

70 and 80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue – Zoning By-law Amendment and Draft Plan of Subdivision Applications – Final Report

Date: June 27, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 15 - Don Valley West

Planning Application Number: 21 120011 NNY 15 OZ and 21 120012 NNY 15 SB

SUMMARY

This Zoning By-law amendment application proposes a commercial centre comprised of four new one and two storey buildings ranging in size from 616 square metres up to 17,870 square metres with a total gross floor area of 19,995 square metres at 70 Wicksteed Road, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue. The proposal seeks to amend a previous 2014 approval by adding an automotive service centre use and an additional 4,143 square metres of gross floor area. The proposal now includes a total of 403 vehicle and 138 bicycle parking spaces. Parking is located both at grade and within a one level below grade parking structure.

The associated Draft Plan of Subdivision application creates various conveyable development blocks, creates new public streets that extends the existing Vaughan Street and Parkhurst Boulevard to connect with Wicksteed Avenue; and creates blocks for road widening purposes.

This report reviews and recommends approval of the application to amend By-law 1916, as amended by by-law 442-2014 as well as amendment to City of Toronto Zoning By-law 569-2013 to include these lands. Holding provisions are included to ensure certain preliminary infrastructure matters are identified and addressed. Proposed amendments include modification of associated development standards and community benefit obligations. The proposed zoning by-law amendment and draft plan of subdivision applications have been reviewed against the policies of the PPS (2020), the Growth Plan (2020), section 51(24) of the Planning Act and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020) and has regard for the criteria set out in sections 51(24) of the Planning Act with regards to the subdivision of the lands. Furthermore, the proposal conforms with the Toronto Official Plan. The proposal permits the development of lands that have been vacant for some time and enhances the streetscape of Laird Drive.

This report also advises that the Chief Planner intends to approve the Draft Plan of Subdivision for the lands at 70-80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1916, as amended by By-law 442-2014, for the lands at 70 and 80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue 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 569-2013 for the lands at 70 and 80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council authorize the City Solicitor to submit the necessary bills to implement the foregoing recommendations provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement, or amending Section 37 Agreement as applicable, is executed and registered.
5. City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. the community benefit recommended to be secured is as follows:
 - i. prior to issuance of first above grade building permit, the owner shall make a cash contribution in the amount of \$1,150,000 towards one or both of the expansion to Leaside Memorial Community Gardens and streetscape improvements in the vicinity of the site to be allocated at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor which amount will be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date City Council adopts the zoning by-law amendment(s) to the date of payment; and
 - ii. in the event the cash contribution referred to in Recommendation 5.a.i. above has not been used for the intended purpose within three (3) years of the issuance of first above grade building permit, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the

Ward Councillor provided that the purpose is 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;

i. The owner shall, at its own cost and expense and in support of the development, design, remediate, construct and convey new public roads in the locations identified on the Schedules of the attached By-laws, together with associated municipal services both internal and external to the land, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

ii. Prior to issuance of any building permit for all or any part of the development on the land, the owner shall:

(1) obtain draft plan of subdivision approval and enter into a financially secured subdivision agreement with the City pursuant to Section 51 of the Planning Act necessary to implement the plan of subdivision, including required external works, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; and

(2) obtain release for construction of services in accordance with the terms of the subdivision agreement to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

ii. Prior to issuance of the first above-grade building permit for all or any part of the development on the Lands, the owner shall:

(1) register the Plan of Subdivision to the satisfaction of the Chief Planner and Executive Director, City Planning in accordance with the requirements of the subdivision agreement; and

(2) complete the construction of the new road to base course asphalt and complete services, including external services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

6. 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 in Attachment 8 subject to:

a. the conditions as generally listed in Attachment 7 which, except as otherwise noted, must be fulfilled prior final approval and the release of the Plan of Subdivision for registration; and

b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning

may deem to be appropriate to address matters arising from the on-going technical review of this development.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

A previous Zoning By-law Amendment application for the site was submitted in August of 2011. That amendment was to permit commercial and retail uses within five one and two-storey new and existing buildings ranging in size from 415m² up to 7,569m² with a total gross floor area (GFA) of 15,329m² and included 484 parking spaces. The Final Report for that proposal was adopted by City Council on May 7, 2013. The site specific zoning by-law was enacted on May 8, 2014 (By-law 442-2014).

A draft plan of subdivision application was also submitted for the site in November of 2012. The draft plan of subdivision application proposed to extend Vaughan Street and Parkhurst Boulevard to connect with Wicksteed Avenue. The draft plan of subdivision was considered by City Council concurrently with the zoning by-law amendment on May 7, 2013. A notice of decision of draft plan of subdivision was issued by City Planning on March 12, 2014. One of the conditions of approval is that the subdivision is to be registered within 5 years of the draft plan approval. The subdivision was not registered within that timeframe so that approval has now lapsed.

A Final Report regarding the previous Zoning By-law Amendment and Plan of Subdivision applications can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY23.34>

A site plan application was also submitted for the site in February of 2013, file no. 13 120874 NNY 26 SA. A Notice of Approval Conditions was issued by City Planning on May 7, 2014. There were a number of plans and drawings that were to be revised as stated in the notice, however those drawings were never finalized and that approval lapsed. The application is still open and will be revised with the new plans most recently submitted.

In June 2020, the City Planning Division initiated the Growth Plan Conformity and Municipal Comprehensive Review ("MCR"), which includes the delineation of approximately 180 potential Major Transit Station Areas (MTSAs) to meet Provincial minimum intensification requirements. A subset of MTSAs will be identified as Protected Major Transit Station Areas (PMTSAs), where the Council-approved inclusionary zoning policy framework can be implemented. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>

On March 25, 2022, the Planning and Housing Committee approved for consultation 97 MTSA/PMTSAs, of which Laird Station was identified as a MTSA with a proposed minimum density target of 160 people and jobs per hectare. The report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>

PROPOSAL

This application proposes to amend the zoning by-laws that apply to the property at 70 and 80 Wicksteed Avenue, 202, 204, and 206 Parkhurst Boulevard and 99 Vanderhoof Avenue to permit commercial uses within a two-storey building (Building A), as well as three stand-alone one-storey commercial buildings (Buildings B, C and D), with a total GFA of 19,995 m². The three stand-alone one storey buildings fronting onto Wicksteed Avenue were approved as part of site specific by-law No. 442-2014, and have remained unchanged with a combined GFA of 2,125m². The proposal also includes extending Vaughan Street south and Parkhurst Boulevard east and south to connect with Wicksteed Avenue, as well as creating blocks for road widening purposes.

Building A would be accessed from the new portion of Parkhurst Boulevard. The ground floor of Building A proposes to include an automotive service centre, retail uses, office space, warehouse use and a garden centre. Building A has a GFA of 18,870m², including 6,858m² of second floor retail space and 674m² of ground floor retail space, including a minimum required 130m² of retail/commercial space to be provided on the Laird Drive frontage. The automotive service centre is proposed on the ground floor of the portion of Building A behind the retail/commercial area that fronts onto Laird Drive. The garden center having a GFA of 482m² is proposed to abut the retail on the ground floor of Building A and be adjacent to the extension of Vaughan Street. There is also a proposed plaza to the south of the ground floor retail and garden centre.

Buildings B, C, and D are proposed as stand-alone one storey ground-oriented buildings fronting onto Wicksteed Avenue with retail and service uses. Building B and C also front onto the extension of Vaughan Street. These buildings will have a total GFA of 2,125m², with Building B having a GFA of 616m², Building C having a GFA of 650m² and Building D having a GFA of 859m². These buildings would be accessed from driveways from either Wicksteed Avenue or the new portion of Vaughan Street.

A portion of the ground floor of Building A is proposed to be used for at grade parking (within the building) and allows for vehicular access to one level of an underground parking garage as well as access to the automotive service centre. There are 255 parking spaces proposed within Building A. There are a total of 403 parking spaces proposed on site, with 148 surface parking spaces proposed for the three stand-alone buildings. There are also a total of 138 bicycle parking spaces proposed, including 32 long term spaces and 106 short term spaces. There are also two accesses for Building A for loading, one from Vanderhoof Avenue and the other from Vaughan Street and Building B, C and D each have a loading space in close proximity to the buildings.

Detailed project information is found on the City's Application Information Centre at: Toronto.ca/70WicksteedAve

See Attachment 9-13 of this report, for the Site Plan and Elevations.

Reasons for Application

The current proposal requires an amendment to Zoning By-law No. 1916, as amended by By-law 442-2014, in order to permit an automotive service use, an increased GFA, an increase in height for portions of Building A, an increased lot coverage and some reduced setbacks. The site is also to be brought into the City-wide Zoning By-law 569-2013.

The application for draft plan of subdivision approval is to enable the creation of three development blocks and the extension of Parkhurst Boulevard and Vaughan Street through the site to connect with Wicksteed Avenue; and various blocks for road widening purposes (see Attachment 8).

For further details regarding the Plan of Subdivision see Table 1 below:

| Block Number | Use | Area |
|---------------|-------------------------------|-------------------------|
| Block 1 | Commercial | 17,267.39m ² |
| Block 2 | Road Widening | 42.05m ² |
| Block 3 | Commercial | 5,815.21m ² |
| Block 4 | Commercial | 490.52m ² |
| Block 5 and 6 | Road Widening | 62.14m ² |
| Block 7 | Road Widening | 31.61m ² |
| Street A | Parkhurst Boulevard extension | 992.6m ² |
| Street B | Vaughan Street extension | 965.95m ² |
| Street B1 | Vaughan Street extension | 174.89m ² |
| Street C | New Public street | 1,090.75m ² |

Site and Surrounding Area

The site is located on the east side of Laird Drive south of Eglinton Avenue East within the Leaside Employment Area.

The existing surrounding uses are as follows:

North: One-storey commercial buildings and large-format retail buildings.

South: One-storey commercial shopping centre.

East: One and two-storey commercial and industrial buildings.

West: Commercial uses fronting Laird Drive and detached residential dwellings further west.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning Rationale
- Public Consultation Strategy
- Market Impact & Employment Area Impact Assessment
- Arborist Report
- Functional Servicing & Stormwater Management Report
- Geotechnical Investigation and Hydrogeological Assessment
- Transportation Impact Study
- Parking and Loading Assessment Study
- Environmental Site Assessment Reports Phase 1 and 2
- Energy Efficiency Report

The supporting studies can be accessed via the City's Application Information Centre (AIC): [Toronto.ca/70WicksteedAve](https://toronto.ca/70WicksteedAve)

Agency Circulation Outcomes

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

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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 (2020)

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;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 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 (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden

Horseshoe 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.

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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan

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

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

Chapter 2 - Shaping the City

The subject lands are identified as Employment Areas on Map 2 - Urban Structure of the Official Plan (Section 2.2). This section of the Official Plan speaks to shaping Toronto, in terms of growth, rebuilding, reurbanizing, and regenerating within an existing urban structure. The policies set out under section 2.2.4, state that Employment Areas are to be protected and promoted exclusively for business and economic activity and are to be enhanced to ensure they are attractive and function well.

Chapter 3 - Building a Successful City

The Official Plan describes in Chapter 3.1 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.

Section 3.1.1 of the Official plan states that each element of the public realm has its own roles and responsibilities. When designed together, these elements form a well-connected, walkable, attractive, safe, functional and accessible network which supports communities. The public realm is comprised of all public and private spaces to which the public has access. The public realm is to provide a comfortable, attractive and vibrant, safe and accessible area for civic life and daily social interaction. City streets are significant public open spaces which connect people and places, by providing safe and efficient movement of pedestrians, space of trees and landscaping, and other street elements.

The Built Form section, Policy 3.1.2.1 of the Official Plan states that 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.

Policy 3.1.2.4 states that new development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, Policy 3.1.2.5 states that 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. 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.

Policy 3.5.1.1 of the Official Plan states that Toronto's economy will be nurtured and expanded to provide for the future employment needs of Toronto through actions including maintaining a strong and diverse economic base, contributing a broad range of employment opportunities for all Torontonians, and maintaining a healthy tax base for the City.

Chapter 4- Land Use Designations

The subject lands are designated General Employment Areas on Map 17 of the Official Plan. Section 4.6 of the Official Plan states that "Employment Areas are places of business and economic activities vital to Toronto's economy and future economic prospects". General Employment Areas are generally located on the periphery of Employment Areas on Major roads. General Employment areas allow for uses such as retail, service and restaurant uses, as well as uses permitted within Core Employment

Areas. Retail uses on the periphery of Employment Areas frequently serve as a buffer between industries in the interior of Employment Areas and nearby residential area.

See Attachment 3 of this report for the Official Plan Land Use Map.

Policies in the General Employment Areas with new retail developments that result in the establishment of a major retail site with 6,000 square metres or more of retail gross floor area are only permitted if they meet a number of conditions, such as being located on a major street as shown on Map 3, transportation demands and impacts can be mitigated, the existing and planned function of the Employment Area is not adversely affected, public streets are provided and complement the area street network and provide improved pedestrian access and amenity, retail buildings a minimum of two storeys in height, are clearly visible and directly accessible from sidewalks of the public street and parking is integrated within the building.

Chapter 5 - Implementation: Making Things Happen

This chapter of the Official Plan outlines a variety of tools that the City can bring to bear to make things happen.

Section 5.1.1 describes how the Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. Under Toronto's Official Plan, developments that exceed a threshold of 10,000 square metres of gross floor area, and where the applicant increases the permitted density by at least 1,500 square metres, a Section 37 Agreement may be used. As the proposed increase in density meets these thresholds for the use of Section 37, community benefits will be required and will be secured in a Section 37 Agreement.

Section 5.1.2 describes that the City can pass a "holding" zoning by-law that places an "H" symbol over the zoning and identifies the conditions that must be met before the "H" symbol is removed and the lands can be developed.

Site and Area Specific Policy 568 - Laird in Focus

In 2016, the City of Toronto launched the Laird in Focus Planning Study, a multidisciplinary study that builds upon the Eglinton Connects Planning Study of 2014, and the potential to accommodate future residential, employment and mixed-use growth at Laird Drive and Eglinton Avenue East, and support transit investment in the future Eglinton Crosstown Light Rail Transit (LRT). Although the subject site does not fall within the Study area, the Study identified the intersection of Laird Drive and Wicksteed Avenue as a significant gateway within the Public Realm policies. This intersection will act as a gateway into and out of the community or as transition spaces between different character areas.

The study also provides opportunities to incorporate supportive active transportation infrastructure, such as bike share and bike parking facilities. Map 2, the Structure Plan shows that streetscape improvements are to be provided along both Laird Drive and

Vanderhoof Avenue. Local streets are to provide a finer grain street network with building setbacks that accommodate landscaping and promote pedestrian connectivity, and vehicular and servicing access. The Laird in Focus Official Plan Amendment ("OPA 450"), Site and Area Specific Policy 568 ("SASP 568") was adopted by City Council on November 26, 2019 with amendments. The OPA was appealed however those appeals have been geographically limited and the OPA is in force for the remainder of the study area.

The Final Report and City Council Decision for Laird in Focus can be found here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY10.2>

Zoning

The proposed development is located in a Light Industrial Zone - M1(14), of the former Leaside Zoning By-law No. 1916, as amended by site specific Zoning By-law No. 442-2014. As per Zoning By-law No. 442-2014, the M1(14) zone has site specific provisions and permits a broad range of uses including office buildings, eating establishments, retail store, garden supply centre, personal service shops, etc. It also limited the GFA of the development to a total of 15,582m², the lot coverage to 27%, a maximum Floor Space Index of 0.61 times the area of the lot, and a maximum height of 2 storeys and 17.8 metres.

The property is currently not subject to the City-wide Zoning By-law 569-2013, and is to be brought into the City-wide Zoning By-law with a site specific amendment.

The City's Zoning By-law 569-2013 may be found here:
<https://www.toronto.ca/citygovernment/planning-development/zoning-by-law-preliminary-zoning-reviews/zoningby-law-569-2013-2/>

Site Plan Control

The application is subject to Site Plan Control. The original site plan control application submitted in 2013 has been revised to reflect the current changes to the proposal (File No. 13 120874 NNY 26 SA).

Draft Plan of Subdivision

The Chief Planner has delegated authority for Plans of Subdivision under By-law 229-2000, as amended. The Plan of Subdivision application has been reviewed against that policies of the Planning Act, and the proposal should have regard for a number of matters identified in Section 51(24) of the Planning Act, including, but not limited to:

- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (f) the dimensions and shapes of the proposed lots;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services; and
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Policy Considerations section of the report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020) as follows:

The PPS (2020) requires that Planning Authorities promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

The Growth Plan (2020) states that Economic development and competitiveness in the Greater Golden Horseshoe will be promoted by making more efficient use of existing employment areas and vacant and underutilized employment lands. The subject site is located within 500 metres of the under construction Laird Station on the Eglinton Crosstown Light Rail Transit line and will contribute to achieving the draft MTSA density target of 160 people and jobs per combined hectare. The applicant's economic impact analysis estimates that a total of 368 jobs will be created through this proposal. City staff find this estimate acceptable.

The subject site is located within an employment area and is currently occupied by a one and two-storey industrial building on Parkhurst Boulevard, as well as a large area of vacant land. The proposal would permit retail and commercial uses that includes a vehicular service shop into the Leaside Business Park area, which are appropriate and desirable to support the existing employment uses in the area and creates opportunities for growth.

This proposal is consistent with the PPS and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) as it proposes appropriate uses on lands designated for general employment purposes. The proposal utilizes a site which is presently underutilized by permitted uses which supports other employment uses and provides a mix of uses within the broader employment area.

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, the appropriateness of the proposed land use, the dimensions and shapes of new proposed blocks, and the adequacy of utilities and municipal services.

The proposed Draft Plan of Subdivision conforms with provincial policies and Toronto's Official Plan policies. The proposed development blocks are appropriate to facilitate the permitted land uses, the new Parkhurst Boulevard extension with an "L" shaped street and the new extension of Vaughan Street will provide connectivity and improved pedestrian, cyclist, and automobile access in the area.

See Attachment 8 of this report for the Draft Plan of Subdivision.

New Public Street Extensions and Public Realm

The Draft Plan of Subdivision provides two public street extensions. One extension is of Parkhurst Boulevard that is an "L" shape (Street A and Street C, with a width of 16.5 metres on Draft Plan of Subdivision), that connects the existing Parkhurst Boulevard to Wicksteed Avenue. The other extension is of Vaughan Street (Street B, with a width of 18.5 metres on Draft Plan of Subdivision) which is a north-south connection to Wicksteed Avenue. Arrangements in order for the Vaughan Street extension to be completed fully, which includes Street B1, would be required as part of the subdivision, satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services.

The new streets meet Official Plan objectives to provide improved pedestrian, cyclist and automotive connectivity to the area, while providing building entrances and address onto public streets, as well as new pedestrian amenities such as tree planting, landscaping and new sidewalks.

As proposed, the development would incorporate a minimum of 2.1 metre sidewalk along Laird Drive, Vanderhoof Avenue, Wicksteed Avenue, the new Vaughan Street extension, the north side of the east-west portion of the Parkhurst Boulevard extension and both sides of the north-south Parkhurst Boulevard extension.

New shrubbery and plantings are proposed along the edges of the building, with additional landscaping and new public and private trees proposed along the Street frontages surrounding the development site. Trees can serve to buffer pedestrians from vehicles and also offer shade during summer months. It is important that proposed tree plantings are provided with sufficient above and below ground soil volume conditions to ensure that they can grow to maturity and support the public realm.

The conditions of Draft Plan of Subdivision approval, as outlined in Attachment 8, 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 will be conveyed to the City as indicated in the Conditions of Draft Plan of Subdivision Approval in Attachment 8 to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Further streetscaping elements such as on site landscaping and street furniture will be finalized during the Site Plan Approval process.

Land Use

This application has been reviewed against the official plan policies and planning studies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. The site has a previous approval as described in the Decision History section for a large format retail development of 15,852m² as approved by By-law 442-2014. The additional land use that is being sought with this proposal is for an automotive service centre use and includes an additional 4,143 square metres of gross floor area. Since the lands are designated General Employment Areas, an automotive service use is permitted by the Employment Areas policies. Additionally, as the zoning already permits large format retail and the increase in new gross floor area is less than 6,000 square metres which is not considered major retail, the application is not a conversion of employment lands. The zoning by-law amendment also removes commercial school, day nursery, private club, and private and public recreation facilities uses from the zoning by-law as these uses are no longer permitted in the Official Plan within General Employment Areas.

Through the work done on Laird in Focus OPA 450, the Laird Drive streetscape is envisioned as an enhanced main street, that is to be vibrant and has a high quality public realm. As part of the revisions to the proposal, the automotive use that was originally proposed at the Laird Drive frontage has been setback from the frontage, in order to allow for a retail/commercial space which would help to activate the Laird Drive frontage and meet the intent of the enhanced main street vision.

Built Form, Planned and Built Context

The proposal is designed in a sensitive manner that respects the local architectural context, while improving the current conditions on the mostly vacant development site. The overall design aligns with the built form character of the area that includes one and two storey buildings appropriately framing public streets. The materials proposed for the building reflect the industrial heritage of the area and will be secured as part of the site plan process. The location and organization of the buildings appropriately define and support the existing and new public streets. The site has been organized in a way that allows for appropriate on-site pedestrian circulation and connections and will ensure a safe, comfortable access to the proposed retail and service units, connections to public transit and to improved connection to Laird Drive.

Servicing

The applicant filed a Functional Servicing and Stormwater Management report with subsequent revisions to address staff comments. The report evaluates capacity for sanitary servicing, the supply and on-site distribution of municipal water to meet domestic and fire flow requirements, and stormwater management opportunities and constraints. The report concludes the site can be serviced by the surrounding municipal infrastructure with the construction of an on-site stormwater management system capable of satisfying applicable criteria.

Engineering and Construction Services staff have not yet accepted the applicant's submitted reports and they are currently under review. In order to ensure that the site can be appropriately serviced, a holding provision in the Zoning By-law is being included. Lifting of the holding provision would be subject to the Functional Servicing Report, Stormwater Management Report and Hydrogeological Reports being accepted by the Chief Engineer and Executive Director of Engineering and Construction Services. Additionally, arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services shall be in place to secure the obligations of the owner to design, construct, secure and pay for improvements to municipal infrastructure in accordance with the accepted Engineering Reports, should it be determined that upgrades and/or improvements are required to such infrastructure to support the development.

The review of the draft plan of subdivision and associated detailed engineering submissions will further refine the servicing requirements. This will include review and assessment of any existing municipal infrastructure within the site and need for associated municipal easements.

Driveway Access

The proposed development has a number of vehicular accesses from the surrounding streets. There are two driveways proposed from Vanderhoof Avenue at the north of the site that lead to the internal parking, loading and service area of the building. There are also three driveways proposed for the existing/proposed Vaughan Street and extension, one of those driveways leads to a service and loading area and the other two lead to the surface parking located between the one storey buildings along Wicksteed Avenue. There is one right-in driveway proposed from Wicksteed Avenue that leads to the surface parking. There are two driveway accesses proposed from the new Parkhurst Boulevard extension, one that leads under the building to the internal parking, loading and service area as well as a second driveway that leads to the surface parking along Wicksteed Avenue. Transportation Services staff are satisfied with the proposed accesses and driveways to the site.

Parking and Loading

The site is subject to the parking provisions contained in Zoning By-law 569-2013. There are a total of 403 parking spaces provided for the proposed development whereas 283 parking spaces are required. Based on By-law 579-2017, a minimum of 11 accessible parking spaces are required. There are a total of 20 accessible parking spaces provided on site.

The development requires a total of 76 bicycle parking spaces on site, whereas the proposal includes 138 bicycle parking spaces. Of those spaces 32 are for long term parking and 106 spaces are short term parking.

The site is subject to the loading provisions contained in Zoning By-law 569-2013. The loading requirements for the site are three Type 'A' and four Type 'B' loading spaces. The proposal contains three Type 'A' and four Type 'B' loading spaces located at grade to facilitate the loading needs of the site. Staff are generally satisfied with the proposed

parking and loading supply being proposed, however, Transportation Services requests that the loading spaces for Building B and Building C be integrated into the buildings and not located in the parking lot. Staff will ensure integration of the loading spaces into the buildings through the site plan process.

Traffic Impact

A Transportation Considerations Report was submitted in support of the proposed development. The consultant estimates that the proposed development will generate approximately 125, 180 and 270 two-way trips during the AM, PM and Saturday afternoon peak hours, respectively. The consultant concludes that traffic generated by the proposed development can be accommodated by the adjacent street system with some improvements, which would include road widenings, re-striping pavement markings to add left and right-turn lanes, installing new traffic lights, changing traffic signal timing, and completing the new street network. Additionally, as part of the draft plan conditions, the applicant is required to reduce single-occupancy auto trips generated through submission of a variety of multimodal infrastructure strategies and travel demand management measures (TDM). Those improvements will be secured with the Draft Plan of Subdivision approval. Transportation Services finds the traffic impact acceptable.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Laird Drive, a 0.4 metre road widening dedication along the Laird Drive frontage of the subject site is required. The road widening is shown on the zoning by-law schedules and will be conveyed as part of the subdivision process.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). There are 32 trees on and within six metres of the subject property. Of those 32 trees, 11 trees are proposed to be retained and 21 trees are proposed to be removed to accommodate the proposed development. The Arborist Report, Tree Preservation and Landscape Plans have been reviewed by Urban Forestry staff and there are outstanding conditions that will be finalized at the Site Plan Control stage of the development that is currently underway.

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. Tier 1 TGS measures will include the provision of bicycle parking, electrical charging stations for automobiles, and urban heat island reduction requirements. Performance measures for the Tier 1 development features will be secured through the site plan agreement as appropriate.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the 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 previous 2014 development approval secured a Section 37 contribution of \$500,000.00 towards the expansion of Leaside Memorial Community Gardens and \$321,000.00 towards modifications to Laird Drive. The new Section 37 contribution replaces the previous amounts secured, as indexed to today's value, plus an additional \$100,000.00, all of which is intended to be directed toward the expansion of Leaside Memorial Community Gardens and toward streetscape improvements in the vicinity of the site.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. A financial contribution in the amount of \$1,150,000 towards one or both of the expansion to Leaside Memorial Community Gardens and streetscape improvements in the vicinity of the site, which amount shall be payable prior to the issuance of the first above-grade permit for the development and shall be allocated at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor.

In addition to community benefits, there are also legal conveniences to be secured in the Section 37 Agreement with respect to future public roads and the subdivision which is described in the Recommendation section of this report. This is to ensure timing of streets and infrastructure are co-ordinated with the development of the site.

Community Consultation

On June 1, 2021, City Planning Staff, together with the local Ward Councillor held a community consultation meeting on the proposed mixed use development. The applicant and approximately 13 members of the public attended to discuss the proposal. Comments raised included:

- traffic impacts and if there were going to be improvements to surrounding traffic lights, and
- whether the proposal could be more eco-friendly and strive for Tier 2 of the TGS.

Generally the attendees and interested stakeholders have been supportive of the proposed mixed use development.

Recommendations for a Holding Provision

Staff are recommending, that the subject lands be zoned with a Holding Provision ("H") until such time that the engineering includes an accepted Functional Servicing Report, Stormwater Management Report and Hydrogeological Report. Additionally, arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services shall be in place to secure the obligations of the owner to design, construct, secure and pay for improvements to municipal infrastructure in accordance with the accepted Engineering Reports, should it be determined that upgrades and/or improvements are required to such infrastructure to support the development.

As such, the subject property shall not be used for any purpose other than those uses and buildings that currently exist on the site. Any new uses or buildings will not be permitted until such time that the holding provision has been removed. An amending by-law to remove the "H" symbol may be enacted by City Council when the conditions as outlined in the attached zoning by-laws (Attachment 5 and 6) have been fulfilled.

Conclusion

The proposed Zoning By-law amendment application and proposed Draft Plan of Subdivision application have been reviewed against the policies of the PPS (2020), the Growth Plan (2020), Section 51(24) of the Planning Act, the Toronto Official Plan, including the applicable City guidelines intended to implement Official Plan policies. Staff are of the opinion that the both the zoning by-law amendment and draft plan of subdivision are consistent with the PPS (2020) and conforms with the Growth Plan (2020).

The proposal conforms to the Toronto Official Plan, particularly as it relates to Public Realm, Built Form and Employment Areas policies and development criteria, including the Laird in Focus Study.

The Draft Plan of Subdivision will create two new public streets that will support the proposed mixed use retail, office, warehouse and automotive centre development. Furthermore, the proposed Draft Plan of Subdivision has regard for criteria set out in Section 51(24) of the Planning Act, and is in the public interest.

Staff are satisfied that the proposed development is appropriate and recommends that Council approve the Zoning By-law Amendment application which includes use of a holding provision pending completion of functional servicing requirements to the satisfaction of Engineering and Development Services. Staff support continued review of the related Draft Plan of Subdivision application and approval by the Chief Planner and Executive Director, City Planning of the draft plan of subdivision as generally illustrated in Attachment 8 to this report and the related draft conditions of approval in Attachment 7.

CONTACT

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E-mail: Sarah.Ovens@toronto.ca

SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York 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 Zoning By-law Amendment 1916
Attachment 6: Draft Zoning By-law Amendment 569-2013
Attachment 7: Conditions of Draft Plan of Subdivision

Applicant Submitted Drawings

Attachment 8: Draft Plan of Subdivision
Attachment 9: Site Plan
Attachment 10: West Elevation
Attachment 11: South Elevation
Attachment 12: East Elevation
Attachment 13: North Elevation

Attachment 1: Application Data Sheet

Municipal Address: 70-80 Wicksteed Ave, Date Received: February 24, 2021
 202-206 Parkhurst
 Blvd and 99
 Vanderhoof Ave
 Application Number: 21 120011 NNY 15 OZ/21
 120012 NNY 15 SB
 Application Type: OPA / Rezoning, Rezoning, Plan of Subdivision
 Project Description: Zoning By-law amendment to permit a commercial centre comprising of 4 one to two storey new buildings ranging in size from 616 square metres up to 18,870 square metres with a total gross floor area of 19,995 square metres. The proposal includes a total of 403 vehicle and 138 bicycle parking spaces. Parking is located both at grade and within a below grade parking structure. The Draft Plan of subdivision proposes to create 3 development blocks and the extension of Parkhurst Boulevard and Vaughan Street.

| | | | |
|----------------------------------|--|------------------|----------------------------------|
| Applicant | Agent | Architect | Owner |
| LEASIDE SHOPPING CENTRES LIMITED | MHBC Planning, Urban Design and Landscape Architecture | Turner Fleischer | LEASIDE SHOPPING CENTRES LIMITED |

EXISTING PLANNING CONTROLS

| | | |
|----------------------------|------------------|---------------------------|
| Official Plan Designation: | Employment Areas | Site Specific Provision: |
| Zoning: | M1(14) | Heritage Designation: |
| Height Limit (m): | 17.8 | Site Plan Control Area: Y |

PROJECT INFORMATION

Site Area (sq m): 26,750 Frontage (m): 33 Depth (m):

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|--------|
| Ground Floor Area (sq m): | 2,147 | | 7,280 | 7,280 |
| Residential GFA (sq m): | | | | |
| Non-Residential GFA (sq m): | 2,147 | | 19,995 | 19,995 |
| Total GFA (sq m): | 2,147 | | 19,995 | 19,995 |
| Height - Storeys: | 1 | | 2 | 2 |
| Height - Metres: | | | 19 | 19 |

Lot Coverage Ratio (%) 27.22 Floor Space Index: 0.71

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA:

Retail GFA: 19,048

Office GFA:

Industrial GFA:

Institutional/Other GFA:

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
|-----------------------------|----------|----------|----------|-------|

Rental:

Freehold:

Condominium:

Other:

Total Units:

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--|-------|----------|-----------|-----------|------------|
|--|-------|----------|-----------|-----------|------------|

Retained:

Proposed:

Total Units:

Parking and Loading

| | | | | | |
|-----------------|-----|-------------------------|-----|----------------|---|
| Parking Spaces: | 403 | Bicycle Parking Spaces: | 138 | Loading Docks: | 4 |
|-----------------|-----|-------------------------|-----|----------------|---|

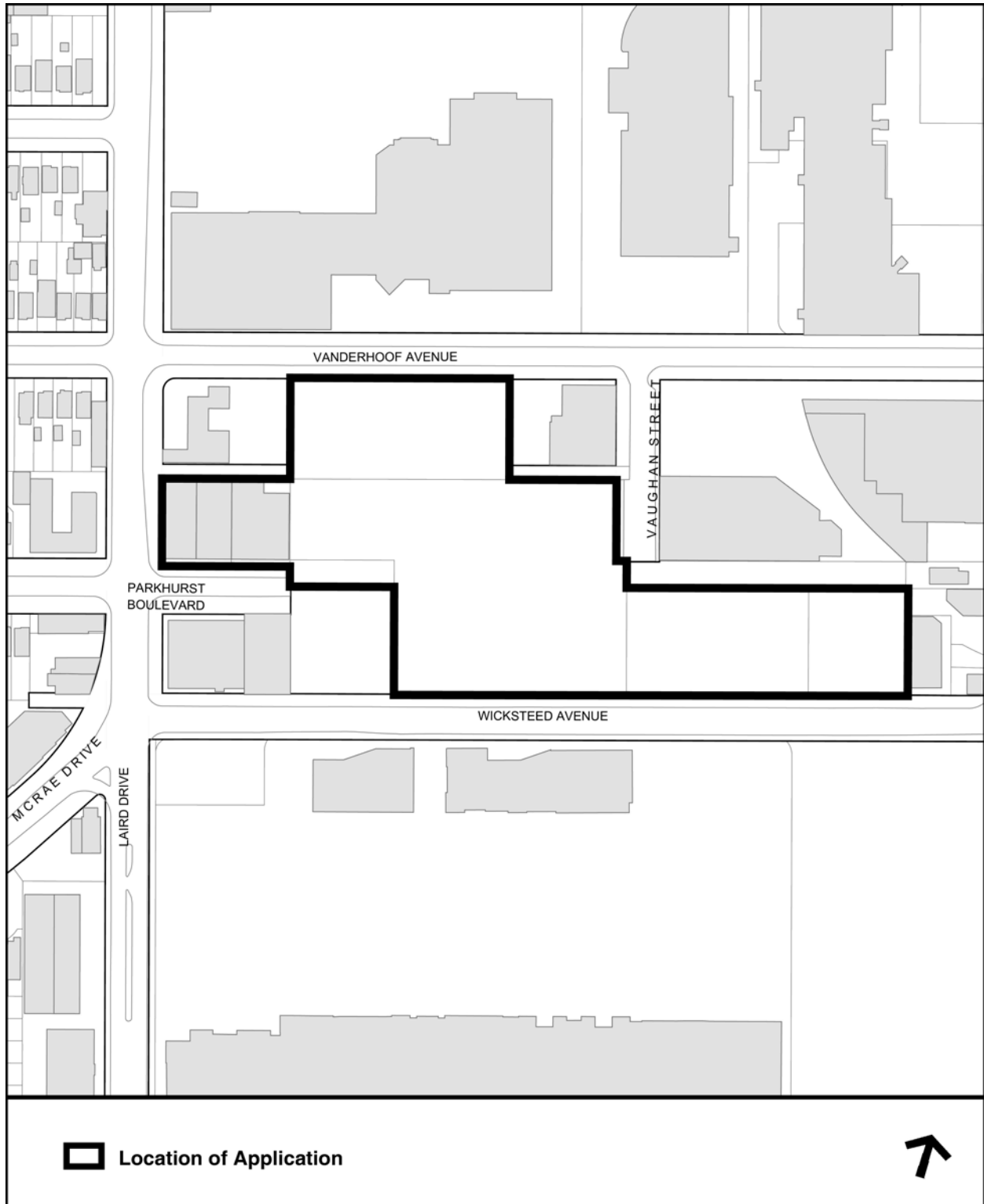
CONTACT:

Sarah Ovens, Senior Planner

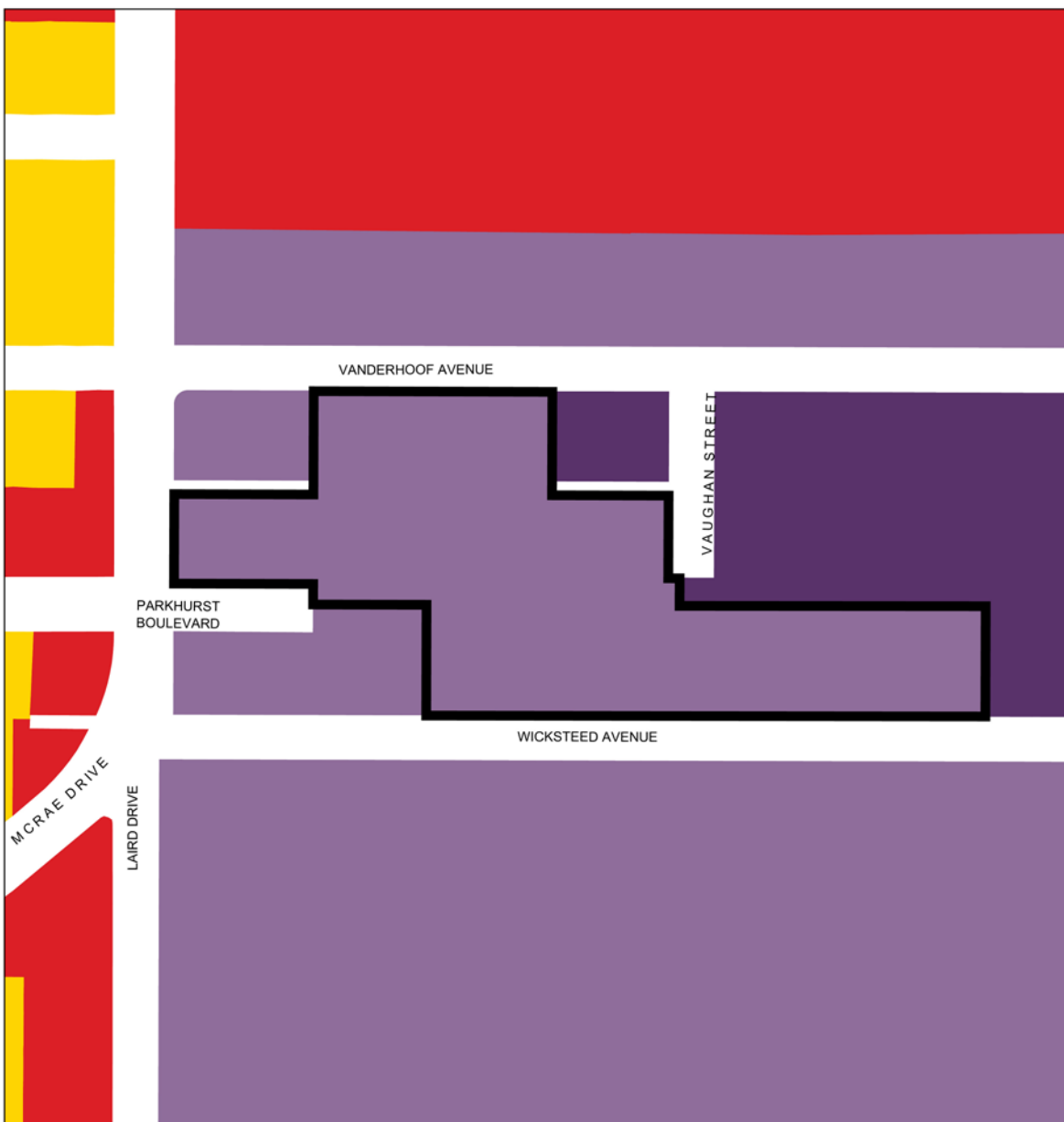
416-395-7129

Sarah.Ovens@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



70 & 80 Wicksteed Avenue, 202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue

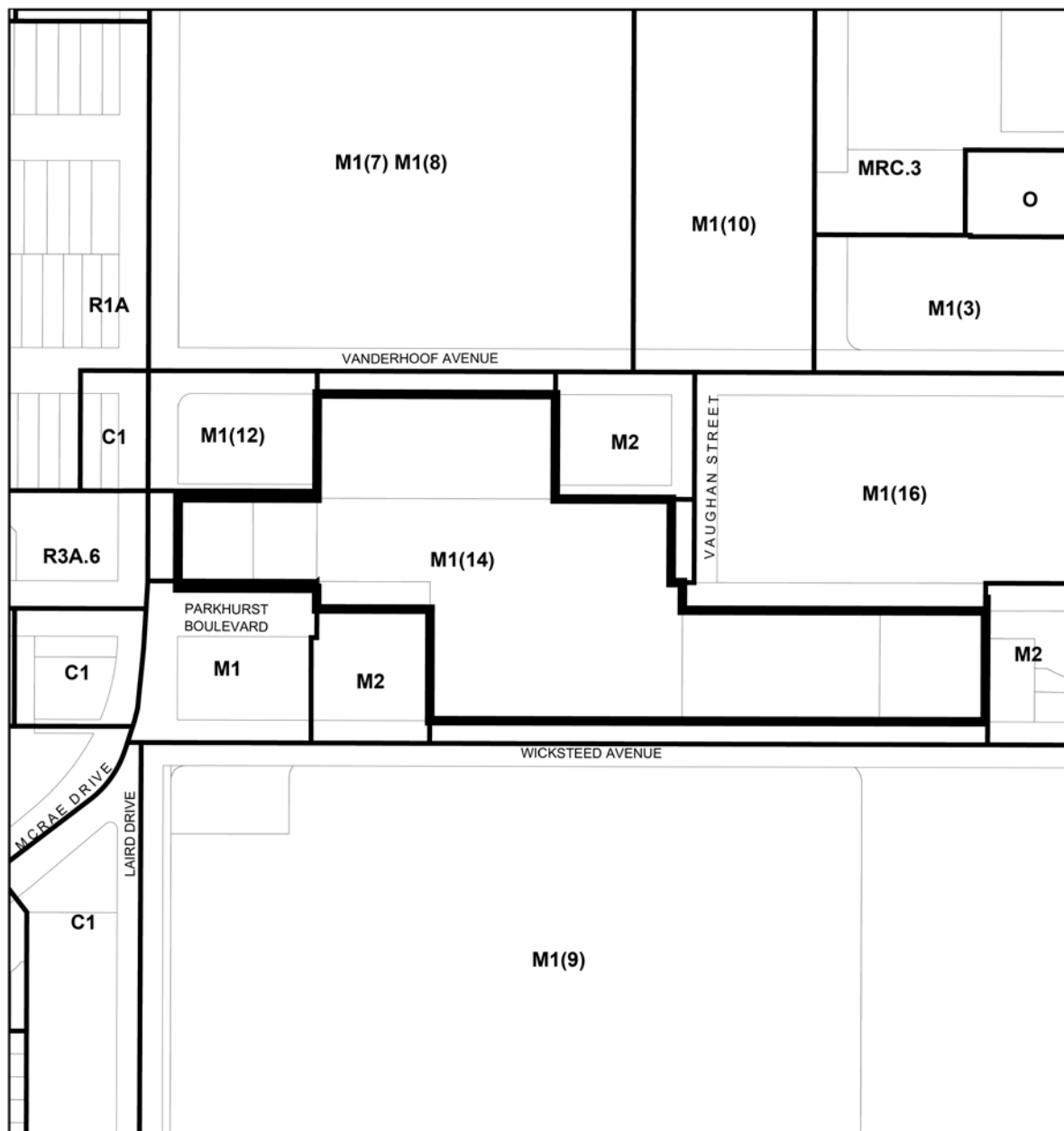
Official Plan Land Use Map #17

File # 21 120011 NNY 15 OZ,
21 120012 NNY 15 SB, 13 120874 NNY 26 SA



↑
Not to Scale
Extracted: 03/18/2021

Attachment 4: Existing Zoning By-law Map



70 & 80 Wicksteed Avenue, 202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue

File # 21 120011 NNY 15 OZ,

Zoning By-law 1916

21 120012 NNY 15 SB, 13 120874 NNY 26 SA



Location of Application

See Former Borough of East York By-Law 1916

R1A Low Density Residential
R2B Medium Density Residential
R3A High Density Residential
C1 Commercial - General
C2 Commercial - Local

MRC Mixed Use Residential Commercial (Site Specific)
M1 Light Industrial
M2 General Industrial
BC Business Centre
O Open Space (Parks)



Not to Scale
 Extracted: 03/18/2021

Attachment 5: Draft Zoning By-law Amendment 1916

Authority: North York Community Council Item ~, as adopted by City of
Toronto Council on ~, 2022
Enacted by Council: ~, 2022

CITY OF TORONTO

BY-LAW No. XXX-XXXX

To amend Zoning By-law No. 1916 of the former Town of Leaside, as amended by site specific Zoning By-Law No. 442-2014, with respect to the lands municipally known in the year 2021 as 70-80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue.

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law; and

Whereas pursuant to Section 37 of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020., c. 18 ("COVID-19 Economic Recovery Act, 2020") came into force, 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, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, 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

Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters and to enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same; 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 said lands by By-law 1916, as amended by By-law 442-2014, 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 as follows:

1. The lands subject to this By-law are those lands outlined by a heavy black line and identified on Schedule 1 attached to this By-law.
2. Schedule "A" to former Town of Leaside Zoning By-law No. 1916, as amended, is hereby further amended by changing the zoning category for the lands shown on Schedule 1 attached to this By-law from "Light Industrial M1(14) Zone" to "Light Industrial M1(14)(H) Zone".
3. Schedule "M1(14)" to former Town of Leaside Zoning By-law No. 1916, as amended, is hereby further amended by deleting Schedule "M1(14)" and replacing it with the Schedule "M1(14)" attached to this By-law.
4. Zoning By-law No. 1916 of the former Town of Leaside, as amended, is hereby further amended by deleting Section 8.2.3(k) (i) Area Restricted and replacing it with the following:

"(i) Area Restricted

The provisions of this section 8.2.3(k) shall only apply to those lands outlined in heavy black lines on Schedule 1 attached to and forming part of By-law [Clerks to supply ##] which lands comprise the Lot for the purpose of this Section."

5. Zoning By-law No. 1916 of the former Town of Leaside, as amended, is hereby further amended by modifying Section 8.2.3(k) (ii) General Provisions (1) Permitted Uses, by adding Automobile Service Station as a permitted use and by deleting the following as permitted uses: Commercial School, Day Nursery, Private Club, and Private and Public Recreation Facilities.
6. Zoning By-law No. 1916 of the former Town of Leaside, as amended, is hereby further amended by modifying Section 8.2.3(k) (ii) General Provisions (2) Development Requirements subsection (a) Maximum Gross Floor Area to permit an additional 4148 square metres of total gross floor area and to adjust the development requirements such that subsection (2)(a) is modified and replaced with the following:

"(2)(a) Maximum Gross Floor Area

(i) the maximum Gross Floor Area of all Buildings and Structures within the building envelopes, shown on Schedule M1(14) of By-law [Clerks to supply ##] shall be 20,000 square metres;

(ii) the maximum Gross Floor Area of Building A shown on Schedule M1(14) of By-law [Clerks to supply ##] shall be 17,870 square metres, and shall include one unit that has a Gross Floor Area of 6,850 square metres or greater for either a Retail Store, Department Store, Food, Store, or Home Improvement Centre Use;

(iii) despite subsection (2)(a)(i) and (2)(a)(ii) above, in addition to the total Gross Floor Area, a ground level Garden Centre Compound is permitted to operate adjacent to Building A shown on Schedule M1(14) of By-law [Clerks to supply ##] but shall not exceed an area of 1,700 m²; and

(iv) a minimum of 130 square metres of retail or commercial gross floor area shall be provided on the Laird Drive frontage of Building A as shown on M1(14) of By-law [Clerks to supply ##], but shall not include an Automobile Service Station or ancillary uses thereto."

7. Zoning By-law No. 1916 of the former Town of Leaside, as amended, is hereby further amended by deleting Section 8.2.3(k) (ii) General Provisions (2) Development Requirements subsections (b) to (i) inclusive as well as Section 8.2.3(k)(iii) Section 37 Agreement, and replacing with the following:

"(2)(b) Maximum Lot Coverage of 30%.

(c) Building Location and Setbacks

(i) the minimum setbacks for all Buildings and Structures above Established Grade on the Lot shall be as set out in Schedule M1(14) of By-law [Clerks to supply ##];

(ii) the minimum setbacks for underground parking structures on the Lot shall be 0.0 metres; and

(iii) awnings and canopies may project within the setbacks referred to in (i) and (ii) above provided they are wholly on the property.

(d) Maximum Building Height

(i) the maximum Building Height shall not exceed the maximum height limit in metres as shown on the Building envelopes in Schedule M1(14) of By-law [Clerks to supply ##].

(ii) The following may exceed the maximum height limit by a maximum of 5.0 metres:

(A) a roof structure which is used to house stairwells for roof access and/or the mechanical, electrical or ventilation systems for the Building; and

(B) decorative features and design elements including parapets, cornices, mouldings, flashings, railings, pergolas and trellises.

(e) Landscaping

Notwithstanding the requirements of Section 8.1.5, the following requirements shall apply:

(i) All yard areas other than driveways, loading areas, motor vehicle parking, walkways, stairs, and patios shall be landscaped.

(f) Parking

Notwithstanding the requirements of Section 5.17, the following requirements shall apply:

- (i) a minimum ratio of 1.5 parking spaces per 100 square metres of Retail Floor Area;
- (ii) a minimum ratio of 1.5 parking spaces per 100 square metres of Office Floor Area;
- (iii) a minimum ratio of 1.0 parking space per 100 square metres of Retail Warehouse Floor Area; and
- (iv) a minimum ratio of 3.5 parking spaces per 100 square metres of Automotive Service Centre Area.

(g) Loading Spaces

Notwithstanding the requirements of Section 5.19(a), loading spaces shall be provided in accordance with the following for the Buildings identified on Schedule M1(14) of By-law [Clerks to provide ##] the following requirements shall apply;

- (i) Building A: 3 Type A loading spaces and 1 Type B loading space;
- (ii) Building B: 1 Type B loading space;
- (iii) Building C: 1 Type B loading space;
- (iv) Building D: 1 Type B loading space;
- (v) a Type A loading space shall have minimum dimensions of 17.0 metres long, 3.5 metres wide and a vertical clearance of 4.3 metres; and
- (vi) a Type B loading space shall have minimum dimensions of 11.0 metres long, 3.5 metres wide and a vertical clearance of 4.0 metres.

(iii) Holding Provision

(1) The lands zoned with the holding symbol "H" delineated by heavy lines on Schedule 1 of By-law [Clerks to supply ##] shall not be used for any purpose other than those uses and buildings as existing on the site as of [Clerks to insert

date By-law is enacted] until the "H" symbol has been removed by amendment to this By-law [Clerks to supply ##].

(2) The holding symbol "H" symbol will be removed from the lands shown on Schedule 1 of By-law [Clerks to supply ##] when the following conditions have been fulfilled to the satisfaction of Council:

(a) the owner has, at its sole cost and expense submitted a revised Functional Servicing Report, Stormwater Management Report and Hydrogeological Report (the "Engineering Reports"), including confirmation of water and fire flow, sanitary and stormwater capacity, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water; and

(b) arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services shall be in place to secure the obligations of the owner to design, construct, secure and pay for improvements to municipal infrastructure in accordance with the accepted Engineering Reports, should it be determined that upgrades and/or improvements are required to such infrastructure to support the development.

(iv) Section 37 Requirements

(1) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 attached to By-law [Clerks to supply ##] in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to By-law [Clerks to supply ##] 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;

(2) Where Schedule A attached to By-law [Clerks to supply ##] 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; and

(3) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to By-law [Clerks to supply ##] unless all provisions of Schedule A attached to By-law [Clerks to supply ##] are satisfied."

(v) Municipal Infrastructure

(1) Within the lands shown on Schedule 1 attached to By-law [Clerks to supply ##], no person shall use any land or erect or use any building or structure, except for buildings existing on [Clerks to insert date By-law is enacted] and except for

below grade construction and foundations, unless municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads illustrated on Schedule M1(14) of By-law [Clerks to supply ##] have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

(2) Within the lands shown on Schedule 1 attached to By-law [Clerks to supply #], no person shall erect or use any building or structure above grade, except for buildings existing on the lands [Clerks to insert date By-law is enacted] until new public roads illustrated on Schedule 1 attached to By-law [Clerks to supply #] are dedicated as public highway.

8. By-law 442-2014 is amended by deleting the text within Section 6 and inserting therefore the words "Deleted by By-law [number to be inserted by Clerks].

9. Notwithstanding anything else contained in this By-law, the provisions of Section 8.2.3(k) shall continue to apply collectively to all of the lands identified on Schedule M1(14) this By-law [Clerks to supply ##], notwithstanding any existing or future severance, partition or division thereof and as if no severance, partition or division occurred.

10. Except as amended in this By-law, all the other provisions of By-law No. 1916 shall apply to the lands.

ENACTED AND PASSED this ___ day of _____, 2022.

JOHN TORY,
Mayor

Ulli S. Watkiss,
City Clerk

(Corporate Seal)

SCHEDULE A

Section 37 Requirements

Prior to the issuance of any building permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to the Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits set out in this Appendix.

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 density of the proposed development on the lands as shown in Schedule 1 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 any above grade building permit, the owner shall make a cash contribution to the City in the amount of One Million, One Hundred and Fifty Thousand Dollars \$1,150,00.00 (the "Cash Contribution") towards one or both of the following capital community services and facilities to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor as follows:

(A) the cost of the expansion to Leaside Memorial Gardens, and

(B) streetscape improvements in the vicinity of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning;

which cash contribution shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date City Council enacts this By-law to the date of payment of the Cash Contribution by the owner to the City.

2. In the event the Cash Contribution in Clause 1 has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the Cash Contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity.

3. The owner shall, at its own cost and expense and in support of the development, design, remediate, construct and convey new public roads in the locations identified on the Schedule M1(14) of By-law [Clerks to supply By-law ##], together with associated municipal services both internal and external to the land, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

4. Prior to issuance of any building permit for all or any part of the development on the land, the owner shall:

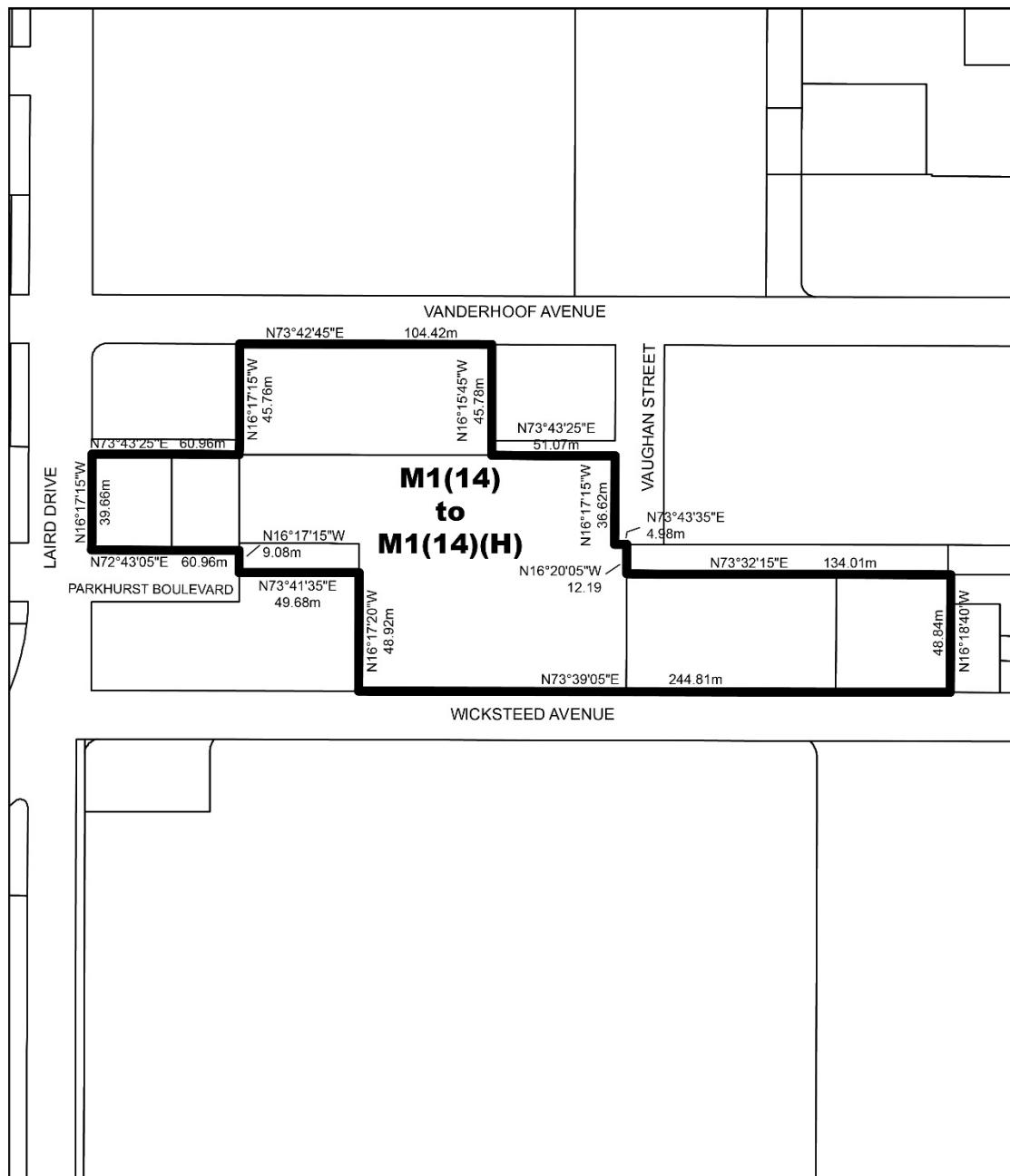
(A) obtain draft plan of subdivision approval and enter into a financially secured subdivision agreement with the City pursuant to Section 51 of the Planning Act necessary to implement the plan of subdivision, including required external works, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; and

(B) obtain release for construction of services in accordance with the terms of the subdivision agreement to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

5. Prior to issuance of the first above-grade building permit for all or any part of the development on the lands, the owner shall:

(A) register the Plan of Subdivision to the satisfaction of the Chief Planner and Executive Director, City Planning in accordance with the requirements of the subdivision agreement; and

(B) complete the construction of the new road to base course asphalt and complete services, including external services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

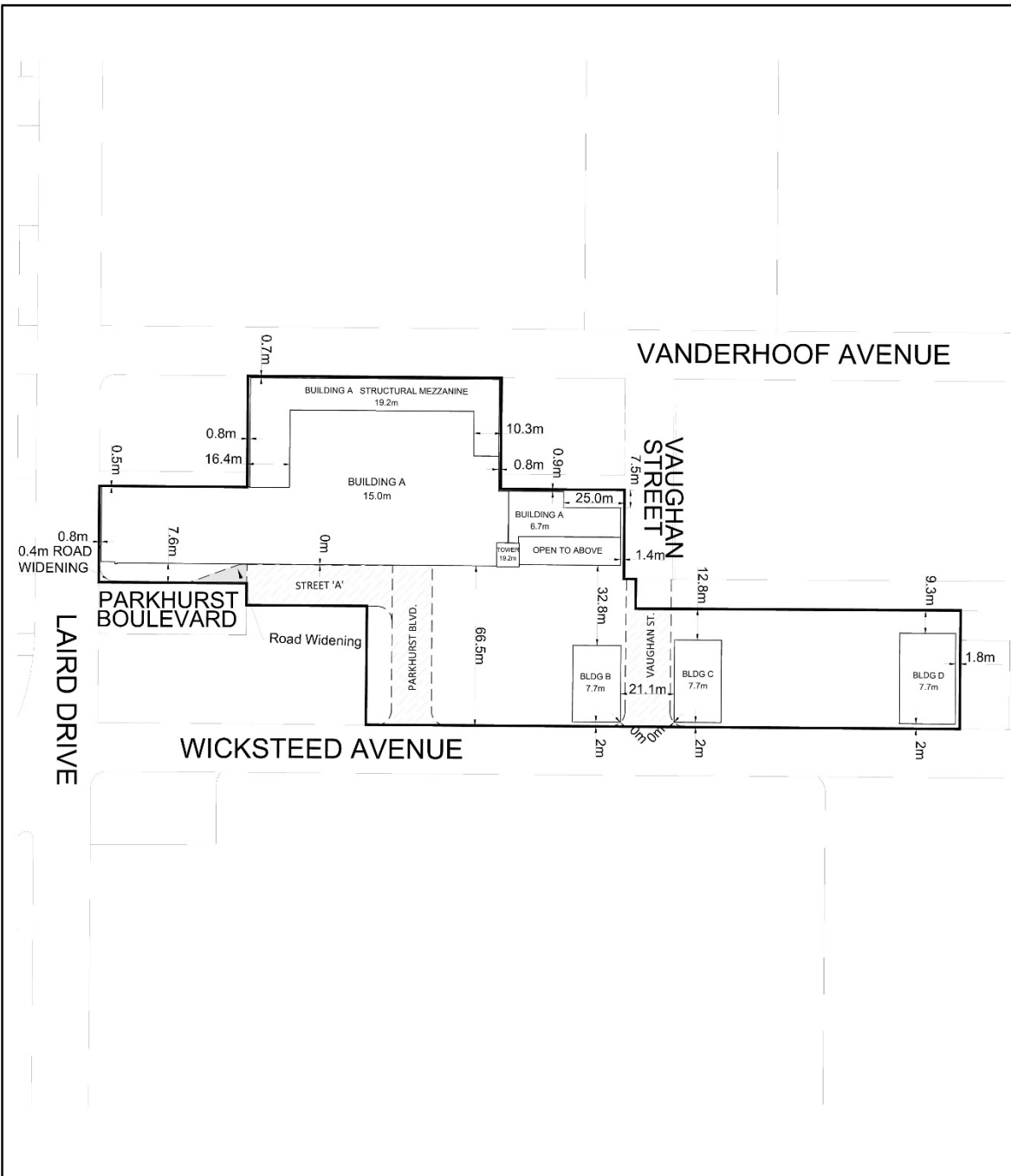


Toronto
Schedule 1

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue

File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA

↑
Former Borough of East York By-law 1916
Not to Scale
06/15/2022



Schedule M1(14)

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue

File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA



Former Borough of East York By-law 1916
Not to Scale
06/27/2022

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

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

CITY OF TORONTO

BY-LAW ###-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 70-80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue.

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

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law; and

Whereas pursuant to Section 37 of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020., c. 18 ("COVID-19 Economic Recovery Act, 2020") came into force, 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, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, 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

Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters and to enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same; 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 said lands by By-law 569-2013, 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 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: (H) E 1.0 (x66) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 20.0, as shown on Diagram 3 attached to this By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.20.10 Exception Number 66 so that it reads:

(66) Exception E 66

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) On 70-80 Wicksteed Avenue, 202-206 Parkhurst Boulevard and 99 Vanderhoof Avenue, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (L) below:

(B) Despite Regulation 60.20.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 131.25 metres and the elevation of the highest point of the **building** or **structure**;

(C) Regulations 60.5.80.10(1) and (2) shall not apply;

(D) In addition to the permitted non-residential uses listed in Regulation 60.20.20.10(1) the following additional uses are permitted:

Massage Therapy

Personal Service Shop

(E) Regulations 150.94.30.1(1), (2), (3), 150.94.40.1(1) and 150.94.50.1(1) shall not apply.

(F) Despite Regulation 60.20.40.10(1), the permitted maximum height of a **building** or **structure** is the number following the "HT" symbol in metres as shown on Diagram 4 of By-law [Clerks to supply By-law ##];

(G) Despite Regulations 60.20.40.70(1), (2) and (3) the minimum **building setbacks** shall be as shown on Diagram 4 of By-law [Clerks to supply By-law ##];

(H) Regulation 60.20.50.10(1) shall not apply;

(I) Regulation 60.20.90.40 (2) shall not apply;

(J) The permitted maximum **gross floor area** is 20,000 square metres, of which:

(i) the permitted maximum **gross floor area** for Building A as shown on Diagram 4 of By-law [Clerks to supply By-law ##] is 18,000 square metres;

(K) The permitted maximum floor area for a **retail store** for a Garden Centre shall be 1,700 square metres;

(L) A minimum of 130 square metres of retail or commercial **gross floor area** is required to be provided on the Laird Drive frontage of Building A, of which vehicle service shop and ancillary uses shall be prohibited;

(M) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:

(i) a minimum of 1.5 **parking spaces** for each 100 square metres of non-residential **gross floor area** for a **Retail Store**.

Prevailing By-laws and Prevailing Sections: None Apply

9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

10. Holding Provisions:

(A) The lands zoned with the "H" holding symbol delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings as existing as of the date of passing of this By-law until the "H" holding symbol has been removed. An amending by-law to remove the "H" symbol has been removed.

(B) An amending by-law to remove the "(H)" holding symbol referred to in (A) above may be enacted by City Council when the following are fulfilled to the satisfaction of City Council:

- a. the owner has, at its sole cost and expense submitted a revised Functional Servicing Report, Stormwater Management Report and Hydrogeological Report (the "Engineering Reports"), including confirmation of water and fire flow, sanitary and stormwater capacity, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water; and
- b. arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services are in place to secure the obligations of the owner to design, construct, secure and pay for improvements to municipal infrastructure in accordance with the accepted Engineering Reports, should it be determined that upgrades and/or improvements are required to such infrastructure to support the development.

11. Section 37 Requirements:

(A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law 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 attached to 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; and

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

12. Within the lands shown on Diagram 1 attached to this By-law, no person shall use any land or erect or use any building or structure, except below grade, unless the following municipal services are provided to the lot line and the following provisions are complied with:

(A) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

(B) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on [month day, year].

[full name], [full name],
Speaker City Clerk

(Seal of the City)

SCHEDULE A

Section 37 Requirements

Prior to issuance of any building permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 of the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

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 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 any building permit, the owner shall make a cash contribution to the City in the amount of One Million, One Hundred and Fifty Thousand Dollars \$1,150,000.00 (the "Cash Contribution") be allocated towards one or both of the following capital community services and facilities to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:

(A) the cost of the expansion to Leaside Memorial Gardens, and

(B) streetscape improvements in the vicinity of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning;

which Cash Contribution shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date City Council enacts this By-law to the date of payment of the Cash Contribution by the owner to the City.

2. In the event the Cash Contribution in Clause 1 has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the Cash Contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity.

3. The owner shall, at its own cost and expense and in support of the development, design, remediate, construct and convey new public roads in the locations identified on Diagram 4 of By-law [Clerks to supply By-law ##], together with associated municipal services both internal and external to the land, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

4. Prior to issuance of any building permit for all or any part of the development on the land, the owner shall:

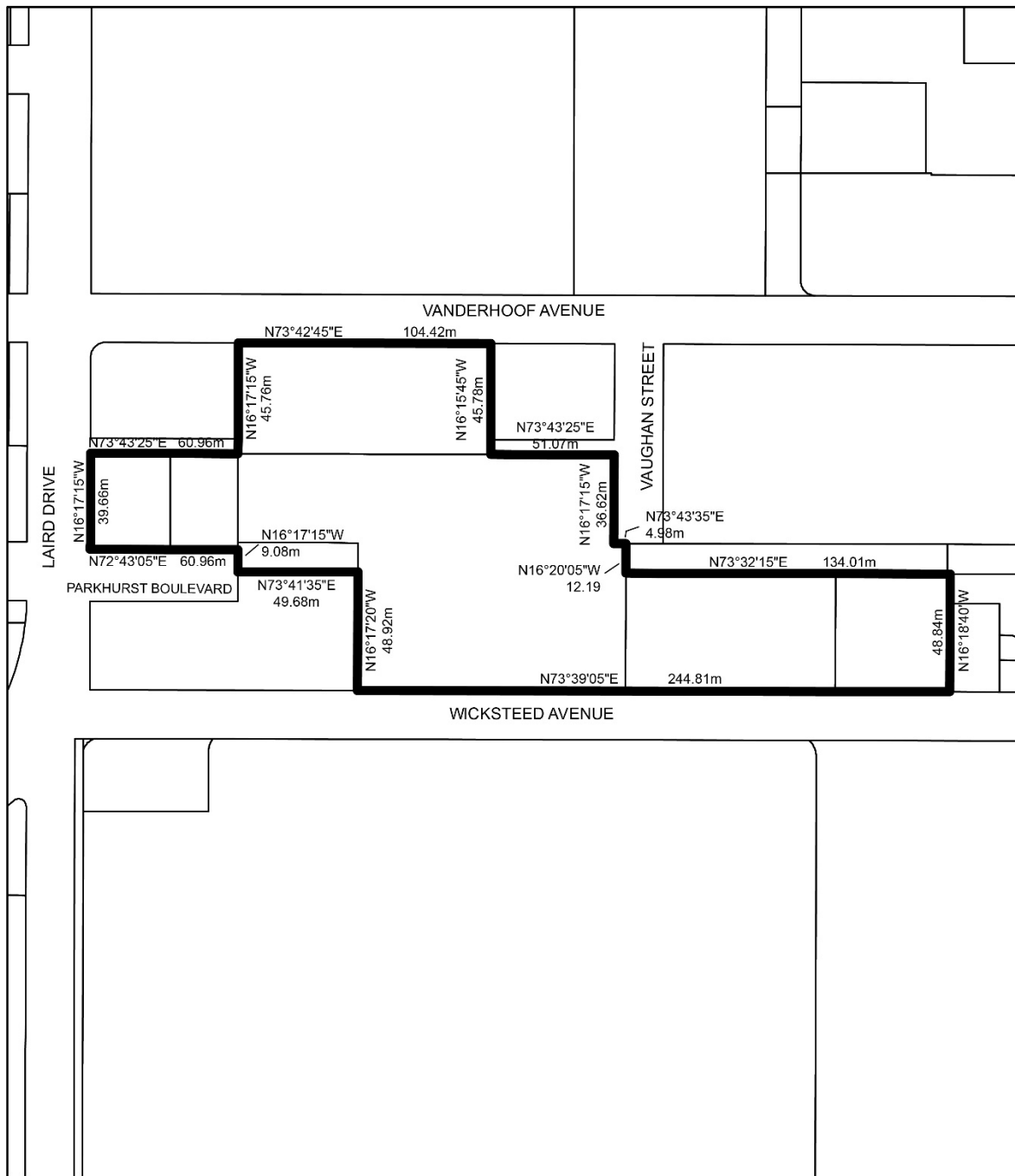
(1) obtain draft plan of subdivision approval and enter into a financially secured subdivision agreement with the City pursuant to Section 51 of the Planning Act necessary to implement the plan of subdivision, including required external works, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor; and

(2) obtain release for construction of services in accordance with the terms of the subdivision agreement to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

5. Prior to issuance of the first above-grade building permit for all or any part of the development on the Lands, the owner shall:

(1) register the Plan of Subdivision to the satisfaction of the Chief Planner and Executive Director, City Planning in accordance with the requirements of the subdivision agreement; and

(2) complete the construction of the new road to base course asphalt and complete services, including external services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

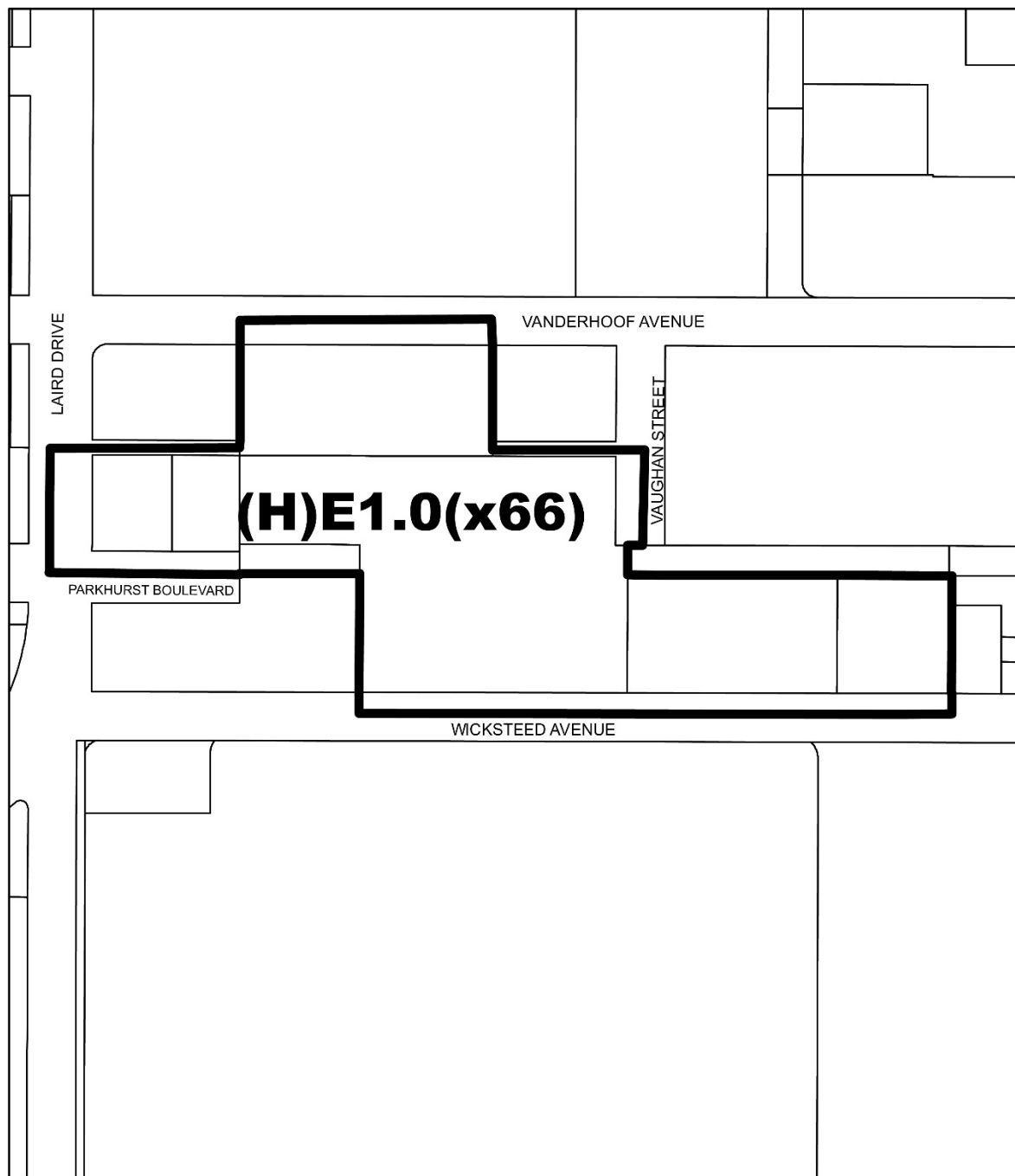


Toronto
Diagram 1

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue

File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA

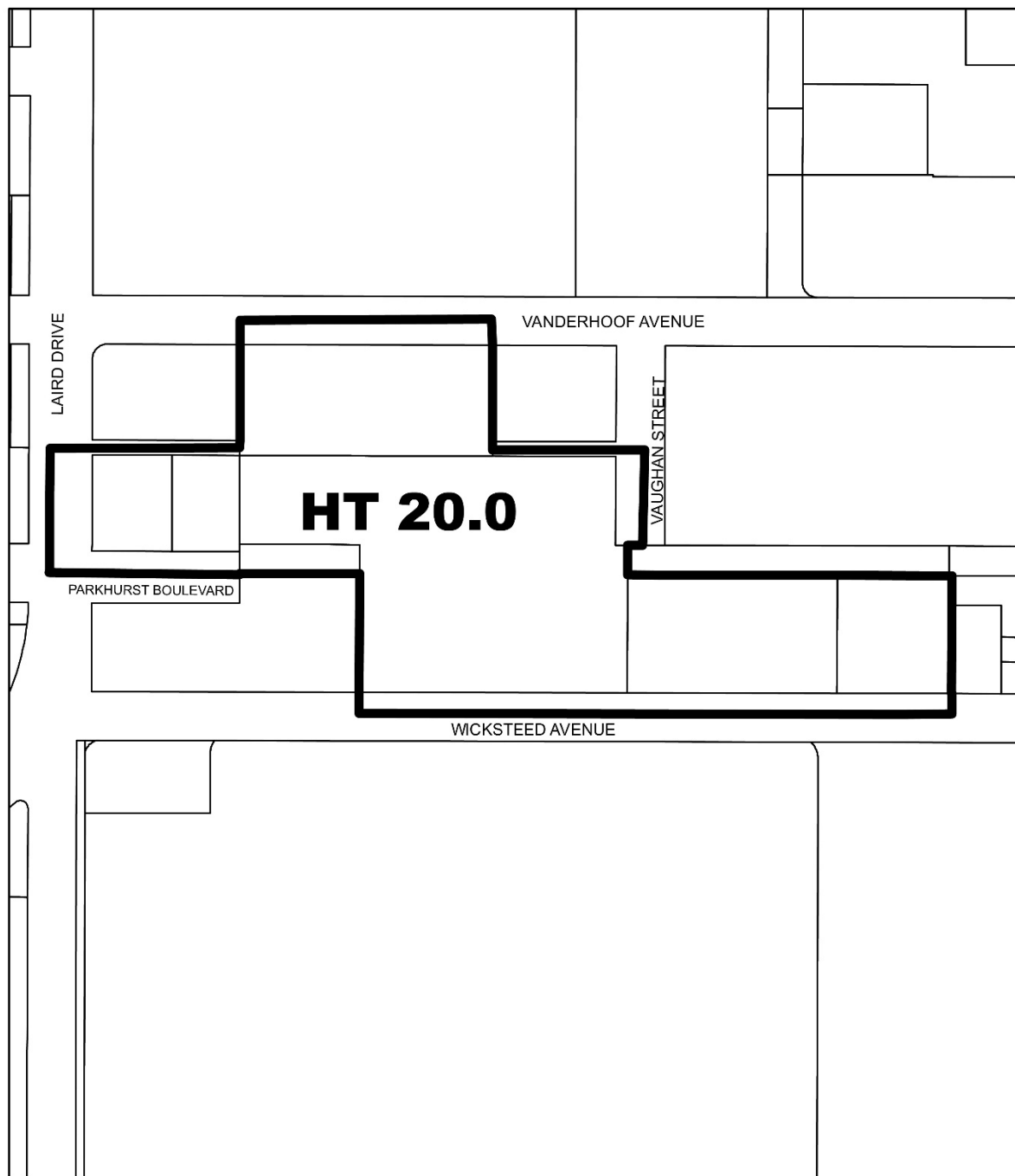
City of Toronto By-law 569-2013
Not to Scale
06/15/2022



Toronto
Diagram 2

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue
File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA

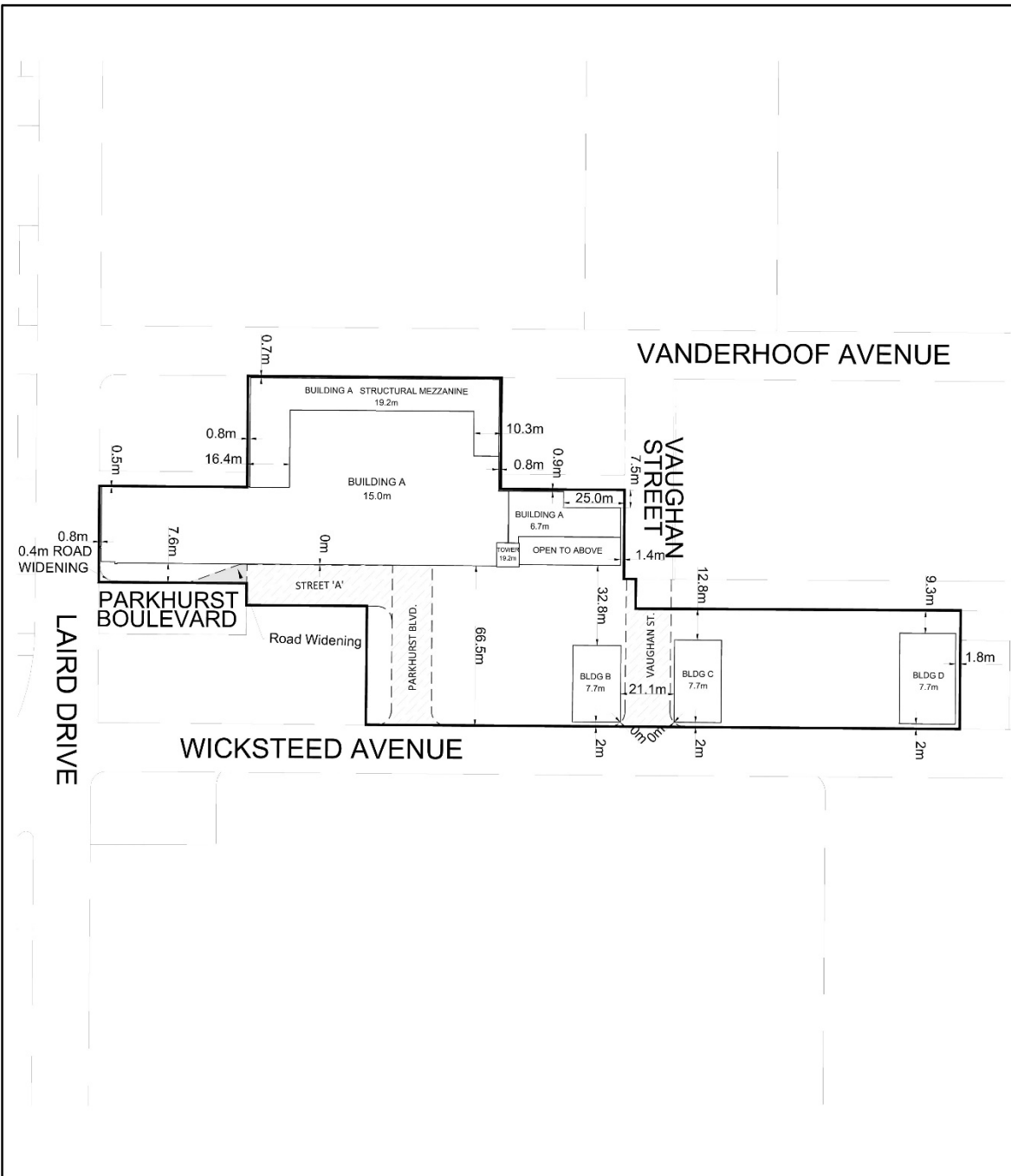
City of Toronto By-law 569-2013
Not to Scale
06/15/2022



Toronto
Diagram 3

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue
File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA

City of Toronto By-law 569-2013
Not to Scale
06/15/2022



Toronto
Diagram 4

70 & 80 Wicksteed Avenue,
202-206 Parkhurst Boulevard & 99 Vanderhoof Avenue
File # 21 120011 NNY 15 OZ, 21 120012 NNY 15 SB, 13 120874 NNY 26 SA

City of Toronto By-law 569-2013
Not to Scale
06/27/2022

Attachment 7: Conditions of Draft Plan of Subdivision

The Conditions of Draft Plan of Subdivision applies to Draft Plan of Subdivision (File NO. 21 120012 NNY 17 SB), Part 1, Plan of Blocks F, G, H, Part of Block E, Part of Lane and Registered Plan 2755 and Part of Parkhurst Boulevard, Part of Block 1, Registered Plan 2510 and Lots 566, 573, 574, 575, 576, Registered Plan 1925 City of Toronto, Drawing No. 07132G dated February 12, 2021, prepared by MHBC Planning, Urban Design and Landscape Architecture.

The Conditions Draft Plan of Subdivision are approved on condition based on the Blocks as follows:

Block 1 - Commercial development block containing two retail buildings, A and B, with overall area of 17,267.39m².

Block 2 - Road widening, with overall area of 42.05m².

Block 3 - Commercial development block contained two retail buildings, C and D, with overall area of 5,815.12m².

Block 4 - Commercial development block with no proposed buildings, and have an overall area of 490.52m².

Block 5 and 6 - Road widenings, with overall area of 62.14m².

Block 7 - Road widening, with overall area of 31.61m².

Street A - Parkhurst Boulevard extension, with an overall area of 992.6m².

Street B - Vaughan Street extension, with an overall area of 965.95m².

Street B1 - Vaughan Street extension, with an overall area of 174.89m².

Street C - New Public street, with an overall area of 1,090.75m².

Legal Services

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).

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 applicable at the time of the site plan application for each building on the site.

Engineering and Construction Services

5. Pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.

6. Dedicate all roads and corner roundings shown on the plan.

7. Convey all necessary easements to the City.

8. Prepare all documents to convey the lands to the City as part of the proposed New Public Streets, 0.4m road widening on Laird Drive and corner roundings in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Engineering and Construction Services Division in consultation with the City Solicitor.

9. Submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:

a) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);

b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and

c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.

10. Pay all costs for preparation and registration of reference plan(s).

11. The Owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the lands to be conveyed to the City, in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).

12. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.

13. Submit financial security in the amount to be determined (engineer is to provide cost estimate for review and acceptance) for the construction of the municipal infrastructure within this plan of subdivision. Submit engineering and inspection fee in the amount to be determined (including HST).

14. Submit financial security in the amount to be determined (engineer is to provide cost estimate for review and acceptance) for the construction of the municipal infrastructure external to the plan of subdivision. Submit engineering and inspection fee in the amount to be determined (including HST).

15. Submit financial security in the amount to be determined for the construction of a 2.1 metre wide sidewalk across the entire Laird Drive, Wicksteed Avenue and Vanderhoof Avenue frontages of the site. Submit engineering and inspection fee in the amount to be determined (including HST).

16. The Owner shall submit financial security in accordance with the terms of the standard subdivision agreement to complete the external sanitary sewer upgrades. These sanitary improvements will have to be designed, constructed and operational to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services prior to the first superstructure permit being issued for any development blocks within these lands. These sanitary improvements will have to be secured in the amount of (the engineer to submit a cost estimate for review and acceptance) as part of the subdivision agreement. Submit engineering and inspection fee in the amount to be determined (including HST).

17. The Owner further agrees to provide a letter of credit or certified cheque payable to the City of Toronto in the amount to be determined (the engineer to submit a cost estimate for review and acceptance) for the permanent road pavement restoration of streets to be listed (to be determined as a result of the sanitary sewer improvements). The Owner further agrees to provide a certified cheque payable to the City of Toronto in the amount to be determined in payment of a five percent (5%) (including HST) engineering review fee for the pavement restoration. The Owner shall carry out temporary and permanent pavement restorations as outlined in the City of Toronto TS4.60 Construction Specification for Utility Cut and Restoration and to the satisfaction of Transportation Services.

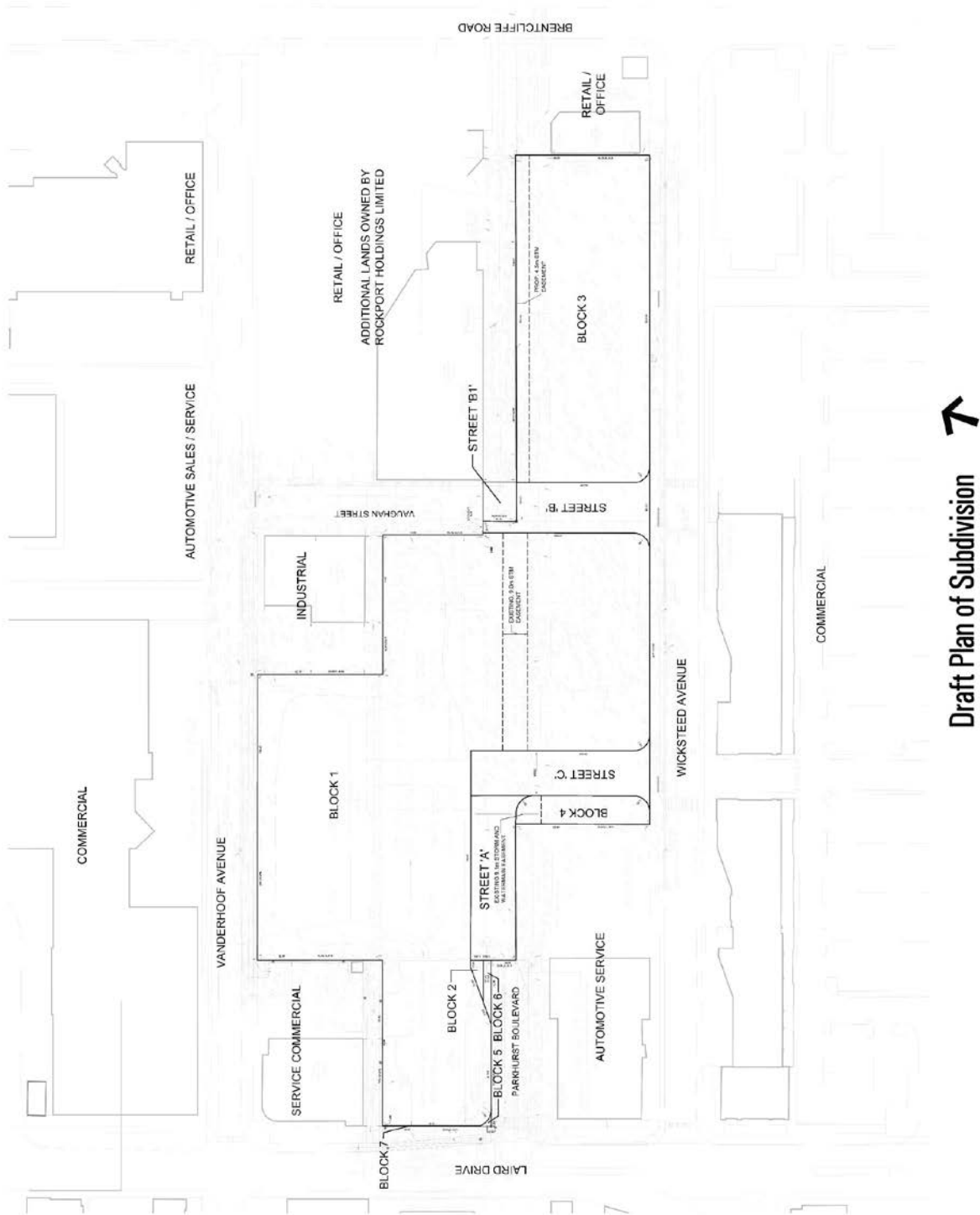
18. Prior to the release for construction of the External Services, the Owner agrees to provide a Construction Sequencing and By-Pass Flow Plan as outlined in the City of Toronto TS4.01 Construction Specification for Sewer Bypass Flow Pumping and to the satisfaction of Chief Engineer and Engineering and Construction Services. The Owner agrees to submit a cost estimate taking into consideration that the City requires 100% pumping with 100% redundancy and 24 hours pumping during the removal of the existing sanitary sewer and during the construction of the new leg.

19. Provide acceptable functional road plans, including pavement markings and signage, for the required road improvements.
20. Prepare a traffic signal warrant and submit a traffic signal control drawing for all proposed signalized intersections, to the satisfaction of Executive Director, Engineering and Construction Services.
21. The applicant must submit a financial guarantee in the form of a certified cheque or letter of credit (amount to be determined) for the proposed road infrastructure improvements within the site frontage of the public right-of-way related to all traffic modifications such as the proposed lane widenings.
22. The applicant must submit a payment in the form of a certified cheque (amount to be determined later) for the pavement marking and signage as required to the City of Toronto.
23. The applicant must submit a financial guarantee in the form of a letter of credit or certified cheque (amount to be determined) for the new traffic signals, as required by Transportation Services.
24. Submit a payment of \$85,513.01 +HST for a 5-year maintenance fee for each new traffic signal.
25. The applicant must submit a financial guarantee in the form of a letter of credit or certified cheque (amount to be determined later) for a Transportation Demand Management (TDM) plan, as required by the City of Toronto.
26. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
27. Provide a Functional Servicing Report, Stormwater Management Report and Hydrogeological Report satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services.
28. Prior to the registration of the plan of subdivision, the Owner agrees to submit to Toronto Hydro Energy Services Inc. for approval, a municipal lighting assessment identifying the proposed street lighting for the Subdivision, and the adequacy of the existing street lighting in the area and any improvements that may be required.
29. The Owner agrees to install new street lighting and make any improvements to the existing street lighting required for the Subdivision. The Owner further agrees that the installation of the street lighting will be in accordance with the recommendations of the municipal lighting assessment as accepted by Toronto Hydro Energy Services Inc.
30. In addition to the other financial security obligations contained in this Agreement and notwithstanding Section 25.5 of the main body of this Agreement, prior to the earlier of the release for construction of services or prior to the registration of the plan of subdivision, the Owner agrees to provide the City financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed

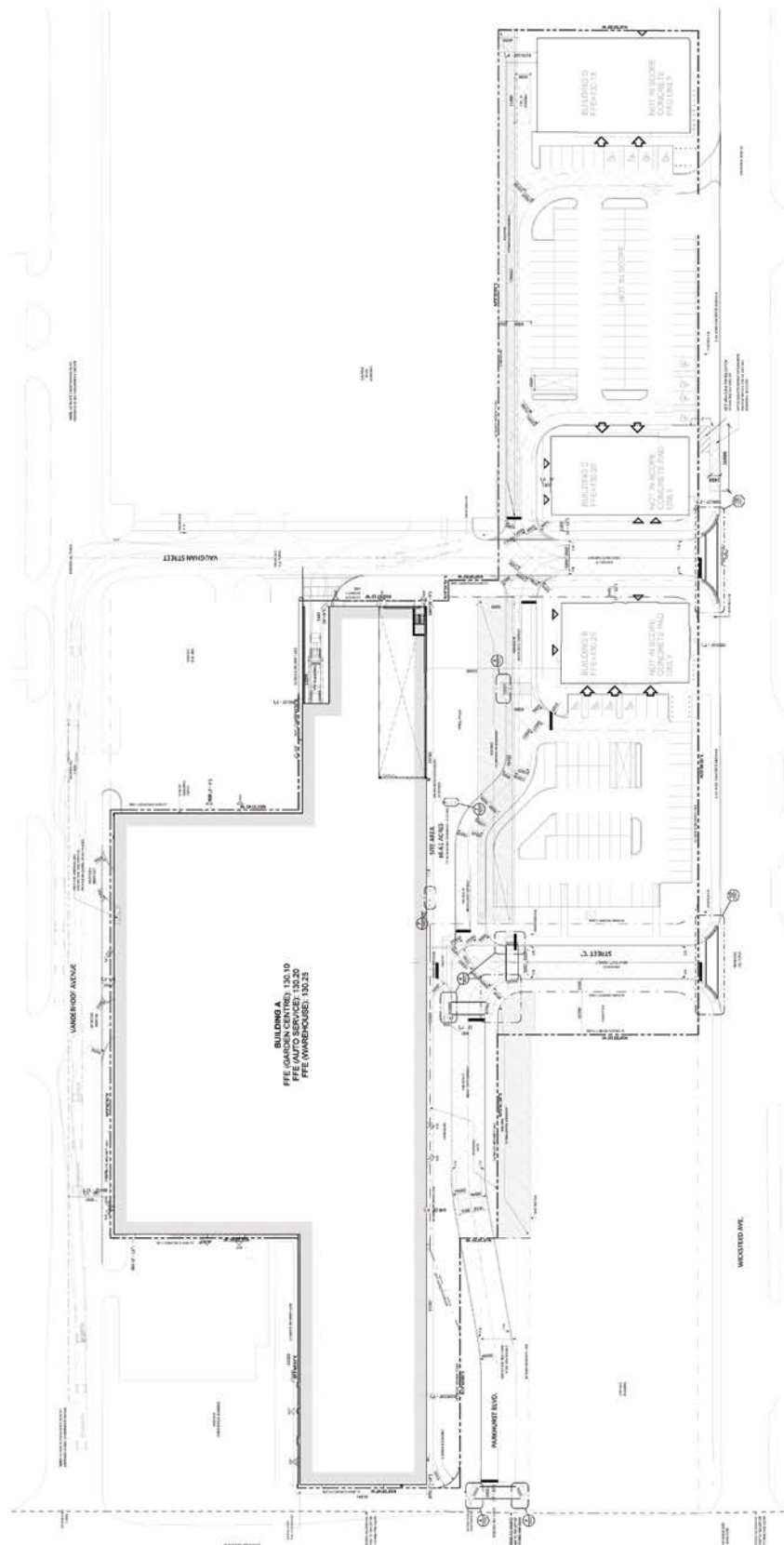
under this Agreement, to the satisfaction of Engineering and Construction Services. The Owner is to provide financial security in the amount to be determined (cost estimate to be provided by the consulting engineer) for the installation of streetlighting.

31. The Owner agrees that any 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 may be included.

Attachment 8: Draft Plan of Subdivision

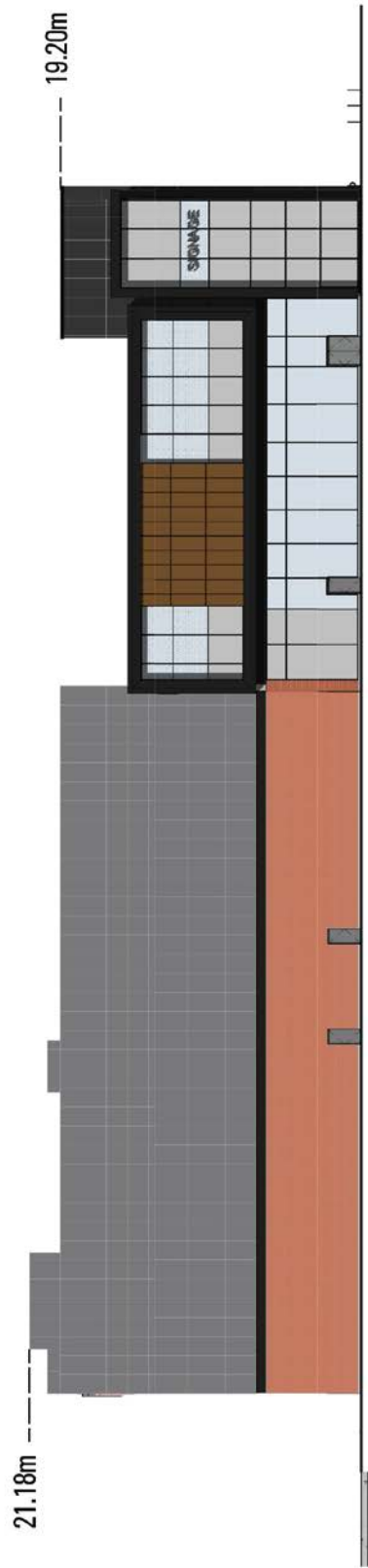


Attachment 9: Site Plan

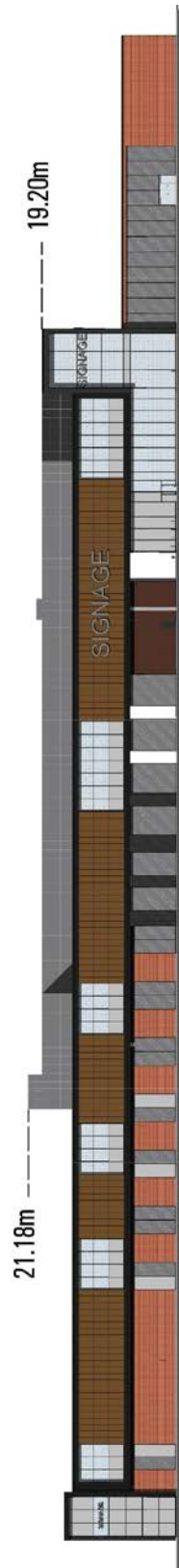


Site Plan

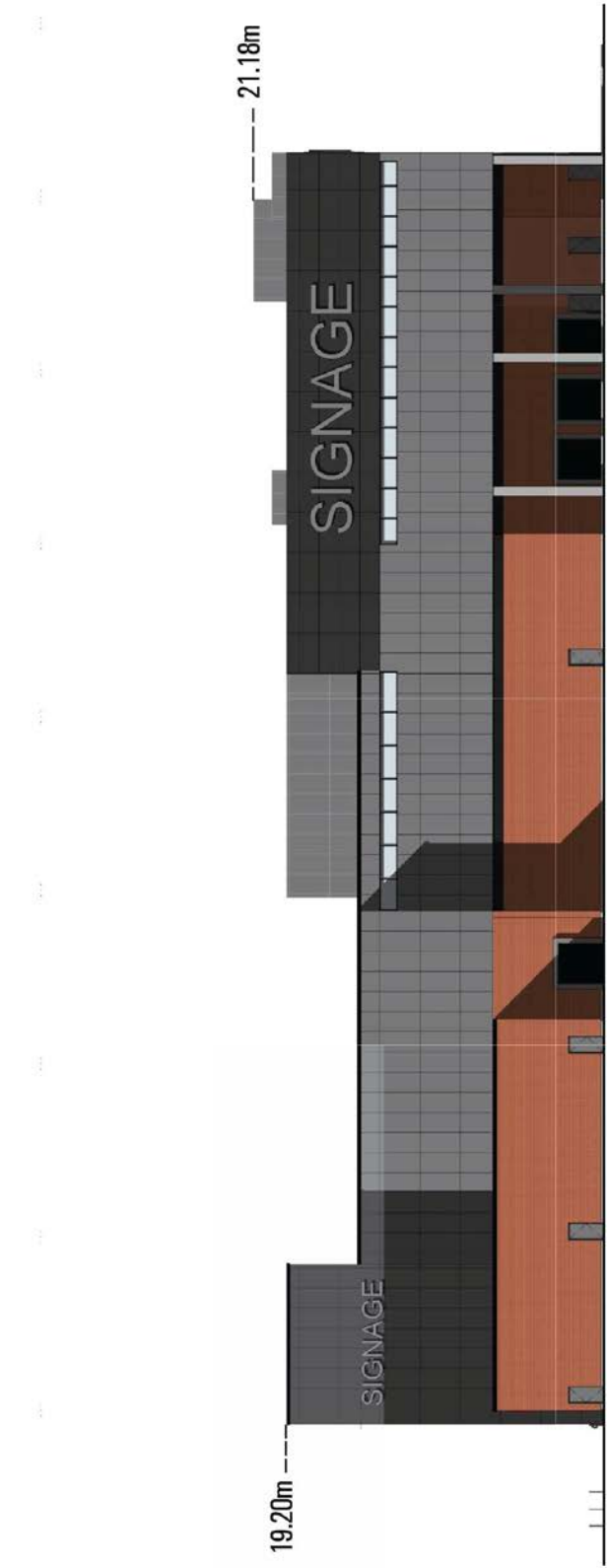
Attachment 10: West Elevation



West Elevation

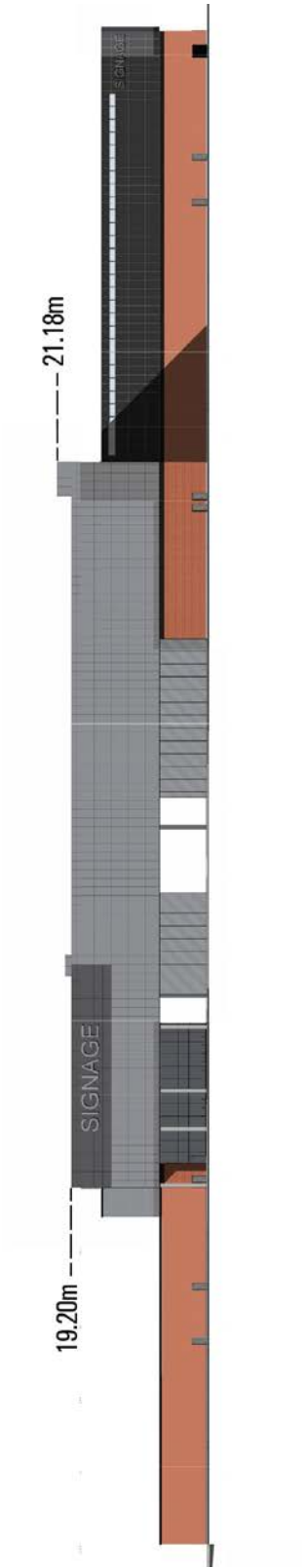


South Elevation



East Elevation

Attachment 10: North Elevation



North Elevation