

made public on August 8, 2018

SCHEDULE "B"*Additional Recommendations:**Parkland Dedication*

1. The Owner will be required to convey a minimum of 277 square metres of the Property, substantially in accordance with the parkland identified on the Settlement Plans (the "Park Land"), to the City for public parkland purposes, which conveyance shall satisfy all parkland dedication requirements in connection with the Development that is currently being proposed based on the architectural plans submitted by the applicant and dated June 2018.
2. The Park Land to be conveyed as parkland shall 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, Parks, Forestry and Recreation. The owner may propose the exception of encumbrances of caissons and/or tiebacks and such other encumbrances, if any, where such encumbrances are deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor, and such encumbrances would be subject to the payment of compensation to the City, in an amount satisfactory to the General Manager, Parks, Forestry and Recreation.
3. Prior to the issuance of the first above grade building permit, excluding a permit for demolition or a rental/sales centre, the Owner shall register in form and in priority to the satisfaction of the City Solicitor a Section 118 Restriction pursuant to the *Land Titles Act*, on the 277 square metre Park Land, as follows:
 - (a) No sale, transfer, lease, disposition, charge or other dealing with Part X on Plan 66R- , City of Toronto, or any part thereof, shall be registered without the written consent of the General Manager, Parks, Forestry and Recreation, City of Toronto, or his or her designate.
4. the Company shall convey, or cause to be conveyed, the Park Land to the City prior to the earlier of first residential occupancy of the proposed Development or 36 months after the issuance of the first above-grade building permit, subject to seasonality extensions satisfactory to the General Manager, Parks, Forestry and Recreation.
5. 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

6. 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 Owner'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 (7%), and submit an initial deposit of \$8,000.00 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:
 - (i) In the opinion of the Qualified Person:
 - A. 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
 - B. To the extent that the opinion in 6.4(d)(i)A. above 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:
 - A. The applicable Ministry Generic Site Condition Standards for the most environmentally sensitive adjacent land use; or
 - B. 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 6.4 above, will include a Reliance Letter that is dated and signed by the Owner'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;
- (f) 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*

7. The Owner, at their expense, will be responsible for base construction and installation of the parkland. The Base Park Improvements include the following:
- (a) Demolition, removal and disposal of all existing materials, buildings, foundations and associated servicing;
 - (b) Grading inclusive of 300mm depth topsoil supply and placement. Where lands have been environmentally risk assessed in accordance with MOECC regulations, the required depth profile of the environmental soil / soft cap will be 1.5 m of engineered fill compacted to 95% SPD and certified by the consulting engineer;
 - (i) In the case of a risk-assessed site, all materials brought on site shall comply with the site-specific standards outlined in the Certificate of Property Use. In the case where no risk assessment of the site was required, all materials brought on site shall comply with the Ontario Reg. 153/04 Table 3 RPI standards;
 - (c) Sodding #1 nursery grade;
 - (d) Fencing, where deemed necessary;
 - (e) Sanitary and storm service connections with manholes at streetline;

- (f) Water and electrical service connections; (minimum water: 50mm to the street line including backflow preventers, shut off valves, water metre and chamber; electrical connection to the street line and, where deemed necessary, electrical panel in a lockable cabinet (100 Amp service));
 - (g) Street trees along all public road allowances abutting City-owned parkland; and
 - (h) Standard park sign (separate certified cheque required).
8. All work is to be completed to the satisfaction of the General Manager, PFR.
 9. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
 10. 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.
 11. The construction of the Base Park Improvements to the park block shall be completed prior to prior to the earlier of the first residential occupancy and 36 months after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late completion of the construction of the Base Park Improvements to the park block may be taken into consideration and the date for completion may be extended at the discretion of the General Manager, PFR.
 12. Should the Owner carry out any of the Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain, at the Owner's expense, a Park Occupation Permit (POP) from PFR's Park Supervisor for that Ward. 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, to the satisfaction of the General Manager, PFR.

Temporary Fencing

13. At the time of conveyance of the parkland, the Owner shall have installed temporary fencing around the parkland and maintain such fencing until such time as the development of the park block is completed.

Parkland Grading and Drainage

14. Prior to conveyance of the parkland, the Owner shall ensure that the grading and drainage for the parkland is compatible with the grades of the adjacent lands to the satisfaction of the General Manager, PFR and the Director of Technical Services.

15. 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

16. 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:
 - (a) The Owner agrees to design and construct the Above Base Park Improvements to the new park, to the satisfaction of the General Manager, PFR, for a development charge credit against the Parks and Recreation component of the Development Charges. 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. Prior to the issuance of the first above grade building permit for all or any part of the site, 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 Parks and Recreation Development Charges payable for the development, all to the satisfaction of the General Manager, PFR.

Above Base Park Improvements

17. Should the owner agree to design and construct the Above Base Park Improvements in accordance with 16 above:
 - (a) the Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, 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;
 - (b) prior to the issuance of the first above grade building permit for the development of all or any part 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;
 - (c) the construction of the Above Base Park Improvements to the park block shall be completed prior to the earlier of the first residential occupancy and 36 months after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block may be taken into consideration and the date for completion

may be extended at the sole discretion of the General Manager, PFR;
and

- (d) should the Owner carry out any of the Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain, at the Owner's expense, a Park Occupation Permit (POP) from PFR's Park Supervisor for that Ward. 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

18. The Owner, upon completion of the construction and installation of the Base Park Improvements, and the Above Base Park Improvements if provided by the Owner in accordance with 16 above, to the satisfaction of the General Manger, PFR, 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. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, PFR be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the Letter(s) of Credit will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
19. 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, PFR.
20. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, 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 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, warrantees, 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, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.