

30 Tippet Road –Subdivision Application – Final Report

Date:	August 23, 2016
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 10 – York Centre
Reference Number:	15 220939 NNY 10 SB

SUMMARY

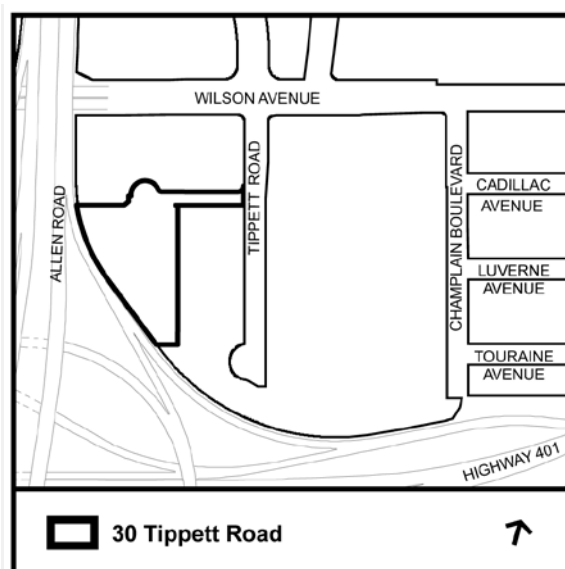
This subdivision application proposes to create a public street running west from Tippet Road and a public park at 30 Tippet Road within the Tippet Road Regeneration Study area. The public street will be used to access future residential developments at 30 Tippet Road as well as 36 and 36 R Tippet Road while the public park will serve as a public amenity.

This report advises that the Chief Planner intends to approve the Draft Plan of Subdivision subject to appropriate conditions of approval.

RECOMMENDATIONS

The City Planning Division recommends that:

1. 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 3 to report dated August 18, 2016 subject to:
 - a. the conditions as generally listed in



Attachment 4 to report dated August 23, 2016 which except as otherwise noted must be fulfilled prior 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.
2. Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Tippett Road Area Regeneration Study

The subject site is within the Tippett Road Area Regeneration Study area. The study lands are generally bounded by Wilson Heights Boulevard, Wilson Avenue, Champlain Boulevard, Highway 401 and William R. Allen Road (See Attachment 1). At their meeting on December 9, 2015 City Council approved the Tippett Road Area Regeneration study.

The Tippett Road Area Regeneration Study is one of seven Regeneration Areas studies that resulted from City Council's adoption of Official Plan Amendment 231 (OPA 231) at the conclusion of the City's Municipal Comprehensive Review of Employment Lands. Regeneration Areas are areas of the City that present an opportunity to attract investment, re-use buildings and encourage new construction. These areas are key to the Official Plan's growth strategy and offer the opportunity to reintegrate underutilized areas of the City. Each Regeneration Area requires a tailor-made planning framework to help guide future growth that is informed by community consultation and a detailed planning study.

The Tippett Road Area Regeneration Study was undertaken to develop a comprehensive planning framework to guide the redevelopment of the 12.6 hectares redesignated as Regeneration Areas and Mixed Use Areas through the adoption of OPA 231. Council also adopted Site and Area Specific Policy 387 which introduced a framework to guide the Study. The Study process was initiated in 2013 and included a community consultation process, discussions with landowners and a review and assessment of the surrounding land uses and policy framework. The result is a comprehensive policy

framework to guide the redevelopment of the Study Area as a complete community. The framework provides for a fine grain network of streets, parks and open spaces, pedestrian connections and an appropriate mix of uses and built form typologies, a mix of housing including the provision of affordable housing and a multi-modal transportation strategy to support a vibrant mixed-use community.

The Council approved Tippet Road Area Regeneration Study can be found at the following link <http://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-85263.pdf>

A supplementary report addressing additional comments on the Tippet Road Area Regeneration Study was also approved by Council on December 9, 2015 and can be found at the following link:
<http://www.toronto.ca/legdocs/mmis/2015/cc/bgrd/backgroundfile-86494.pdf>

The Final Regeneration Area Study (OPA 309) was appealed to the Ontario Municipal Board (OMB Case number PL160041). A pre-hearing was held on July 4th, 2016. A second pre-hearing is scheduled for October 25th, 2016 and a hearing is scheduled for June 5th, 2017 to June 17th, 2016.

30 Tippet Road - Consent to Sever

At their meeting on November 12, 2015 the Committee of Adjustment approved a Consent application (File No.: B012/14NY) to sever 30 Tippet Road into two parcels. The north parcel is now known as 36 and 36 R Tippet Road. The address of the south parcel remains 30 Tippet Road. The purpose of the severance was to facilitate the development of two residential buildings at 12 and 8-storeys in height on the north parcel (36 and 36 R Tippet Road). The retained southern portion of the site and the subject of this development application, 30 Tippet Road, is a future development site.

Access to both sites is to be provided from the public street that is proposed to be created through the subject Subdivision application.

30 Tippet Road (now 36 and 36 R Tippet Road) Zoning By-law Amendment Application - File No.: 12 294187 NNY 10 OZ

At its meeting on December 9, 2015 City Council approved a Zoning By-law Amendment application to permit two residential buildings at 12 and 8-storeys in height. The proposed 12-storey building would contain 291 units and a 468 square metre daycare or community space. The proposed 8-storey building would contain 152 units. The proposal also includes a shared 2-level underground garage with 353 parking spaces. Approximately 100 of the proposed dwelling units would be affordable units including 50 affordable ownership units and 50 affordable rental units.

As part of the approval of this rezoning application, City Council required the applicant to submit a revised South West Tippet Area Master Servicing Study to the satisfaction of the Executive Director, Engineering and Construction Services prior to the issuance of Draft Plan of Subdivision approval for the subject site at 30 Tippet Road. If the revised

study concludes that servicing improvements to the 30 Tippet Road site are required, conditions to secure these improvements are to be included as conditions of Draft Plan of Subdivision approval.

The site specific by-law implementing the proposal is By-law 1361-2015.

30 Tippet Rd (now 36 and 36 R Tippet Road) Minor Variance Application - File No. A0569/16NY

An application for a minor variance was submitted for 36 and 36 R Tippet Road to add 2 storeys to the 12-storey building. The additional storeys would be achieved by reducing the floor-to-ceiling heights of the approved but not built development. The 2 additional storeys would be within the approved building envelope with no increase in building height proposed. The application also proposes to increase the number of units from 396 units to 445 units and increase the permitted gross floor area to 29,343 square metres from 27,901 square metres. This application has not yet been scheduled for a Committee of Adjustment hearing.

30 Tippet Road (now 36 and 36 R Tippet Road) Site Plan Approval application - File No. 16 185908 NNY 10 SA

On July 6, 2016 an application for Site Plan Approval was submitted to the City for the proposed 14-storey residential building and the proposed 8-storey residential building at 36 and 36 R Tippet Road. The application is currently under review.

ISSUE BACKGROUND

Proposal

This application proposes to permit the creation of two parcels of land that will be used to create a portion of a public street running west from Tippet Road and a 1,530 square metre portion of a public park at 30 Tippet Road. The public street will have an 18.5 metre right-of-way with 4 metres of that width, located at the eastern portion of the street, being conveyed to the City as part of the development application for 4 and 6 Tippet Road (File No. 16 196875 NNY 10 OZ) which is currently under review. The public street will be used to access future developments at 36 and 36 R Tippet Road, and 30 Tippet Road. The parcel that will form part of the public park will be combined with a 1,030 square metre portion of land from the development proposal at 4 and 6 Tippet Road to complete the park block. The public park will serve as a public amenity to support new development in the area in accordance with Tippet Road Area Regeneration Study and OPA 309.

As part of the Subdivision application the applicant was required to submit a revised South West Tippet Area Master Servicing Study and External Sanitary Sewer Study. The Master servicing area is approximately 30,212 m² (3.0212 ha) and consists of future development sites including 9 Tippet Road, 36 and 36R Tippet Road (formerly 30 Tippet Road - north parcel), 30 Tippet Road, 4 and 6 Tippet Road as well as the future public street and park that are the subject of this Subdivision application. The External Sanitary Sewer Study provides an assessment of the external sanitary sewer capacity and

makes recommendations for the required improvements to support future development within the Tippet Road Regeneration Area.

Site and Surrounding Area

The site is relatively flat and irregular in shape. It has a frontage of 20.6m on Tippet Road and a lot area of 13,273m². The site is currently being used as TTC commuter parking lot.

The area contains a mix of uses including residential, commercial, institutional, retail and light industrial.

North: Immediately north of the site at 36 and 36 R Tippet Road a rezoning application (File No.: 12 294187 NNY 10 OZ) was approved to permit 2 residential buildings at 12 and 8-storeys in height and containing a total of 443 residential units and a 468 square metre daycare or community space. A minor variance application (File No. A0569/16NY) was submitted to increase the number of storeys in the west building from 12 to 14 though the application has not yet been scheduled for a Committee of Adjustment hearing date. Further north, the property at the southwest corner of Wilson Avenue and Tippet Road (545 and 555 Wilson Avenue), contains a mixed-use condominium development consisting of two towers at 15 and 16 storeys including a shared 8-storey base building. Across Wilson Avenue to the north (50 Wilson Heights Blvd.) is another TTC commuter parking lot.

South: Two 1-storey office/industrial buildings are located south of the entrance to the commuter parking lot at 4 and 6 Tippet Road. A Zoning By-law amendment application (File No. 16 196875 NNY 10 OZ) was submitted on July 26, 2016 for the site at 4 and 6 Tippet Road. The application proposes to permit two 16-storey buildings and a 13-storey building. Further south is a 4-storey office building (2 Tippet Road). Highway 401 is located further south.

East: Gramercy Park at 525 Wilson Avenue is a 12-storey mixed-use building containing 512 residential units. South of that at 9 Tippet Road is a 1-storey warehouse building. A Zoning By-law amendment application has been approved for 9 Tippet Road to permit a mixed use building with a maximum height of 17 storeys and a maximum of 500 dwelling units (File No. 11 255468 NNY 10 OZ).

West: William R. Allen Road abuts the site to the west. The western end of the site also includes a TTC subway entrance to Wilson Station. West of William R. Allen Road is a TTC parking lot subject to a site plan application for a commercial plaza (File No. 14 235303 NNY 09 SA) and a commercial shopping area containing a Costco, Home Depot, Best Buy and other commercial uses further west.

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, by the *Planning Act*, 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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

Through OPA 231 Council redesignated the subject site from *Employment Areas* to *Regeneration Areas*.

Regeneration Areas Policies

Regeneration Areas open up unique areas of the City to a wide array of uses to help attract investment, re-use buildings, encourage new construction and bring life to the streets. These areas are key to the Official Plans growth strategy, reintegrating areas of the City that are no longer in productive urban use due to shifts in the local or global economies. In Regeneration Areas, commercial, residential, live/work, institutional and light industrial uses can be mixed within the same block or even the same building.

Not all Regeneration Areas will have the same mix of uses or development policies. Each will differ in terms of its existing built context, character of adjacent areas and market opportunities for revitalization. Regeneration Areas will need "tailor-made" strategies and frameworks for development, provided through a Secondary Plan. In some cases, there will be a need for extensive infrastructure improvements as in the case of the Central Waterfront. In smaller Regeneration Areas, the road system may be in place and the emphasis will be on re-use of existing buildings and compatible infill.

Tippett Road Area Site and Area Specific Policy (OPA 309)

The site is designated *Mixed Use Areas 'B'* in the Tippett Road area site and area specific policy. This land use designation allows for residential and non-residential uses. Map 3 of the site and area specific policy shows the planned structure for the lands south of Wilson Avenue designated *Mixed Use Areas "B"* and requires:

- a new public street extending west from Tippet Road which will provide direct access to the south entrance of the Wilson Subway Station; and
- the new public street to provide frontage to a centrally located public park to be located west of Tippet Road and south of the new public road.

OPA 309 also contains policies regarding servicing which identify that the introduction of additional uses and the overall intensification of the Tippet Road Area will require improvements to existing municipal servicing infrastructure to be designed and funded by area owners through the development approval process.

Municipal servicing infrastructure will be implemented through the submission and approval of individual rezoning applications pursuant to Section 34 of the *Planning Act* and applications for draft plan of subdivision pursuant to Section 51 of the *Planning Act*, as appropriate.

The appropriateness of employing a Holding (H) symbol to ensure servicing infrastructure is secured will be considered during the processing of each application for rezoning received for lands within the Tippet Road Area.

The Tippet Road Site and Area Specific Policy (OPA 309) was appealed to the Ontario Municipal Board (OMB Case number PL160041). A pre-hearing was held on July 4th, 2016. A second pre-hearing is scheduled for October 25th, 2016 and a hearing is scheduled for June 5th, 2017 to June 17th, 2016.

Zoning

The property is zoned Industrial-Commercial MC(H) Zone by former City of North York Zoning By-law No. 7625, which permits a variety of industrial, commercial and institutional uses as well as a park. The MC zone permits a maximum floor space index of 1.0. The Holding (H) provision restricts retail stores, personal service shops and office uses to a maximum of 5,000m² or 0.5 F.S.I.

The site is also subject to the height restrictions related to the former Downsview Airport, now operated by Bombardier Aerospace, and imposed by Schedule “D” (Airport Hazard Map). The Schedule restricts maximum building and structure heights to 15.24 metres, however, this height restriction is subject to refinements as development proceeds through rezoning applications.

Reasons for Application

The purpose of this Subdivision application is to create a part of a public street running west from Tippet Road and a 1,530 square metre portion of a public park at 30 Tippet Road. The public street will be used to access a future mixed use development at 30 Tippet Road while the public park will serve as a public amenity.

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 Provincial Policy Statement (PPS) 2014 contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas. The PPS also identifies that healthy, livable and safe communities are sustained by accommodating a mix of uses including parks. The PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan and the site and area specific policy for the Tippet Road Area (OPA 309) meet the requirements of the PPS. The proposed public street and park are consistent with the vision of the City of Toronto Official Plan and the site and area specific policy for the Tippet Road Regeneration Area (OPA 309) and are, therefore, consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe requires that Official Plans provide a strategy and policies to achieve intensification and to identify the appropriate type and scale of development in intensification areas. The proposed public street and park are important elements of the infrastructure needed to accommodate intensification while also establishing a livable and complete community. The proposed public street and park are consistent with the way the Official Plan implements the Growth Plan for the Greater Golden Horseshoe.

The proposal is consistent with the PPS and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed new public street will provide access to the approved mixed use development on 36 and 36 R Tippet Road as well as a future development at 30 Tippet Road. The public street and park are consistent with the planned structure of *Mixed Use Area 'B'* as illustrated on Map 3 in Official Plan amendment OPA 309 for the Tippet Regeneration Area and are required to support future development in the area. Development of the mixed use block of lands to the south of the proposed public street will be subject to a rezoning application which will implement OPA 309.

Servicing

Improvements to the sanitary sewer capacity external to the subject site are necessary to support the significant amount of development proposed within the Tippet Road Regeneration Area in accordance with OPA 309. The applicant has agreed to complete Phase 1 and Phase 2 of the external sanitary sewer improvements as described on page 9, section 2.4 of the Tippet Road Area Regeneration – External Sanitary Sewer Study (dated May 2016) prepared by MMM Group. The active developers in the Tippet Road Regeneration Area are proposing that the Phase 1 lands consist of 9 Tippet Road, 36 and 36 R Tippet Road (30 Tippet Road north parcel) and that the Phase 2 lands consist of 4 and 6 Tippet Road and 30 Tippet Road (south parcel). These sanitary sewer improvements are required by Engineering and Construction Services and Toronto Water to be designed and constructed prior to the first site plan approval of any development blocks within the Phase 1 and Phase 2 lands. These sanitary improvements (Phase 1 and Phase 2) including the engineering fees, will be secured as part of the subdivision agreement for the subject proposal, as well as through development approvals on other lands subject to the improvements.

OPA 309 identifies improvements to existing municipal servicing infrastructure to be designed and funded by area owners through the development approval process. The applicant of the subject Subdivision application will be 'front ending' improvements to the external sanitary sewer, the cost of which will be shared amongst the area land owners through a private cost sharing agreement.

These sanitary sewer improvements have been reviewed and accepted by the City of Toronto with the understanding that no private water pumping (including foundation ground water pumping) will be permitted to be discharged to the municipal sewer for the entire Tippet Road Regeneration Area. Therefore, no private water pumping (including foundation groundwater pumping) will be permitted to the municipal sanitary sewer for the entire Tippet Road Regeneration area.

The applicant has requested City staff review the possibility of a development charge credit for the improvements to the existing external sanitary sewer system conditions as proposed in the Tippet Road Area Regeneration – External Sanitary Sewer Study (dated May 2016) prepared by MMM Group. City staff will review this request, in consultation with Development Engineering staff and report further to Council if necessary.

Draft Plan of Subdivision

City Planning is recommending approval of the draft plan of subdivision subject to the conditions in Attachment 4. The draft plan of subdivision implements the vision of the Official Plan and OPA 309 through the creation of a public street and a public park to support future development in the area. The review of the draft plan and the conditions of approval ensure the blocks are the appropriate size and configuration and have regard for the adjoining properties. The street and park, as shown on the draft plan of subdivision will allow for future expansion to the east and south when the adjacent lands at 4 and 6 Tippet Road are developed.

Attachment 4 outlines both the standard and site specific draft conditions that will be satisfied by the applicant including entering into a Subdivision Agreement. The matters secured by the conditions include the conveyance of the new public street and new public park, the payment of all fees, and further engineering review among other matters.

Conclusion

This report recommends that 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 subject to appropriate conditions. The proposed land division contributes to the road and park system in the neighbourhood as outlined in Official Plan Area Specific Policy 309 and implements the objectives of the Tippet Road Area Regeneration Study.

CONTACT

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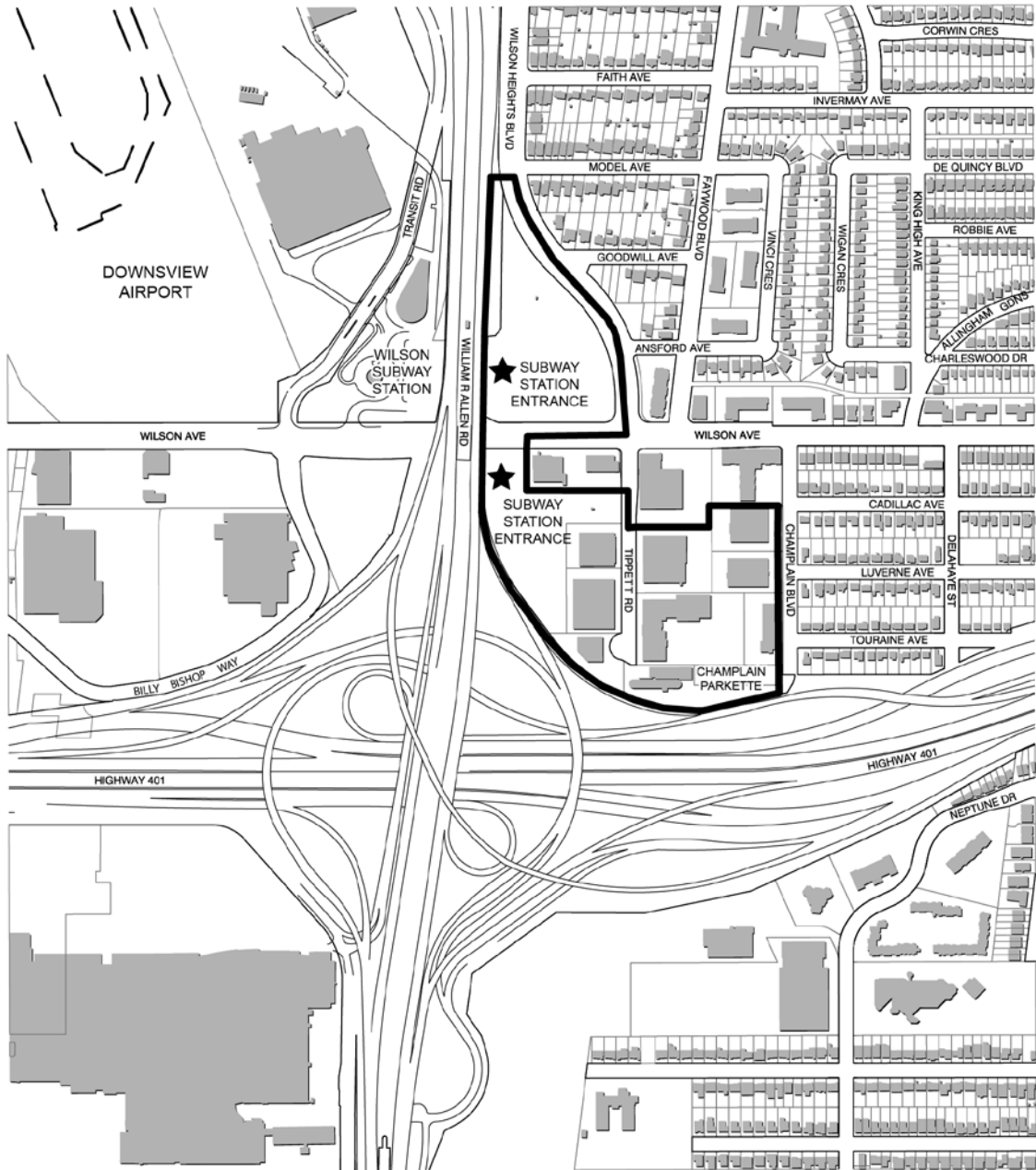
SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Tippet Road Area Regeneration
Attachment 2: Tippet Road Area Regeneration Study Structure Plan – South of Wilson Avenue
Attachment 3: Draft Plan of Subdivision
Attachment 4: Conditions of Draft Plan of Subdivision

Attachment 1: Tippet Road Area Regeneration Study



Context

 Study Area Boundary

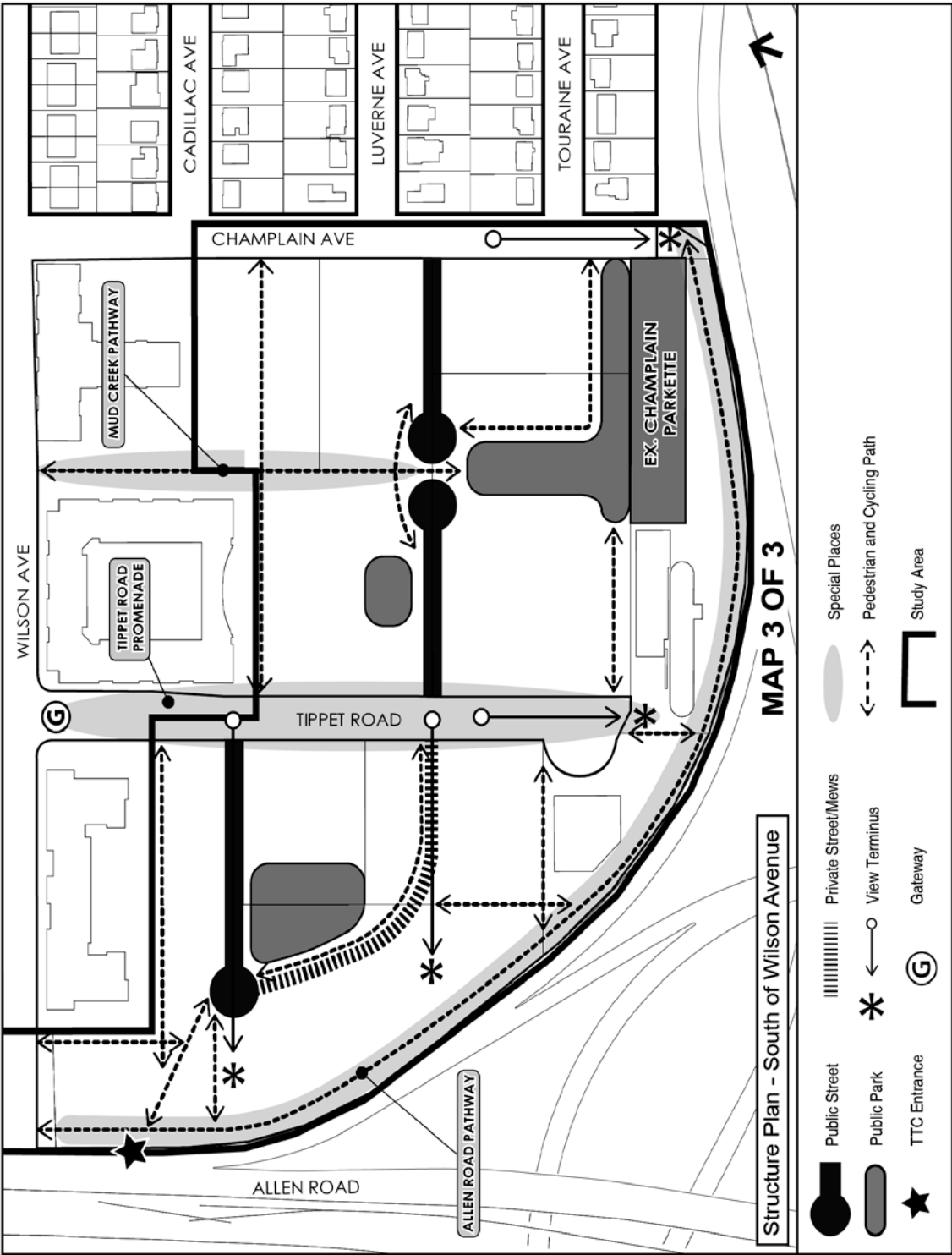
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03/19/2015



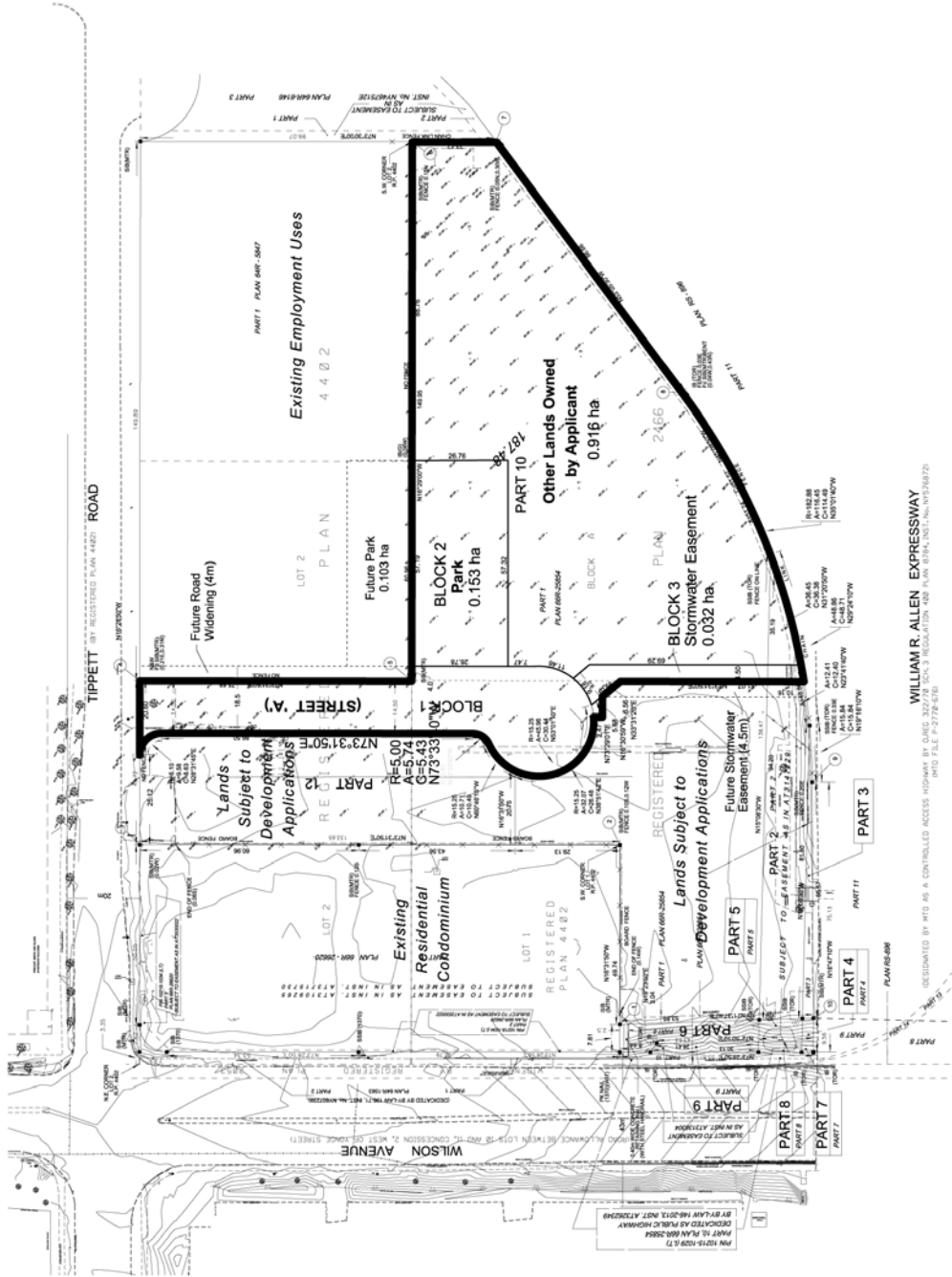
Tippet Road Area Regeneration Study

File # 13 120982 NNY 10 TM

Attachment 2: Tippet Road Area Regeneration Study Structure Plan – South of Wilson Avenue



Attachment 3: Draft Plan of Subdivision



30 Tippet Road

File # 15 220939 NNY 10 SB

Draft Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale
07/25/2016

Attachment 4: Conditions of Draft Plan of Subdivision

Legal Services

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.

City Planning

2. The Owner shall provide to the Director of Community Planning, North York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to Section 40 of the Assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. Prior to approval of the site plan application for 36 and 36 R Tippet Road (formerly 30 Tippet Road) (File No. 16 185908 NNY 10 SA), the Owner shall design the new public street and site access/space for 36 and 36 R Tippet Road to accommodate the following requirements in accordance with the Supplementary Staff Report for the Zoning By-law amendment application for 30 Tippet Road (File No. 12 294187 NNY 10 OZ) dated December 7, 2015 and approved by Council at their meeting on December 9, 2015 including:
 - a. the provision of three car-share spaces that are publicly accessible;
 - b. the provision of three shared surface parking spaces for day-care pick-up-drop-off/delivery/taxi users;
 - c. the provision of one publicly accessible parking space with an electrical vehicle charging facility;
 - d. the unbundling of a parking space when purchasing a dwelling unit;
 - e. the creation of approximately seven (7) parking spaces for shared mobility users on the north side of the new public street and cul-de-sac using parking lay-bys and bump-out design concepts;
 - f. an additional 26 bicycle parking spaces at subway entrance areas for transit users and area users;
 - g. shared funding between the applicant and Build Toronto for one bike share station (10 bicycles) and publicly accessible space for the bike share station;

- h. one digital display facility in a publicly accessible or visible location to provide real-time area transportation service, status, alert, location, distance and access information shown in the display;
 - i. participation in the Smart Commute program when service is available to residents and employees; and
 - j. the provision of a transportation information package at the time of purchase.
5. Prior to registration of the first draft plan of condominium for 36 and 36 R Tippet Road (formerly 30 Tippet Road) (File No. 16 185908 NNY 10 SA), the owner will submit functional plans for improvements to the Tippet Road and Wilson Avenue intersection and contribute proportional funding for the improvements to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director of Engineering and Construction Services and in accordance with the Supplementary Staff Report for the Zoning By-law amendment application for 30 Tippet Road (File No. 12 294187 NNY 10 OZ) dated December 7, 2015 and approved by Council at their meeting on December 9, 2015. These improvements include:
- a. the provision of a cycle track at the intersection;
 - b. a reduction in the size of the intersection with shorter pedestrian crossings;
 - c. the provision of new on-street parking on both sides of Tippet Road south of the new east/west public street to support the vibrant promenade and retail activities; and
 - d. the provision of new on-street parking on the east side of Tippet Road north the new public street to facilitate additional on-street parking spaces for all area users.

Engineering and Construction Services

- 6. Enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
- 7. Pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.
- 8. Dedicate all roads and corner roundings shown on the plan.
- 9. Convey to the City all 0.3 metre (one foot) reserves shown on the plan.
- 10. Convey all necessary easements to the City.
- 11. 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 Engineering and Construction Services Division in consultation with the City Solicitor.

12. 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 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);
 - 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.
13. Pay all costs for preparation and registration of reference plan(s).
14. 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).
15. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
16. Submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.
17. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
18. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
19. The applicant must submit a financial guarantee in the form of an irrevocable letter of credit or a certified cheque (amount to be determined later) for the pavement marking and signage as required to the City of Toronto. The pavement markings and signage are required as part of the proposed public road construction and new public ROW.
20. Submit a pavement marking and signage plan to the satisfaction of Executive Director, Engineering and Construction Services.
21. As part of the subdivision agreement requirement, the Owner will be required to complete the Phase 1 and Phase 2 external sanitary sewer as described on page 9 as one phase, section 2.4 of the Tippet Road Area Regeneration – External Sanitary Sewer Study (dated May 2016) prepared by MMM Group. These sanitary

improvements (phase 1 and phase 2) will have to be designed and constructed prior to the first site plan approval of any development blocks within phase 1 and phase 2 lands. These sanitary improvements (phase 1 and phase 2) will have to be secured (including engineering fees) as part of the subdivision agreement.

22. The current cul-de-sac design includes a sidewalk within the cul-de-sac and therefore is not a standard layout. Potentially, the sidewalk will conflict with the proposed streetlight at the end of the cul-de-sac. The size and shape of the cul-de-sac may have to be revised prior to registration to accommodate the street light and sidewalk where necessary to the satisfaction of the General Manager, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning.
23. The Owner shall update the Tippet Road Area Regeneration – External Sanitary Sewer Study (dated May 2016) prepared by MMM Group and also the South-West Tippet Area Draft Plan of Subdivision report (dated June 2016) prepared by Fabian Papa & Partners to capture and reflect all decisions, discussions and emails related to exemptions that have been requested by the owner for Toronto Water's consideration, to the satisfaction of the Director of Engineering and Construction Services. This will provide a comprehensive documentation which will be referenced in the subdivision agreement and subsequent developments covered by the above mentioned reports.

Parks, Forestry and Recreation - Planning, Design and Development

Parkland Dedication

24. Prior to the registration of the Plan of Subdivision, the Owner shall convey parkland (Block 2) to the satisfaction of the General Manager, Parks Forestry and Recreation (PFR).
25. The Owner will be required to convey the 0.1530 ha (1,530 m²) portion of the development site for public parkland purposes (Block 2). The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.
26. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

Environmental Assessment

27. Prior to conveying the parkland to the City, the Owner must:

- a. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services;
- b. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
- c. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
- d. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states: Policy for Accepting Potentially Contaminated Lands;
 - i. In the opinion of the Qualified Person:
 1. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 2. To the extent that the opinion in 27 d (i) is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.
 - ii. Land to be conveyed to the City meets either:

1. the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9) for the most environmentally sensitive adjacent land use; or
 2. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.
- e. The Qualified Person's statement, referenced in 27 d(i) above, will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.
28. For conveyance of lands requiring a Record of Site Condition:
- i. File the Record of Site Condition on the Ontario Environmental Site Registry; and
 - ii. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services.

Park Construction
Base Park Improvements

29. The Owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:
- a. grading inclusive of topsoil supply and placement, minimum of 150 mm depth;
 - b. sodding #1 nursery grade or equivalent value of other approved park development;
 - c. fencing, where deemed necessary to the satisfaction of PFR;
 - d. drainage systems, including connections to the municipal services as required;
 - e. electrical and water connections (minimum 50 mm) to street line including backflow preventers, shut off valves, water and hydro chambers;

- f. street trees along all public road allowances which abut future City-owned parkland;
 - g. standard park sign (separate certified cheque required); and
 - h. demolition, removal and disposal of all existing materials, buildings and foundations.
30. All work is to be completed to the satisfaction of the General Manager, PFR.
 31. Prior to the issuance of the first above grade building permit, the Owner shall submit a design and cost estimate for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
 32. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
 33. Within one year of the issuance of the first above grade building permit for the development of the site, the Owner is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Base Park improvements for review and approval by the General Manager, PFR.
 34. The construction of the Base Park Improvements to the park block shall be completed prior to the first condominium registration of the development to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
 35. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Temporary Fencing

36. Prior to conveyance of the parkland, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.

Parkland Grading and Drainage

37. The Owner shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, PFR.
38. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

Credit against DC's for Above Base Park Improvements

Should the owner agree to design and construct the Above Base Park Improvements for a development charge credit against the Parks and Recreation component of the Development charges, the following condition applies:

39. The Owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
40. The Owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the approved cost estimate. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit.

Above Base Park Improvements

41. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, Parks Forestry and Recreation (PFR). Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism, etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
42. Within one year of the issuance of the first above grade building permit for the development of the site, the Owner is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.

43. The construction of Above Park Improvements to the park block shall be completed prior to registration of the first condominium to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
44. Should the Owner undertake Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Warranty

45. The Owner, upon satisfactory completion of the construction and installation of the Base and Above Base Park Improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Upon the City's acceptance of the certificate, the Letter of Credit(s) will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
46. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks Forestry, and Recreation (PFR).
47. As-built drawings in print/hardcopy and electronic format shall be submitted to PFR. A complete set of "as built" plans shall be provided electronically on CD in PDF format, and two (2) sets full size bond hard copy the General Manager, PFR. The plans shall include, but not be limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals, etc. The files are to be organized in folders, including a file index and submitted. Written warranties and related documents such as lists of contractor and sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.
48. Spare or replacement parts, special tools, etc, as provided by manufacturers, if any, are to be provided to PFR.

Parks, Forestry and Recreation - Urban Forestry

Tree Planting

49. Prior to registration of the Draft Plan of Subdivision, the owner agrees to provide a street tree planting plan to the satisfaction of Urban Forestry.

Tree Preservation

50. The owner agrees to submit a letter of credit as a tree protection guarantee for existing trees. If tree protection is maintained as specified in the arborist report and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be released at the completion of construction. If it is discovered that there was encroachment within a tree protection zone, or a tree was not protected in accordance with the arborist report and the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be held for a period of up to five years after construction is completed.
51. The owner agrees that post holes for fences within tree protection zones must be hand dug, or excavated using the hydrovac method of excavation, and that roots larger than 2.5cm in diameter will not be cut. If necessary, post holes should be relocated to ensure significant roots are not cut.

Composite Utility Plan

52. Prior to the acceptance of engineering drawings by Engineering and Construction Services, the owner agrees to submit composite utility plans, indicating the location of all existing and proposed underground and above ground utilities in relation to proposed tree planting locations, at a minimum scale of 1:250, to the satisfaction of Engineering and Construction Services and the General Manager of Parks Forestry and Recreation.

Tree Planting

53. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
54. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.
55. The owner agrees to contact Urban Forestry one week prior to tree planting, and once the trees have been planted, in order to establish the anniversary dates.

56. Upon written request from the Owner, Parks, Forestry and Recreation agrees to inspect the newly planted trees and will advise the Owner if the trees are satisfactory. The Owner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation is satisfied with the newly planted trees. The Owner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. At the end of that period, upon acceptance, the City shall accept maintenance responsibilities and return the Letter of Credit.
57. Urban Forestry requires submission of a completed permit application along with a permit fee in the amount of \$313.99 for removal of one (1) private tree inventoried as Tree No.4 in the Arborist Report.
58. The owner agree they shall remove one (1) private tree inventoried as Tree No. 4, as commented on in the Arborist Report prepared by Central Tree Care LTD, date stamped December 17, 2012, only upon receipt of "Permit to Remove Privately Owned Trees" issued by the General Manager of Parks, Forestry and Recreation upon receipt of final site plan approval and the building and/or demolition permits have been obtained and the permitted construction and/or demolition related activities associated with this project warrant the removal of the tree.