

955-969 Weston Road- Zoning By-law Amendment Application to Remove the Holding Symbol (H) and Subdivision Application – Final Report

Date: June 26, 2018

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 11 - York South-Weston

Planning Application Number: 18 142988 WET 11 OZ and 18 142980 WET 11 SB

SUMMARY

The applications propose to implement the approved site specific Zoning By-law Amendment (Zoning By-law No. 764-2015) enacted by City Council July 9, 2015 which permits the residential development of the site with 71 stacked townhouses units. The Zoning By-law Amendment application proposes to amend the zoning by-law to remove the Holding Symbol (H) and the Draft Plan of Subdivision application proposes to create a public road and a singular block for the development of the townhouses.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

The proposal conforms to the *Neighbourhoods* designation and addresses the built form policies in the Official Plan. The proposal would result in a development that is compatible with the surrounding neighbourhood, provide for an appropriate amount of development and integrate the site into the surrounding neighbourhood.

This report reviews and recommends approval of the application to amend the Zoning By-law to remove the Holding Symbol (H).

This report also advises that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of York Zoning By-law No. 1-83, to remove the Holding Symbol (H) for the lands at 955-969 Weston Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No.4 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendment as may be required.
3. 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 5 subject to:
 - a. The conditions as generally listed in Attachment 6 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

At its meeting of December 16, 17 and 18, 2013, City Council adopted Official Plan Amendment No. 231 to amend the Official Plan of the City of Toronto with respect to the Economic Health Policies and the Policies, Designations and Mapping for Employment Areas. This amendment redesignated the subject site (and 971-975 Weston Road) from *Employment Areas* to *Neighbourhoods*. Official Plan Amendment No. 231 was approved by the Minister of Municipal Affairs, with minor modifications, on July 29, 2014, and appealed by multiple parties including the previous owner of the site. However, the portion of OPA 231 redesignating the subject site has been enacted.

City Council, at its meeting of July 7, 8 and 9, 2015, amended the former City of York Zoning By-law No. 1-83 from CE -Commercial Employment to R3(H2)- Residential Zone and Section 16(446) to permit a stacked townhouse development above a one storey below grade parking garage. The proposed buildings would be three storeys in height, have an approximate total residential gross floor area of 6,972 m² and contain 71 residential units. The below grade parking garage would be accessed from a driveway off a proposed new public road that would connect to Weston Road and would align with Bushey Avenue.

City Council's decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG5.3>

A pre-application meeting was held on January 9, 2018. The current application was submitted on April 12, 2018 and deemed complete on April 16, 2018. A Preliminary Report on the Zoning By-law Amendment to remove the Holding Symbol (H) and Draft Plan of Subdivision is not required for these types of applications. As part of the previous rezoning application several community consultation meetings were held which form the basis of the current application to remove the holding symbol and for draft plan of subdivision approval. Staff consulted with the Ward Councillor and it was determined that additional community consultation for these applications was not required.

ISSUE BACKGROUND

Proposal

The applications propose to amend the zoning by-law to remove the Holding Symbol (H) and for Draft Plan of Subdivision approval to create a public road and a singular development block to facilitate the residential development of the site with 71 stacked townhouses which is permitted by Zoning By-law No. 764-2015 (enacted by City Council July 9, 2015).

The proposed development is consistent with the development previously approved by City Council at 955-969 Weston Road for a stacked townhouse development consisting of two townhouse blocks (Block A and Block B) above a one storey below grade parking garage. The proposed buildings would be three storeys in height, have an approximate total residential gross floor area of 6,243 m² and contain 71 residential units (32 one bedroom units and 39 two bedroom units). A centrally located landscaped court yard is proposed between Block A and Block B that would provide shared outdoor amenity for the development. The above grade portions of the development would be setback 30 m from the abutting rail line (See Attachment 7: Figure 7:Site Plan).

In total, 85 parking spaces are proposed, with 73 below grade spaces for residents and 14 surface parking spaces for visitors. The below grade parking garage would be accessed from a driveway off a proposed new public road. The 14 visitor spaces would be located on surface at the rear of the property. The loading space would be located at the rear of Block B. Refer to Attachment 1 for project data.

The proposed public road would connect to Weston Road and would align with Bushey Avenue.

Site and Surrounding Area

The subject site is located on the northeast side of Weston Road, north of Black Creek Drive and south of Eglinton Avenue West. The site has an approximate area of 7,549 m² (0.755 hectares), with a frontage of approximately 83.2 metres along Weston Road. The lands are currently vacant, but were recently utilized by Metrolinx as a staging area for work on the Georgetown South GO line expansion and the Union Pearson Express.

The surrounding land uses are as follows:

- Northwest: Two one-storey industrial buildings, and further north residential uses that include single-detached, semi-detached and walk-up apartment buildings and commercial uses fronting Weston Road.
- Southeast: Industrial and commercial uses.
- Northeast: CP, CN and Metrolinx rail corridor.
- Southwest: On the other side of Weston Road, residential uses that include single-detached, semi-detached and walk-up apartment buildings and commercial uses fronting Weston Road.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;

- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character; and
- Ensuring that sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects of noise and minimize risk to public health and safety.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans".

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its Official Plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of the staff analysis and review are summarized in the Comments section of this report.

Toronto Official Plan

The lands at 955-969 Weston Road are designated *Neighbourhoods* on Map 17 – Land Use Plan, in the Toronto Official Plan.

This application has been reviewed against the policies of the City of Toronto Official Plan, City of Toronto Urban Design Guidelines for Infill Townhouses and the City of Toronto Townhouse and Low-Rise Apartment Guidelines as follows:

Chapter 2 - Shaping the City

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that *Neighbourhoods* are considered to be physically stable areas and that development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City

The Built Form policies contained in Section 3.1.2 of the Official Plan provide direction on matters related to the site design and layout of buildings and on the location and organization of vehicle parking, vehicle access, service areas and utilities to minimize their impact on the property and on surrounding properties.

Policy 3.1.2.3 states that new development will be massed and its exterior façade 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 by:

- a) Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- c) Creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- d) Providing for adequate light and privacy;
- e) Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- f) Minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the above, Chapter 3, Section 3.4 "The Natural Environment" deals with a high quality of life and public and private city-building activities and changes to the built environment in its policies. Policy Number 21 states that "Major facilities such as transportation/rail infrastructure, corridors and yards, industries and sensitive land uses such as residences and educational and health facilities will be appropriately designed,

buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and contaminants, and to promote safety. To assist in identifying impacts and mitigative measures, the proponent may be required to prepare studies in accordance with guidelines established for this purpose. The proponents will be responsible for implementing any required mitigative measures".

Chapter 4 – Land Use Designations

Neighbourhoods are considered physically stable areas comprised of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. Development in *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character by respecting and reinforcing the general physical patterns in the neighbourhood.

Policy 4.1.5 sets out development criteria in established *Neighbourhoods*, providing that development will respect and reinforce the existing physical character of the neighbourhood, in particular:

- a) Patterns of streets, blocks and lanes, parks and public building sites;
- b) Size and configuration of lots;
- c) Heights, massing, scale and dwelling type of nearby residential properties;
- d) Prevailing building type(s);
- e) Setbacks of buildings from the street or streets;
- f) Prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) Conservation of heritage buildings, structures and landscapes.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support City Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhoods* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas, Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects of new development such as amenity and service areas, lighting and parking.

The outcome of the staff analysis and review of relevant Official Plan policies and designation and the City of Toronto Infill Townhouse and Low-Rise Apartment Design Guidelines are summarized in the Comments section of this report.

Zoning

On May 9, 2013 Toronto City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. The lands were excluded from City of Toronto Zoning By-law No. 569-2013 as there was an active planning application for this site prior to the passage of the Zoning By-law. As such, former City of York Zoning By-law No. 1-83 continues to apply to the lands. The subject lands are zoned R3 (H2) - Residential Zone and Section 16(446) which would permit the stacked townhouse development containing 71 dwelling units (see Attachment 3: Figure 3: Existing Zoning By-law Map).

A Holding Symbol (H) applies to the site that limits development until the (H) symbol has been removed. The Holding Symbol (H) can be lifted when an application to amend the zoning by-law has been filed and two conditions are fulfilled to the satisfaction of City Council: the submission of a Draft Plan of Subdivision Application that establishes a new public road to the satisfaction of the City; and the submission of an acceptable site plan or rail safety study to the satisfaction of the rail companies that demonstrates the proposed development meets the rail company's safety requirements for residential development adjacent to rail lines, and that arrangements have been made with the rail companies for any mitigation measures required to satisfy safety requirements for residential development and to provide confirmation from the rail companies that the arrangements including details have been made with the rail companies to satisfy their requirements for the proposed development.

Design Guidelines

Urban Design Guidelines for Infill Townhouses

The City of Toronto Urban Design Guidelines for Infill Townhouses articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes and adjacent properties and integrating new development into existing neighbourhoods. The Guidelines provide a framework for site design and built form to achieve liveable spaces with an appropriate scale and form of development by detailing how new development should be organized to fit within the existing context and minimize local impacts. The Guidelines also speak to the important role of streetscapes in improving the quality and safety of the public street experience for pedestrians, cyclists and motorists. They can be viewed at:

<https://web.toronto.ca/city-government/planning-development/official-plan-guidelines/designguidelines/infill-townhouses/>.

Townhouse and Low-Rise Apartment Guidelines

A comprehensive update of the Townhouse Guidelines is underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the City Council approved 2006 Guidelines to reflect a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines is here:

<https://www.toronto.ca/wp-content/uploads/2018/01/964c-townhouse-low-rise-guidelines-02-2017.pdf>.

Prior to presenting a finalized version of these Guidelines for City Council adoption, staff are refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

Site Plan Control

A Site Plan Control application was submitted with the Official Plan and Zoning By-law Amendment application (Site Plan Application 05 136530 WET 11 SA) for the lands at 955, 965 and 969 Weston Road. The Site Plan Control application was put on hold by the owner until the Draft Plan of Subdivision application and Zoning By-law Amendment application to lift the Holding Symbol (H) had been filed. The owner has indicated that a resubmission for the Site Plan Control application will be submitted shortly.

Draft Plan of Subdivision

A new public road is being proposed as part of the redevelopment of the site, as well as a singular development block for the townhouse development. An application for

Draft Plan of Subdivision is required for a development which includes a public road. The Plan of Subdivision will secure matters such as public roads and required public infrastructure.

Tree Preservation

This application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant submitted an Arborist Report/Tree Preservation Plan in support of the proposal.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. A Stage 1 and 2 Archaeological Assessment Report was previously submitted as part of the Official Plan and Zoning By-law Amendment application No. 05 136264 WET 11 OZ for 955, 965 and 969 Weston Road. The submitted report concludes that no archaeological resources were encountered and no further study is required as it relates to these properties.

Tenure

The applicant has advised that the proposed 71 residential units would be condominium.

Eglinton Crosstown Light Rail Transit

Eglinton Avenue West is identified as a future transit corridor on Map 4 – Higher Order Transit Corridors of the Official Plan. The Toronto Transit Commission completed a Transit Environmental Assessment for the implementation of a light rail transit (LRT) system within the Eglinton Avenue corridor extending from Kennedy Road in the east to Pearson International Airport in the west. The study recommended construction of an LRT facility within an exclusive right-of-way in the centre of Eglinton Avenue West.

Metrolinx has assumed responsibility for the LRT project which has been divided into two phases. Phase One, currently under construction, extends from Kennedy Station to the Weston Road/Eglinton Avenue West intersection in Mount Dennis. Phase Two of the LRT project between Mount Dennis and Pearson International Airport is currently unfunded and the timing for implementation is unknown. The subject site is located 700 metres to the south of the Phase One LRT corridor.

Reasons for Application

A Zoning By-law Amendment is required to remove the Holding Symbol (H) to permit the 71 unit stacked townhouse development.

A Draft Plan of Subdivision is required for the creation of the proposed public road and the development block.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Rationale;
- Derailment Protection Report;
- Noise Impact Feasibility Study;
- Functional Servicing and Stormwater Management Report;
- Toronto Green Standard Checklist;
- Arborist Report;
- Preliminary Geotechnical Investigation; and
- Hydrological Investigation.

This information for this application can be viewed on the Application Information Centre (AIC) <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation

The applications, together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications and to consider the appropriateness of removing the Holding Symbol (H) and to formulate the conditions of Draft Plan of Subdivision approval.

Community Consultation

Under the *Planning Act*, for Zoning By-law Amendment applications to remove the Holding Symbol (H) and Subdivision applications, a community consultation meeting is not required. Deputations, however, may be made at the Public Meeting at Etobicoke York Community Council.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows.

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

In planning to achieve the minimum intensification and density targets in the PPS and Growth Plan, municipalities are directed by Policy 4.7 of the PPS, which states that official plans shall identify provincial interests, and set out appropriate land use designations and policies to direct development in suitable places. This is echoed in Policy 5.2.5.6 of the Growth Plan which states that municipalities are to develop and implement urban design and site design Official Plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines including Healthy Neighbourhoods, Built Form and *Neighbourhoods* policies, City of Toronto Urban Design Guidelines for Infill Townhouses and the City of Toronto Townhouse and Low-Rise Apartment Guidelines.

The Growth Plan (2017) also contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4.b) of the Growth Plan, as it represents an appropriate scale of development for the surrounding area and appropriately transitions to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

The applications propose to implement City Councils approval for a 71 unit stacked townhouse development which is consistent with the Official Plan's policies for *Neighbourhoods* as well as policies within the Healthy Neighbourhoods and Built Form sections of the plan. The proposal is consistent with Official Plan policies relating to the pattern of development within the block, with low rise buildings along street frontages, landscaped open space interior to the block and the provision of appropriate setback from the rail lines. City Planning staff support the applications as they are consistent with the PPS (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Land Use

This application has been reviewed against the Official Plan policies described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole. The site is designated *Neighbourhoods* within the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings which include stacked townhouses.

The proposed stacked townhouse development is provided for by both the Official Plan and Zoning By-law and is consistent with the existing and the planned context for the subject property and the surrounding area. The Zoning By-law Amendment application to remove the Holding Symbol (H) and proposed Plan of Subdivision conforms with the Official Plan and complies with the Zoning By-law.

Density, Height and Massing

The R3 (H2) - Residential Zone and Section 16(446) in the former City of York Zoning By-law No. 1-83 permits the proposed stacked townhouse development. Section 16(446) permits three storey stacked townhouses, having a total residential gross floor of 7,000 m² and containing a maximum of 71 residential units. A proposed public road connecting to Weston Road and aligning with Bushey Avenue was illustrated on the Schedule to Section 16(446). The proposed development is permitted by the existing zoning subject to the removal of the Holding Symbol (H).

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision has been submitted to establish a development block for the 71 stacked townhouse units and a new public road. The new public road would provide vehicular access from Weston Road and align with Bushey Avenue.

Through Chapter 415-16, 18 and 18.1 of the Municipal Code, as amended, City Council has delegated authority to the Chief Planner and Executive Director, City Planning to approve plans of subdivision and determine appropriate conditions of approval.

The Recommendation of this report advise City Council that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 5 subject to:

- a. The conditions as generally listed in Attachment 6 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.

The proposed conditions of Draft Plan of Subdivision approval would create the development block, secure the public road, address the technical requirements of the development including among other matters, the construction of streets and services, environmental remediation of proposed City owned lands, tree protection and planting and grading as determined by the Chief Planner and Executive Director, City Planning.

Review of the proposed draft plan and preparation of associated conditions has included consideration of the matters set out in Section 51(24) of the *Planning Act*. The proposed draft plan conditions provide for the registration of the plan of subdivision prior to issuance of any building permit on the site.

Road Widening

In order to satisfy the Official Plan requirement of a 24 metre right-of-way for this segment of Weston Road, a 2.4 metres road widening dedication along the Weston Road frontage of the subject site is required. The proposed road widening is shown as Block 2 on the Draft Plan of Subdivision and would be dedicated to the City with the subdivision application.

Proposed Public Road

The Draft Plan of Subdivision includes a new public road which would provide access to the proposed development. This road would also provide for the integration, organization and access of any future redevelopment of the adjacent properties to the north. The proposed road would be situated along the north lot line of the site and would align with Bushey Avenue on the opposite side of Weston Road. The proposed road would connect to Weston Road, ending in a cul-de-sac near the rear of the property. The design of the proposed road is based on the City of Toronto Development Infrastructure Policy and Standards (DIPS) for a Minor Local Street – Option B. Under this standard, the ultimate condition of the new public road would have a right-of-way width of 16.5 metres. The roadway pavement width would vary, widening at the intersection of Weston Road, and will be flanked on both sides by trees and sidewalks.

The proposed road would be conveyed to the City as noted in the Conditions of Draft Plan of Subdivision Approval in Attachment 6.

Toronto Transit Commission (TTC)

The TTC advised it does not have requirements related to the proposed development, however the TTC has requested the City to consider the provision of a left turn lane on Weston Road between Bushey Avenue and south of Jasper Avenue to assist in improving transit operations. The left turn lane would facilitate northbound turns at Bushey and Jasper Avenues. This request from the TTC will be considered in connection with staff's review and approval of the pavement marking and signage plan required as a condition of Draft Plan of Subdivision Approval.

Environmental issues

Given the previous industrial use on the site, future residential developments may be required to provide a Record of Site Condition prior to the issuance of a building permit. In addition, the applicant will be required to undertake a peer review process to ensure

that any lands dedicated to the City for roads are remediated to the residential standards.

Servicing

The applicant has submitted a Functional Servicing Study and Stormwater Management Report in support of the subject applications. The report concludes there is generally sufficient servicing capacity within the existing municipal infrastructure to accommodate the proposed development. This conclusion has been accepted by Engineering and Construction Services staff. The required new municipal infrastructure and upgrades to the existing infrastructure would be included in the Subdivision Agreement for the development.

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 Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with less than 300 people. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

Park, Forestry and Recreation staff advises that in accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised by Real Estate Services staff. Payment will be required prior to the issuance of the first above grade building permit.

Parks, Forestry and Recreation staff noted that, given the current rise in dog population within residential developments, the applicant should consider the provision of on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the development. This would help to alleviate some of the pressure on the existing neighborhood parks. The provision of the on-site dog off-leash amenity will be secured through the Site Plan review process for this development.

School Board Requirements

Toronto District School Board staff have requested the proponent be required to erect Notice Signs and that warning clauses be included in all purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit within the proposed development, that reference the potential for children from the development to be transported to schools outside of the immediate neighbourhood. These requirements are included in the Conditions Draft Plan of Subdivision Approval in Attachment 6.

There were no comments received from the Toronto District Catholic School Board.

Archaeological Assessment

The site is within the Interim Screening Areas for Archaeological Potential identified in the Archaeological Master Plan of the City. In support of the proposal, the applicant submitted a Stage 1 Archaeological Assessment which indicated that there were no archaeological resources found on site.

The applicant is advised that in the event that:

- i) Deeply buried archaeological remains are encountered on the property during construction activities, the owner should contact Heritage Preservation Services and the Ministry of Culture; and
- ii) Human remains are encountered during construction, the owner should contact both the Ministry of Culture, and Registrar or Deputy Registrar of Cemeteries.

These requirements are included in the Conditions of Draft Plan of Subdivision Approval in Attachment 6.

Rail Safety

The site abuts the Canadian National Railway (CNR) Weston Subdivision and Canadian Pacific Railway (CPR) MacTier Subdivision to the north. The rail corridor is also used by Metrolinx for the Georgetown line and the Union Person Express.

In support of the applications, the applicant submitted the following material related to rail safety:

- Derailment Protection Report, Proposed Residential Development 955-969 Weston Road, Toronto, Ontario, for Haven Developments, by Johnson Sustronk Weinstein + Associates (JSW), dated April 2018;
- 955 Weston Road Rail Protection Design Brief, for Haven Developments, by Jablonsky, Ast and Partners (JAP) Consulting Engineers, dated April 12, 2018;
- Letter to Hatch, dated May 17, 2018, re: 955-969 Weston Road Derailment Protection re: JSW's response to Hatch's (May 2, 2018) preliminary comments;
- Crash Wall Protection Report, 955-969 Weston Road, prepared for Haven Developments by JAP, dated May 22, 2018; and
- Email from JAP to Hatch, dated June 5, 2018, re: JAP's response to Hatch's draft peer review response and follow-up requirements re: 955-969 Weston Road Application.

The above material was peer reviewed by the City's peer reviewer, HATCH, who advised they had no objections to the rail safety mitigation measures proposed for this development. HATCH advised that it was their opinion that the proposed development generally follows the intent of the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada (RAC) Guidelines including provisions for a 300 mm expansion joint isolation between the concrete deflection wall/underground garage structure and the townhouse structures and their foundations. HATCH recommended that the matters identified in the study and supplemental materials be secured in the Site Plan review process for this development. Staff are also recommending that the owner be required to implement the recommendation of the rail safety study as a condition of Draft Plan of Subdivision Approval.

Metrolinx advised that the site is located immediately adjacent to Metrolinx's Weston Subdivision which carries Kitchener GO and UP Express service. Metrolinx noted that the proposed building setback from the rail corridor would be greater than 30-metres which exceeds Metrolinx's minimum requirement and that the proposed combined crash wall/earthen berm along the property line, would be generally acceptable. Metrolinx has advised further review by AECOM would be required through the Site Plan review process for this development.

Metrolinx recommends that fencing be provided along the property line where direct access to the rail corridor is afforded and that the standard for this fencing is a 1.83-metre high-security fencing that is cannot be cut and is non-climbable. The requirement for the fencing is included in the Conditions of Draft Plan of Subdivision Approval in Attachment 6.

Metrolinx advised that the construction of the safety barrier would impact rail corridor drainage and would require further review through the Site Plan review process.

Canadian Pacific Railway (CPR) has indicated that given the Metrolinx rail line is located adjacent to the development, they defer to Metrolinx to provide comments.

Canadian Nation Railway has indicated they have no specific interest in the proposed development and did not provide comments.

Noise and Vibration

The applicant submitted a noise and vibration study in support of the proposal. The study notes that the sound levels generated by the railway and nearby roadways exceed the Railway and Ministry of the Environment and Climate Change (MOECC) guidelines such that noise control measures will be required for the site. The measures include air conditioning, upgraded building facades (window, walls and doors) and warring clauses. The report concludes that it would be feasible to meet the noise guidelines measures for this development. The report also notes that no impact would be expected from the neighbouring uses.

The report indicates that the vibration monitoring found that the levels are within the guidelines and no mitigation measures are needed.

The study was peer reviewed by the City's peer reviewer (Swallow) who concurred with the findings of the reports. The proposed mitigation measures are generally acceptable to staff. Further details on the specific mitigation measures would be reviewed and secured through the Site Plan review process for this development.

The report recommends the owner be required to include warning clauses in all offers of purchase and sale or any lease agreements to notify prospective purchasers or tenants that the property may be subject to noise impacts from adjacent rail operations and increased road traffic.

Metrolinx has also reviewed the Noise Impact Feasibility Study and concurs with the findings. Metrolinx has recommended that its standard warning clauses be included in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling unit.

Canadian Pacific Railway has also requested a warning clause be included in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling.

The Conditions of Draft Plan of Subdivision Approval in Attachment 6 require the owner to implement the recommendations of the report including the requirement for the warning clauses.

Tree Preservation

The development would be subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). An Arborist Report and Preservation Plan, dated April 4, 2018, was submitted for the development outlining which trees would remain on site and which trees are to be removed. The plan shows that there is one tree on site and 9 trees on the adjacent property (945 Weston Road) within 6 metres of the development site. The applicant proposed to remove all 10 trees (1 on site and 9 on adjacent properties at 945 Weston Road).

The applicant is advised that removal of or injury to protected City or private trees may occur only upon receipt of a "Tree Removal/Injury Permit" issued by the General Manager of Parks, Forestry and Recreation and provided that 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 or injury to the trees involved. Prior to the removal of the 9 trees located on the adjacent property on 945 Weston Road, the developer must obtain a letter of approval from the adjacent land owner for permission to remove the impacted trees on the adjacent

property. The permission letter is required as part of the Urban Forestry tree removal permit application process prior to the issue of the Tree Removal Permit.

The Landscape and Planting Plans show nine new trees proposed on the City road allowance and a total of 20 large growing native shade trees and several other coniferous and ornamental trees on private property. Urban Forestry staff advise that the proposed Landscape Plan is acceptable at this time.

For nine new trees proposed on the City road allowance, Urban Forestry staff require a Tree Planting Security in the amount of \$5,247.00 to ensure planting and maintenance for the trees to be planted at \$583.00 per new tree, subject to change. The deposit will be drawn upon to cover all costs incurred by the City of Toronto in enforcing and ensuring that the trees are planted and kept in a healthy and vigorous state during the two-year guarantee period. The General Manager of Parks, Forestry & Recreation will hold the tree planting security deposit for the duration of the renewable guarantee period.

Detailed landscape plan, tree planting deposit and securities will be fully reviewed and secured through Site Plan review process for this development. Urban Forestry's requirements are also included in the Conditions of Draft Plan of Subdivision Approval in Attachment 6.

Construction Management

The applicant is required to submit a Construction Management Plan to the satisfaction of Chief Engineer and Executive Director of Engineering and Construction Services showing the following items: dust/mud control on and off-site; location of truck loading points; trailer parking; location of temporary material storage areas; access/truck routing; provision of hoarding, temporary fencing and covered walkways; location and extent of aerial crane operations; parking for construction trades; and procedures to address vermin and rodents. These requirements will be addressed and secured through the Site Plan review process for this development.

Natural Heritage

The site is located adjacent to the valley and stream corridor system associated with the Humber River and the Black Creek tributary. Although the property is not within a Natural Heritage system, staff are of the opinion there are opportunities to enhance the adjacent natural heritage system. Urban Forestry and City Planning staff are recommending that the landscape plans include seeding the berm adjacent to the rail corridor with native grasses and wildflowers and planting native trees and shrubs suitable for the area; planting native conifer trees to provide winter bird habitat; designing and constructing the surface parking in accordance with the City's "Greening Surface Parking Lots"; and maximizing the number of boulevard trees to be planted. These requirements would be reviewed and secured through the Site Plan review process for this development.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development performance for Construction Activity and Stormwater Retention will be secured through the Conditions of Draft Plan of Subdivision Approval.

Other applicable TGS performance measures will be secured through the Site Plan review process for this development.

Holding Symbol (H)

As previously noted, a Holding Symbol (H) applies to the site that limits development until the (H) symbol has been removed. The requirements to remove the Holding Symbol (H) are the submission of a Draft Plan of Subdivision Application that establishes a new public road to the satisfaction of the City and the submission of an acceptable site plan or rail safety study to the satisfaction of the rail companies that demonstrates the proposed development meets the rail company's safety requirements for residential development adjacent to rail lines, and that arrangements have been made with the rail companies for any mitigation measures required to satisfy safety requirements for residential development and to provide confirmation from the rail companies that the arrangements including details have been made with the rail companies to satisfy their requirements for the proposed development.

The owner has submitted a Draft Plan of Subdivision Application and a rail safety study which satisfies the requirement to remove the Holding Symbol (H). Staff are therefore recommending that City Council amend the former City of York Zoning By-law No. 1-83, for the lands at 955-969 Weston Road to remove the Holding Symbol (H).

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Toronto Official Plan.

Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the application to remove the Holding Symbol (H) and Draft Plan of Subdivision would facilitate the development which is in keeping with the intent of the Toronto Official Plan, as it would be compatible with and integrate well with the existing neighbourhood and represents an

appropriate level of intensification for the lands. Staff recommend that City Council approve the Zoning By-law Amendment application to remove the Holding Symbol (H).

The proposed Draft Plan of Subdivision is consistent with Section 51 of the *Planning Act* as it would conform to the Official Plan, provides for the orderly development of the lands and proposes appropriate utilities and City services. The Chief Planner and Executive Director, City Planning, intends to approve this application for Draft Plan of Subdivision as generally illustrated in Attachment 5 and subject to the Conditions in Attachment 6.

CONTACT

Gregory Byrne, Senior Planner, Tel. No. 416-394-8238, Fax No. 416-394-6065, E-mail: Greg.byrne@toronto.ca

SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Figure 1: Application Data Sheet
- Attachment 2: Figure 2: Location Map
- Attachment 3: Figure 3: Existing Zoning By-law Map
- Attachment 4: Draft Zoning By-law Amendment
- Attachment 5: Draft Plan of Subdivision
- Attachment 6: Conditions of Draft Plan of Subdivision Approval

Applicant Submitted Drawings

- Attachment 7: Figure 7: Site Plan
- Attachment 8: Figure 8: Typical Elevation

Attachment 1: Figure 1: Application Data Sheet

Municipal Address: 955-969 WESTON ROAD
Date Received: April 12, 2018
Application Number: 18 142988 WET 11 OZ 18
 142980 WET 11 SB
Application Type: Rezoning to remove Holding Symbol
 and Draft Plan of Subdivision Approval
Project Description: Proposed residential development consisting of 71 stacked
 townhouse units on a new public road.

Applicant	Agent	Architect	Owner
MIKE DROR			2392198 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	By-law 764-2015
Zoning:	R3 (H)	Heritage Designation:	N
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 7,549 Frontage (m): 83.2 Depth (m): 85.2

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			6,243	6,243
Residential GFA (sq m):			6,243	6,243
Non-Residential GFA (sq m):				
Total GFA (sq m):			6,243	6,243
Height - Storeys:			3	3
Height - Metres:			11	11

Lot Coverage Ratio (%): 82.6 Floor Space Index: 0.83

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	6,243	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:				
Total Units:			71	71

Total Residential Units by Size					
	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			32	39	
Total Units:			32	39	

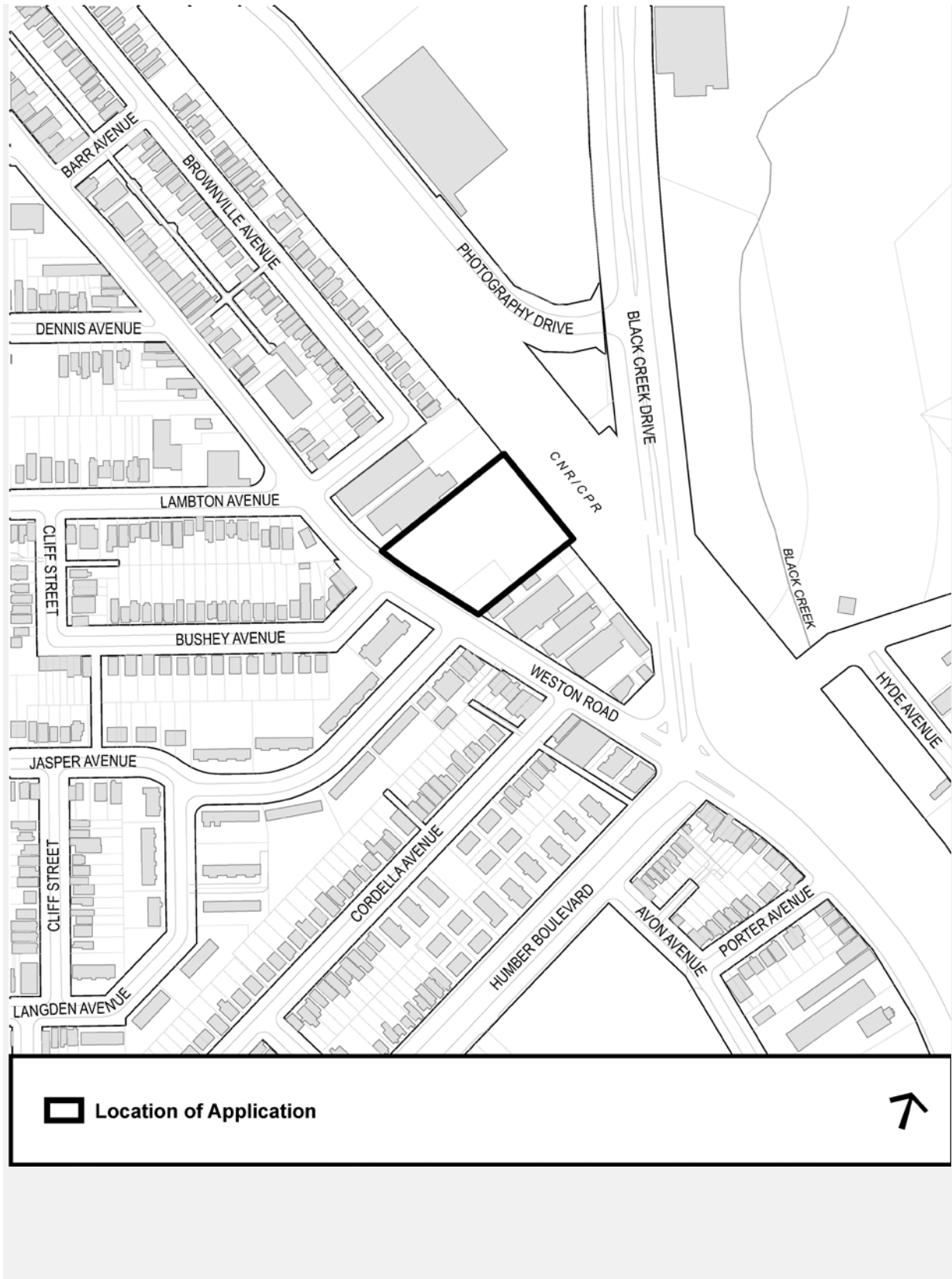
Parking and Loading

Parking Spaces: 85 Bicycle Parking Spaces: 72 Loading Docks: 1

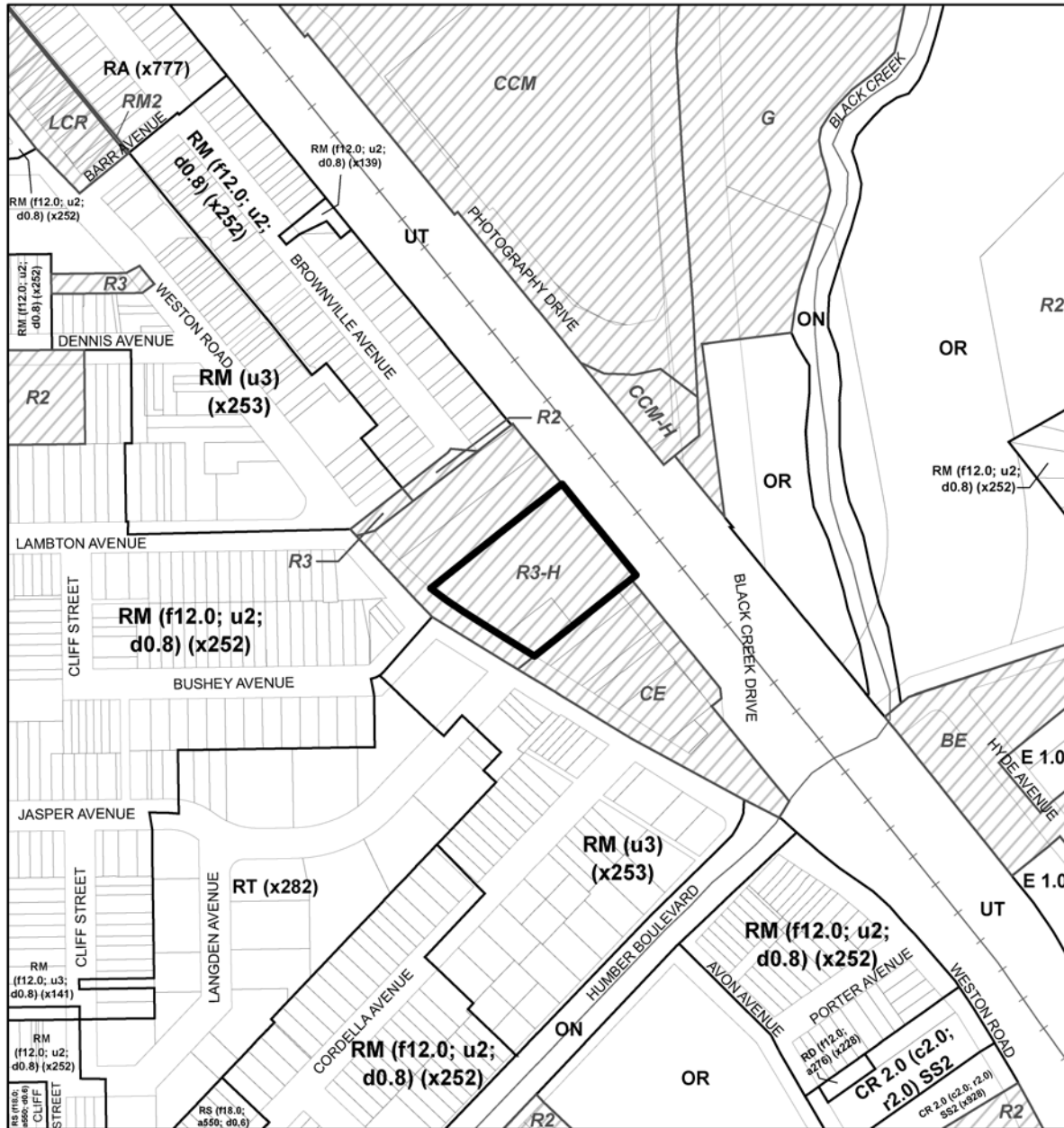
CONTACT:

Gregory Byrne, Senior Planner
(416) 394-8238
Greg.Byrne@toronto.ca

Attachment 2: Figure 2: Location Map



Attachment 3: Figure 3: Existing Zoning By-law Map



Zoning By-law 569-2013

955-969 Weston Road
 File # 18 142988 WET 11 OZ
 File # 18 142980 WET 11 SB

Location of Application

- RD** Residential Detached
- RS** Residential Semi-Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment

- CR** Commercial Residential
- E** Employment Industrial
- ON** Open Space Natural
- OR** Open Space Recreation
- UT** Utility and Transportation

See Former City of York By-Law No. 1-83

- R2** Residential Zone
- R3** Residential Zone
- RM2** Residential Multiple Zone
- LCR** Local Commercial Residential Zone
- CCM** City Centre Mixed Use District Zone
- BE** Basic Employment Zone

- CE** Commercial Employment Zone
- G** Green Open Space Zone



Not to Scale
 Extracted: 05/14/2018

Attachment 4: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

Draft Zoning By-law Amendment

CITY OF TORONTO

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands municipally known as 955, 965 and 969 Weston 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 enacts:

1. That Section 6 of the former City of York Zoning By-law No. 1-83, as amended, be further amended by amending Subsection (88) as follows:

**"Lands - 955, 965, 969 Weston Road
(88) MAP 17**

By changing the area shown on District Map 17 more particularly shown on Schedule A hereto from R3(H2) - Residential Zone and Section 16(446) to R3 - Residential Zone and Section 16(446)."

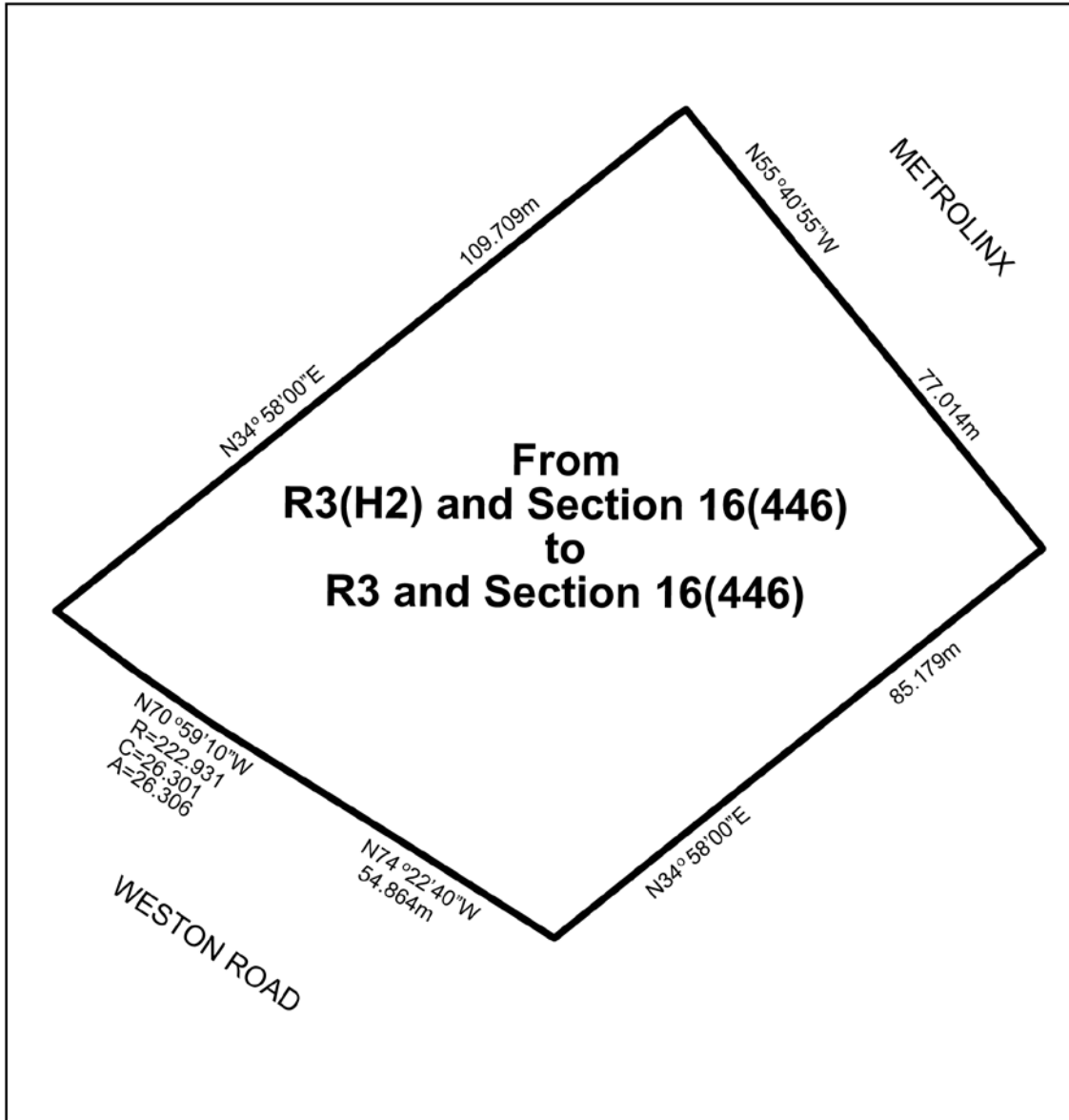
2. That Section 16 of former City of York Zoning By-law No. 1-83, as amended, be further amended by deleting Subsection (446)(2) in its entirety.

ENACTED AND PASSED this ~ day of ~, A.D. 2018.

JOHN TORY,
Mayor

ULLIS. WATKISS,
City Clerk

(Corporate Seal)



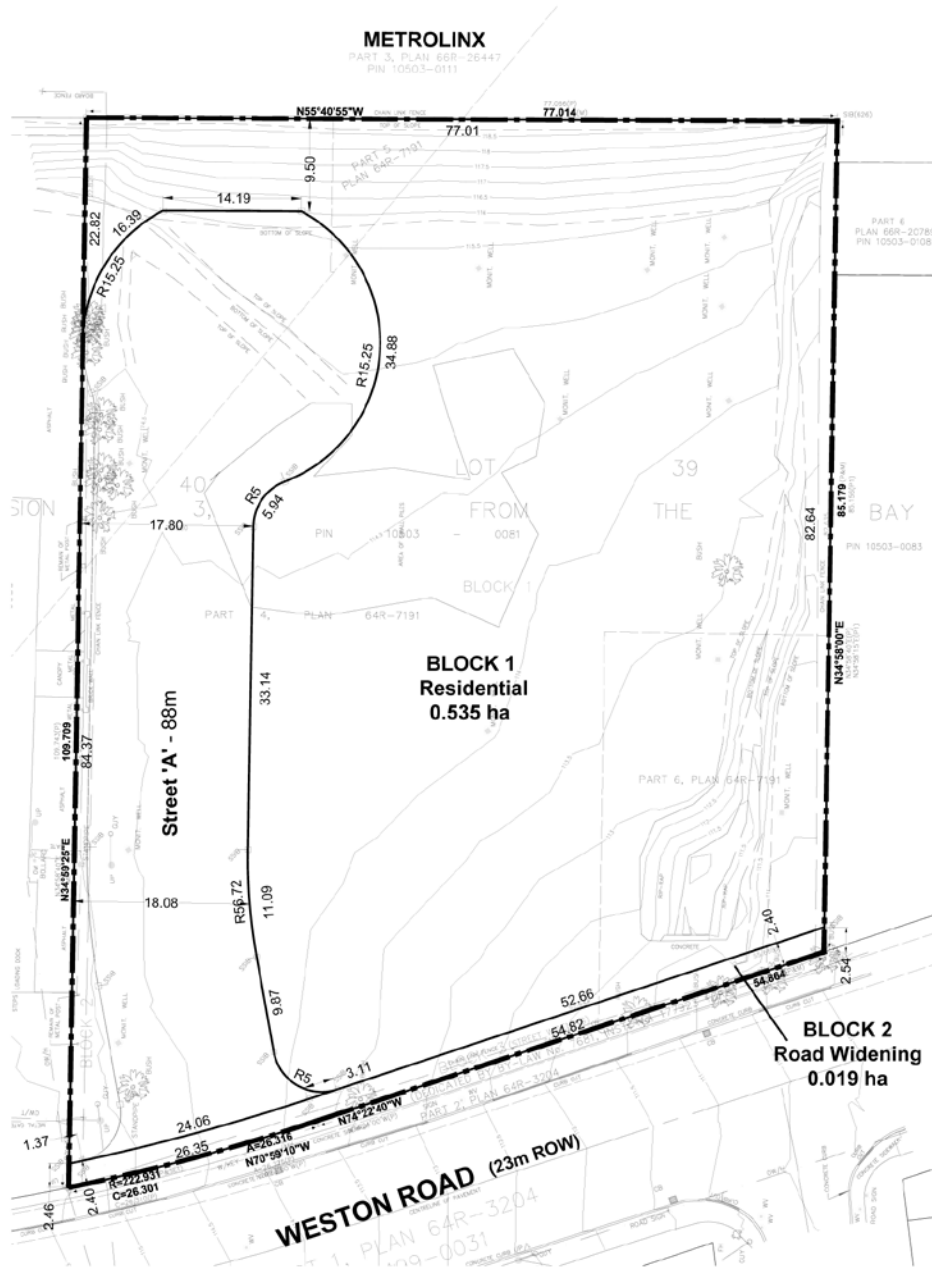
TORONTO
Schedule A

955-969 Weston Road

File # 18 142988 WET 11 0Z


 Former City of York By-Law 1-83
 Not to Scale
 06/04/2018

Attachment 5: Draft Plan of Subdivision



Draft Plan of Subdivision

955-969 Weston Road

Applicant's Submitted Drawing

Not to Scale ↗
06/20/2018

File # 18 142988 WET 11 OZ

File # 18 142980 WET 11 SB

Attachment 6: Conditions of Draft Plan of Subdivision Approval

1. The owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein;
2. The owner shall provide to the Director of Community Planning, Etobicoke 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. 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. The owner shall submit the Energy Efficiency Design Summary for Part 9 Housing to the satisfaction of the Director of Environment and Energy Division prior to the issuance of Notice of Approval Condition for Block 1.
6. Prior to the registration of the draft plan of subdivision, the Zoning By-law Amendment to remove the Holding Symbol (H) shall be in full force and effect.
7. Dedicate all roads, corner roundings and road widenings shown on the plan for this development to the satisfaction of the Executive Director, Engineering and Construction Services.
8. Convey all necessary easements (internal and external) to the City shown on the plan for this development to the satisfaction of the Executive Director, Engineering and Construction Services.
9. The owner is prepare all documents to convey the following 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, Engineering and Construction Services in consultation with the City Solicitor:

- i. a 2.4 metre road widening along the entire Weston Road frontage of the property to satisfy the City of Toronto Official Plan requirement for a minimum 27 metre right-of-way width specified for this section of Weston Road; and
 - ii. a strip of land 16.5 metres wide, extending in an north-south alignment connecting to Weston Road at the west limit of the property with the north end of the new public road terminating in a 15.25-metre radius turning bulb modified to skew in a easterly direction, and modified to illustrate a 1.0-metre boulevard and a 1.75-metre private property strip abutting the retaining wall at the right-of-way limit at the north end of the turning bulb, as shown in the attached sketch.
10. Pay all costs for preparation and registration of reference plan(s). We advise the owner to contact Mr. John House, Supervisor of Property Records, at (416) 392-8338 to obtain an exact description of the required conveyance;
11. The owner is required to submit a draft Reference Plan of Survey to the Executive Director, Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The reference 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 Projections);
 - (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;
 - (c) Show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan; and
 - (d) With the exception of utility poles, the applicant must ensure that the required conveyance(s) is free of all encumbrances and is subject to a right-of-way for access purposes in favour of the grantor until the required land(s) are laid out and dedicated as public highway(s).
12. The owner is required to convey, dedicate and construct the proposed public road and turning circle at the south limit of this road in accordance with the City of Toronto Standard Drawing No. UD-DIPS-3B and DIPS-5 providing an 8 metre pavement width with a modified boulevard and 6 metre municipal boulevard on the east side and shall terminate in a turning basin skewed to the east with a minimum 12.5 metre radius turning bulb (to the curb), to the City as a Public Highway, to the satisfaction of the Executive Director of Engineering and Construction Services.

13. The owner shall submit a Draft Plan to the satisfaction of the Executive Director of Engineering and Construction Services.
14. The owner shall submit a Stormwater Management Report to the satisfaction of the Executive Director of Engineering and Construction Services.
15. The owner shall submit a Geotechnical Report assessing the soil conditions of the site, including pertinent information, but not limited to, such as borehole logs and groundwater level data to the satisfaction of the Executive Director of Engineering and Construction Services.
16. The owner is responsible for all costs associated with the installation/alterations of municipal street signage required by this subdivision.
17. The owner shall submit detailed engineering design drawings and detailed cost estimates for the proposed infrastructure and public road.
18. The owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
19. 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).
20. Prior to the registration of the plan of subdivision or release for construction the environmental reports are to receive the City's peer review concurrence pertaining to all lands to be conveyed to the City.
21. Pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision.
22. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
23. Submit financial security in accordance with the terms of standard subdivision agreement.
24. Prior to acceptance of the engineering drawings, the owner must provide a composite utility plan, signed off by each of the utility companies and City Urban Forestry Division.

25. Provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
26. Prior to the registration and execution of the Subdivision Agreement the owner shall also submit a detailed pavement marking and signage plan for the future public Streets and pay all costs related to the installation of pavement markings and signage and modifications to the existing pavement markings and signage.
27. Prior to the registration of the Plan of Subdivision, the owner shall make satisfactory arrangements with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Plan of Subdivision.
28. Written confirmation from THESL and THESI that said arrangements have been made with respect to the installation of the electrical distribution system and street lighting, respectively, for the Plan of Subdivision, including the provision of any financial requirements set out in any agreement with THESL and THESI shall be provided.
29. The owner is required to provide certification from a Structural Engineer that the existing structure(s) on-site to be retained, including but not limited to, retaining walls, culverts, ditch inlet catchbasins and headwalls, have been inspected and confirmed to be in good order with regards to drainage and structural stability.
30. The owner is required to obtain approval in writing from the appropriate Railway Authority regarding the design of the railway berm and all its appurtenances.
31. The railway berm and all its appurtenances is to be constructed to the satisfaction of the appropriate Railway Authority prior to the issuance of the first building permit.
32. Prior to the registration of the plan of subdivision, the owner agrees to submit an Arborist Report, Tree Preservation Plan and Landscape Plan, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
33. Prior to the registration of the plan of subdivision, the owner agrees to 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, to the satisfaction of the General Manager of Parks, Forestry and Recreation.

34. Prior to the registration of the plan of subdivision, 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 and Recreation and Engineering and Construction Services.
35. Prior to the registration of the plan of subdivision, the owner agrees to submit an application and pay the required 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 Services requirements, or if no suitable location on site can be provided, the owner may pay cash-in-lieu of planting, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
36. Prior to the registration of the plan of subdivision, the owner agrees to submit an application and pay the required application fees, tree value and contractor's service agreement for the removal of trees that are subject to the City's Street By-law and associated regulations in effect on the date of draft approval of the plan of subdivision, all to the satisfaction of the General Manger of Parks, Forestry and Recreation.
37. Prior to the registration of the plan of subdivision, the owner shall post a Letter of Credit equal to 120% of the value of the street trees, to guarantee the planting and maintenance by the owner of the new street trees for a period of two years after the planting date, to the satisfaction of the General Manager of Parks, Forestry and Recreation.
38. 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 Subdivision. The booklet will be prepared to the satisfaction of the General Manger of Parks, Forestry and Recreation and will be distributed to all homeowners for all dwellings within the Subdivision.
39. The owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease agreements for any lands within the proposed plan of subdivision:

"The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property."

40. 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.
41. Prior to any site work, the owner agrees to protect all existing trees associated with the Subdivision 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 Manger of Parks, Forestry and Recreation.
42. Prior to any site work, the owner agrees to install tree protection barriers and signage for trees to be preserved in accordance with the approved Arborist Report and Tree Preservation to the satisfaction of Parks, Forestry and Recreation and to maintain the barriers in good repair until removal has been authorized by Urban Forestry, on behalf of General Manger of Parks, Forestry and Recreation.
43. The owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager of Parks, Forestry and Recreation.
44. The owner agrees to contact Urban Forestry prior to commencement of planting trees on City road allowance and on private property or within common areas. The owner further agrees to plant trees in accordance with the approved Landscape Plan and Composite Utility Plan, to the satisfaction of the General Manger of Parks, Forestry and Recreation.
45. Following the planting of street trees, the owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street addresses. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e., distances in meters from the curb, sidewalk, driveway, utility pole or pedestal).

Archaeological

46. The owner agrees in the Subdivision Agreement to include the following clause:
 - "i. In the event that deeply buried archaeological remains are encountered on the property during construction activities, the owner

shall notify the Heritage Operations Unit of the Ministry of Culture immediately at (416) 314-7146 as well as the City of Toronto, Heritage Preservation Services Unit (416) 338-1096; and

- ii. In the event that human remains are encountered during construction, the owner immediately contact both the Ministry of Culture, and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, (416) 326-8393”.

If any expansions to the boundaries of the subject property are proposed, the owner will be required prior to final approval and registration of the Plan to submit further archaeological assessment work;

Schools

47. The owner shall enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available. For information regarding designated school(s), please call (416) 394-7526.

48. These signs shall be to the Board's specifications and erected prior to registration of the plan of subdivision or the issuance of any building permit.
49. The owner agrees to include in all offers of purchase and sale or lease the following warning clauses prior to the registration of the subdivision plan and for a period of 10 years after registration of the subdivision plan:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if busing is provided by the Toronto District School Board, that students will not be bussed home to school and/or from school to home, , but will meet the bus at designated locations in or outside of the area."

Noise and Vibration

50. The owner shall agree in the subdivision agreement to carry out or cause to be carried out the Recommendations of the Noise Impact Feasibility Study prepared by J.E. Coulter Associates Limited dated April 12, 2018, Noise Impact Feasibility Study Revised prepared by J.E. Coulter Associates

Limited dated June 13, 2018 and any addendum to these reports as may be required by the City for the abatement of noise and vibration control.

51. The owner shall insert the following warning clause in all development agreements, Condominium declarations, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit for the development :

"Warning: Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) (air traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment and Climate Change's noise criteria."

"Warning: This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment and Climate Change's noise criteria."

52. Prior to the issuance of Notice of Approval Condition for the development the owner shall provide certification in writing from a qualified Consulting Engineers or the project architect to the Director, Community Planning, Etobicoke York confirming that all plans filed as part of the Site Plan Approval Application in respect of the proposed development are in accordance with and incorporates such measures recommended in the Noise Impact Feasibility Study prepared by J.E. Coulter Associates Limited dated April 12, 2018, Noise Impact Feasibility Study Revised prepared by J.E. Coulter Associates Limited dated June 13, 2018 and any addendum to these reports as may be required by the City for the abatement of noise and vibration control.
53. Prior to the issuance of a building permit for the development the owner shall provide certification in writing from a qualified Consulting Engineers or the project architect to the Deputy Chief Building Official confirming that all plans filed as part of application for a Building Permit in respect of the proposed development are in accordance with and incorporates such measures recommended in the in the Noise Impact Feasibility Study prepared by J.E. Coulter Associates Limited dated April 12, 2018, Noise Impact Feasibility Study Revised prepared by J.E. Coulter Associates Limited dated June 13, 2018 and any addendum to these reports as may be required by the City for the abatement of noise and vibration control.

Rail Safety

54. The owner shall agree in the subdivision agreement, to carry out or cause to be carried out the recommendations in the accepted rail safety assessment prepared by Johnson Sustronk Weinstein + Associates (JSW) and Jablonsky, Ast and Partners (JAP) Consulting and any addendum to this

assessment as may be required by the City or Metrolinx for rail safety measures.

55. Prior to the issuance of Notice of Approval Condition for the development the owner shall provide confirmation from Metrolinx and City's Peer Review (HATCH) to the Director, Community Planning, Etobicoke York confirming that all plans and studies filed as part of the Site Plan Approval Application in respect of the proposed development are in accordance with accepted rail safety assessment.

Metrolinx

56. The owner shall insert the following clause in all development agreements, Condominium declarations, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit for the development :

"Warning: Metrolinx, carrying on business as GO Transit and UP Express, and its assigns and successors in interest are the owners of lands within 300 metres from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands".

57. Prior to the issuance of the Notice of Approval Conditions for the development the owner shall enter into an agreement stipulating how Metrolinx concerns will be resolved and will pay Metrolinx's reasonable costs in preparing and negotiating the agreement. The agreement will include an environmental easement for operational emissions, registered on title against all subject residential dwellings in favour of Metrolinx.

Canadian Pacific Railway

58. The owner shall insert the following clause in all development agreements, Condominium declarations, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit for the development:

"WARNING: Canadian Pacific Railway or its assigns or successors in interest has or have a railway right-of-way located within 300 meters from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating

measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way.”

Canada Post

59. Prior to the registration of the plan of subdivision, the owner agrees to provide written confirmation to City Planning, from Canada Post advising that the Owner has made satisfactory arrangements, financial and otherwise with Canada Post for provision of mail services to the Subdivision.
60. In order to provide mail services to the residential buildings within the Subdivision, Canada Post requires that the owner comply with the following conditions:
 - i. The owner will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
 - ii. The owner will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
 - iii. The owner will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post’s concrete pad specification drawings.
 - iv. The owner will agree to prepare and maintain an area of compacted gravel to Canada Post’s specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
 - v. The owner will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
 - vi. The owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Toronto.

- vii. The owner agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
- viii. The owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Bell

- 61. Prior to the registration of the plan of subdivision, the owner agrees to grant to Bell Canada, any easements that may be required for telecommunication services. In the event of any conflict with existing Bell Canada facilities or easements, the owner will be responsible for the relocation of such facilities or easements.
- 62. The owner agrees to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure need to service the Subdivision.
- 63. Prior to commencing any work, the owner agrees to confirm that sufficient wire line communication/telecommunication infrastructure is available. In the event that such infrastructure is unable, the owner will be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.
- 64. Should the owner elect to not pay for the above noted connection, the owner will be required to demonstrate, to the satisfaction of the City that sufficient alternative communication/telecommunication services will be provided to enable, at a minimum the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 emergency services).

Rogers

- 65. Prior to the registration of the plan of subdivision, the owner agrees to provide written confirmation to City Planning that the owner has made satisfactory arrangements, financial and otherwise with a communication/telecommunication provider, such as Rogers, for provision of communication/telecommunication services to the Subdivision, which are required by the City to be installed underground.

66. The owner is advised that Rogers Communications Inc. has buried and aerial fibre and coaxial plan in the area.
67. The owner must proceed with caution when installing their new infrastructure. The applicant is required to dig when crossing or within 1 metre of Rogers' plant. The owner is responsible for any damage to Roger's cable.
68. The owner required to obtain mark-out locations. Stake-outs can be arranged by calling 1-800-400-2255.

Enbridge

69. Prior to final approval and registration of the plan, the owner shall provide written confirmation to the Director Community Planning, Etobicoke York District that the owner has made satisfactory arrangements, financial and otherwise with a gas provider such as Enbridge Consumers Gas for the delivery of gas services to the plan of subdivision.
70. The owner agrees to contact Enbridge, Customer Connections Department by emailing SalesArea10@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of landscaping (including, but not limited to, tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
71. The owner acknowledges and agrees that if relocation of any gas main is required as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs will be the responsibility of the owner.
72. In the event easement(s) are required to service the subdivision, the owner agrees to provide the easement(s) to Enbridge and at no cost to Enbridge.
73. In the event a pressure reducing regulator station is required, the owner agrees to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge's Customer Connections Department, for more details contact SalesArea10@enbridge.com.
74. Prior to the installation of the gas piping, the owner agrees to grade all streets to final elevation and provide the necessary field survey information and all approved City road cross sections, identifying all utility locations to Enbridge.

Toronto Hydro

75. Prior to final approval and registration of the plan, the owner shall provide written confirmation to the Director Community Planning, Etobicoke York

District that the owner has made satisfactory arrangements, financial and otherwise with Toronto Hydro for the installation of an underground electrical distribution system and street lighting system;

ADVISORY OF OTHER CITY REQUIREMENTS

The owner is advised that the following approvals and/or permits are required for this development:

1. Road Allowance Permits.

The owner must obtain the necessary authorisations and permits from our Right-of-Way Management Section before excavating or encroaching into municipal road allowance. The applicant is advised to contact our Right-of-Way Management Section at (416) 394-8348 regarding site-specific permitting, licensing and municipal road damage deposit requirements.

2. Construction Management Plans.

The owner must submit a comprehensive construction management plan for each stage of the construction process. This plan must illustrate the location of employee/trades parking, heavy truck access points, material storage, construction site fencing and overhead cranes. We advise the applicant that they cannot use the municipal right-of-way for construction-related purposes without first receiving written authorisation from our Right-of-Way Management Section, including payment of the necessary fees.

3. Encroachments.

The owner is advised that 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 applicant 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.

4. Toronto Hydro Approval.

The owner must obtain approval from Toronto Hydro Street Lighting Incorporated before removing and/or relocating any utility with attached municipal street lighting.

The owner must obtain approval from Toronto Hydro Street Lighting Incorporated before removing and/or relocating any utility with attached municipal street lighting.

5. Municipal Numbering

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 (as applicable).

6. Street Naming Requirement

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/streetnaming/index.htm>. 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.

7. Implementation of Superpave Asphalt Specifications

The City of Toronto is implementing Superpave asphalt mixes commencing in the 2018 construction season for all public road infrastructure projects. Superpave asphalt mixes will be mandatory for all new projects approved in 2018 and onward in the City of Toronto. (Please see attached notice dated March 6, 2018 for further information). Revise the engineering drawings to refer to the Superpave asphalt mix for any asphalt located on city property.

8. Utilities

The owner is to provide a composite utility plan illustrating the location and spacing of proposed utilities and street trees. The Composite Utility Plan must be signed off by all utility companies and City Urban Forestry Division prior to acceptance of the Engineering plans by the Executive Director of Engineering and Construction Services.

9. Forestry

The owner is advised that application and all security deposits and payments must be submitted to the attention of Supervisor of Urban Forestry, Supervisor of Tree Protection & Plan Review, at the Etobicoke Civic Centre, 399 The West Mall, Main Floor - North Block. Payments must be made payable to Treasurer, City of Toronto in the form of a letter of credit, certified cheque, bank draft, money order, or by credit or debit cards at our office.

9. Canada Post

The owner of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox locations.

Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.

There will be no more than one mail delivery point to each unique address assigned by the Municipality.

Any existing postal coding may not apply, the owner should contact Canada Post to verify postal codes for the project.

The complete guide to Canada Post's Delivery Standards can be found at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

Attachment 7: Figure 7: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
05/14/2018

955-969 Weston Road

File # 18 142988 WET 11 OZ

File # 18 142980 WET 11 SB

Attachment 8: Figure 8: Typical Elevation



Typical Elevation

Applicant's Submitted Drawing

Not to Scale
05/14/2018

955-969 Weston Road

File # 18 142988 WET 11 OZ
File # 18 142980 WET 11 SB
