

## **25 St. Dennis Drive - Draft Plan of Subdivision Application – Final Report**

Date: September 18, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Don Valley East - Ward 16

**Planning Application Number:** 19 105324 NNY 26 SB

Related Applications: 15 261828 NNY 26 SA

### **SUMMARY**

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This application is for a Plan of Subdivision to create five blocks that includes a new public park, and a new public street for an infill development that contains an existing apartment building at 25 St. Dennis Drive. The total gross floor area of the existing building and new development would be 74,295.30 square metres.

The subject site fronts two streets, St. Dennis Drive on the north and Grenoble Drive to the south. New development blocks include: a 12-storey residential building and 14 freehold townhouses fronting Grenoble Drive on Block 2; a 37 storey residential building fronting St. Dennis Drive and a stacked townhouse building containing 18 units fronting the new public street on Block 3, and a new public park (Block 5). The existing 17-storey apartment building will be retained on Block 1, as identified on the Draft Plan of Subdivision.

The Draft Plan of Subdivision application includes appropriate land dedications to the City to support the new development. This report advises that the Chief Planner and Executive Director intends to approve the Draft Plan of Subdivision that supports the related Zoning By-law Amendment application that was approved in principle by the Local Planning Appeal Tribunal (LPAT) on May 14, 2019. The proposal to subdivide the land facilitates the settlement approval for the Zoning By-law Amendment application and conforms with the Official Plan. The proposed development is consistent with the Provincial Policy Statement (2020), in conformity with the Growth Plan for the Greater Golden Horseshoe (2020) and has regard for the criteria set out in Section 51(24) of the Planning Act with regards to the subdivision of lands.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 7 to this report subject to:
  - a. the conditions as generally listed in Attachment 6 to this report 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**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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At its meeting of November 7, 8 and 9, 2017, City Council refused the proposed Zoning By-law Amendment application at 25 St. Dennis Drive and directed the City Solicitor together with City Planning staff to attend the Ontario Municipal Board (now called the Local Planning Appeal Tribunal) hearing to oppose the Zoning By-law Amendment and Site Plan applications for 25 St. Dennis Drive. City Council's decision and City Planning's Request for Direction report can be found in the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY25.4>

On July 23, 2018, City Council approved a Settlement Offer to amend the Zoning By-law Amendment application at 25 St. Dennis Drive (15 261823 NNY 26 OZ) under the conditions related to: rental housing retention; removal of the above-grade parking garage, public road and park conveyances; the creation of a mid-block connection, building height reductions, improvements to building transitions and separations, public realm and amenity space improvements, amongst others.

City Council's approved Settlement Offer included three acceptable development schemes in order to respond to Toronto District School Board's (TDSB) concern regarding school capacity of students in the area. One of the three development schemes, titled "School Site Plans" provided for a 2-storey school on-site on the northwest corner of the subject lands. However, TDSB's building standard could not be achieved on-site, therefore, the school scheme was abandoned in place of the current executed "Townhouse Plans" scheme that also formed part of the approved Settlement Offer. City Council's decision and the Settlement Offer can be found in the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC44.26>

On May 14, 2019, the Local Planning Appeal Tribunal approved the Zoning By-law Amendment proposal on the condition that the final order be withheld pending the applicant submitting a Plan of Subdivision application, executing and registering the Section 37 Agreement and that the draft Zoning By-laws concur with the Site Plan Control revisions.

On January 16, 2019, a Plan of Subdivision application (19 105324 NNY SB) was received by the city. The related Site Plan Control application submitted on October 25, 2018 is currently under review by inter-divisional staff (15 261828 NNY 26 SA).

## **ISSUE BACKGROUND**

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### **Proposal**

This application is for a Plan of Subdivision to create five blocks to accommodate an infill development that contains: an existing 17-storey apartment building, including changes and improvements to the surrounding landscape and parking areas on Block 1; a 12-storey residential building and 14 freehold townhouses on Block 2; a 37 storey residential building and a stacked 18 unit townhouse building on Block 3. To support the new development, the Draft Plan of Subdivision also provides for land dedication and conveyances for a road widening on St. Dennis Drive (Block 4), and a public park with a minimum area of 1,115.52 square metres (Block 5) and a new public street. See Attachment 1: Application Data Sheet and Attachment 7: Draft Plan of Subdivision for additional information.

### **Site and Surrounding Area**

The subject site is located in the southeast quadrant of the Don Mills Road and Eglinton Avenue East intersection. It is an irregularly shaped parcel located between St. Dennis Drive and Grenoble Drive. The site has a frontage of approximately 133 metres on St. Dennis Drive, 90 metres on Grenoble Drive, a lot depth along the west property line of approximately 194 metres and an area of approximately 1.94 hectares or 19,394 square

metres. The site is currently occupied by a 17-storey, 297-unit apartment building with 116 surface parking spaces and 234 below grade parking spaces.

Site access is currently from two existing driveways off of St. Dennis Drive. The eastern driveway provides access to the underground parking ramp, surface parking area and the loading and garbage collection area. The western driveway provides access to visitor parking and a drop off/pick up area for the apartment building.

The site is surrounded by the following uses:

North: Two-storey townhouse development and a nine-storey apartment building fronting onto St. Dennis Drive; and a 9-storey apartment building at 10 St. Dennis Drive.

East: Flemington Park Trail, Dennis R. Timbrell Community Resource Centre which contains the Toronto Public Library and Community Centre with surface parking along the shared property line; a seven-storey apartment building operated by Toronto Community Housing Corporation at 10 Deauville Lane; and a nine-storey apartment building on 42-48 Grenoble Drive.

West: Three, 17-storey apartment buildings fronting onto Grenoble Drive, Gateway Boulevard and St. Dennis Drive.

South: Flemington Park Pentecostal Church, Grenoble Public School, and a 28-storey apartment building on Grenoble Drive.

### **Reasons for Application**

An application for a Plan of Subdivision application is required under Section 51 of the Planning Act to create a new public street, public park and development blocks to accommodate the infill development approved by the Local Planning Appeal Tribunal in the corresponding Zoning By-law Amendment application (file No. 15 261823 NNY 26 OZ). In response to LPAT's decision order, a Plan of Subdivision application (19 105324 NNY SB) was submitted on January 16, 2019.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Arborist and Tree Preservation Plan
- Toronto Green Standards Checklist
- Hydrogeological Study Report
- Geotechnical Study

- Site Servicing Report
- Stormwater Management Report.

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate conditions of Draft Plan of Subdivision.

Information for this application can be viewed on the Application Information Centre (AIC):

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

### **Statutory Public Meeting Comments**

Council members will be given an opportunity to view oral submissions at North York Community Council, which constitutes the Statutory Public Meeting for the subdivision application pursuant to 51(20)(b) and O. Reg. 544/06 s.5 of the Planning Act.

## **POLICY CONSIDERATIONS**

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### **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**

The Provincial Policy Statement (2020) (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 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 and supply of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;

- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character;
- Support rural, northern and Indigenous communities; and
- Support the economy and job creation.

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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

### **Provincial Plans**

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.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) came into effect on May 16, 2019. This new plan replaced the previous Growth Plan for the Greater Golden Horseshoe, 2017. On August 28, 2020, the Province brought into force Amendment 1 (2020) to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2020)"). The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) region, of which the City forms an integral part. The Growth Plan, 2020 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2020), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2020) 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 (2020) 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.

### **Toronto Official Plan**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship, may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject lands are designated Apartment Neighbourhoods on Land Use Map 20 of the Official Plan (see Attachment 4: Official Plan). Apartment Neighbourhoods are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of the area residents.

Significant growth is generally not anticipated on a city-wide basis within Apartment Neighbourhoods, however, compatible infill development may be permitted on underutilized sites that have sufficient space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. Infill development criteria include but are not limited to:

- be compatible with the scale, including height and massing of the existing apartment and adjacent buildings;
- maintain an appropriate level of residential amenity on the site;
- maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- organize development on site to frame and connect to streets, parks and open space in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- consolidate loading, servicing and delivery facilities; and
- provide adequate on-site recreational space for new and existing residents with access to community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of the Official Plan.

Policy 4.2.2 of the Official Plan sets out a number of development criteria in Apartment Neighbourhoods and require developments to contribute to the quality of life by: locating and massing new buildings to provide a transition between areas of different development intensity and scale, through means such as providing setbacks from, and/or stepping down of heights towards lower scale Neighbourhoods; locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods; locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces. New development is also to include sufficient off-street vehicle and bicycle parking for both residents and visitors; locate and screen service areas, ramps and garbage storage to minimize impact on adjacent streets and residences; and provide indoor and outdoor recreation space for residents.



Official Plan Amendment 320, strengthens and refines the Healthy Neighbourhoods and Apartment Neighbourhoods policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in Apartment Neighbourhoods.

#### Healthy Neighbourhoods, Policy 2.3.1.3

Infill development will provide compatible development that will improve the existing site conditions by maintaining on-site amenities and conditions for both new and existing residents, while creating new housing options. Development in Apartment Neighbourhoods will support and extend the city's street network and provide improved travel options and connections to parks, open spaces, transit, schools and pedestrian destinations.

#### Transportation Network, Policy 2.2.3 (h)

New streets will act as a fundamental organizing element of the City's physical structure, and new streets will contribute to the surrounding land uses and transportation network for all transportation modes and users.

#### Public Realm, Policy 3.1.1 (16)

Public Realm policies recognize the importance of well-designed streets. New streets will be designed to divide larger sites into smaller development blocks and build a street network that balances the needs and priorities of various users and uses within a right-of-way. New streets will also provide access and addresses for new development.

#### Built Form, Policy 3.1.2

The Built Form policies include locating and organizing new development to frame and support adjacent streets, locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on property and surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces. Amenity for adjacent streets and open spaces should be provided through active ground floor uses that provide access and views.

#### Built Form: Tall Buildings, Policy 3.1.3

Tall buildings should demonstrate how the building and site design will fit within the existing context and minimize their local impact such as shadow and wind, and to protect sunlight and skyview for streets, parks, public and private open space and neighbourhood properties.

#### Housing, Policy 3.2.1

Official Plan Housing policy 3.2.1.1 states that 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. Policy 3.2.1.5 indicates that significant new development on sites containing six or more rental units, where existing rental units will be maintained, new development will secure the existing rental housing units which have affordable and mid-range rents, as well as secure any needed

improvements and renovations to the existing rental housing to extend the life of the building.

## **Zoning**

The subject property is zoned Residential Apartment Commercial Zone RAC (f30.0; a1375; d1.5)(x412) under City of Toronto Zoning By-law No. 569-2013 (See Attachment 5b). The RAC zone permits ambulance depots, fire halls, parks, police stations, and dwelling units in the form of apartment buildings. The RAC zone permits a maximum density of 1.5 times the area of the lot, a maximum lot coverage of 35 percent, and a maximum height of 24 metres.

The subject property is also zoned RM6 (Multiple-Family Dwellings Sixth Density Zone) under the former City of North York Zoning No. 7625 (See Attachment 5a). The RM6 zone permits a variety of residential building types, including apartment buildings with a maximum permitted density of 1.5 times the area of the lot and a maximum lot coverage of 35 percent. The height of an apartment building may exceed 11 metres, provided however, that the distance between each portion of the building having a greater height than 11 metres and each lot line shall be not less than the distance specified in section 20A.2.4 of the By-law, plus 0.3 metre for every 0.6 metre of additional height in excess of 11 metres.

The Zoning By-law Amendment application for this proposed development was approved in principle at the LPAT. The LPAT withheld the final approval until a site plan is finalized and is consistent with the draft Zoning By-law Amendment, amongst other conditions listed within LPAT's May 14, 2019 decision order (PL161311).

## **Development Infrastructure Policy and Standards**

The design and configuration of the proposed public street network related to right-of-way width, parking, landscaping and public sidewalks fall under the City's Development Infrastructure Policy and Standards. These policies and standards address issues resulting from the creation of new local residential streets and establish standards for new development infrastructure with respect to appropriate street cross-sections.

## **Site Plan Control**

The development is subject to Site Plan Control. A Site Plan Control application was submitted on October 25, 2018. Through this application, matters such as siting of buildings and access, façade treatment and materiality, the locations of doors and windows, landscaping, paving materials, fencing, solid waste collection, servicing connections, and stormwater management will be further reviewed and secured.

## COMMENTS

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### **Provincial Policy Statement and Provincial Plans**

The PPS provides for appropriate development while protecting matters of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS states that healthy and active communities should be promoted by planning public roads, and open spaces that are safe, meet the needs of pedestrians, create community connectivity, and foster social interaction. In addition, residential intensification and redevelopment should promote densities for a range of new housing types that efficiently make wise use of land, resources, infrastructure and public services.

The Draft Plan of Subdivision creates appropriate block patterns that provide healthy and active communities. The creation of a public road and a public park support and extend the existing transportation and open space network and improve the multi-modal travel options to important pedestrian destinations. The new residential blocks provide appropriate development blocks that support a range of housing types, affordability and unit sizes, including units suitable for larger families.

The proposed Draft Plan of Subdivision will facilitate orderly development of the land that supports the key objectives of the PPS for building strong healthy communities, wise use and management of land, infrastructure, public services and public investments. The Draft Plan of Subdivision is consistent with the PPS.

The Growth Plan (2020) encourages intensification by promoting compact and complete communities. The proposed Draft Plan of Subdivision support Growth Plan (2020) objectives by providing a range of housing that include the retention of the existing affordable housing supply in compact form. The proposed block pattern and the creation of a new road and a new mid-block pedestrian connection promote active transportation that improves access and travel options to surrounding public facilities, transit and the natural environment including the new park. The Draft Plan of Subdivision conforms to the Growth Plan for the Greater Golden Horseshoe (2020).

### **Draft Plan of Subdivision**

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.

The proposed Draft Plan of Subdivision compiles with provincial policies and Toronto's Official Plan policies. The proposed residential land use is appropriate and the

development can be adequately serviced through the use of existing infrastructure, and the proposed block layout and pattern are compatible with the existing and planned context for the site and overall neighbourhood.

### **Public Road**

The Draft Plan of Subdivision provides for a new public road located along the west side of the subject site, as well as, a road widening conveyance on St. Dennis Drive identified as Block 4.

The subject site is located on a large block that fronts two public streets, Grenoble Drive to the south and St. Dennis Drive to the north of the site. The new 14 metre-wide public street will bi-sect the block and connect Grenoble Drive to St. Dennis Drive, with the opportunity to widen the public street to a 20-metre right-of-way width should the adjacent block to the west redevelop in the future.

Securing this public street provides vehicular, pedestrian and informal cycling connections between St. Dennis Drive and Grenoble Drive, helping to ease local network congestion. The public street also provides improved connections to important community destinations such as the Grenoble Public School and the Dennis R. Timbrell Community Resource Centre which contains the Toronto Public Library.

The new street meets Official Plan objectives that divide the site into smaller development blocks while providing street-related housing, on-street parking and pedestrian amenities such as tree planting, landscaping and new sidewalks. The existing building will have a direct connection to the new street while providing improved travel options to St. Dennis Drive and Grenoble Drive. Additionally, the proposed new public street will also provide frontage and access for the proposed buildings on Block 3.

The Official Plan indicates a planned right-of-way width of 23 metre for St. Dennis Drive. Through the Draft Plan of Subdivision, a land conveyance of 1.44 metres is being provided and is identified as Block 4 on the Draft Plan of Subdivision. The road widening dedication achieves the planned right-of-way width and satisfies the road widening requirement along the property's St. Dennis Drive frontage.

The conditions of Draft Plan of Subdivision approval, as outlined in Attachment 6, will ensure the new street is constructed in accordance with City of Toronto Development Infrastructure Policy and Standards (DIPS). The necessary land conveyances related to the proposed public street and road conveyance to the St. Dennis Drive widening will be conveyed to the City as indicated in the Conditions of Draft Plan of Subdivision Approval in Attachment 6 to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

## **Mid-Block Connections and Privately-Owned Publicly Accessible Spaces**

The Draft Plan of Subdivision includes a mid-block connection along the east perimeter of the subject site. This north-south pedestrian connection will provide important links to area destinations such as the new public park, Flemingdon Park Trail, Grenoble Public School, Dennis R. Timbrell Recreation Centre and the Toronto Public Library.

In addition to the new public park, a Privately-Owned Publicly Accessible Open Space ("POPS") is provided on a portion of Block 3, of the Draft Plan of Subdivision. The POPS area will be a minimum of 95 square metres, which will extend and support the new public park. The mid-block connection and POPS will be secured through the Section 37 agreement and the Site Plan Agreement.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The site is in the second lowest quintile of current provisions of parkland. The site is in a parkland acquisition priority area. The parkland dedication requirement is 1,673 square metres. The applicant is providing 1,115.52 square metres as an on-site parkland dedication, and the remaining balance of 386.25 square metres will be met as a cash-in-lieu payment of parkland.

The Parkland Dedication for the development site is pursuant to Section 42 of the Planning Act and for completeness, the secured park block is identified as Block 5 on the Draft Plan of Subdivision (see Attachment 7). The park block would be at the southeast corner of the site, fronting onto Grenoble Drive and directly adjacent to the existing Flemingdon Park Trail. The park location would extend and expand on the existing open space pattern while benefiting from the southern exposure with little to no shadow impacts.

The proposed public park location, size and configuration, in addition to the cash-in-lieu payment, meets the parkland dedication requirement and is in keeping with the Official Plan policy 3.2.3.8. The detailed conditions pertaining to the conveyance and construction of the park will be captured in both the Section 37 agreement and the subdivision agreement and to the satisfaction of the General Manager of Parks Forestry and Recreation. The conditions of draft plan of subdivision approval will also ensure that the transfer of the park into public ownership will be completed in accordance with City policies.

## **Servicing**

The Function Servicing and Stormwater Management Report indicate the site will use the storm and sanitary service connections for an existing building. The existing service connections are located on Toronto Community Housing Corporation (TCHC) lands

located immediately to the east of the subject site (10 Deauville Lane). As a pre-approval condition, the owner is required to obtain a registered easement from Toronto Community Housing Corporation to permit their pre-existing storm and sanitary service connection pipes for the existing building, as well as expand its service coverage to support the proposed new buildings. In the event that TCHC does not provide the permanent easement for the existing service connections, the owner is required to submit to the Chief Engineer and Executive Director of Engineering and Construction Services, for review and acceptance, all revisions and/or updates to the Functional Servicing Report and Site Servicing Plan, to illustrate new sanitary and storm water connections from St. Dennis Drive or Grenoble Drive.

### **Affordable Housing and Improvements**

Official Plan policy 3.2.1.5 states that significant new development on sites that contain six or more rental units will secure as rental housing the existing rental units which have affordable rents and mid-range rents. Block 1 of the Draft Plan of Subdivision maintains all existing 297 rental units whereby 249 are identified as affordable rental units and 48 are considered mid-range rental units. The rental tenure will be secured for at least 20 years from the date of the enacted Zoning By-law with no applications for demolition or conversion from residential rental use in that time.

Existing and new residential buildings located on Block 1, Block 2 and Block 3 will provide a minimum of 10% of the total units to be three-bedroom units in order to accommodate a diverse range of household unit sizes suitable for families.

Additionally, where existing rental units will be kept in the new development, significant new development on sites that contain six or more rental units should secure needed improvements and renovation to the existing rental housing to extend the life of the building that are to remain and to improve amenities, without pass-through costs to tenants. In order to extend the life of the existing rental building, needed improvements and renovations have also been secured. There will be 560 square metres of new outdoor amenity space located immediately abutting the existing building, and 252 square metres of new shared indoor amenity space located in Block 1, Block 2 and Block 3.

Within the existing building, there will be an expansion to the ground floor fitness room, and renovation and improvements made to the indoor amenity space such as the party room, swimming pool and associated washroom and change room facilities. A further 196 square metres of new shared indoor amenity space will also be provided on the ground floors of the new buildings located on Block 2 and Block 3, that will be accessible at no extra charge and with no pass-through costs to tenants of the existing building located on Block 1. Outdoor amenity improvements abutting the existing rental building include the children's play area, seating, picnic tables, barbecue or outdoor cooking facilities and a linear landscape amenity area, however, all residents will also have access to all outdoor amenity space on the subject property.

## **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 in Zoning By-laws, 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. In addition, the applicant intends to meet Tier 2, a voluntary, higher level of performance standards that provide Development Charge Refund incentives. All performance measures for Tier 1 and Tier 2 will be secured in the Site Plan Control application such as energy efficient building designs, non-roof hardscape to reduce urban heat island at grade, the planting of water efficient and native plants, and bird collision deterrence treatment through bird friendly visual markers.

## **Schools**

The Toronto District School Board (TDSB) has advised that the capacities of the local schools are insufficient to accommodate the students anticipated from this development. Students would be accommodated at TDSB schools outside of the area, to which bussing may be provided. These schools have not yet been identified. If approved, this development would not displace existing students at local schools. As a condition of draft plan of subdivision approval, the TDSB requires that signage be erected at all entrances to the site, and wording be included in all agreements of purchase and sale, noting accommodation provisions.

## **Toronto Transit Commission**

Through this development, the Toronto Transit Commission (TTC) has requested an expanded bus platform on St. Dennis Drive to support TTC's longer articulated bus fleet. A platform of 16 metres in length and 2.4 metres in width will be provided by the applicant to adequately respond to TTC concerns. This platform will be secured through the Site Plan Control application.

## **Community Consultation**

A Community Consultation Meeting was held for the associated Zoning By-law Amendment application on May 18, 2016, however, the Zoning By-law Amendment application and Site Plan Control application were appealed to the Ontario Municipal Board (now called Local Planning Appeal Tribunal). On May 14, 2019, the Local Planning Appeal Tribunal approved in principle the Zoning By-law Amendment application withholding the final order until the Site Plan is finalized.

The statutory public meeting for the Draft Plan of Subdivision application will be held at the October 7, 2020 meeting of North York Community Council.

## **Conclusion**

The proposed Draft Plan of Subdivision has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan as discussed above. The Draft Plan of Subdivision will create three residential development blocks, a road widening block, a public park block as well as a new public street that will contribute to the existing street and open space network and support the proposed development in the existing and planned context. The proposed Draft Plan of Subdivision is consistent with the PPS (2020) conforms and does not conflict with the Growth Plan (2020). Furthermore, the proposed Draft Plan of Subdivision conforms to the Toronto Official Plan, has regard for criteria set out in Section 51(24) of the Planning Act, and is in the public interest. The Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision, as generally illustrated in Attachment 7 to this report.

## **CONTACT**

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## **SIGNATURE**

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Al Rezoski, (Acting) Director  
Community Planning, North York District



## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Context Map

Attachment 4: Official Plan

Attachment 5a: Existing Zoning By-law Map (7625)

Attachment 5b: Existing Zoning By-law Map (569-2013)

Attachment 6: Conditions of Draft Plan of Subdivision

Attachment 7: Draft Plan of Subdivision

Attachment 8: Site Plan

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 25 ST DENNIS DR Date Received: January 16, 2019

Application Number: 19 105324 NNY 16 SB

Application Type: Subdivision Approval

Project Description: Draft Plan of Subdivision to create five new blocks that includes a public park, road widening as well as the creation of a public street for an infill redevelopment on a site that contains a 17-storey rental apartment building (BLOCK 1). The application is to construct a 37-storey apartment building and a stacked 18-unit townhouse building (BLOCK 3); 12-storey residential building and 14 freehold townhouses (BLOCK 2), St. Dennis Drive road widening (BLOCK 4), and an 1115.52 m<sup>2</sup> public park (BLOCK 5).

Applicant	Agent	Architect	Owner
PRESTON GROUP 1-11 Curity Ave, Toronto, ON M4B 1X4	BOUSFIELD INC 200-3 Church St., Toronto, ON M5E 1M2	KIRKOR ARCHITECTS 400- 20 De Boers Dr., Toronto, ON M3J 2K8	Preston Group 1-11 Curity Ave, Toronto, ON M4B 1X4

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	N
Zoning:	RA (f30.0, a1375, d1.5)	Heritage Designation:	N
Height Limit (m):	24 metres	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	19,394	Frontage (m):	130	Depth (m):	195
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m):	1,633	1,633	3,164	4,797
Residential GFA (sq. m):	28,572	28,572	45,723	74,295
Non-Residential GFA (sq. m):				
Total GFA (sq. m):	28,572	28,572	45,723	74,295

Height - Storeys:	17	17	37	37
Height - Metres:	46	46	108	108

Lot Coverage Ratio (%):	24.74	Floor Space Index:	3.83
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Floor Area Breakdown	Above Grade (sq. m)	Below Grade (sq. m)
Residential GFA:	74,295	
Retail GFA:	0	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:	0	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	297	297		297
Freehold:				
Condominium:			552	552
Other:				
<b>Total Units:</b>	<b>297</b>	<b>297</b>	<b>552</b>	<b>849</b>

#### Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		11	110	143	33
Proposed:			277	212	63
<b>Total Units:</b>		<b>11</b>	<b>387</b>	<b>355</b>	<b>96</b>

#### Parking and Loading

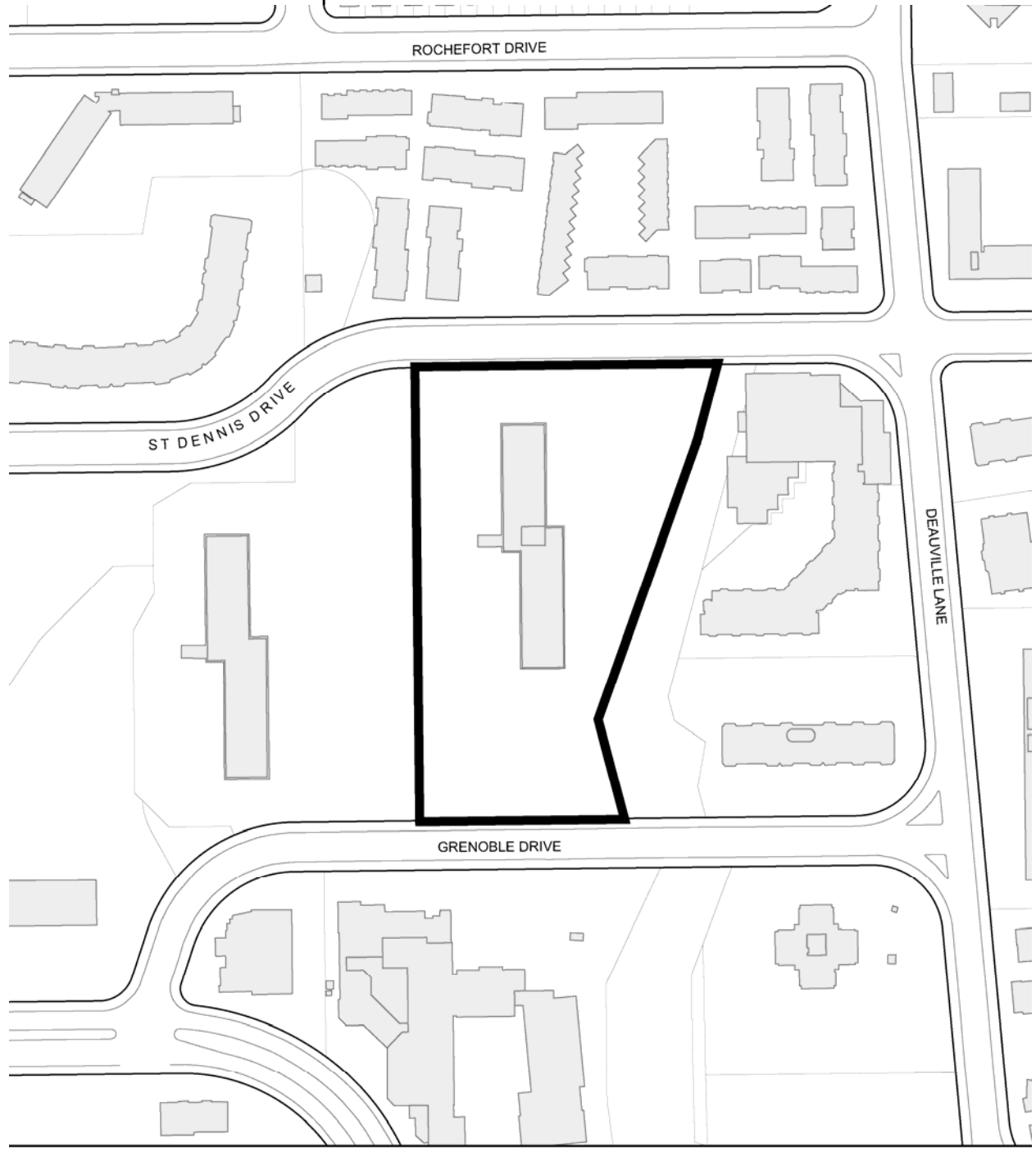
Parking Spaces:	422	Bicycle Parking Spaces:	591	Loading Docks:	3
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#### CONTACT:

Jenny Choi, Planner  
(416) 395-0108

[Jenny.Choi@toronto.ca](mailto:Jenny.Choi@toronto.ca)

Attachment 2: Location Map



 Location of Application

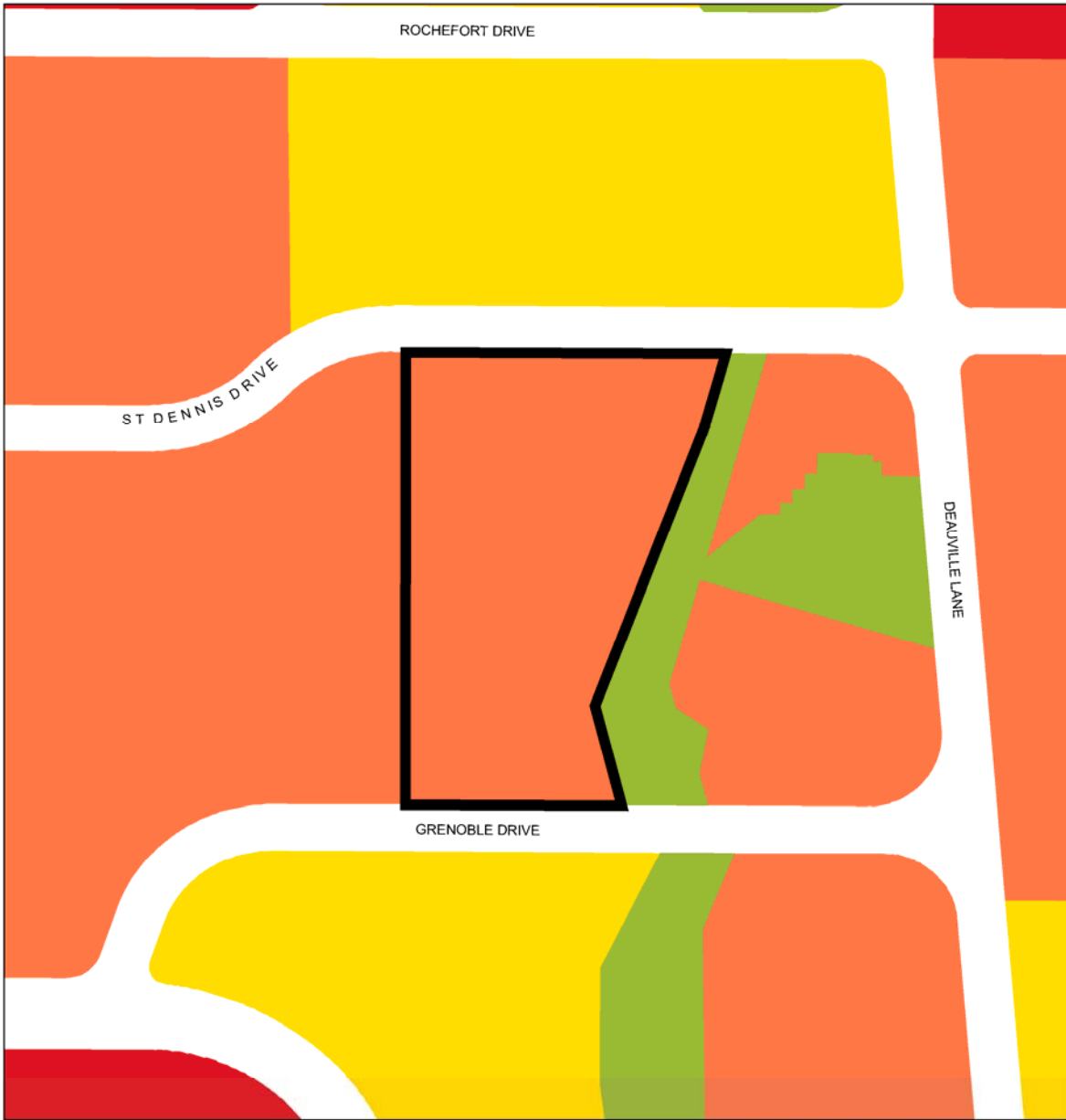


Attachment 3: Context Plan



Context Plan






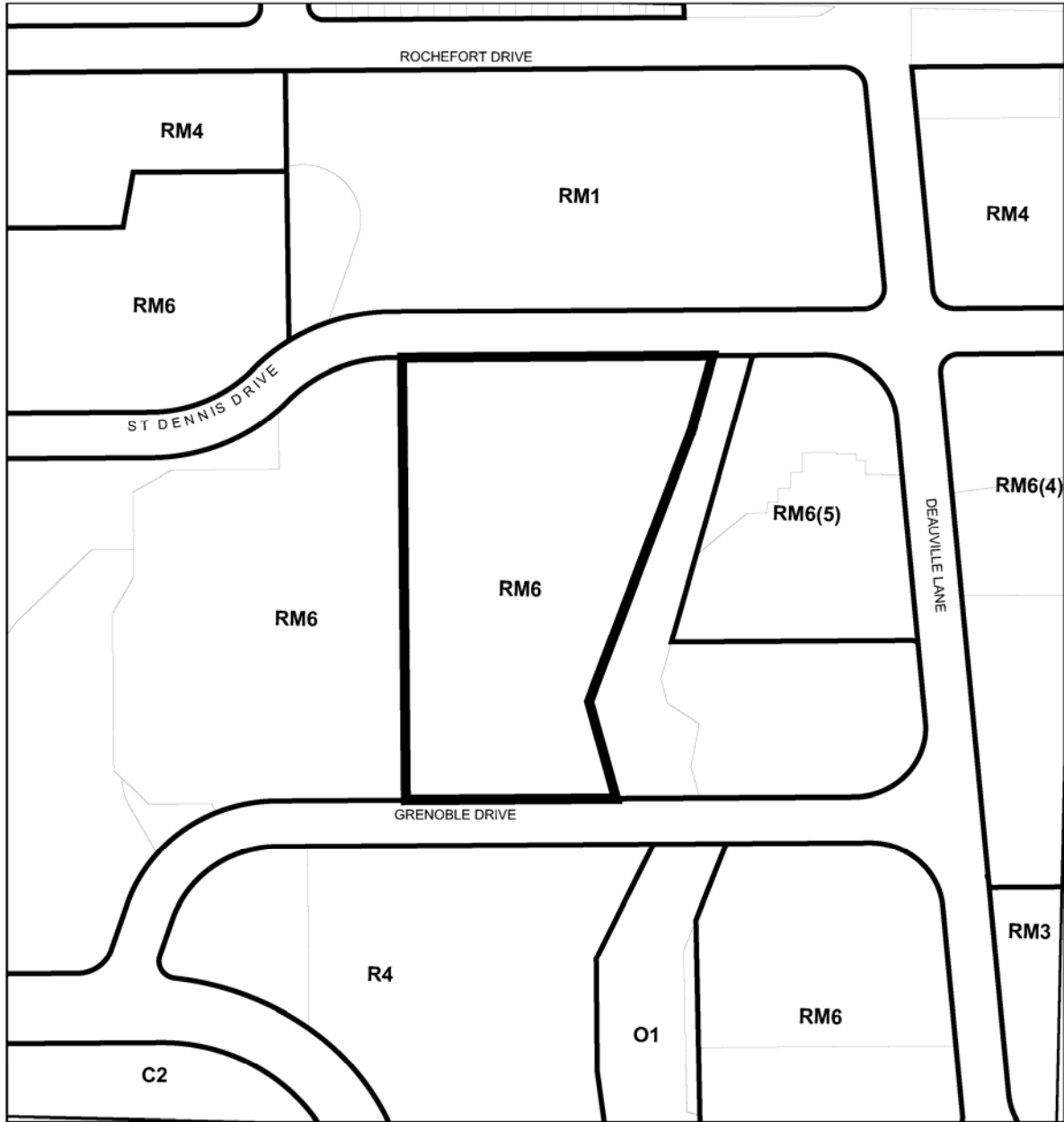
Official Plan Land Use Map #20

25 St. Dennis Drive  
File # 19 105324 NNY SB

- |  |  |
|--|--|
|  Location of Application  |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

  
Not to Scale  
Extracted: 07/13/2020

Attachment 5a: Existing Zoning By-law Map (No.7625)



Zoning By-law 7625

25 St. Dennis Drive  
File # 19 105324 NNY SB



Location of Application

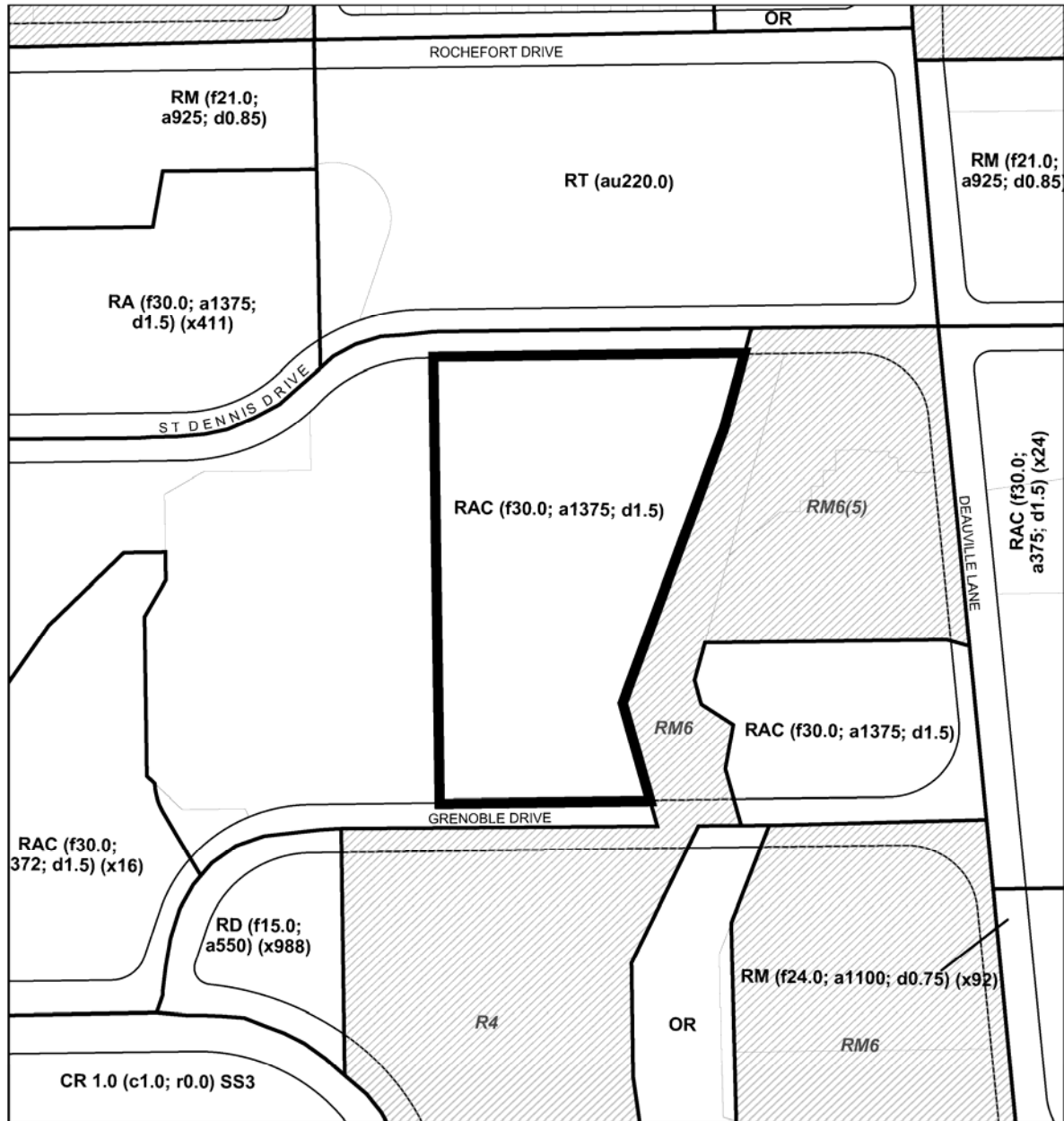
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C2 Local Shopping Centre Zone

- MO Industrial-Office Business Park Zone
- O1 Open Space Zone



Not to Scale  
Extracted: 07/13/2020

Attachment 5b: Existing Zoning By-law Map (No. 569-2013)




Zoning By-law 569-2013


25 St. Dennis Drive

File # 19 105324 NNY SB

-  Location of Application
- RD** Residential Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment
- RAC** Residential Apartment Commercial
- CR** Commercial Residential

**OR** Open Space Recreation

-  See Former City of North York By-law No. 7625
- R4** One-Family Detached Dwelling Fourth Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- MO** Industrial-Office Business Park Zone

  
 Not to Scale  
 Extracted: 07/13/2020



## LEGAL SERVICES

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

## CITY PLANNING

2. The Owner shall provide to the Director of Community Planning, North York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of Account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to Section 40 of the Assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards, and as may be further amended by City Council from time to time.

## ENGINEERING AND CONSTRUCTION SERVICES

5. The Owner shall dedicate all roads, corner roundings and road widenings shown on the plan.
6. The Owner shall convey all necessary easements (internal and external) to the City.
7. 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 and Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
8. The Owner shall submit a draft Reference Plan of Survey to the Chief Engineer and Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should: a) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3-degree Modified Transverse Mercator Projection); b) delineate by separate PARTS the lands to be conveyed to the

the remainder of the site and any appurtenant rights-of-way and easements;  
c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.

9. The Owner shall pay all costs for preparation and registration of reference plan(s).
10. The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
11. The Owner shall undertake 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).
12. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
13. The Owner shall submit financial security in accordance with the terms of the standard subdivision agreement.
14. The Owner shall pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision.
15. The Owner shall submit a payment in the form of a certified cheque (amount to be determined) for the cost related to the installation of pavement markings and signage required for the new north-south public road, as per Drawing FD-01, dated March 18, 2020 by BA group.
16. Prior to the registration of the Plan of Subdivision, the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands.
17. Prior to the registration of the Plan of Subdivision, the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, all revisions and/or updates to the Functional Servicing Report.
18. The Owner shall update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Chief Engineer and Executive Director of Engineering and Construction Services in the event that the Chief Engineer and Executive Director of Engineering and Construction Services determines that field conditions are not suitable for implementation of the servicing and storm water strategy recommended in the Functional Service Report prior to proceeding to the next development phase.
19. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner is required to obtain a registered

permanent easement from Toronto Community Housing to permit their pre-existing storm and sanitary service connection pipes for the existing building. In the event that if TCHC does not provide the permanent easement for existing service connections, the owner is required to submit to the Chief Engineer and Executive Director of Engineering and Construction Services, for review and acceptance, all revisions and/or updates to the Functional Servicing Report and Site Servicing Plan, to illustrate new sanitary and storm sewer connections for the existing building on St. Dennis Drive or Grenoble Drive.

20. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the Owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, a plan or plans, showing a) cross-sections of all roads within the Plan of Subdivision incorporating the approved pavement widths and other infrastructure elements, and including the proposed connections with, and any improvements to, the existing streets within and surrounding site; b) the proposed pavement markings and signage for all new roads; c) modifications required to the pavement markings and signs on the existing roads; and d) minimum pedestrian clearway of 2.1 metres on all roads and at intersection of all roads.
21. Prior to earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall submit to the Chief Engineer and Executive Director of Engineering and Construction Services:
  - a) Regarding Toronto Hydro-Electric System Limited (distribution group):

A copy of "offer to connect" (OTC), written confirmation that financial securities have been posted, and written confirmation that satisfactory arrangements have been made.
  - b) Regarding Toronto Hydro Energy (streetlight group):

A cost estimate of the construction/installation of streetlights, and the hydro inspection fee, financial security in amount of 130% of the streetlight cost estimate and inspection fee. The Owner shall obtain a copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.
22. The applicant must submit a financial guarantee in the form of a certified cheque or a letter of credit in the amount of \$50,000.00 for the Bike Share Station plus an amount to be determined later as per the measures outlined in the Background Section of the Engineer memo dated August 7, 2020 for the required transportation demand management (TDM) plan, as determined by Transportation Planning. Contact Arthur Lo (416) 395-7118 for more information.

## PARKS, FORESTRY AND RECREATION

23. Prior to the issuance of first above grade building permit, the Owner shall convey the 1,115.52 square metres of Parkland (Block 5) to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.
24. Prior to the issuance of the first above grade building permit, the Owner shall pay the remaining balance of the parkland dedication (386.25 square metres) as a payment of cash-in-lieu of parkland.
25. The Owner shall pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
26. Prior to the transfer of fee simple of the Park Block to the City, the Park Block shall nonetheless be deemed to be parkland in respect of the limiting distance requirements of the Ontario Building Code Act, 1992. The Owner must design the building to achieve Ontario Building Code (OBC) setbacks related to fire separation on their own site on the portions of the building that abut the park. A 5 metre setback will apply to any building located next to the Park or, the required setbacks which meet the OBC for fire separation, whichever is greater. Prior to the issuance of any above grade building permit, the applicant will be required to demonstrate adequately that the OBC requirements have been achieved to the satisfaction of the General Manager, PFR.
27. Prior to conveying the parkland to the City, the applicant must:
  - a) Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in Ontario Regulation 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director of Engineering & Construction Services (ECS) and copy to the General Manager, PFR;
  - b) Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City (7%), and submit an initial deposit of \$8,000.00 towards the cost of the Peer Review in the form of a certified cheque, to the Chief Engineer and Executive Director, ECS. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer;

c) Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Chief Engineer and Executive Director, ECS;

d) At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Chief Engineer and Executive Director, ECS for peer review and concurrence which states:

In the opinion of the Qualified Person:

It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and

To the extent that the opinion of the Qualified Person is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.

e) Land to be conveyed to the City meets either: the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9; subject to applicable exemptions as stated in O. Reg. 153/04) for the most environmentally sensitive adjacent land use; or the Property Specific Standards as approved by the Ministry for a Risk Assessment / Risk Management Plan which was conducted in accordance with the conditions set out herein.

f) The Qualified Person's statement will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, ECS.

g) For conveyance of lands requiring a Record of Site Condition (RSC): File the Record of Site Condition (RSC) on the Ontario Environmental Site Registry; and Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Chief Engineer and Executive Director, ECS and to the General Manager, PFR.

28. The applicant, at their expense, will be responsible for the base construction and installation of the parkland to the satisfaction of the General Manager, PFR. The Base Park Improvements include the following:
- a) Demolition, removal and disposal of all existing materials, buildings, foundations and associated servicing;

- b) Grading inclusive of 300mm depth topsoil supply and placement. Where lands have been environmentally risk assessed in accordance with MECP regulations, the required depth profile of the environmental soil / soft cap will be 1.5 m of engineered fill compacted to 95% SPD and certified by the consulting engineer;
  - b.i) In the case of a risk-assessed site, all materials brought on site shall comply with the site-specific standards outlined in the Certificate of Property Use. In the case where no risk assessment of the site was required, all materials brought on site shall comply with the Ontario Reg. 153/04 Table 3 RPI standards;
  - c) Sodding #1 nursery grade;
  - d) Fencing, where deemed necessary;
  - e) Sanitary and storm service connections with manholes at streetline;
  - f) Water and electrical service connections; (minimum water: 50mm to the street line including backflow preventers, shut off valves, water meter and chamber; electrical connection to the street line and electrical panel in a lockable cabinet (200 Amp service));
  - g) Street trees along all public road allowances abutting City-owned parkland; and
  - h) Standard park sign (separate certified cheque required).
29. Prior to the issuance of the first above grade building permit, the applicant shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
30. Prior to issuance of the first above grade building permit, the applicant shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
31. The construction of the Base Park Improvements to the Public Park shall be completed within six (6) months after first residential occupancy of the New 37-Storey Building, and in any event, no later than three (3) years after issuance of the first Above-Grade Permit for the New 37-Storey Building to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late completion of the Base Park Improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised date for completion of the Base Park Improvements.

#### Temporary Fencing

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

#### Parkland Grading and Drainage

33. Prior to conveyance of the parkland, the applicant shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, PFR.

34. The applicant must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

#### Credit against DCs for Above Base Park Improvements

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

#### Above Base Park Improvements

36. The applicant will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, PFR. Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
37. Prior to the issuance of the first above grade building permit for the development of the site, the applicant is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.
38. The construction of the Above Base Park Improvements to the Public Park shall be completed within six (6) months after first residential occupancy of the New 37-Storey Building, and in any event, no later than three (3) years after issuance of the first Above-Grade Permit for the New 37-Storey Building to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late completion of the Base Park Improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised date for completion of the Base Park Improvements.
39. Should the applicant undertake Base and/or Above Base Park Improvements on the park block following conveyance of the park block to the City, the applicant must obtain a Park Access Agreement (PAA) from PFR's Planning, Design and Development section. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The applicant will indemnify the City against any claim during any interim use of or work carried out

by the applicant on the park.

#### Warranty

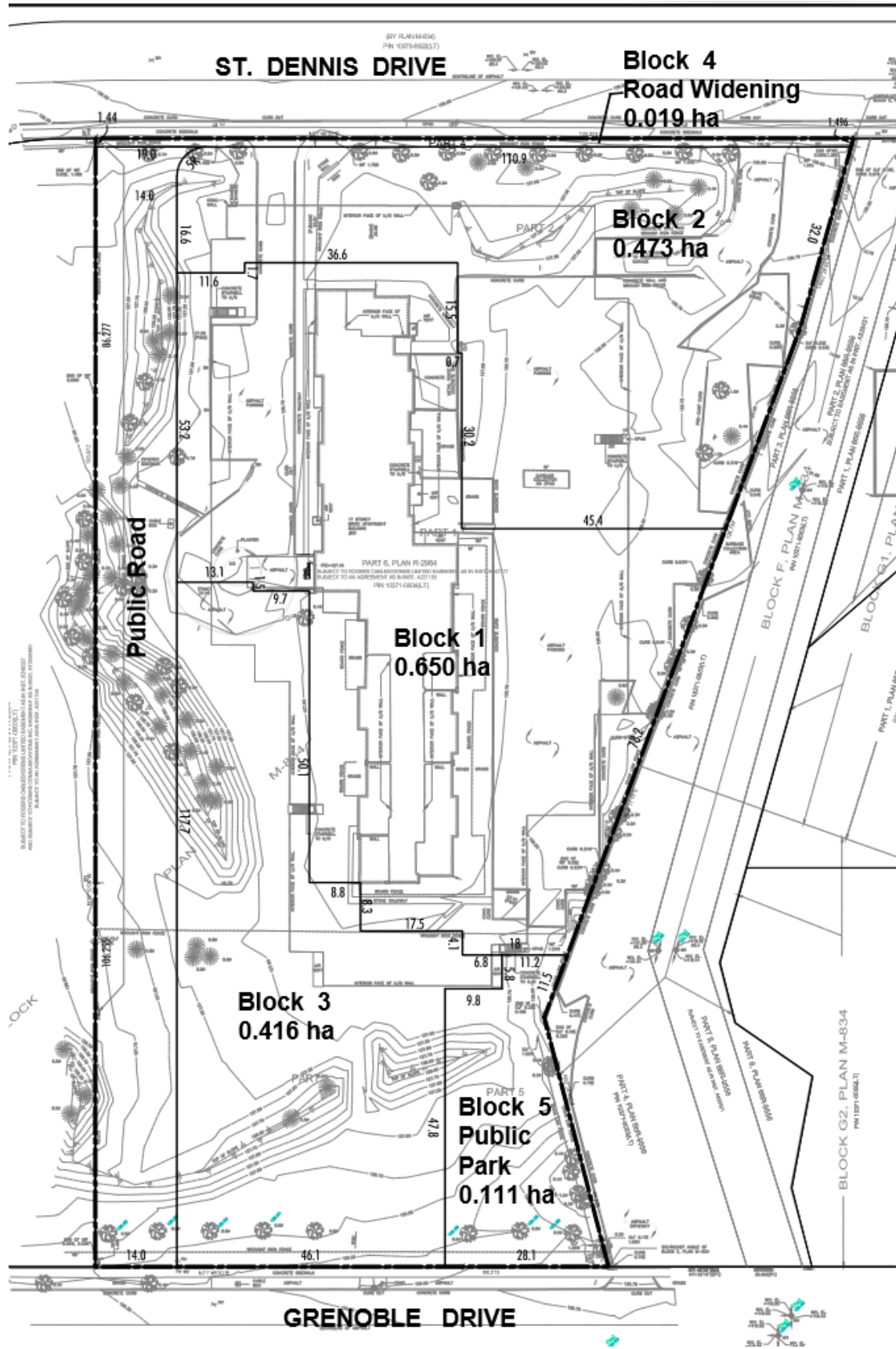
40. The applicant, upon satisfactory completion of the construction and installation of the Above Base and Base Park Improvements shall be required to guarantee such work and associated materials. The applicant shall provide certification from their Landscape Architect certifying that all work has been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

#### TORONTO DISTRICT SCHOOL BOARD

44. The Owner shall erect and maintain signs, at points of egress and ingress of the development site, advising that "The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available. For information regarding designated school(s), please call (416) 394-7526."



45. The Owner shall agree, in the Subdivision Agreement, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan, and for a period of 10 years following registration of the agreement), that "Despite the best efforts of the TDSB, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if busing is provided by the Toronto District School Board, in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at a designated location in or outside of the area."



Attachment 8: Site Plan

