

3000, 3004, 3008, 3012 and 3020 Kennedy Road– Zoning Amendment and Draft Plan of Subdivision Applications – Final Report

Date: June 27, 2018

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 39 – Scarborough District

Planning Application Numbers: 16 256248 ESC 39 OZ & 16 256254 ESC 39 SB

SUMMARY

The application for a Zoning By-law Amendment proposes to amend the former City of Scarborough L'Amoreaux Community Zoning By-law and City of Toronto Zoning By-law to permit a residential development consisting of 42 detached dwellings on the lands at 3000, 3004, 3008, 3012 and 3020 Kennedy Road. The application for Draft Plan of Subdivision proposes to create 42 residential lots, a public road extension of Fort Dearborn Drive to Kennedy Road, and a new public street terminating at a cul-de-sac.

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 is consistent with the Healthy Neighbourhoods and *Neighbourhoods* policies of the Official Plan, as well as conforms to other relevant policies, such as policies pertaining to built form, public realm and transportation. The proposal respects and reinforces the physical character of the nearby neighbourhood. The zoning by-law amendments would allow for the appropriate residential development on the subject lands.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Scarborough Zoning By-law No 12466 L'Amoreaux Community, for the lands at 3000, 3004, 3008, 3012 and 3020 Kennedy Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 5 to this report.
2. City Council amend City of Toronto Zoning By-law No. 569-2013 for the lands at 3000, 3004, 3008, 3012 and 3020 Kennedy Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. Prior to issuance of an above grade building permit, other than a building permit for a sales office, the owner shall provide the City with a cash payment of Four Hundred and Fifty Thousand dollars (\$450,000.00) to be paid by way of certified cheque payable to the City of Toronto, to be directed towards various park improvements in Ward 39, including the installation of a new skatepark in Fundy Bay Park.
 - ii. Any cash or letter of credit contributions shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the "Single Detached House Construction Price Index for the Toronto Census Metropolitan Area", reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor.
 - iii. In the event the cash contribution referred to in Section (i) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
 - b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. 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 item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.
5. That in accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 10 subject to:
 - a. the conditions as generally listed in Attachment 7 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

In 1990 the parcel known as 3004 Kennedy Road was severed through Consent Application B013/90SC such that the rear of the lot could be conveyed to the Valleyview Garden Centre to the north. The dwelling on the retained lot existed until 2014 when it was demolished and the lot paved over to add to the parking lot at Valleyview Gardens.

A pre-application consultation meeting was held with the applicant on April 5, 2016 to discuss complete application submission requirements. The applications were submitted on November 25, 2016 and were deemed complete on the same date. A Preliminary Report on the applications was adopted by Scarborough Community Council on February 22, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. Additional consultations took place with the applicant and community. A link to the Community Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC20.15>

ISSUE BACKGROUND

Proposal

The original zoning by-law amendment and draft plan of subdivision applications proposed the development of 41 detached 3-storey dwellings on an internal public road extension of Fort Dearborn Drive. The proposed extension of Fort Dearborn Drive did not connect to Kennedy Road.

The current applications propose 42 detached dwellings with vehicular access from the street extension of Fort Dearborn Drive connecting to Kennedy Road and a new public street terminating at a cul-de-sac.

A total of 22 detached dwellings will have vehicular access from the new street extension of Fort Dearborn Drive (Street A). A total of 20 detached dwellings will have vehicular access from the new public street (Street B), including 3 dwellings at the westerly terminus of the cul-de-sac.

Forty dwellings would be 3-storeys. Two dwellings would be 2-storeys, located adjacent to the existing detached dwellings on either side of Fort Dearborn Drive.

The proposed 2-storey dwellings would have building heights of 9 and 9.38 metres. The proposed 3-storey dwellings would have maximum building heights of 11 metres. The total gross floor area of the proposed residential development increased from 10,356 m² to 12,321.5 m², which results in an overall Floor Space Index of 0.71 times the lot area.

The proposed lot frontages range from 8.77 metres to 16.15 metres. The majority of the lots are proposed to have lot frontages of 9.15 metres. Almost all the lots are rectangular in shape with the exception of Lot 4 which is an irregularly shaped lot having a lot frontage of 16.15 metres. The proposed lot areas range between 199 m² to 476 m². The proposed dwelling unit gross floor areas range from 238 m² to 420 m².

The majority of the proposed dwellings (34) would have integrated front two-car garages. Eight of the proposed detached dwelling units would face Kennedy Road with integrated garage access from the new proposed street (Street B). These units are proposed to be designed as dual frontage dwellings with front façade treatments along both street frontages. Pedestrian access to these dwellings directly from the public sidewalk is proposed along with low decorative fencing along the Kennedy Road frontage. The proposed dwellings would have minimum front yard setbacks ranging from 5.6 metres to 7 metres. The proposed eight dwellings fronting Kennedy Road would have minimum front yard setbacks of 6 metres.

Dwellings internal to the development and not fronting onto Kennedy Road would have a minimum 7.5 metre rear yard setback. The 8 dwellings fronting Kennedy Road would have minimum 3.2 metre setbacks to Kennedy Road. The proposed eight dwellings would be architecturally designed to create a front façade building articulation along both Kennedy Road and the proposed new Street B.

The new public streets would result in 3 different right-of-way widths. Part of the proposed new street (Street A) immediately extending from Fort Dearborn Drive in an easterly direction and connecting to Kennedy Road would have a right-of-way width of 18.5 metres, widening to 20 metres at the Kennedy Road intersection. The new street extending north (Street B) from the Fort Dearborn Drive extension would have a right-of-way width of 18.5 metres, narrowing to 16.2 meters as it continues in a westerly direction and terminates at a cul-de-sac.

Sidewalks are proposed along each side of the Fort Dearborn Drive extension (Street A). Sidewalks are also proposed along each side of Street B, except where it narrows to a 16.2 m right-of-way. Along this portion of the right-of-way, a sidewalk is proposed only on the south side with street trees on the north side. Should development of the adjacent lands to the north occur in the future, Street B would be extended to the north from the proposed cul-de-sac to facilitate a future connection to Royal Albert Crescent and be widened to a 18.5 metre width.

Attachment 9 shows the current site plan submitted by the applicant. The proposed Draft Plan of Subdivision is shown on Attachment 10. The proposed elevations are shown on Attachments 11-13. A summary of the proposed development is detailed in Attachment 1: Application Data Sheet.

Site and Surrounding Area

The site is located on the west side of Kennedy Road mid-way between Finch Avenue East and McNicoll Avenue, with approximately 120 metres of frontage on Kennedy Road. The site is irregularly shaped and has a depth of 125 metres at its south end and 190 metres at its north end.

The site is 1.74 hectares in size, is generally flat, and is currently occupied by the Valleyview Garden Centre. A number of mature trees exist on the west, north and east edges of the site.

Surrounding land uses:

North: Adjacent to the subject lands, at 3024 Kennedy Road is a large footprint employment use – Zion Building Supplies Ltd. Further north is an existing neighbourhood of two-storey single detached dwellings.

South: An existing mature neighbourhood of mostly semi-detached split level or two storey dwellings fronting Revlis Crescent.

East: Employment uses within the Milliken Employment District.

West: An existing neighbourhood of two-storey single detached homes.

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; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

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 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 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 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 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. 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 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 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 staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Section 2.2.3 h): – Structuring Growth in the City: Integrating Land Use and Transportation- The Official Plan states the City’s transportation network will be maintained and developed to support the growth management objectives of this Plan by ensuring that new streets will be provided in consideration of surrounding lands uses and will contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes and users throughout the City and acts as a fundamental organizing element of the City’s physical structure.

Section 2.2.5 a): The City’s water, wastewater and stormwater management infrastructure will be maintained and developed to support the city-building objectives of this Plan by providing adequate facilities to support new development and maintaining infrastructure in a state of good repair.

Section 2.1.3.1 Healthy Neighbourhoods: The Official Plan states that *Neighbourhoods* and *Apartment Neighbourhoods* are considered physically stable areas. Development in *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City

Section 3.1.2 Built Form: The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings. Preserve existing and mature trees wherever possible and incorporate them into the landscaping designs.

New and existing City streets will incorporate a Complete Streets approach and be designed to perform diverse roles by balancing the needs and priorities of the various users and uses within the right-of-way, including amongst other matters, provision for

space for other street elements, such as utilities and services and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafes, marketing and vending and street furniture.

Section 3.1.1.16 - Public Realm: The Official Plan states, amongst other matters that new streets will be designed to:

- provide connections with adjacent neighbourhoods;
- promote a connected grid of streets that offer safe and convenient travel options;
- provide access and addresses for new development;
- allow the public to freely enter without obstruction;
- promote complete streets approach to develop a street network that balances needs and priorities of the various users and uses within the right-of-way; and
- provide access for emergency vehicles.

Section 3.1.1.17 – Public Realm: The Official Plan states that new streets should be public.

Section 3.2.1 Housing: The Official Plan states a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Chapter 4- Land Use Designations

The subject lands are designated *Neighbourhoods* on Map 19 of the Toronto Official Plan. *Neighbourhoods* are considered as physically stable areas primarily made up of low density type residential uses, 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*. The proposed detached dwellings would be provided for in the *Neighbourhoods* designation.

Section 4.1.9: The Official Plan states, amongst other matters, that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will:

- Have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties; and

- Front onto existing or newly created public streets wherever possible, with no gates limiting public access.

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, 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 Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* 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 in order 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 in new development such as amenity and service areas, lighting and parking.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

Zoning

The subject lands are zoned Agricultural Uses (AG) and Single-Family Residential (S) Zone under the L'Amoreaux Community Zoning By-law 12466. Permitted uses in the Agricultural Uses (AG) zone include day nurseries and agricultural activities such as apiaries, flower gardens, field and berry crops, orchards and the grazing of livestock. Single-family dwellings are permitted in the S Zone. Exception 89 applies to the AG zoned portion of the lands. Exception 89 permits single-family dwellings and specifies related regulations.

The subject lands are also zoned Residential Detached Zone (RD) in the City of Toronto Zoning By-law No. 569-2013. Permitted uses in the Residential Detached Zone (RD) include a dwelling unit in a detached house and parks. Uses permitted with

conditions include community centres, day nurseries, group homes, home occupations, private home daycare, secondary suites, and seniors community houses.

Attachment 4 shows the zoning for the site.

Draft Plan of Subdivision

An application for Draft Plan of Subdivision has been submitted to create 42 residential lots, a public road extension of Fort Dearborn Drive to Kennedy Road and a new public street terminating at a cul-de-sac. The Chief Planner has delegated authority for Plans of Subdivision under By-law 229-2000, as amended.

Reasons for Application

While the City of Toronto Zoning By-law 569-2013 has zoned the subject lands Residential Detached Zone (RD), the applicable exception does not permit the proposed lot sizes. Similarly, the performance standards contained in the exception require updating and refinement to appropriately regulate the proposed development.

Single detached dwellings are not permitted under the Agricultural (AG) Zone in the L'Amoreaux Community Zoning By-law No. 12466. The zoning amendment is required to apply a suitable zone to the subject site, as well as to impose appropriate performance standards.

The application for draft plan of subdivision approval is required to create the proposed residential lots, the public street extension of Fort Dearborn Drive and the new public street (Street B).

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale
- Arborist Report/Tree Inventory & Preservation Plan
- Transportation Operation Opinion Letter
- Geotechnical Report
- Environmental Noise Assessment
- Functional Servicing Report
- Phase I Environmental Site Assessment
- Phase II Environmental Site Assessment

The above noted reports/studies can be viewed at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation

The application 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 formulate appropriate Zoning By-law standards and conditions of Draft Plan of Subdivision.

Community Consultation

A Community Consultation Meeting was held on April 11, 2017. The purpose of the meeting was to present and provide an opportunity for comment on the development proposal. Scarborough Community Council directed staff to expand the notification area.

Approximately 40 people attended the meeting. Also, in attendance were the Ward Councillor, the applicant and their planning consultant.

The public raised the following issues/comments:

- the completion of the ultimate road network looping the proposed street north to Perthshire Street would not be completed because the properties to the north were not included in this proposal. A street connection to Kennedy Road in the interim was suggested;
- the 3-storey dwelling heights proposed adjacent to the existing two-storey dwellings should be reduced to two storeys to address matters of loss of view, sunlight and roof drainage; and
- snow clearance on Fort Dearborn Drive, including emergency vehicle access and snow removal at the end of the proposed cul-de-sac.

In addition, a number of emails were forwarded to Community Planning by the public expressing comments on the proposal including:

- ensuring compatibility with the existing neighbourhood regarding height, massing and setbacks;
- considering community support facilities, such as park or play area and sitting area;
- protecting trees and shrubs; and
- addressing drainage impact upon existing homes.

At the Councillor's recommendation, a Working Group was created comprised of the Ward Councillor, City staff, the residents and the applicant and their consultants. Matters discussed at the working group were issues regarding the design and operation of the Fort Dearborn Drive extension and issues pertaining to the design of the proposed homes and lots, including height and setbacks.

The Working Group proposed a number of recommendations including:

- a direct street connection from Fort Dearborn Drive to Kennedy Road;
- dwellings proposed beside the existing houses at the east end of Fort Dearborn Drive should be 2-storeys and have increased side yard setbacks to be more compatible with the existing homes to provide an improved transition;
- proposed rear yard setbacks should be a minimum of 7.5 metres;

- the proposed dwellings on the north side of the extension of Fort Dearborn Drive should have staggered front yard setbacks to ensure the proposed houses do not obstruct views from the existing dwellings on the north side of the street; and
- a more traditional roof design for the proposed dwelling with a maximum building height of 11 metres.

The above-noted comments from the Working Group comments have generally been addressed in the current proposal.

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 the Report.

Policy 1.1.3.2 of the PPS (2014) directs that land use patterns shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for and efficiently use infrastructure which are planned or available; are transit supportive and support active transportation. Furthermore, Policy 1.1.3.3 states that planning authorities identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public services facilities required to accommodate projected needs. The proposal is consistent with the PPS in this regard.

Policy 1.4.3 of 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. The proposal is consistent with the PPS in this regard.

Policy 1.6.6.1 of the PPS (2014) directs that expected growth or development shall be accommodated in a manner that promotes the efficient use and optimization of existing infrastructure, including municipal sewage services and municipal water services. The proposal is consistent with the PPS in this regard.

The Growth Plan contains policies about how land is developed, resources are managed and protected and public dollars are invested. It directs municipalities to support the creation of complete communities that provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; to develop mixed-use, transit-supportive, pedestrian-friendly urban environments; and to plan for more resilient, low-carbon

communities (Sections 1.2.1 and 2.2.1). The proposal conforms to the Growth Plan by directing growth to appropriate settlement areas, and making efficient use of land and existing services and infrastructure, including proximity to public and active transportation.

In planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 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 proposal supports the achievement of complete communities through a more compact built form, with dwellings units that are high quality, attractive and contribute to the vitality and character of the neighbourhood. The City has implemented these objectives through the implementing policies of the Official Plan, including Public Realm policies in Section 3.1.1 and Built Form policies in Section 3.1.2, as well as by securing Architectural Control Guidelines prepared by the applicant for the proposal.

Land Use and Built Form

These applications have been reviewed against the Official Plan policies and/or planning studies described in the Issue Background Section of the Report as well as the policies of the Toronto Official Plan as a whole.

The Official Plan recognizes that the subject properties, which are designated *Neighbourhoods*, are appropriate for residential uses. The proposed building type, detached houses, conforms to the low scale building form permitted in the *Neighbourhoods* designation.

Section 4.1.9 of the Official Plan requires that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation in established *Neighbourhoods* will have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties and front onto existing or newly created public streets wherever possible, with no gates limiting public access.

The proposed development builds upon the lot and road configuration established in the adjacent neighbourhood and would facilitate the direct connection to Kennedy Road, an arterial road. The proposed road alignment also facilitates a future north street extension of Street B from the proposed cul-de-sac to Royal Albert Crescent should the lands to the north redevelop.

The proposed lots are compatible with the surrounding existing and planned lot fabric, which have minimum 9 metre lot frontages required under the existing zoning by-law. The proposed lot frontages range from 8.77 m to 16.15 m. The majority of the lots are proposed to have lot frontages of 9.15 m.

The development proposes minimum rear yard setbacks of 7.5 metres for all the lots with the exception of the eight proposed lots fronting Kennedy Road, which is generally in keeping with the RD zone minimum requirement under Zoning By-law No. 569-2013.

The proposed front yard building setbacks provide setback patterns that are consistent with the existing dwellings to the west fronting onto Fort Dearborn Drive and are consistent with the Built Form and *Neighbourhoods* policies of the Official Plan.

The neighbouring houses along Fort Dearborn Drive are two storeys. The proposed two-storey dwellings adjacent to the existing dwellings on Fort Dearborn Drive have maximum building heights of 9 and 9.38 metres, which is consistent with the adjacent residential neighbourhood.

The proposed dwellings conform with the Built Form policies of the Official Plan. The new dwelling units appropriately frame Kennedy Road, the new Fort Dearborn Drive public street extension and the new public Street B and would improve safety through new public sidewalks. The proposed 2 and 3-storey detached dwellings would provide architectural interest through exterior facades that would fit harmoniously into the existing planned context and will be secured through Architectural Control Guidelines (see below). Dwellings proposed adjacent to the existing dwellings at the east end of Fort Dearborn Drive will be 2-storeys with increased side yard setbacks to provide an acceptable built form transition.

The proposal respects and reinforces the existing and planned context of the neighbourhood by reflecting the size and configuration of the existing lots in the surrounding neighbourhood and providing a low-rise detached dwelling built form that is consistent with the architectural built form mass that exists along Fort Dearborn Drive. The proposal would ensure that the neighbourhood remains physically stable in accordance with the *Neighbourhoods* policies of the Official Plan.

The proposal conforms with the Public Realm policies of the Official Plan. All of the proposed lots will front onto public streets. The neighbourhood would be connected by a public street extension to Kennedy Road and would protect for the future completion of a street network to the adjacent lands to the north. Accordingly, this proposal would permit orderly development by facilitating the completion of a road network that would be developed comprehensively over time and providing a future connection to the adjacent neighbourhood to the north when it is developed.

The proposed height, massing, scale and the setbacks of buildings are appropriate and compatible with the nearby *Neighbourhoods*.

Staff have evaluated this proposal against the above-noted policies and finds that the proposed land use is consistent with these policies as well as with the Healthy Neighbourhoods, Public Realm and Built Form policies of Sections 2.3.1, 3.1.1 and 3.1.2.

Architectural Control Guidelines

The applicant has submitted Architectural Control Guidelines in support of the development applications. Some of the objectives of the guidelines are to:

- provide detailed architectural design criteria,

- ensure that the new development fits into the built form character of the neighbourhood,
- establish requirements for the appropriate siting, size, height, style, detailing, materials and colours of the proposed dwellings; and
- provide public realm guidelines to promote safety, amenity and establish fencing, landscaping and screening.

The Guidelines for this development proposal would establish corner lots, lots terminating a view corridor and lots fronting onto Kennedy Road as Priority Lots to be treated with greater significance in the streetscape due to a higher degree of public exposure. The Guidelines would ensure that the enhanced treatment of priority lot dwellings would add detail, variety and interest to the streetscape at appropriate locations.

The Architectural Control Guidelines would be secured as a condition of draft plan of subdivision approval.

Draft Plan of Subdivision

The draft plan of subdivision is comprised of 42 residential lots, a public road extension of Fort Dearborn Drive to Kennedy Road (Street A) and a new public street terminating at a cul-de-sac (Street B).

The lots are rectangular in shape, with the exception of irregularly shaped Lot 4. The two proposed streets would have right-of-way widths ranging from 16.2 m, 18.5 m and 20 metres. Should future residential development occur on the abutting lands to the north, the proposed road alignment of Street B facilitates a future north street extension of Street B from the proposed cul-de-sac to Royal Albert Crescent.

Transportation Services will require a 0.3 m reserve block along the north side of the subject lands in order to restrict vehicular access to the north. A second 0.3 m reserve block is also required along the east property line beside lot 34.

The conditions of draft plan approval, as outlined in Attachment 7, will ensure the road is constructed with the City of Toronto Development Infrastructure Policy & Standards (DIPS) and emergency service standards and that the land transfer of the new streets and 0.3 metre reserves into public ownership will be completed in accordance with City policies.

It is recommended that the owner make satisfactory arrangements with the adjacent property owner to the north to install a wood board-on-board fence on the adjacent lands to the north, along the north side of Street B. This will be secured as a draft condition of subdivision approval.

Other matters that will be secured as conditions of approval include noise mitigation, street tree planting plan and architectural control guidelines.

Section 51(24) of the Planning Act outlines the criteria for determining whether or not a proposed subdivision is appropriate. These criteria include conformity to provincial

plans, whether the plan conforms to the Official Plan and adjacent plans of subdivision, the appropriateness of the proposed land use, the dimensions and shapes of the proposed lots and blocks, and the adequacy of utilities and municipal services. As detailed through this report, the proposed plan conforms to the policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. It also complies with the policies of the Toronto Official Plan. The proposed lots are consistent with those existing in the neighbourhood and the proposed public road will be constructed to City standards. The Chief Planner has delegated approval authority for Draft Plan of Subdivision under By-law 229-2000.

Transportation Operations

Staff have reviewed the proposal which is acceptable to Transportation Services. Requirements of Transportation Services is contained in the conditions of draft plan of subdivision in Attachment 7 to this report.

Servicing

Engineering and Construction Services staff advise that they have no further comments on these applications. Requirements of Engineering and Construction Services are detailed in the conditions of draft plan of subdivision in Attachment 7 to this report.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. This is the second highest quintile of current provision of parkland. The site is not in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The proposal is for a proposed 42 detached residential dwellings within a net site area of 11,409 m². The development applications is subject to a 5% cash-in-lieu parkland dedication payment required as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant is required to satisfy the parkland dedication through cash-in-lieu payment. The parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Tree Protection and Plan Review – Urban Forestry

Urban Forestry Services advises that the proposed development is not compliant with the Toronto Green Standard (TGS) performance standards regarding the number of trees, minimum soil volumes to allow trees to grow and street trees. Urban Forestry does not object to approval of the Zoning By-law Amendment application conditional on these TGS issues being addressed prior to the draft plan approval of the Plan of Subdivision application.

These matters will be addressed as conditions of draft plan of subdivision approval.

Noise

A noise impact assessment was prepared by the applicant's noise consultant in support of the current proposal. The purpose of the study was to assess potential impacts of the environment on the proposed development. The focus of this report is to assess the potential for transportation noise impacts from nearby roadways; and stationary noise impacts from the adjacent garden centre to the north and industrial properties across Kennedy Road to the east.

The report recommends a variety of mitigation measures including acoustic barriers along the southeast corner property lines in order to mitigate traffic noise upon private outdoor amenity space, forced air heating and central air conditioning, and warning clauses for certain house lots should be included in all purchase and sale agreements.

The noise analysis found that the impacts of the environment on the proposed development can be adequately controlled through feasible mitigation measures, façade designs, and warning clauses. The recommendations of the noise impact assessment would be secured as conditions of draft plan of subdivision approval.

Toronto District School Board

The Toronto District School Board advises that there is sufficient space at the local schools to accommodate students from this proposed development. No other school board comments were received.

Toronto Green Standard

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 features will be secured through the Subdivision Approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement, as discussed with the local Councillor are as follows:

- i. Prior to issuance of an above grade building permit, other than a building permit for a temporary sales office, the owner shall provide the City with a cash payment of Four Hundred and Fifty Thousand dollars (\$450,000.00) to be paid by way of certified cheque payable to the City of Toronto, to be directed towards various park improvements in Ward 39, including the installation of a new skatepark in Fundy Bay Park.
- ii. Any cash or letter of credit contributions shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the "Single Detached House Construction Price Index for the Toronto Census Metropolitan Area", reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor.
- iii. In the event the cash contribution referred to in Section (i) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. 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 item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

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 proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to supporting the policies of Healthy Neighbourhoods, *Neighbourhoods*, Built Form, Public Realm and transportation policies. In addition, staff secured an extension of Fort Dearborn Drive (Street A) that connects the proposed

development to Kennedy Road and a new street (Street B) that will facilitate the completion of a road network that would be developed comprehensively over time.

Staff recommend that Council support approval of the applications.

CONTACT

Greg Hobson-Garcia, Planner, Tel. No. (416) 396-5244, Fax No. (416) 396-4265,
E-mail:Gregory.Hobson-Garcia@toronto.ca.

SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Official Plan Amendment (By-law 12466)
- Attachment 6: Draft Zoning By-law Amendment (By-law 569-2013)
- Attachment 7: Conditions of Draft Plan of Subdivision
- Attachment 8: Summary of Public Consultation

Applicant Submitted Drawings

- Attachment 9: Site Plan
- Attachment 10: Draft Plan of Subdivision
- Attachment 11: Elevations - Typical Facing Street A (North and South)
- Attachment 12: Elevations - Kennedy Road Frontage (East and West)
- Attachment 13: Elevations - Lots 21 and 22 (Front Elevations)

Attachment 1: Application Data Sheet

Application Type	Rezoning	Application Number:	16 256248 ESC 39 OZ 16 256254 ESC 39 SB
Details	Rezoning, Standard	Application Date:	November 25, 2016

Municipal Address: 3000, 3004, 3008, 3012 and 3020 KENNEDY RD
 Location Description: CON 4 PT LOT 29 RP 66R14048 PART 2 **GRID E3903
 Project Description: Application for Zoning Amendment and for Draft Plan of Subdivision to permit 42 detached houses accessed from an extension of Fort Dearborn Drive and a new street.

Applicant:	Agent:	Architect:	Owner:
CIM KENNEDY CREEK INC			CIM KENNEDY CREEK INC

PLANNING CONTROLS

Official Plan Designation:	<i>Neighbourhoods</i>	Site Specific Provision:	N
Zoning:	AG , S and RD	Historical Status:	N
Height Limit (m):	10 m	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	17,309.5	Height:	Storeys:	2 and 3
Frontage (m):	120		Metres:	9, 9.38 and 11
Depth (m):	190			
Total Ground Floor Area (sq. m):	4,704			Total
Total Residential GFA (sq. m):	12,321.5		Parking Spaces:	42
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	12,321.5			
Lot Coverage Ratio (%):	27.2			
Floor Space Index:	0.71			

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	42
Total Units:	42

FLOOR AREA BREAKDOWN (upon project completion)

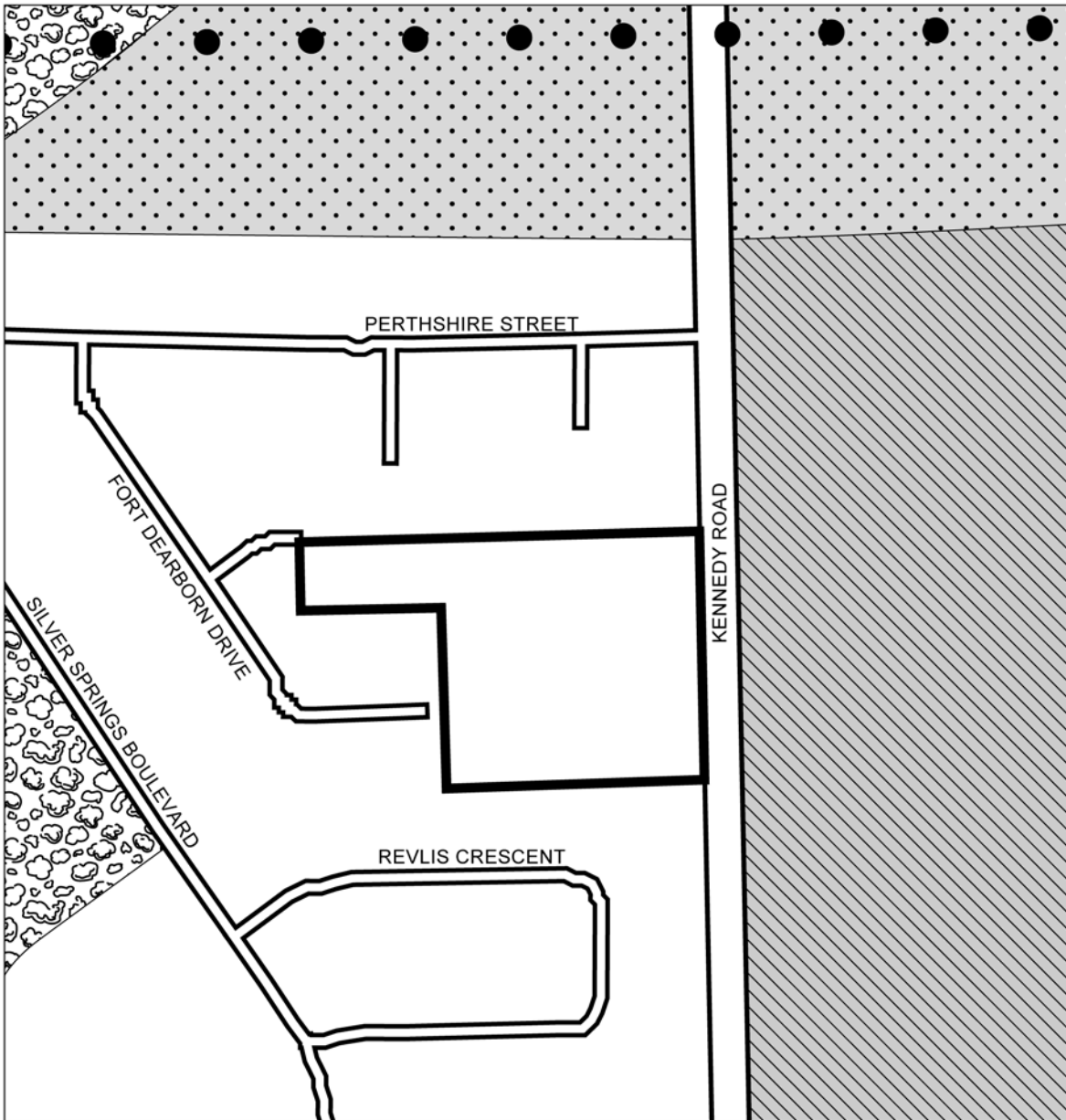
	Above Grade	Below Grade
Residential GFA (sq. m):	12,321.5	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Greg Hobson-Garcia, Planner
	TELEPHONE:	416-396-5244

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #19

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ
and 16 256254 ESC 39 SB

- Location of Application
- Neighbourhoods
- Parks & Open Space Areas
- Parks
- Employment Areas
- Utility Corridors



Not to Scale
06/05/2018

Attachment 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

3000,3004,3008,3012,3020 Kennedy Road

File # 16 256248 ESC 39 0Z

Location of Application

RD Residential Detached
 RS Residential Semi-Detached
 OR Open Space Recreation

See Former City of Scarborough L'Amoreaux Community By-Law No. 12466
 SC School

See Former City of Scarborough Employment District By-Law No. 24982

M Industrial Zone
 CC, E Community Commercial Zone, Employment Zone



Not to Scale
 Extracted: 12/19/2016

Attachment 5: Draft Zoning By-law Amendment (By-law 12466)

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend former City of Scarborough Zoning By-law 12466, L'Amoreaux Community Zoning By-law, as amended, with respect to the lands municipally known as 3000, 3004, 3008, 3012 and 3020 Kennedy 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 pursuant to Section 39 of the *Planning Act*, the Council of the City of Toronto may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands referred to herein have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in density and height of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands in By-law 12466, as amended, is to be permitted in return for the provision of the facilities, services and matters set

out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **SCHEDULE "A"** of the L'Amoreaux Community Zoning By-law 12466, is further amended by deleting the current **Agricultural Use (AG) Zone** and **Single-Family Residential (S) Zone** and replacing it with a **Single-Family Residential (S) Zone** as shown outlined on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

S-1-40M-59R-60G-182-280-326-510-512-513-514

S-1-40M-59L-60G-182-280-326-510-512-513-514

S-1-40M-59Q-60G-182-280-326-510-512-513-514

S-1-40M-59L-60-182-280-326-510-512-513-514

S-1-40Q-59M-60-280-326-509-512-513-514

S-1-40P-59T-60-280-326-511-512-513-514

S-1-40N-59L-60-182-280-326-510-512-513-514

S-1-40N-59S-60-280-326-510-512-513-514

S-1-40M-59P-60-280-326-510-512-513-514

S-1-40M-59L-60-280-326-510-512-513-514

S-1-40N-59L-60-182-280-326-510-512-513-514

S-1-40N-59O-60-182-280-326-510-512-513-514

S-1-40N-59N-60-182-280-326-510-512-513-514

2. **SCHEDULE "B", PERFORMANCE STANDARD CHART**, of the L'Amoreaux Community Zoning By-law 12466 is further amended by adding the following Performance Standards:

INTENSITY OF USE

326. For the lot as shown on Table 1 below to Performance Standard 326 of by-law (Clerks to supply by-law ##), and shown on Schedule '2' attached hereto forming part of this By-law, the minimum lot frontages and minimum lot areas shall be as shown:

Table 1

Lot	Minimum Lot Frontage (metres)	Minimum Lot Area (square metres)
1	10.5	372
2	10.5	338
3	11.5	476
4	16	438
5	9	262
6	9	262
7	9	262
8	9	262
9	9	262
10	9	262
11	9	262
12	9.5	276
13	9.5	275
14	9	262
15	9	262
16	9	262
17	9	262
18	9	262
19	9	258
20	9	244
21	9.5	300
22	11	359
23	9	275

Lot	Minimum Lot Frontage (metres)	Minimum Lot Area (square metres)
24	9	265
25	9	262
26	9	262
27	9	262
28	9	262
29	9	262
30	9	262
31	9	262
32	9	262
33	9	255
34	12	336
35	9	200
36	9	205
37	9	205
38	9	206
39	9	206
40	9	206
41	9	207
42	8.7	199

BUILDING SETBACKS FROM STREETS

40M. Minimum **front yard setback** 6 m.

40N. Minimum **front yard setback** 5.6 m.

40P. Minimum **front yard setback** 6.7 m.

40Q. Minimum **front yard setback** 7 m.

REAR YARD

60G. Minimum 3 m **rear yard** building **setback** to Kennedy Road street line.

SIDE YARD SETBACK

59L. Minimum **side yard setbacks** of 0.9 m on one side only and 0.6 m on the other side but not for attached garage.

59M. Minimum **side yard setbacks** of 1.2 m on one side only and 0.9 m on the other side.

59N. Minimum **flankage side yard** of 1.5 m and minimum **side yard setback** of 0.6 m on the other side but not for garage.

59O. Minimum **flankage side yard** of 3.0 m and minimum **side yard setback** of 0.6 m on the other side but not for garage.

59P. Minimum **side yard setback** of 2.0 m for level 1 and level 2 of **Single-Family Dwelling** and 2.4 m for level 3 of **Single-Family Dwelling** and minimum **side yard setback** of 0.6 m on the other side.

59Q. Minimum **flankage side yard setback** of 0.8 m and **minimum side yard setback** of 0.6 metres on the other side but not for attached garage.

59R. Minimum **side yard setback** of 0.6 m on one side only and minimum **side yard setback** of 0.5 m on the other side but not for attached garage.

59S. Minimum **side yard setback** of 4 m from south lot line and minimum **side yard setback** of 0.6 m from east lot line and minimum **side yard setback** of 2.6 m from west lot line.

59T. Minimum **side yard setback** of 1.2 m on one side only and minimum **side yard setback** of 0.6 m on the other side.

MISCELLANEOUS

509. Maximum building **height** of 9.5 metres and 2 storeys, excluding basements.

510. Maximum building **height** of 11 metres and 3 storeys, excluding basements.

511. Maximum building **height** of 9 metres and 2 storeys, excluding basements.

512. For the lot as shown on Table 2 below to Performance Standard 512 of by-law (Clerks to supply by-law ##), and shown on Schedule '2' attached hereto forming part of this By-law, the maximum lot **coverages** shall be as shown:

Table 2

Lot	Maximum Lot Coverage (%)
1	46
2	51
3	36
4	28
5	48
6	48
7	48
8	48
9	48
10	48
11	48
12	46
13	47
14	48
15	48
16	48
17	48
18	49
19	42
20	45
21	43
22	42

Lot	Maximum Lot Coverage (%)
23	45
24	47
25	47
26	47
27	47
28	47
29	47
30	47
31	47
32	47
33	47
34	39
35	53
36	52
37	52
38	51
39	51
40	51
41	51
42	53

513. For the lot as shown on Table 3 below to Performance Standard 513 of by-law (Clerks to supply by-law ##), and shown on Schedule '2' attached hereto forming part of this By-law, the maximum **floor area** per dwelling unit shall be as shown:

Table 3

Lot	Maximum Floor Area (square metres)
1	420
2	418
3	411
4	315
5	304
6	304
7	309
8	307
9	304
10	304
11	307
12	307
13	307
14	304
15	307
16	307
17	304
18	304
19	239
20	257
21	239
22	282
23	294

Lot	Maximum Floor Area (square metres)
24	294
25	297
26	297
27	294
28	294
29	297
30	294
31	294
32	294
33	288
34	314
35	241
36	239
37	239
38	257
39	239
40	239
41	239
42	257

514. A minimum of 28% of the **front yard** shall be maintained as landscaping of which 75% of the **front yard** shall be maintained as soft landscaping.

3. SCHEDULE “C”, EXCEPTIONS LIST, is amended by adding the following EXCEPTION 96 to the lands as shown outlined on the attached Schedule ‘3’:

96. On those lands identified as Exception No. 96 on the accompanying Schedule “C” map, the following provisions shall apply:

(a) **CLAUSE VI – PROVISIONS FOR ALL ZONES, Sub-Clause 6**
Coverage shall not apply.

(b) **Permitted Projections:**

Notwithstanding the definition of **Main Wall** in **CLAUSE V – INTERPRETATION**, the following Projections and their supporting structural members, to the maximum distances shown below, shall not be considered part of the **main wall**, and may extend into the required, **street yard, rear yard, side yard** and **flankage yard**, including **main wall** separation distances, except as otherwise specified;

Projections	Distance
Deck, porch, balcony or similar structure	1.5 m
Decorative or screen wall	1.0 m
Exterior steps or ramps	3.0 m
Bay window or other window projections	0.6 m
Roof overhang, eave or roof of dormer window	For all other lots 0.6 m provided they are no closer to a lot line than 0.3 m
Chimney, pilaster and projecting columns	0.6 m

(c) In the case of a corner lot with a corner rounding, the exterior side lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of measuring the required setbacks.

(d) Matters to be provided pursuant to Section 37 of the Planning Act, R.S.O. 1990, cP. 13, as amended:

i) The density of development permitted by this By-law is

permitted subject to the owner of the lands, at its sole expense and in accordance with and subject to the execution and registration of the agreements referred to in Section (ii) herein, providing or funding the following facilities, services and matters, as follows:

- a) \$450,000.00 to be used towards various park improvements in Ward 39, including the installation of a new skatepark in Fundy Bay Park, paid prior to the issuance of an above grade building permit, other than a building permit for a temporary sales office.
- ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, R.S.O., 1990, c.P. 13 as amended, to secure the facilities, services and matters referred to in Section (i) herein, which agreement shall be registered as a first priority on title to the lands to which this By-law applies.
- iii) Any cash or letter of credit contributions shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the "Single Detached House Construction Price Index for the Toronto Census Metropolitan Area", reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor.
- iv) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - a) 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 item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

(f) Additional Permitted Use

A temporary sales office for the sale of **single-family dwelling** units on the **lot**, including sales from a model home.

4. SCHEDULE “C” EXCEPTIONS MAP, is amended by deleting Exception Number 89 as outlined on the attached Schedule ‘3’.

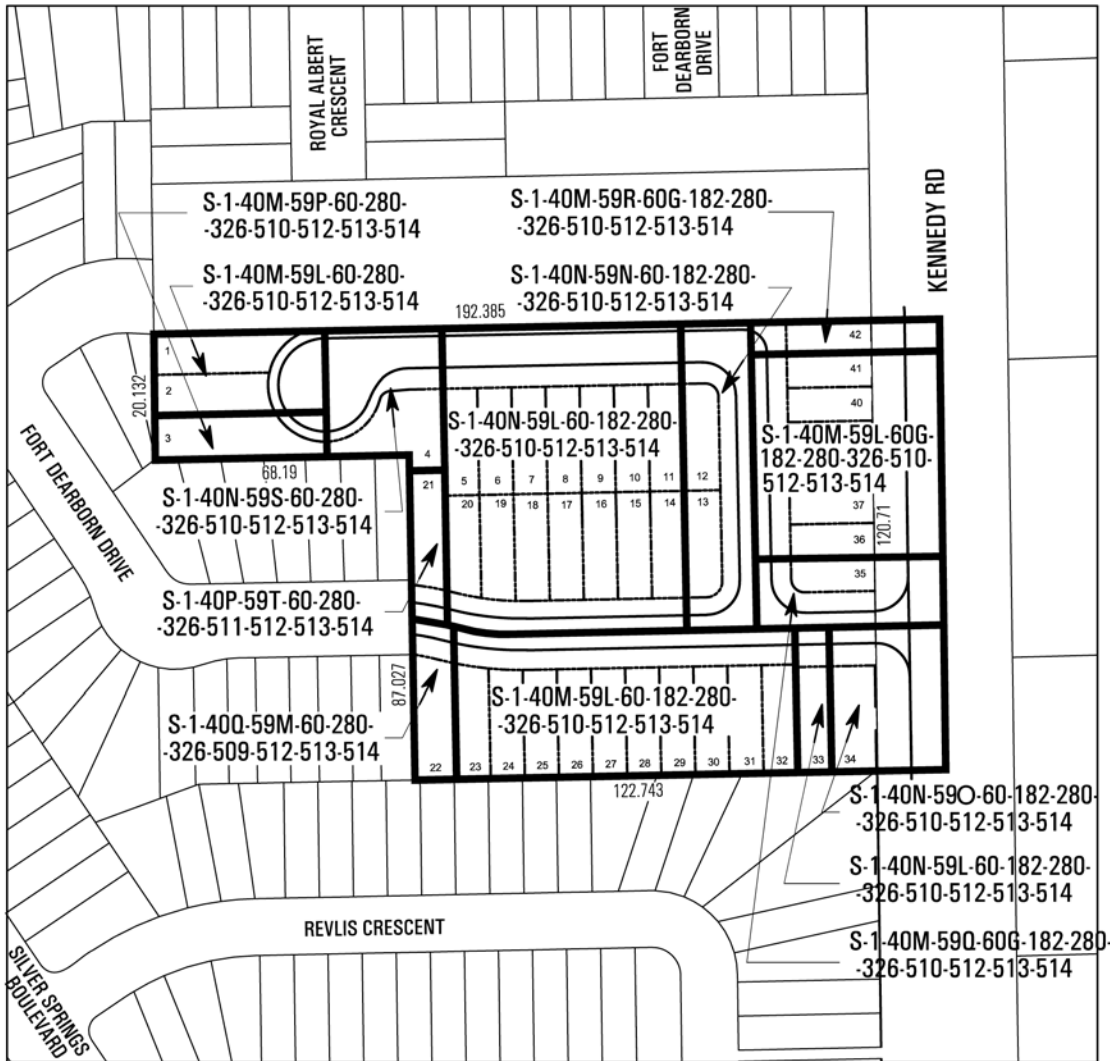
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

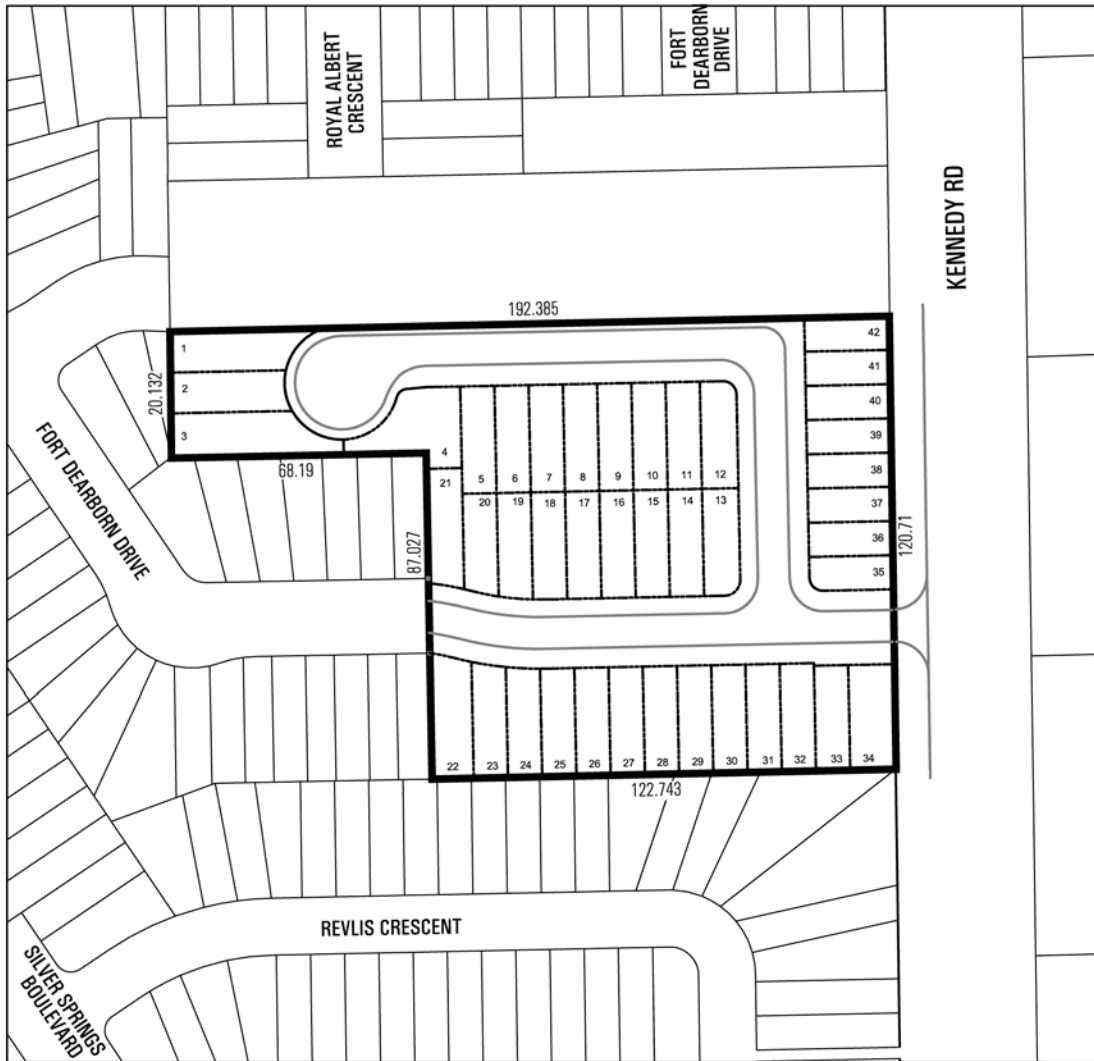


Area Affected By This By-Law

L'amoreaux Community Bylaw
Not to Scale
06/27/18



Schedule '2'



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

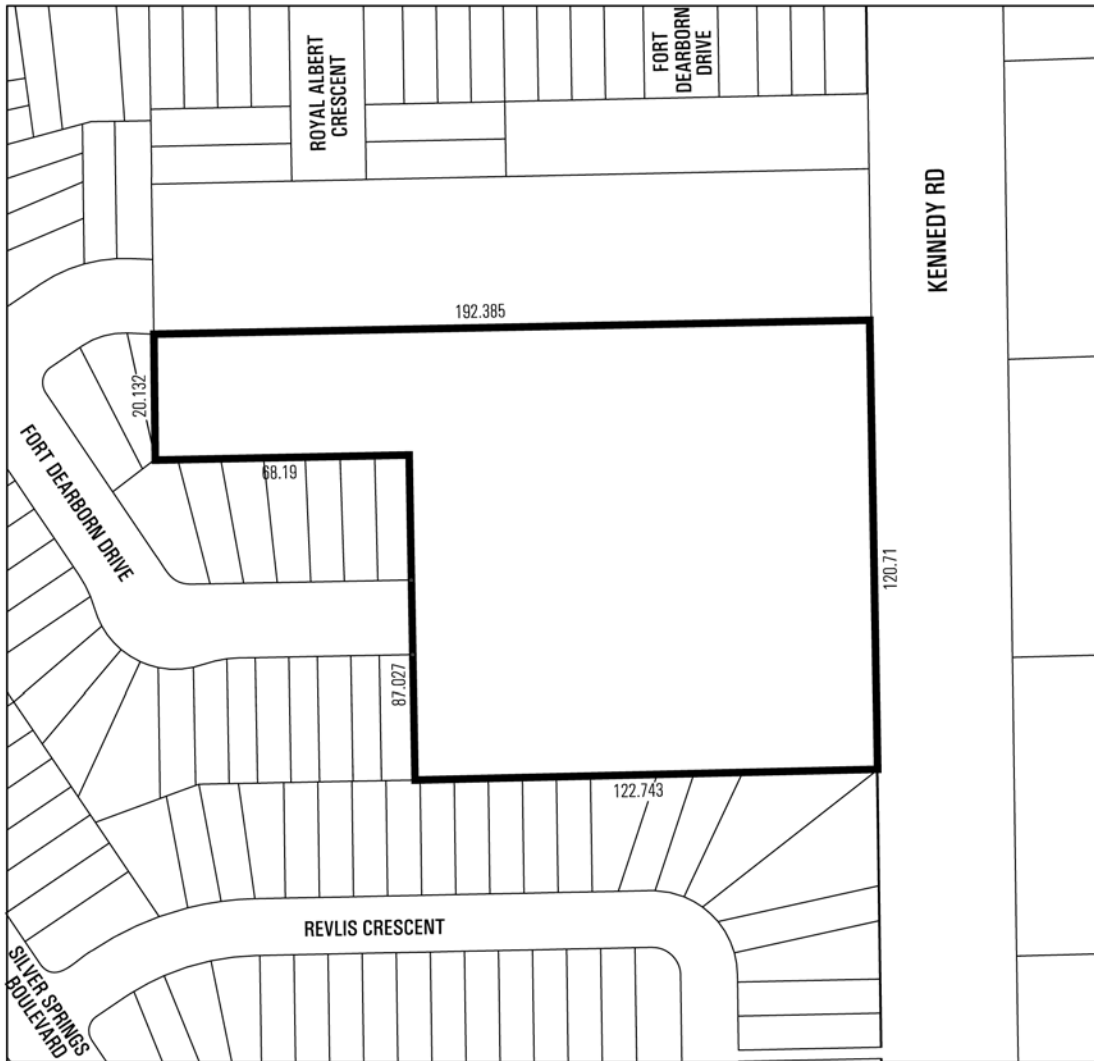


Area Affected By This By-Law

L'amoreaux Community Bylaw
Not to Scale
06/08/18



Schedule '3'



Exception No. 96
Exception No. 89 to be removed



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB



Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/14/18



Attachment 6: Draft Zoning By-law Amendment (By-law 569-2013)

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2018

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2018 as, 3000, 3004, 3008, 3012 and 3020 Kennedy Road

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has the authority to pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to authorize the temporary use of a building for a model home sales office;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RD(f9.0, a255, d1.2)(xxxx), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height of HT 10 to a height and storey label of HT 11, ST 3, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1, for the lands subject to this By-law from a lot coverage label of 33% and applying the lot coverage label of 48%, as shown on Diagram 4 attached to this By-law; and
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.[-].[-] Exception Number [###] so that it reads:

Exception RD [####]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) Despite regulation 10.20.30.10(1)(A)(B) the required minimum lot area for each **lot** as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], shall be:

- | | | |
|-------|--------|--------------------|
| (i) | lot 1 | 372 square metres; |
| (ii) | lot 2 | 338 square metres; |
| (iii) | lot 3 | 476 square metres; |
| (iv) | lot 4 | 438 square metres; |
| (v) | lot 20 | 244 square metres; |
| (vi) | lot 21 | 300 square metres; |

- (vii) lot 22 359 square metres;
- (viii) lot 34 336 square metres;
- (ix) lot 35 200 square metres;
- (x) lots 36 and 37 205 square metres;
- (xi) lots 38-40 206 square metres;
- (xii) lot 41 207 square metres;
- (xiii) lot 42 199 square metres; and
- (xiv) for all other lots 255 square metres.

(B) Despite regulation 10.20.40.40(1) the permitted maximum floor space index for each **lot** as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], shall be:

- (i) lots 20 and 23 1.1;
- (ii) lots 3, 4, 19, 21 and 22 1.0;
- (iii) lots 2, 38 and 42 1.3; and
- (iv) for all other lots 1.2.

(C) Despite regulation 10.20.30.20(1) the required minimum lot frontage for each **lot** as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], shall be:

- (i) lots 1 and 2 10.5 metres;
- (ii) lot 3 11.5 metres;
- (iii) lot 4 16 metres;
- (iv) lot 22 11 metres;
- (v) lot 34 12 metres;
- (vi) lot 42 8.7 metres; and
- (vii) for all other lots 9 metres.

(D) Despite regulation 10.20.40.70(1) the required minimum **front yard setback** for each **lot** as shown on Diagram 5 attached to By-law No. XXXX [clerks to provide by-law #], shall be:

- (i) lots 4-20, 33 and 34 5.6 metres;
- (ii) lot 21 6.7 metres;
- (iii) lot 22 7.0 metres; and
- (iv) for all other lots 6.0 metres.

(E) Despite regulation 10.20.40.70(2) the required minimum **rear yard setback** for each **lot** as shown on Diagram 5 attached to By-law No. XXXX [clerks to provide by-law #], shall be:

- (i) lots 35-42 3.0 metres to Kennedy Road street line; and
- (ii) for all other lots 7.5 metres.

(F) Despite regulation 10.20.40.70(3) the required minimum **side yard setback** for each **lot** as shown on Diagram 5 attached to By-law No. XXXX [clerks to provide by-law #], shall be:

- (i) lots 1 and 2 is 0.9 m on one side and 0.6 metres on the other side;
- (ii) lot 3 is 2.0 metres for level 1 and level 2 of the **detached house**, 2.4 metres for level 3 of the **detached house**, and 0.6 metres on the other side of the **detached house**;
- (iii) lot 4 is 4.0 metres from the south lot line and 0.6 metres from the east lot line and 2.6 metres from the west lot line;
- (iv) lots 5-11, 14-20, 23-33 and lots 36-41 is 0.9 metres on one side only, 0.6 metres on the other side, and 0.3 metres for an attached garage;
- (v) lots 12 and 13 is 1.5 metres for the exterior side yard, 0.6 metres on the other side, and 0.3 m for an attached garage;
- (vi) lot 21 is 1.2 metres on one side, and 0.6 metres on the other side;

- (vii) lot 22 is 1.2 metres on one side, and 0.9 metres on the other side;
- (viii) lot 34 is 3.0 metres for the exterior side yard, 0.6 metres on the other side, and 0.3 metres for an attached garage;
- (ix) lot 35 is 0.8 metres on one side, 0.6 metres on the other side and 0.3 metres for an attached garage; and
- (x) lot 42 is 0.6 metres on one side, 0.5 m on the other side, and 0.3 metres for an attached garage.

(G) Despite regulation 10.20.30.40(1) the permitted maximum lot coverage for each **lot** as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], shall be:

- (i) lot 2 51%;
- (ii) lot 3 36%;
- (iii) lot 4 28%;
- (iv) lot 18 49%;
- (v) lot 34 39%;
- (vi) lots 35 and 42 53%;
- (vii) lots 36 and 37 52%;
- (viii) lots 38-41 51%; and
- (ix) for all other lots 48%.

(H) The permitted maximum height and storeys for each **lot** as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], shall be:

- (i) lot 21 9.0 metres and 2 Storeys;
- (ii) lot 22 9.5 metres and 2 Storeys; and
- (iii) for all other lots 11.0 metres and 3 Storeys.

- (I) Despite regulation 10.5.50.10(1), for each of the **lots** shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], a minimum of 28% of the **front yard** must be landscaping, of which 75% must be **soft landscaping**.
- (J) Despite regulation 10.5.80.40(3), for **lots** 12, 13 and 35 as shown on Diagram 5 attached to By-law No. XXXX[clerks to provide by-law #], vehicular access to a parking space on a corner lot must be from the street on which the **lot** fronts.

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

- 7. On the lands outlined in Diagram 1 attached to this by-law, a temporary sales office is permitted in one **detached house**, for the purpose of the marketing and sales of the **dwelling units** on these lands, for a period of three years from the date this by-law comes into full force and effect.
- 8. Section 37 Provisions
 - (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
 - (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
 - (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and/or density pursuant to this By-law unless all provisions of Schedule A are satisfied.

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

JOHN TORY,
Mayor

Ulli S. Watkiss,
City Clerk

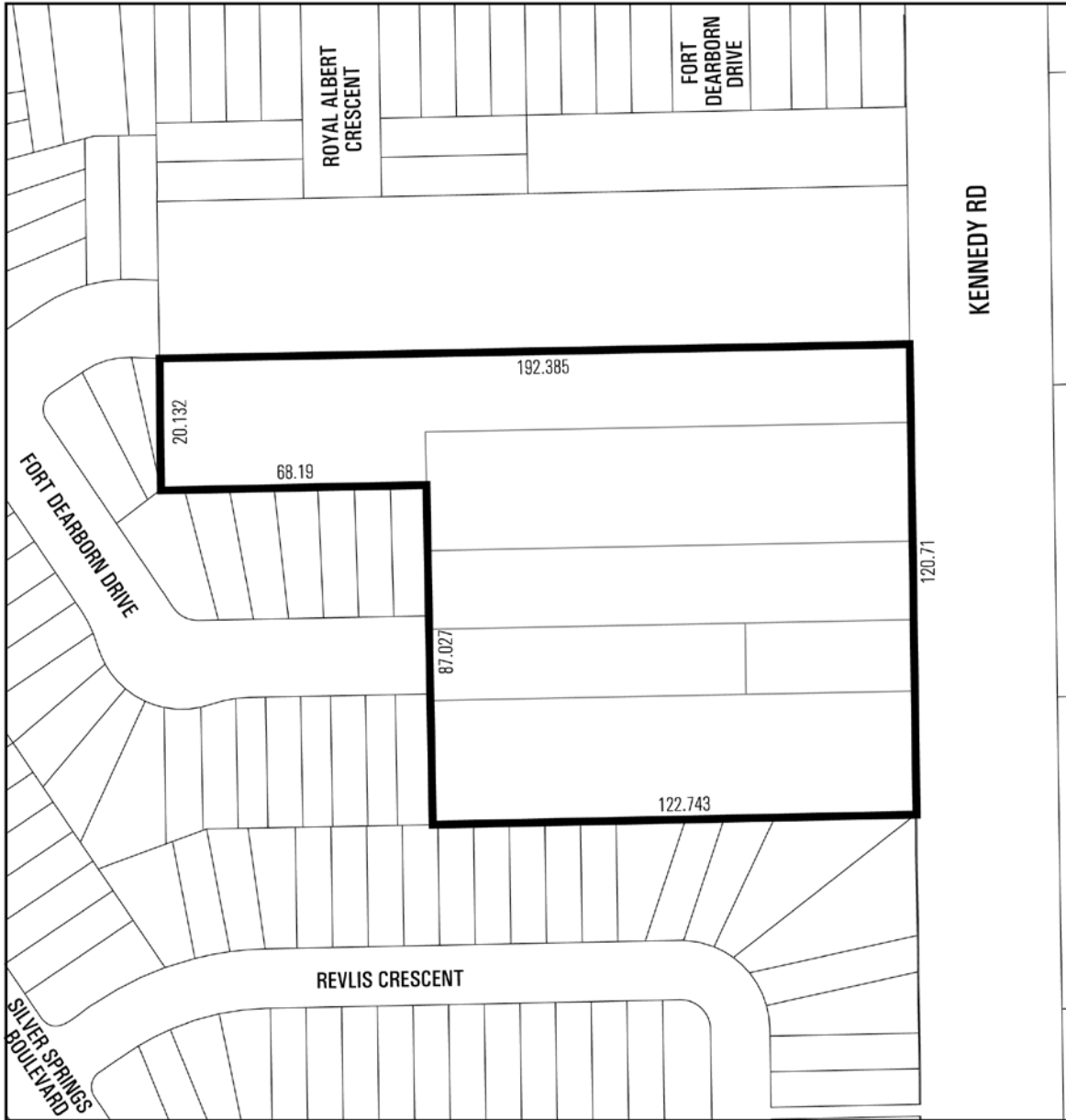
(Seal of the City)

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and/or density of the proposed development on the lands as shown in Diagram 2 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- (1) Prior to issuance of an above grade building permit, other than a building permit for a sales office, the owner shall provide the City with a cash payment of Four Hundred and Fifty Thousand dollars (\$450,000.00) to be paid by way of certified cheque payable to the City of Toronto, to be directed towards various park improvements in Ward 39, including the installation of a new skatepark in Fundy Bay Park.
- (2) Any cash or letter of credit contributions shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the "Single Detached House Construction Price Index for the Toronto Census Metropolitan Area", reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 327-0058, or its successor.
- (3) In the event the cash contribution(s) referred to in Section(1) applicable has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- (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 item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

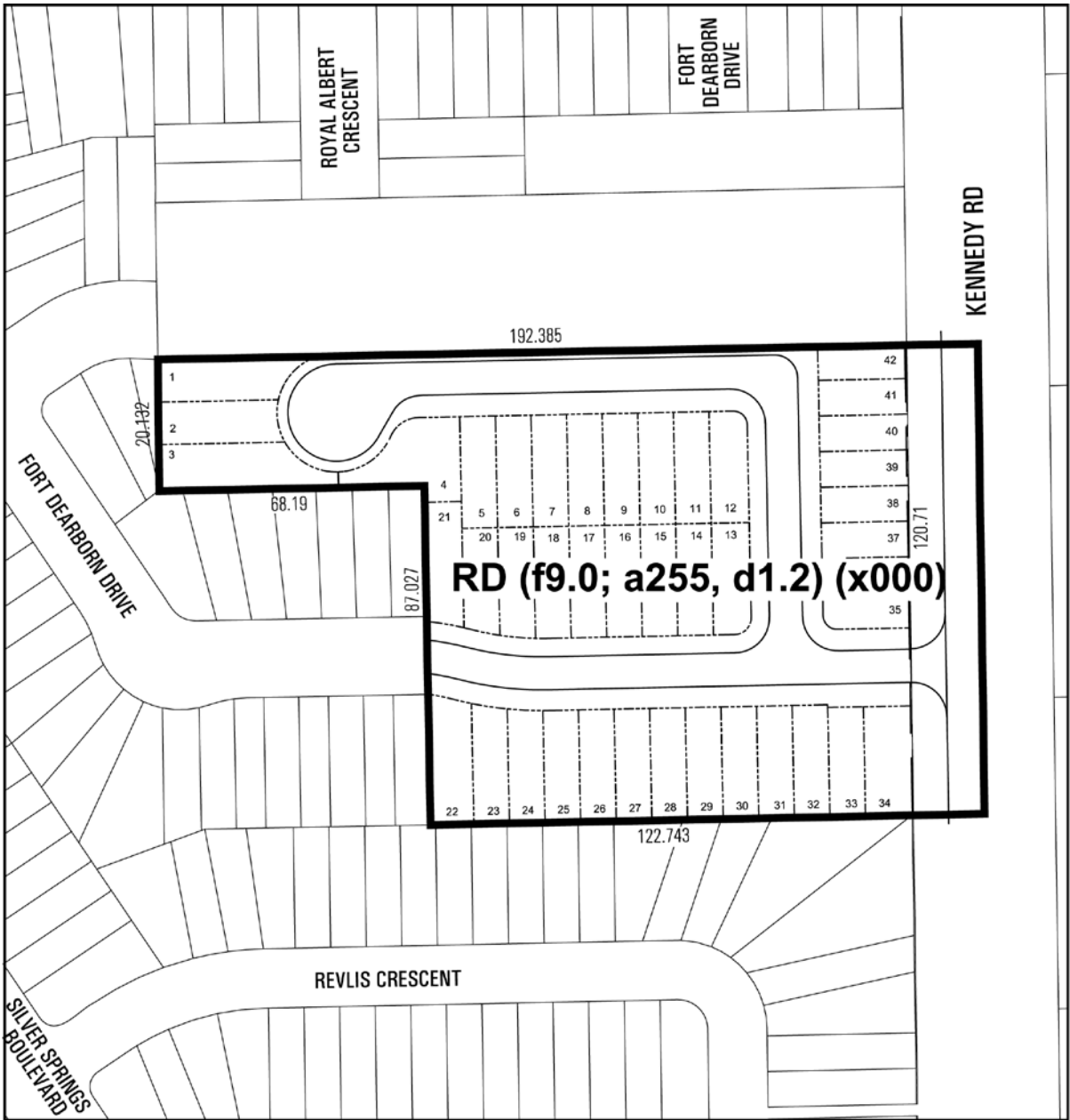


Toronto
Diagram 1

3000-3020 Kennedy Road


File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

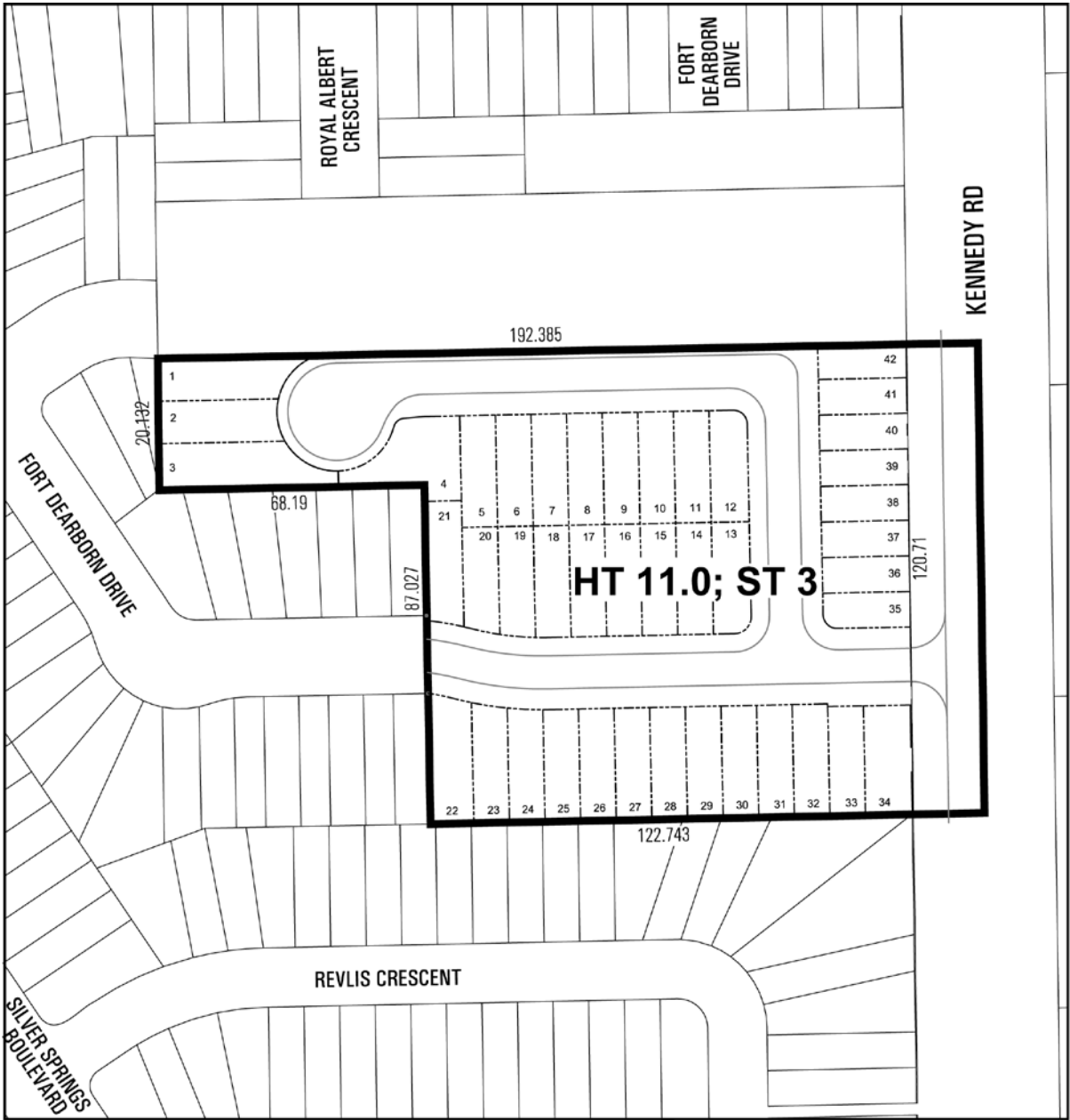
City of Toronto By-Law 569-2013
Not to Scale
06/06/2018



3000-3020 Kennedy Road

File # 16 256248 ESC 39 0Z, 16 256254 ESC 39 SB


 City of Toronto By-Law 569-2013
 Not to Scale
 06/14/2018

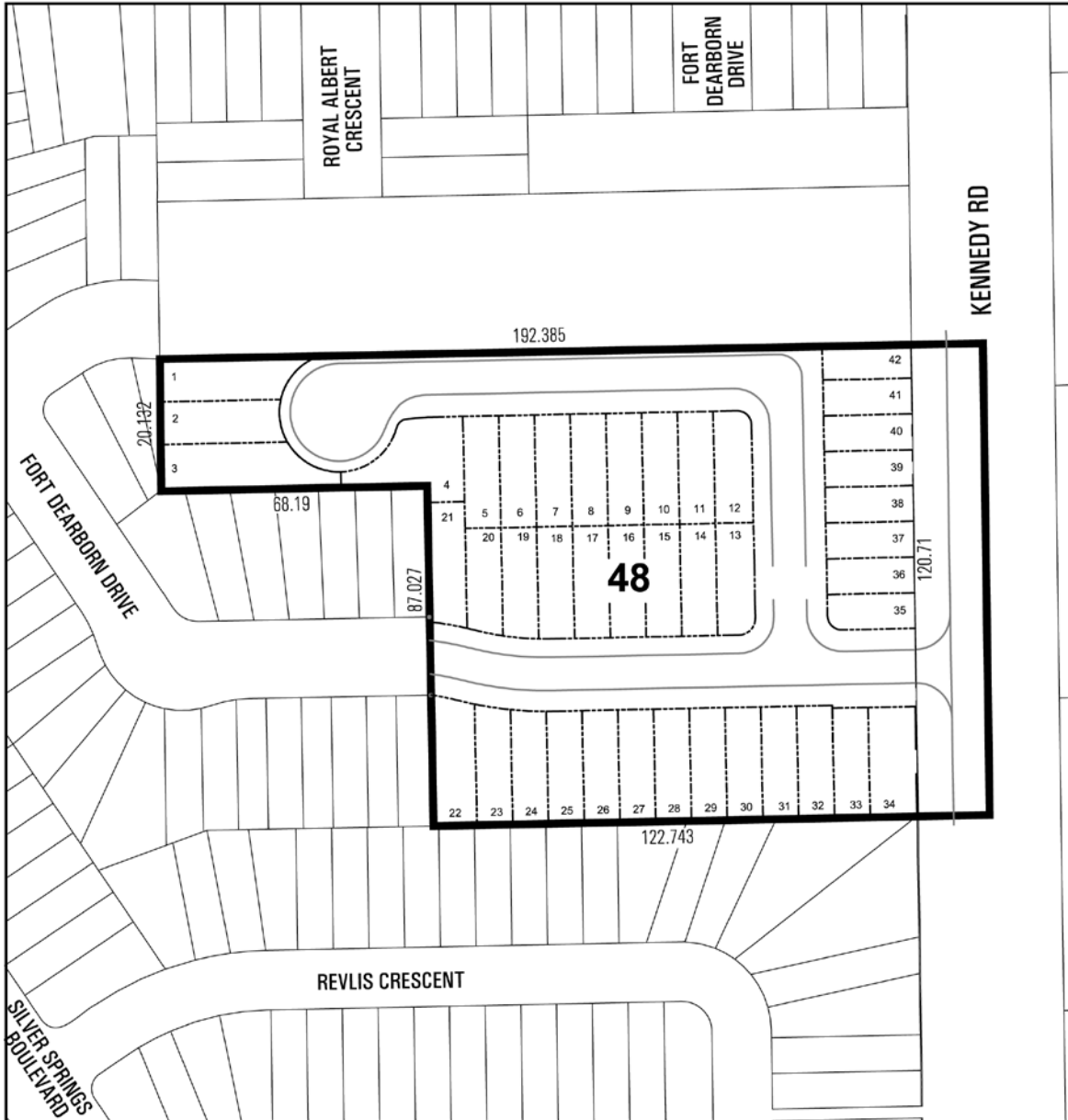


Toronto
Diagram 3

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

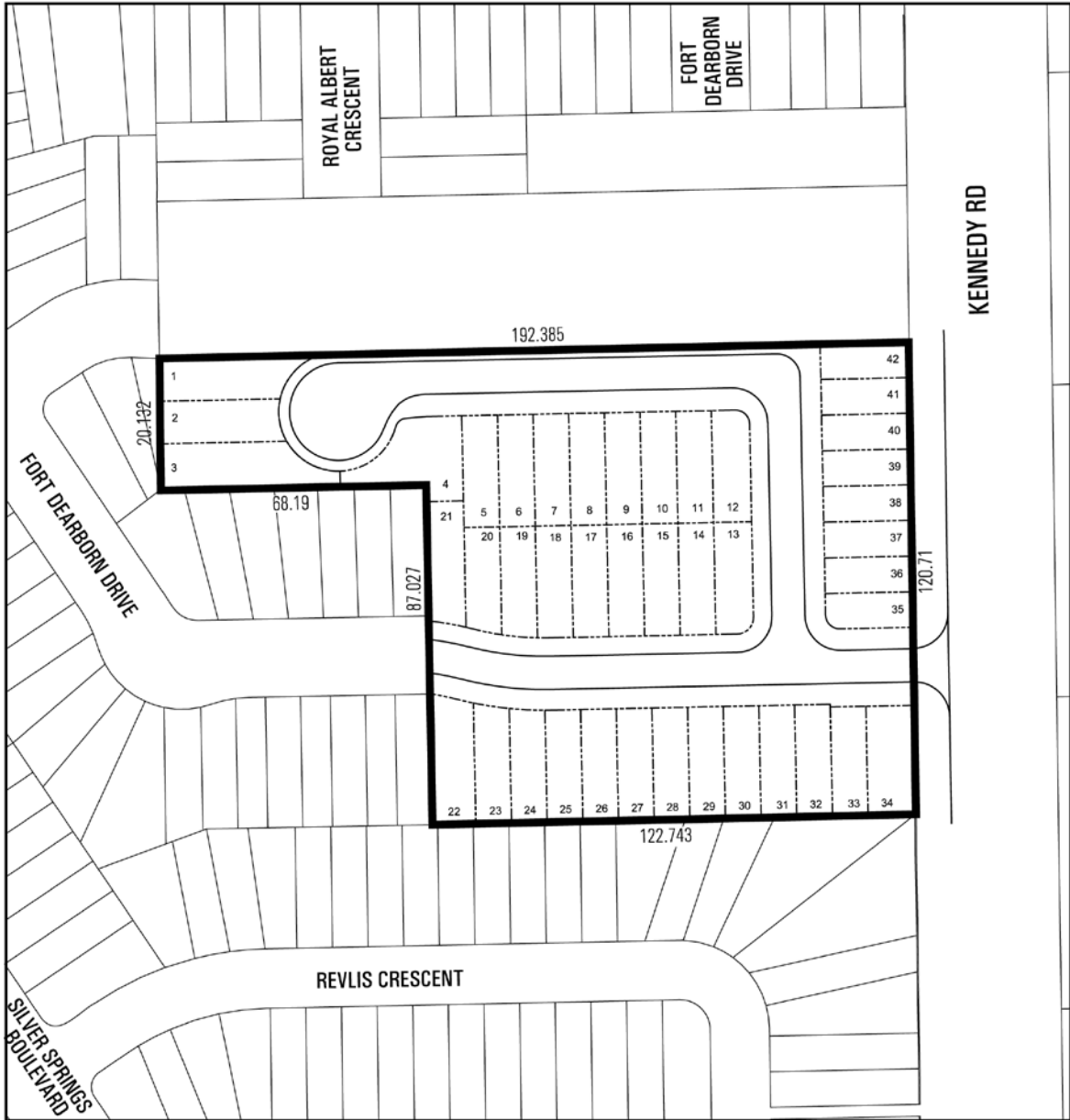
City of Toronto By-Law 569-2013
Not to Scale
06/14/2018



3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

City of Toronto By-Law 569-2013
Not to Scale
06/14/2018



TORONTO
Diagram 5

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

City of Toronto By-Law 569-2013
Not to Scale
06/14/2018

STANDARD CONDITIONS

1. Prior to release and registration of the plan of subdivision, 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, Toronto and East 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. The zoning implementing the 42-unit residential detached house development is in full force and effect.
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. If the subdivision is not registered within five (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.

ENGINEERING AND CONSTRUCTION SERVICES

1. Prior to release and registration of the plan of subdivision, the owner shall construct and dedicate all roads, road allowances, future right of way extensions, corner roundings and 0.3 metre reserves as shown on the draft plan to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.
2. Prior to release and registration of the plan of subdivision, the owner shall convey all necessary easements (internal and external) to the City.
3. Prior to release and registration of the plan of subdivision, the owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services in consultation with the City Solicitor.

4. Prior to release and registration of the plan of subdivision, the owner shall submit a draft Reference Plan of Survey to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - i. be in metric units and integrated to the Ontario Coordinate System (3° MTM, Zone 10, NAD 83 CSRS), showing the lands to be conveyed to the City to the Chief Engineer & Executive Director of Engineering and Construction Services, for review and approval;
 - ii. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
5. Prior to release and registration of the plan of subdivision, the owner shall prepare and submit all documents, and Draft Reference Plan to the City to lift the reserve at the end of Fort Dearborn Drive that abut this property to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
6. Prior to release and registration of the plan of subdivision, the owner shall pay all costs for preparation and registration of reference plan(s) to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
7. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to apply stormwater management techniques in the development of this subdivision to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services. The Owner shall use permeable pavers for the driveways, and other LID measures within private property including but not limited to soakway pits, minimum 500 mm absorbent soils, and rain barrels in private property to comply with storm water management.
8. Prior to the earlier of the Release for Construction of Services or the Registration of Plan of Subdivision, the owner shall covenant and agree in the subdivision agreement to submit environmental assessment reports and a Remedial Action Plan (RAP) to the City; and further receive the City's peer review concurrence, pertaining to all lands conveyed to the City, in fee simple and as easements interests, both internal and external to the subdivision lands to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
9. Prior to release and registration of the plan of subdivision, 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) to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

10. Prior to release and registration of the plan of subdivision, the owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
11. Prior to release and registration of the plan of subdivision, the owner shall submit financial securities in accordance with the terms of the standard subdivision agreement to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
12. Prior to earlier of the release for construction or the registration of the plan of subdivision, the owner shall make satisfactory arrangement with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Plan of Subdivision to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.
13. Prior to the earlier of registration of the Plan of Subdivision or Release for Construction of Services, the owner shall provide the City with financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed to service the subdivision, to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services
14. Prior to release and registration of the plan of subdivision, the owner shall submit a draft Reference Plan describing the turning circle lands, connecting to future Royal Albert Cres. for approval, and pay all costs for the preparation and deposit of the plan on title to the property to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services .
15. Prior to release and registration of the plan of subdivision, the owner shall enter into a Turning Circle Agreement for the lands as described in condition 14 to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services .
16. Prior to the earlier commencement of construction or registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to conduct sanitary flow monitoring, sanitary analysis and submit drainage plans, flow sheets and hydraulic analysis, as required, in order to evaluate the impact of this development on the basement flooding area 61 and impact of the noted basement flooding area on the development to the satisfaction of Chief Engineer and Executive Director Engineering & Construction Services. Further requirements and mitigated measures will be determined once analysis is received and reviewed and will be based on the sewer capacity calculated from both the design flow and extreme wet weather flow conditions.
17. Prior to the earlier of the Release for Construction of Services or the Registration of Plan of Subdivision, the owner shall covenant and agree in the subdivision agreement to construct external upgrades to the municipal watermains, sanitary and storm sewers if required to service the development in

accordance with the accepted engineering drawings and Functional Servicing Report at no to the City to the satisfaction of the Chief Engineer and Executive Director Engineering & Construction Services.

18. Prior to the earlier of the Release for Construction of Services or the Registration of Plan of Subdivision, the owner shall covenant and agree in the subdivision agreement to address the requirements of Toronto Water in regards to groundwater discharge from this development the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services . The preliminary comments are listed in Section C Advisory Requirements of the memorandum from Engineering & Construction Services to Community Planning, dated June 6, 2018 .
19. Prior to the earlier commencement of construction or registration of the plan of subdivision, the owner shall submit an application to Toronto Water (Environmental Monitoring & Protection) for any permanent or temporary dewatering system that is required for the building, and enter into an agreement and/or permit to discharge groundwater as required by the General Manager, Toronto Water.
20. Despite any approach, described in stormwater management report, the development is not completely self-contained in terms of stormwater management, prior to earlier the commencement of construction or registration of the subdivision, the owner shall covenant and agree in the subdivision agreement to obtain acknowledgement letters from the existing property owners, at north of existing Fort Dearborn Dr. and south of Royal Albert Cres in vicinity of this development, regarding the uncontrolled storm drainage to the above noted lands during the construction and in long term, or revise the design accordingly in order not to drain any flow to those properties to the satisfaction of the Chief Engineer and Executive Director Engineering & Construction Services.
21. Prior to the earlier commencement of construction or registration of the plan of subdivision, the owner agrees and acknowledges to amend and revise the Water Distribution analysis as a result of the detailed design to the satisfaction of Chief Engineer and Executive Director Engineering & Construction Services.
22. The owner shall remove the existing cul-de-sac at the east limit of existing Fort Dearborn Dr., and construct curb and gutter and sidewalk as per the City standards, extend the existing driveways to the newly constructed curb and gutter, restore the boulevard at the owner's expense and coordination with the existing homeowners to the satisfaction of Chief Engineer & Executive Director of Engineering & Construction Services.
23. Prior to release and registration of the plan of subdivision, the owner agrees and acknowledges that to provide a cost estimate and pay the 100 % cost of removal of temporary turning circle , regarding and paving the road, restoration, and re-grading the driveways in private land to the satisfaction of Chief Engineer & Executive Director of Engineering and Construction Services.

URBAN FORESTRY-TREE PROTECTION AND PLAN REVIEW (TPPR)

Existing Trees (Protection and Removal)

1. Prior to release and registration of the plan of subdivision, relevant tree protection details and notes must be shown by the owner/applicant on the Site Plan landscape master/layout and planting plans, and on grading and servicing plans. Grading plans must include no notes, details or symbols within any TPZ, to indicate or suggest that grading or regrading is required therein. The owner/applicant must also, include in large text directly on the plan a note to the effect that within all TPZ's there may be no disturbance to existing grade at any time, and tree protective hoarding may not be moved or removed except by permission from Urban Forestry. All of these matters are to be undertaken to the satisfaction of the General Manager of Parks, Forestry and Recreation.
2. The Tree Preservation Plan must remain part of the Landscape Plan so that it can be included in the Subdivision Agreement. Prior to release and registration of the plan of subdivision, the following revisions to the Tree Preservation Plan are required by the owner/applicant to the satisfaction of the General Manger of Parks, Forestry and Recreation.
 - a) Indicate the Tree Protection Zone and Hoarding on the Site Plan, Grading Plan, and Servicing Plan.
 - b) There is a new slope and a new water main proposed on the north side, which will require excavation within the minimum Tree Protection Zone of tree no. 1. Please revise and clarify accordingly. Urban Forestry has received an application to injure tree no. 1. Please be advised that the application fee for a boundary tree is **\$714.14 per tree (subject to change)**.
 - c) There is a proposed grading disturbance within the minimum Tree Protection Zone for tree nos. 3, B5 and N10. Please review and revise accordingly.

Once the tree inventory and Tree Preservation Plan are satisfactorily updated, Urban Forestry will advise the applicant/owner of specific changes on injury/removal permit requirements.

Tree Planting

3. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to provide the soil volume calculation (dimensions of the area for each soil zone) by outlining the area of soil calculation for each or group tree(s) to the satisfaction of the General Manager of Parks, Forestry and Recreation.
4. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to increase the planting area, provide adequate soil depths or implement the use of underground soil cell technology under hard surfaces in order to achieve the required soil volumes to the satisfaction of the General Manager of Parks, Forestry and Recreation.
5. Prior to release and registration of the plan of subdivision, the owner shall submit a revised Landscape Plan to accommodate the tree planting requirements noted in this condition to the satisfaction of the General Manager of Parks, Forestry and Recreation. The removal of private bylaw-protected trees for construction purposes (regardless of tree condition or ownership) requires replacement at a ratio of 3:1 (3 new satisfactory trees for each regulated tree removed). Based on the application for 12 trees on private property the By-law replanting requirement is 36 trees. This has not been met. There are only 16 trees currently acceptable to Urban Forestry.
6. Prior to release and registration of the plan of subdivision , the owner shall provide a composite utility plan that indicates the species, size, and location of all proposed street trees, as these relate to the location of all roads, sidewalks, driveways, street lines and utilities to the satisfaction of the General Manager of Parks, Forestry and Recreation. This plan must be approved by the utilities prior to attending to Urban Forestry for a signature. If the utilities find it unacceptable, the applicant is to redesign the project to allow for all the planting to proceed (numbers, locations are adjustable).
7. Prior to release and registration of the plan of subdivision, the owner shall prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree planting strategy within the community to the satisfaction of the General Manager of Parks, Forestry and Recreation. This booklet will be distributed to all homeowners for all dwelling units within the Subdivision.
8. Prior to release and registration of the plan of subdivision, the owner will be required to pay a **Tree Planting Security Deposit** in the amount of **\$583/tree** for street trees to the satisfaction of the General Manager of Parks, Forestry and Recreation. If necessary, the deposit will be drawn upon to cover 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. After the guarantee period has expired, and upon Urban Forestry confirming that the trees are in good condition (inspection request must be made by the applicant), the City will assume the ownership and maintenance of the street trees and the planting deposit will be refunded to the applicant (or cancelled if it was provided as a Letter of Credit).

CANADA POST

1. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans to the satisfaction of Canada Post.
2. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to 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 to the satisfaction of Canada Post.
3. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to 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 to the satisfaction of Canada Post.
4. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location to the satisfaction of Canada Post. 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.
5. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy to the satisfaction of Canada Post.
6. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser/tenants 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/tenants of any established easements granted to Canada Post to the satisfaction of Canada Post.
7. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement that they 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 to the satisfaction of Canada Post.

CITY PLANNING

1. Prior to release and registration of the plan of subdivision, the owner shall, at their expense, prepare Architectural Control Guidelines to the satisfaction of the Director, Community Planning, Scarborough District. Upon approval by the Director, Community Planning, Scarborough District, these guidelines will form part of the Subdivision Agreement.
2. Prior to release and registration of the plan of subdivision, the owner covenants and agrees that at the time of each building permit submission, or grouping of building permit submissions, the author of the architectural design guidelines/control architect shall provide a letter to the Building Division confirming that the lot(s) subject to the building permit submission(s) complies with the Architectural Control Guidelines as approved by the Director, Community Planning, Scarborough District.
3. Prior to release and registration of the plan of subdivision, the owner shall:
 - (i) provide a detailed fencing plan to the satisfaction of the Director, Community Planning, Scarborough District; and
 - (ii) make satisfactory arrangements with the adjacent property owner to the north to install a wood board-on-board fence on the adjacent lands to the north, parallel to the north side of Street B. The owner shall provide written confirmation to the Director, Community Planning, Scarborough District that the wood board-on-board fence has been installed on the adjacent lands to the north of the subject site.
4. Prior to the registration of the plan of subdivision, the owner shall provide the City with a Letter of Credit as security for the installation of any required landscaping and fencing equal to 120% of the value of the landscaping and fencing, including all fencing required by the Noise Impact Assessment for the 42-unit residential development to the satisfaction of the Director, Community Planning, Scarborough District.
5. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to install the fence in accordance with the approved fencing plan within one year of the final grading of the proposed lots as approved by the Director, Community Planning, Scarborough District.

Noise

1. Prior to release and registration of the plan of subdivision, the owner shall prepare and submit an Environmental Noise Assessment and any required addendum prepared by a qualified noise consultant identifying recommended warning clauses and noise mitigation measures for the development and individual buildings, together with a cost estimate for the completion of mitigation measures for the development all to the satisfaction of the Director, Community Planning, Scarborough District.
2. Prior to release and registration of the plan of subdivision, the owner shall covenant and agree in the subdivision agreement to provide to the Chief Building Official written confirmation from a qualified noise consulting engineer that the noise abatement measures for the development and any such measures associated with the buildings and/or units to be occupied have been implemented and completed in accordance with the Noise Impact Assessment Study accepted by the Director, Community Planning, Scarborough District and any addendum to the study.
3. Prior to release and registration of the plan of subdivision the owner shall covenant and agree in the subdivision agreement to the provision of wording in the subdivision agreement that the recommended warning clause(s) in the Environmental Noise Assessment be included in all offers of purchase and sale and rental agreements to the satisfaction of the Director, Community Planning, Scarborough District.
4. Prior to release and registration of the plan of subdivision, the owner shall submit a financial security to the satisfaction of the Director Community Planning, Scarborough District in the amount to be determined in the form of a Letter of Credit acceptable to the City Treasurer or a certified cheque to guarantee the provision of the noise control measures and details recommended in the Noise Impact Assessment Study to the satisfaction of the Director, Community Planning, Scarborough District. The financial security to guarantee the provision of the noise abatement measures shall be returned upon receipt of certification from the noise control consulting engineer satisfactory to the Director Community Planning, Scarborough District that the noise abatement measures for the development have been completed.
5. Prior to release and registration of the plan of subdivision, the owner shall provide written confirmation to the Director Community Planning, Scarborough District from Canada Post Corporation that the owner has made satisfactory arrangements, financial and otherwise with Canada Post Corporation for provision of mail services to the subdivision.
6. Prior to release and registration of the plan of subdivision the owner shall covenant and agree in the subdivision agreement to provide inside the attached garage to the detached house a 1 metre wide by 3 metres in length by 1.5 metres in height storage area to store one recycling bin, one organics collection container and one garbage bin in accordance with the City of Toronto

Requirements for Garbage, Recycling and Organics collection Services for New Developments and Redevelopments.

Toronto Transit Commission (TTC)

1. Prior to release and registration of the plan of subdivision, the owner is required to provide on the Kennedy Road frontage a level, brushed concrete platform that is 16 metres in length and 2.4 metres in width from the curb to the satisfaction of the Toronto Transit Commission.

NOTES TO DRAFT APPROVAL

Urban Forestry

1. Where an injury or removal permit is required for a private bylaw-protected tree that is not fully owned by the applicant (i.e., boundary line or neighbour-owned tree), upon receipt of the appropriate completed tree permit application Urban Forestry will notify the neighbouring property owner by mail a) that an application concerning their tree(s) has been made, and b) whether/when the requested permit will be issued. A permit from Urban Forestry to injure or destroy a tree that is wholly or partly owned by another does not give civil consent for said injury/removal to occur. It is the applicant's responsibility to resolve any civil tree matters such as consent and/or compensation directly with the neighbouring property owner. Please be aware that tree Nos. N10 and 1 will be considered boundary trees.
2. Urban Forestry advises that removal/injury of by-law protected trees may not occur until a tree removal/injury permit has been issued by the General Manager of Parks, Forestry & Recreation, and the construction and/or demolition related activities which warrant the destruction/injury of the trees are permitted and imminent/underway.
3. Urban Forestry administers two separate tree planting requirements: the planting of trees as required under the Toronto Green Standard (TGS), and the planting of trees required under the City's tree bylaws as a consequence of the removal of protected trees. For trees to be deemed **satisfactory** under either requirement, they must be i) large growing long lived species (preferably native shade trees), and ii) have access to the required soil volumes (in open landscapes with unconstrained soil depth, spacing may be utilized as a proxy for soil volumes).

Canada Post

1. Enhanced Community Mailbox sites with roof structures will require additional documentation as per Canada Post Policy.
2. There will be no more than one mail delivery point to each unique address assigned by the Municipality.

3. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
4. 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

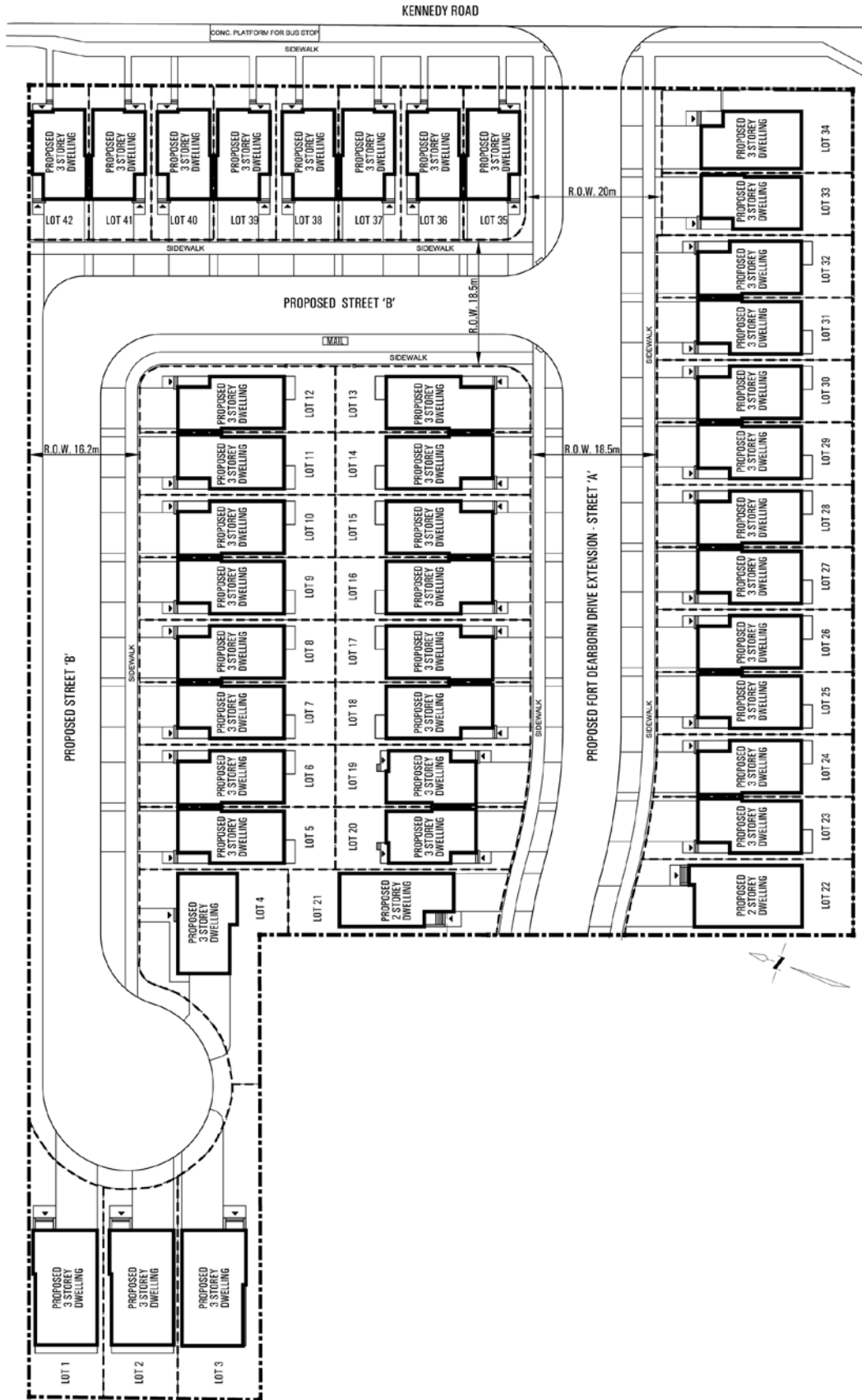
Attachment 8: Summary of Public Consultation

The public raised the following issues/comments:

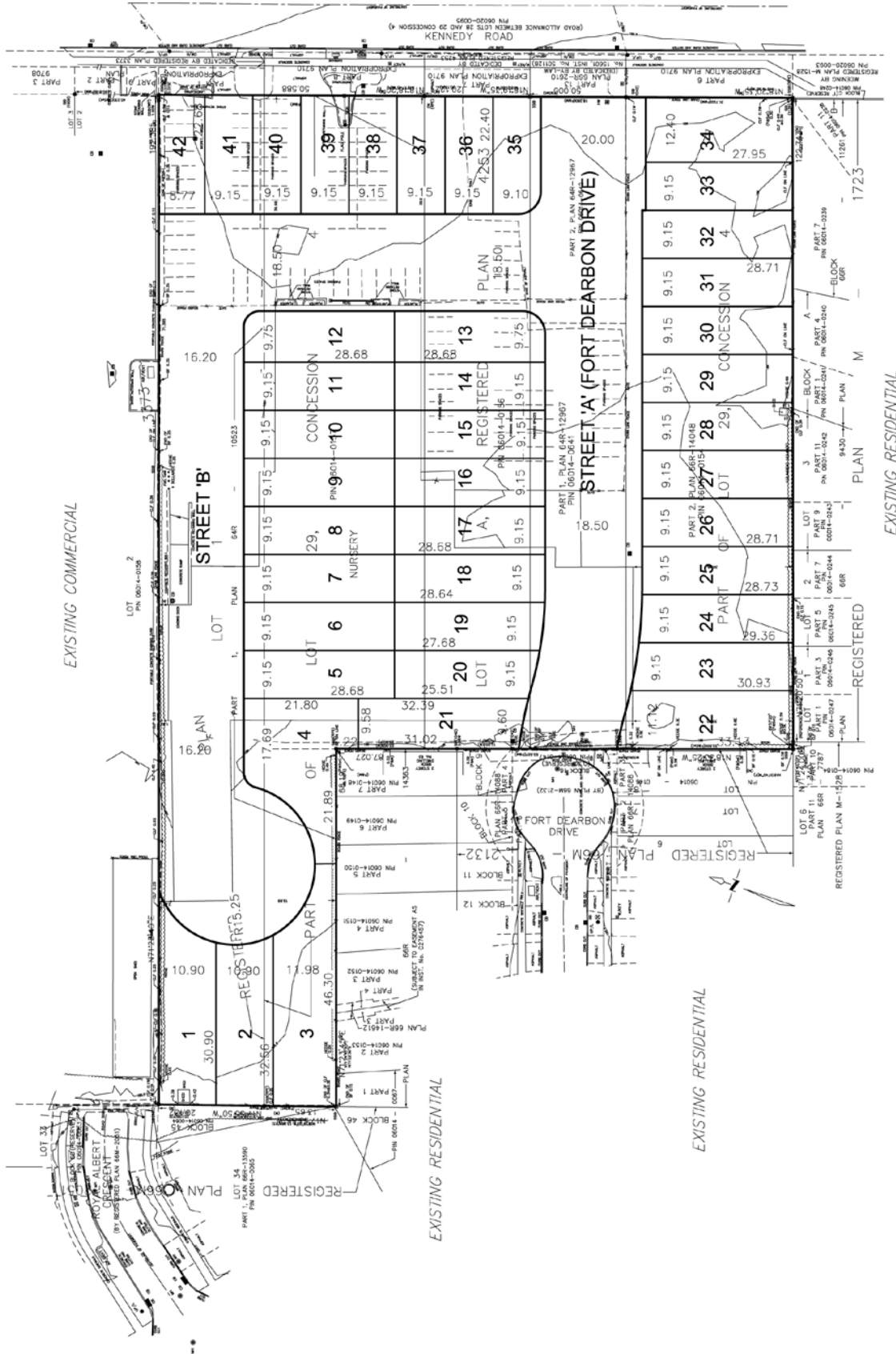
- the completion of the ultimate road network looping the proposed street north to Perthshire Street would not be completed because the properties to the north were not included in this proposal. A street connection to Kennedy Road in the interim was suggested;
- the 3-storey dwelling heights proposed adjacent to the existing two-storey dwellings should be reduced to two storeys to address matters of loss of view, sunlight and roof drainage;
- snow clearance on Fort Dearborn Drive, including emergency vehicle access and snow removal at the end of the proposed cul-de-sac.
- ensuring compatibility with the existing neighbourhood regarding height, massing and setbacks;
- considering community support facilities, such as park or play area and sitting area;
- protecting trees and shrubs; and
- addressing drainage impact upon existing homes.
- a direct street connection from Fort Dearborn Drive to Kennedy Road;
- dwellings proposed beside the existing houses at the east end of Fort Dearborn Drive should be 2-storeys and have increased side yard setbacks to be more compatible with the existing homes to provide an improved transition;
- proposed rear yard setbacks should be a minimum of 7.5 metres;
- the proposed dwellings on the north side of the extension of Fort Dearborn Drive should have staggered front yard setbacks to ensure the proposed houses do not obstruct views from the existing dwellings on the north side of the street;
- a more traditional roof design for the proposed dwelling with a maximum building height of 11 metres.

The above-noted comments from the Working Group comments have generally been addressed in the current proposal.

Attachment 9: Site Plan



Attachment 10: Draft Plan of Subdivision



Attachment 11: Elevations-Typical Facing Street A (North and South)



South Elevations - Proposed 'Street A'



North Elevations

Attachment 12: Elevations-Kennedy Road Frontage (East and West)

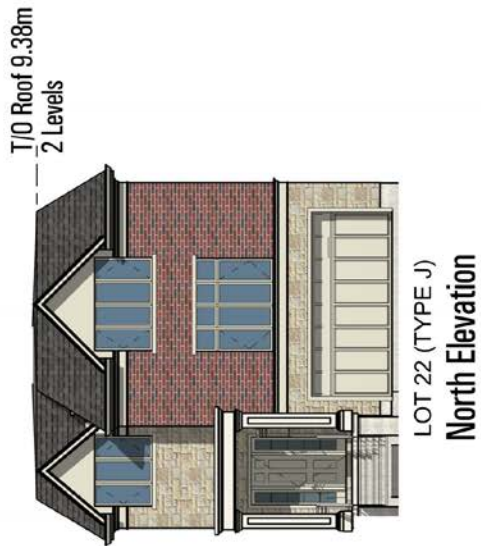
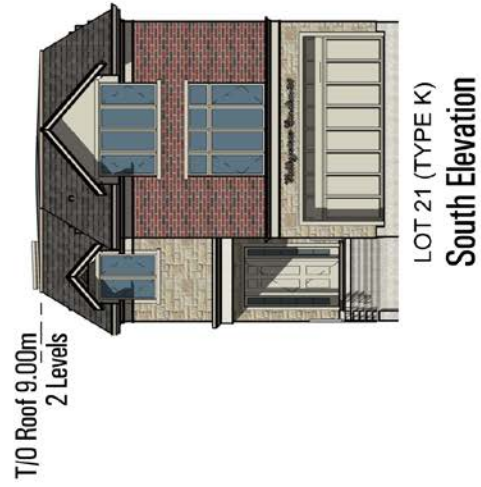


East Elevations - Kennedy Road



West Elevations - Proposed 'Street B'

Attachment 13: Lots 21 and 22 (Front Elevations)



Proposed 'Street 'A'