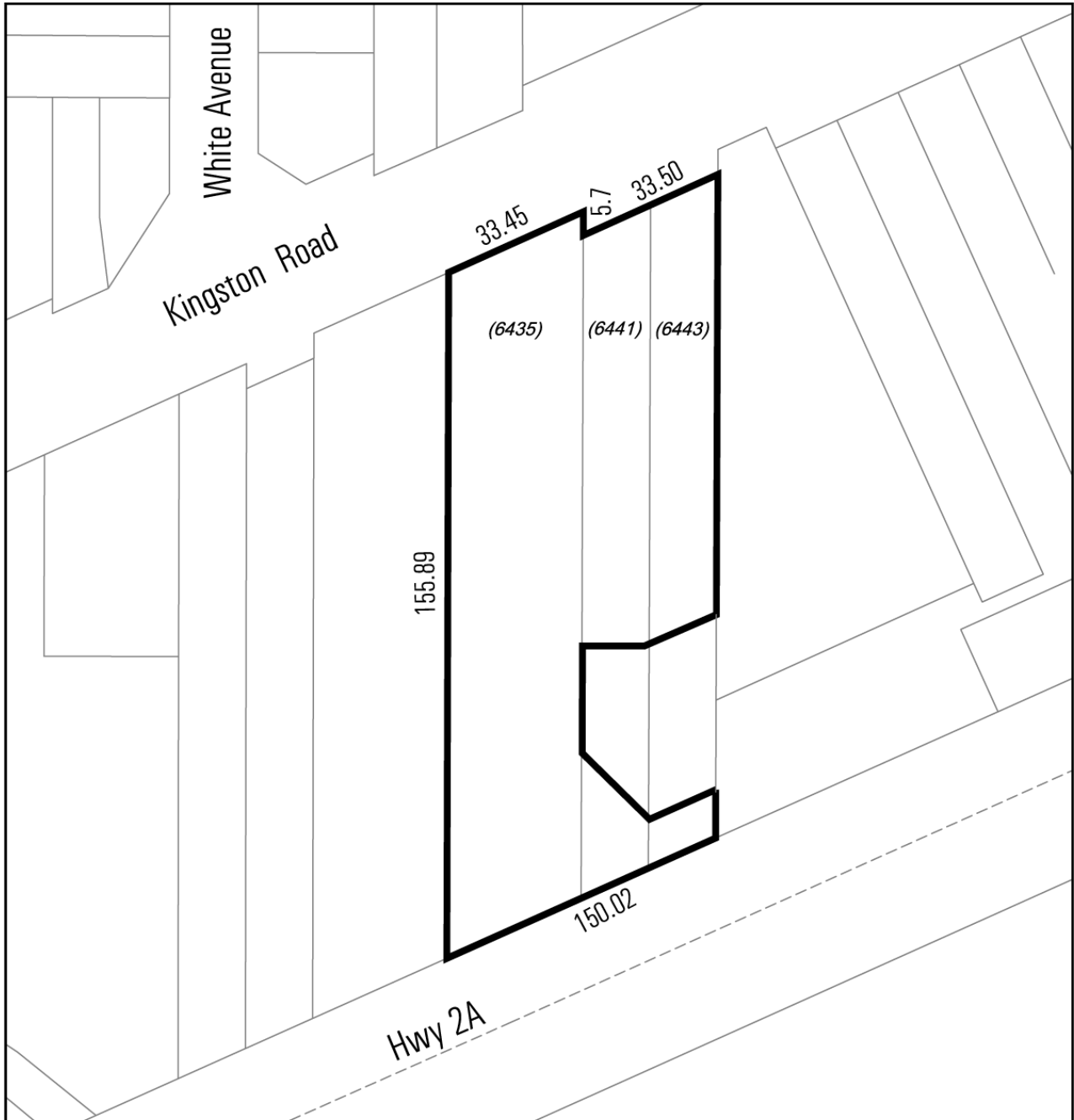
Prevailing By-laws and Prevailing Sections (None Apply)

Enacted and passed on month ##, 20##.

Name,
Speaker

Ulli S. Watkiss,
City Clerk

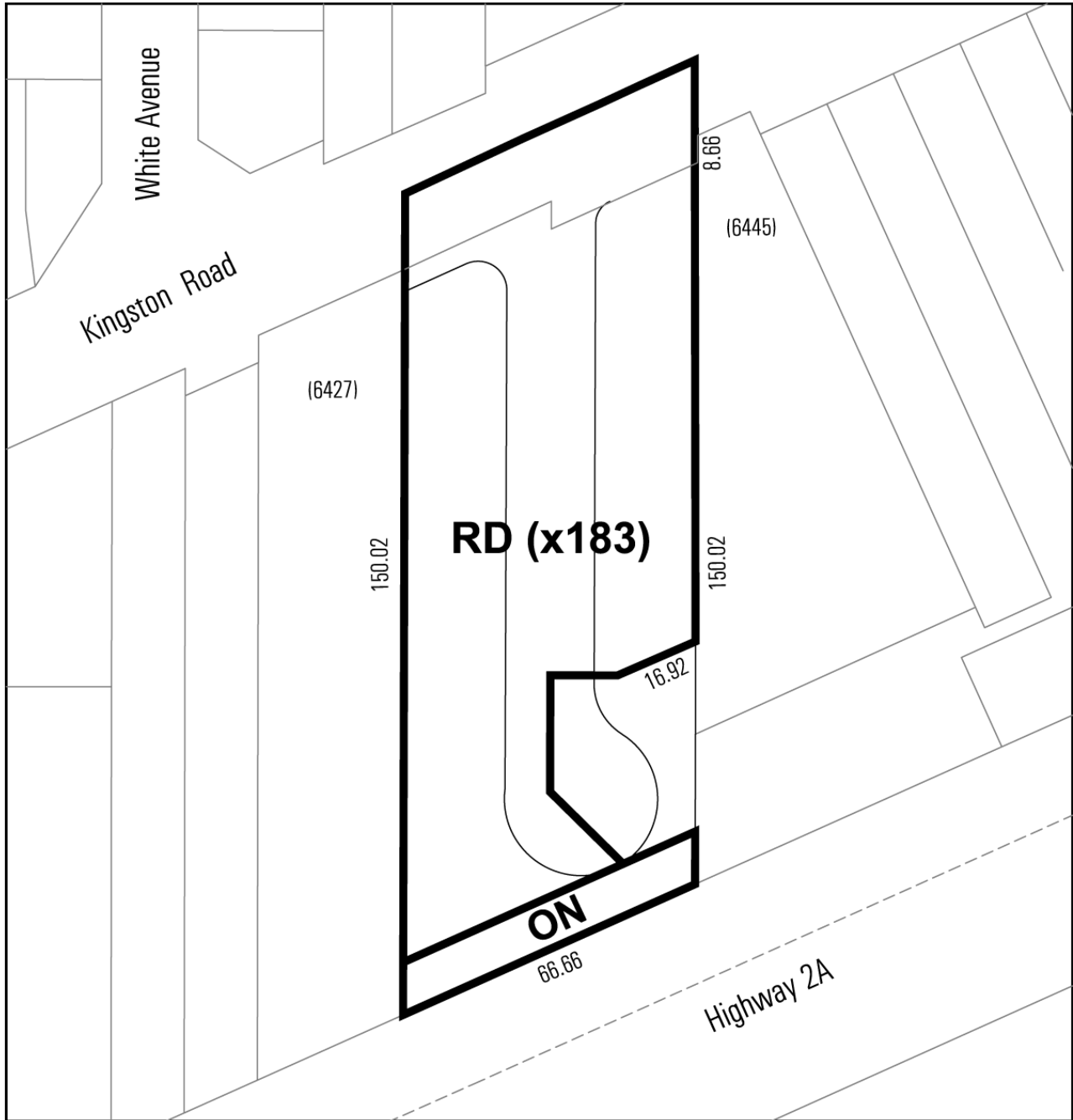
(Seal of the City)



6435,6441,6443 Kingston Road

File # 14 137806 ESC 44 OZ, 14 137816 ESC 44 SB

City of Toronto By-Law 569-2013
Not to Scale
10/20/2015

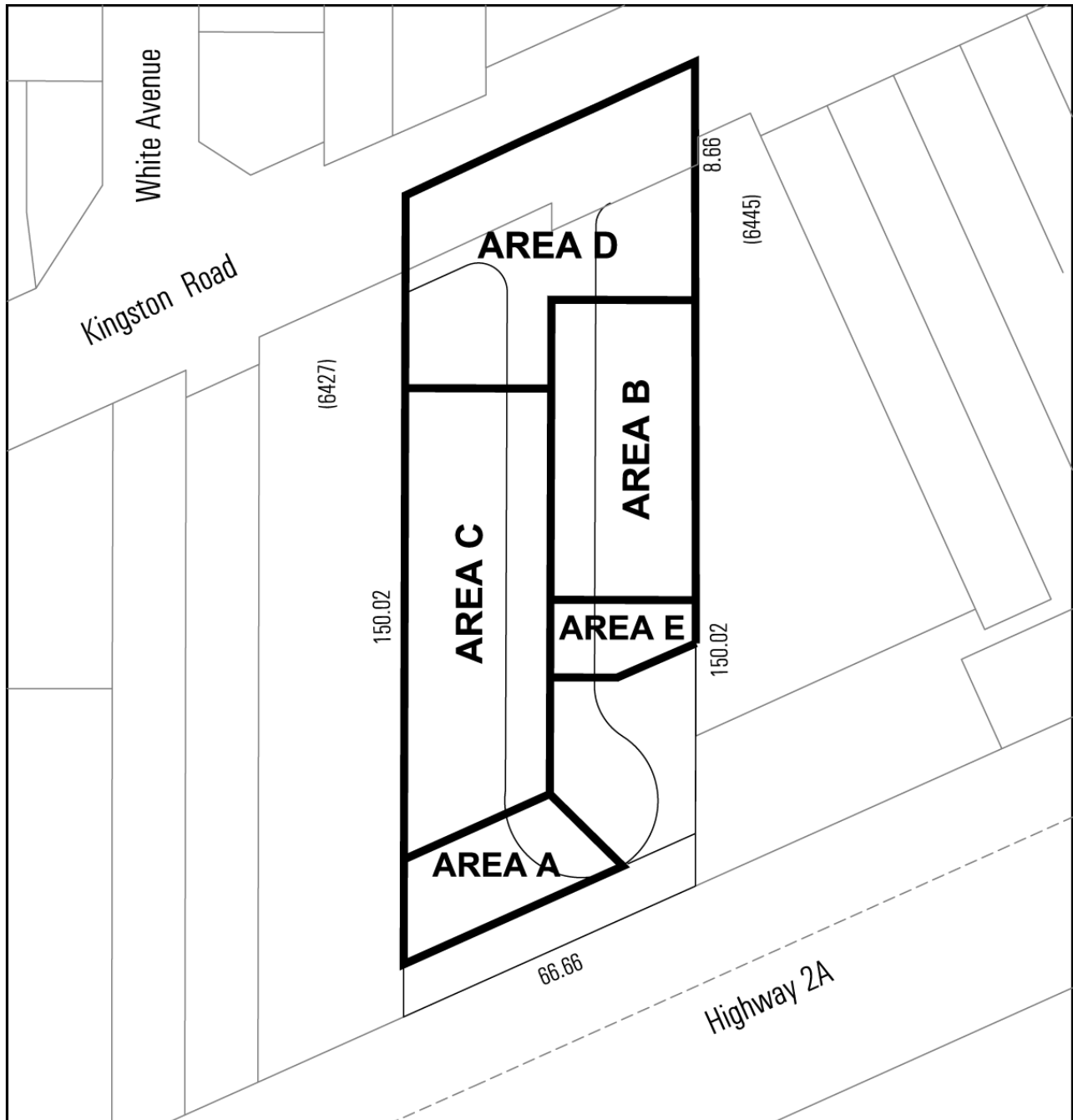


TORONTO City Planning
Diagram 2

6435,6441,6443 Kingston Road

File # 14 137806 ESC 44 OZ, 14 137816 ESC 44 SB

↑
City of Toronto By-Law 569-2013
Not to Scale
10/20/2015



TORONTO City Planning
Diagram 3

6435,6441,6443 Kingston Road

File # 14 137806 ESC 44 OZ, 14 137816 ESC 44 SB

City of Toronto By-Law 569-2013
Not to Scale
10/20/2015

Attachment 9: Draft Zoning By-law Amendment–Zoning By-law No. 10827

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 Highland Creek Community Zoning By-law No. 10827, as amended,
With respect to the lands municipally known as
6435, 6441 and 6443 Kingston Road**

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 the following so that the amended zoning shall read as follows:

S-1-95A-138-208-268-270-281-415-431-525

T-9-95A-138-208-268-270-281-408-432-524

T-9-95A-138-208-268-270-281-415-432-525

S-1-95A-138-208-268-270-281-415-431-523

O

- 2. SCHEDULE 'B', PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

MISCELLANEOUS

- 281. CLAUSE VI - PROVISIONS FOR ALL ZONES, Section 16, Regulations for Single Family and Two-Family Dwellings, Subsection 16.1 and Subsection 16.3** shall not apply.

HEIGHT

415. Maximum **height** of buildings 11 m and 2 **storeys**, excluding **basements**.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREETS

431. Minimum **rear yard** building **setback** of 6.5 m.

432. Minimum **rear yard** building **setback** of 7.5 m.

SETBACKS

523. Minimum north **side yard** building **setback** of 1.2 m and south **side yard** building **setback** of 3.2 m.

524. Minimum **side yard setback** of 1.2 m and a minimum **flankage yard setback** of 2.0 m.

525. Minimum **side yard** building **setback** of 1.2 m from one side and 0.6 m from the other side. On the side with the 1.2 m building **setback**, the minimum separation distance between **buildings** must be 2.4 m.

3. **SCHEDULE 'C', EXCEPTION LIST and EXCEPTION MAP** is amended by adding Exception Number 61, to the lands outlined on Schedule '2' so that it reads as follows:

61. On the lands identified as Exception Number 61 on the accompanying Schedule 'C' Map, the following provisions shall apply:

(a) Notwithstanding the definition of **street** in **CLAUSE V (f) Definitions**, a **street** shall have a minimum width of 18.5 metres.

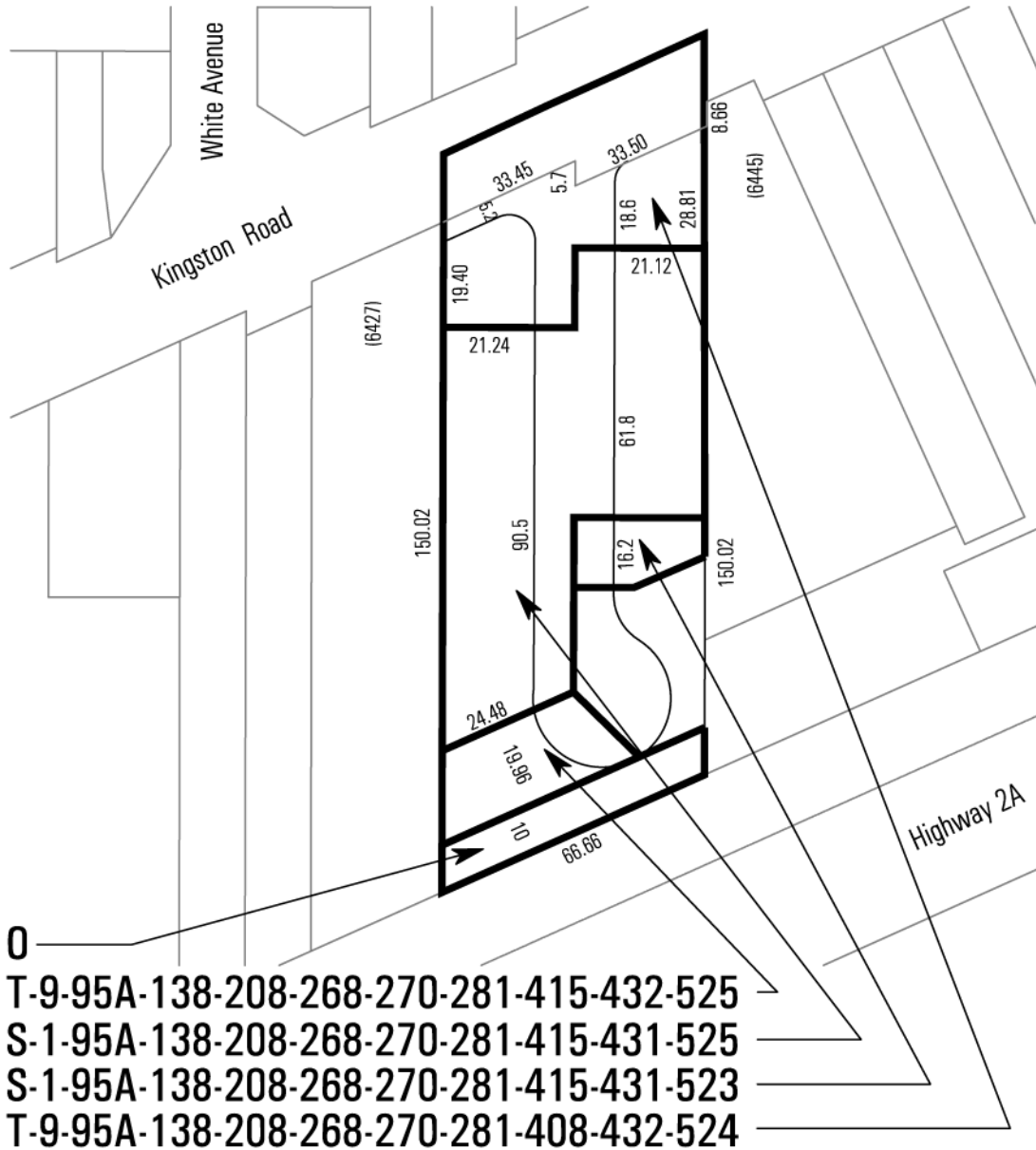
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



- 0
- T-9-95A-138-208-268-270-281-415-432-525
- S-1-95A-138-208-268-270-281-415-431-525
- S-1-95A-138-208-268-270-281-415-431-523
- T-9-95A-138-208-268-270-281-408-432-524

Toronto City Planning Division
Zoning By-Law Amendment

6435, 6441 and 6443 Kingston Road

File # 14 137806 ESC 44 0Z

 Area Affected By This By-Law

Highland Creek Community Bylaw
 Not to Scale
 10/20/15



Schedule '2'



Exception No. 61

TORONTO City Planning Division
Zoning By-Law Amendment

6435, 6441 and 6443 Kingston Road
File # 14 137806 ESC 44 0Z

 Area Affected By This By-Law

Highland Creek Community Bylaw
Not to Scale
10/05/15

Attachment 10: 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 Chief Planner and Executive Director, confirmation that the taxes have been paid in full by way of a Statement of account or Tax Clearance Certificate.
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 draft plan of subdivision, the Highland Creek Community Secondary Plan, Site and Area Specific Policy No. 17 and zoning implementing the amended Official Plan shall be in full force and effect.

CITY PLANNING

1. Prior to registration of the plan of subdivision, the Owner agrees to include the following warning clause in the Offer of Purchase and Sale for Lot 9, as follows:

"In order to achieve a suitable indoor noise environment, windows may have to remain closed; therefore this dwelling unit has been equipped with a central air conditioning unit."
2. Prior to registration of the plan of subdivision, the Owner agrees to include the following warning clause for Blocks 6-13 (inclusive), as follows:

"Purchasers/tenants are advised that despite the inclusion of noise control features within this development area and within the dwelling units, sound levels from increasing road traffic on Kingston Road and/or Highway 2A may continue to be a concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the City of Toronto and the Ministry of Environment's noise criteria"
3. Carry out/implement, and bear all costs associated with, the recommended Noise Mitigation Measures in accordance with the Noise Control Feasibility Study prepared by S.S Wilson and Associates Consulting

Engineers, dated April, 2, 2014 or a subsequent detailed noise report required by the Chief Planner and Executive Director.

4. Prior to registration of the plan of subdivision, the Owner shall provide a letter to the Chief Planner and Executive Director from the consultant engineer certifying that the recommended Noise Mitigation Measures have been carried out/implemented.
5. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit as security for the installation of any required mitigation measures including, but not limited to, the construction and installation of all berms and acoustic fences for 120% of the value of such items to the satisfaction of the Chief Planner and Executive Director.
6. 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 privacy or decorative fencing equal to 120% of the value of the fencing to the satisfaction of the Chief Planner and Executive Director.
7. Prior to the registration of the plan of subdivision, the Owner agrees to provide the City with a detailed fencing plan and to make satisfactory arrangements to install any required privacy or decorative fencing to the satisfaction of the Chief Planner and Executive Director within one year of the final grading of the proposed lots.

ENGINEERING & CONSTRUCTION SERVICES

1. The Owner shall dedicate all roads, corner roundings, and road widenings shown on the plan.
2. The Owner shall convey to the City all 0.3 metre (one foot) reserves shown on the plan.
3. The Owner shall convey all necessary easements (*internal and external*) to the City.
4. The Owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
5. The Owner shall 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:
 - i. 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 Technical Services, for review and approval;
 - ii. 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
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
7. The Owner shall pay all costs for preparation and registration of reference plan(s).

8. The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
9. The Owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
10. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
11. The Owner shall submit financial security in accordance with the terms of standard subdivision agreement.
12. 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.”

"There is a City by-law that prohibits the use of the public boulevard for a required parking space in this Ward. 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”.
13. The proposed public road must be designed and constructed in accordance with the Development Infrastructure Policy and Standards for an 18.5 metre right-of-way, DIPS – 2B.
14. The proposed cul-de sac must be designed and constructed in accordance with the City of Toronto Development Infrastructure Policy and Standards.
15. The Owner is responsible for all costs associated with the installation/alterations of municipal street signage/and pavement markings required by this subdivision.
16. The existing sidewalk along the entire Kingston Road frontage of the site is to be replaced with a new 1.7 metre wide concrete municipal sidewalk.
17. The owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, 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.
18. 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 (minimum width of 3 metres) to the satisfaction of the Executive Director of Engineering and Construction Services.

- 19 Block 21 is to be conveyed to the City as a road widening and the Owner will make arrangements for the registration of the road widening shown as Block 21 to the satisfaction of the City Solicitor.
21. Blocks 18 and 20 are to be developed with the adjoining lands to the east of this Plan.
22. Block 19 is to be conveyed to the Toronto Region Conservation Authority (TRCA).

URBAN FORESTRY (Ravine By-law)

1. Prior to the subdivision registration, the Owner shall submit a financial security in the amount of CDN\$ 27,000 (Twenty-seven thousand dollars) to Ravine and Natural Feature Protections (RNFP) in the form of a letter of credit or certified cheque payable to Treasurer, City of Toronto, to secure the implementation and maintenance of the re-naturalization of Block 19, to the satisfaction of the Supervisor, RNFP and the security deposit shall be equal to 120% of the value of re-naturalising and restoring Block 19, to the satisfaction of the Supervisor, RNFP. The security deposit shall be delivered to the satisfaction of the Supervisor, RNFP.
2. Prior to subdivision registration, the Owner shall submit a sediment control plan with an appropriate scale indicating the location of sediment control measures that shall be in place during construction to RNFP for review and approval. Sediment control measures shall adhere to Urban Forestry's Frozen Ground Detail, to be provided by RNFP.
3. Prior to the registration of the plan of subdivision, the Owner shall provide the City with a Letter of Credit as security for the installation of the fencing around the perimeter of Block 19, equal to 120% of the value of the fencing, including all fencing required by the Toronto & Region Conservation Authority, to the satisfaction of the Supervisor, RNFP.
4. The Owner shall agree in the subdivision agreement to install the Block 19 perimeter fence in accordance with approved plans within one year of the final grading of the proposed lots.
5. The Owner shall satisfy the following condition to the satisfaction of RNFP prior to any site works including but not limited to tree work:
 - i) The Owner shall obtain clearance from RNFP. The clearance may be subject to conditions including but not limited to the following:
 - a. The Owner must protect all ravine protected trees on the property and adjacent properties not approved for removal or injury, to the satisfaction of RNFP. Final tree protection and planting conditions will be determined through the ravine permit /clearance application process.

b. Once the tree protection and sediment control measures have been installed or undertaken, the Owner shall notify the RNFP Planner at 416-392-1377 to arrange for an inspection of the site and approval of the tree and site protection measures.

c. The Owner shall ensure that tree protection and sediment control is not altered or removed without prior written approval from the Supervisor, RNFP. Any unauthorized modification to site protection is a contravention of the RNFP By-law.

d. The Owner shall ensure that all tree work is executed to proper arboricultural standards and to the satisfaction of RNFP.

6. The Owner acknowledges and agrees that stockpiling of any soils, machinery, or materials in Block 19 is prohibited.
7. The Owner acknowledges that there will be a two year maintenance period for the re-naturalization works in Block 19. There will be an annual inspection by the Supervisor, RNFP or designate. Upon acceptance of the newly installed landscape works in Block 19, and at the end of the maintenance period, the City will release the letter of credit, subject to the satisfaction of the Supervisor, RNFP.
8. The re-naturalization of Block 19, as per the approved Landscape Plan, shall be completed within two years of first occupancy of the plan of subdivision and the Owner shall submit a written request to the Supervisor, RNFP, if an extension for the implementation of the approved Landscape Plan is necessary.
9. Prior to any site disturbance, the Owner shall confirm that no migratory birds are making use of the site for nesting. The applicant shall ensure that the works are in conformance with the Migratory Bird Convention Act and that no migratory bird nests will be impacted by the proposed work.
10. The Owner agrees that all refuse, including leaves, branches, and logs that have not fallen naturally, construction material debris, household garbage, and yard waste such as lawn grass and clippings shall be removed from the ravine and Block 19 to the satisfaction of RNFP. The Owner agrees that dumping refuse including organic material in a protected area is an illegal activity and contributes to slope destabilization.

TORONTO REGION CONSERVATION AUTHORITY (TRCA)

1. The owner shall apply for and receive a TRCA Permit under Ontario Regulation 166/06 prior to carrying out any site grading or construction within the regulated area being 5 metres from the north property line of Block 19.

URBAN FORESTRY (Tree Protection and 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, 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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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

1. Prior to the registration of the plan of subdivision, the Owner agrees to submit an application and pay the required application fees, and provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City's Street 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. Prior to the registration of the plan of subdivision, the Owner shall post a Letter of Credit in the yet to be determined amount 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.
7. Prior to the registration of the plan of subdivision, the Owner shall submit a payment to cover the appraised value of any City trees to be removed, to the satisfaction of the General Manager of Parks, Forestry & Recreation.
8. 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.

9. 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.
10. The Owner agrees to contact the Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her designate prior to commencement of street tree planting. The Owner further agrees to plant the street trees as per the approved street tree planting and composite utility plans, to the satisfaction of the General Manager of Parks, Forestry & 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.
11. 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.

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 on 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.

ADVISORY COMMENTS

1. All land conveyance shall meet all requirements to the satisfaction of the Land Acquisition Section of Parks, Forestry & Recreation Division.
2. Any proposed changes to approved drawings and specifications that relate or affect planting or vegetation within the area protected by the RNFP By-law, shall first be approved by RNFP.
3. RNFP shall not object to the installation of any structures within Block 19, if such structures are confirmed to be acceptable by the TRCA.
4. The Owner is advised to contact Mr. John House, Property Records Supervisor, at 416-392-8338 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. Please see <http://www.toronto.ca/mapping/numbers/index.htm> for details. (The municipal addresses will be required for the purpose of setting up the water account with the City of Toronto when application is made for the proposed sewer and or/water service connection).
5. Any physical or landscaping features that they propose to introduce in the municipal right-of-way are subject to the requirements of Chapter 743 of the Toronto Municipal Code. Depending on the type of encroachment as specified in Article IV of Chapter 743, it may require an encroachment agreement with the City of Toronto as well as Community Council approval. The Owner is responsible for the costs of installing/planting these encroachments, and the encroachment must be maintained at the owner's expense pursuant to Article V of Chapter 743.
6. The Owner is advised to contact Mr. Kerry Ferguson, Titles and Status Supervisor, at 416-392-7757 to initiate the street naming process. The applicant will be required to follow the City of Toronto's Street Naming Policy which can be found at http://www.toronto.ca/mapping/street_naming/index.htm.
7. It should be noted that all public streets, private access roads and private walkways should be named in order to facilitate access to the units fronting these streets, roads and walkways.
8. Grades of the proposed driveways must be from 2% to 6% within the boulevard, only 4% maximum grade across a sidewalk.

9. A minimum clearance of 1 metre must be provided and maintained from any hydro street light/poles. If this is not possible, the pole(s) must be relocated by Toronto Hydro at the Owner's expense.
10. The Owner is responsible for obtaining the applicable permits/licences and providing securities and is advised to contact the Right-Of-Way Management Section at (416) 396-7505 regarding the site-specific permit/licence requirements and associated securities and obligations.
11. Other permits/licenses associated with construction activities (such as hoarding, piling, shoring, etc.) may also be required.
12. Residential driveways must be designed in accordance with Ontario Provincial Standard Drawing number OPSD-351.010.
13. 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.
14. Required permits for work within and adjacent to road allowance. The fund for this deposit will be collected by the building department as part of the building permit fee. Prior to any construction activity, the owner is required to provide a fee of \$740.22 for the access permit.