

Attachment 4: Draft Plan of Subdivision Conditions

Date:	June 25, 2026
File No.:	24 156566 ESC 23 SB
Owner:	2624237 ONTARIO CORP C/O WOODSIDE INVESTMENT MGMT INC.)
Location:	1571 Sandhurst Circle

The following conditions, in addition to the conditions in the City's standard subdivision agreement, apply to the Draft Plan of Subdivision drawing prepared by J.D. Barnes Limited.

In addition to the applicable standard obligations relating to implementation of a Plan of Subdivision, the development will include, but not be limited to, project-specific subdivision requirements which are outlined below.

1. The owner shall enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
2. The owner shall provide to the Director of Community Planning, Scarborough 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. This approval shall be null and void, and the plans and drawings must be resubmitted to the City of Toronto for approval, subject to extensions on terms and conditions satisfactory to the Executive Director, Development Review, if:
 - a. Phase 1 of the plan of the Plan of Subdivision is not registered within five (5) years from the date of Draft Approval;
 - b. Phase 2 of the Plan of Subdivision is not registered within ten (10) years from the date of Draft Approval;
 - c. Phase 3 of the Plan of Subdivision is not registered within fifteen (15) years from the date of Draft Approval;
 - d. Phase 4 of the Plan of Subdivision is not registered within twenty (20) years from the date of Draft Approval; and

- e. Phase 5 of the Plan of Subdivision is not registered within twenty-five (25) years from the date of Draft Approval.
4. The owner shall 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.
5. The owner shall not be entitled to and shall not proceed with any construction within the subdivision until entering into a subdivision agreement with the City and obtaining release for construction of services.
6. The owner shall not be entitled to and shall not proceed with any above-grade construction of any building within the subdivision until the roads have been constructed to base course asphalt together with services and the plan of subdivision has been registered.

Legal

7. Notwithstanding any other provision of this Agreement, the City agrees:
 - a. to execute or provide any consent, document, instrument or assurance to affect the registration of the Plan of Subdivision, and the registration of any Restrictive Covenants on lands owned by the City within the Lands laid out by the Plan of Subdivision or external to the Plan of Subdivision, or as may be required to comply with this Agreement;
 - b. to transfer any easements over City-owned Lands as may be necessary to satisfy conditions of draft approval on lands owned by the City within the Lands laid out by the Plan of Subdivision or external to the Plan of Subdivision, or as may be required to comply with this Agreement.
8. Where any provision of this Agreement requires the submission of a Risk Assessment or Record of Site Condition to the Ministry of the Environment, Conservation for lands owned by the City authorizes the owner to submit the Risk Assessment or Record of Site Condition on the City's behalf provided that the City has reviewed and is satisfied with such submission.

Community Planning

9. All applications for Site Plan Control lands within the plan of subdivision will be consistent with the street network shown in the draft plan of subdivision and the Urban Design Guidelines, and shall be supported by a Transportation Impact Study, to the satisfaction of the Executive Director, Development Review.

10. No Site Plan Control application for a building or structure shall be final approved on any unregistered lands within the plan of subdivision area, to the satisfaction of the Executive Director, Development Review.
11. The owner shall not be entitled to the issuance of any above grade permits for any phase of the development until the phase of the plan of subdivision respecting the phase, in which the lands for which the building permit is requested, has been registered, and the owner has satisfied all pre-registration conditions contained in the subdivision agreement pertaining to the plan of subdivision and the phases, to the satisfaction of the Executive Director, Development Review.
12. Prior to the registration of the Plan of Subdivision, the owner shall provide the City with a Letter of Credit as security for the installation of any required landscaping equal to 120% of the value of the landscaping, to the satisfaction of the Director, Community Planning, Scarborough District.

Engineering Review

13. Prior to the release for Construction of Services, the owner shall conduct an overland flow analysis along McCowan Road in accordance with the City's Wet Weather Flow Management Guidelines. The analysis must assess road overtopping and flow depths and demonstrate that at least one traffic lane in each direction remains passable (free of water) under applicable runoff conditions. All analyses and supporting submissions must be completed to the satisfaction of the Director, Engineering Review.
14. Prior to the issuance of any building permit, the owner agrees and acknowledges that all external infrastructure (storm, sanitary, and watermain) installations and improvements required for this development shall be completed to the satisfaction of the Director, Engineering Review.
15. Prior to the issuance of any building permit for the first phase of the development, Public Streets A and B1 within Blocks 13 and 15 shall be constructed to, at minimum, base curb and base asphalt or concrete, including all associated infrastructure in accordance with the accepted drawings, to the satisfaction of the Director, Engineering Review.
16. Prior to the issuance of any building permit for the first phase of the development, Public Street C within Block 14 shall be constructed to, at minimum, base curb and base asphalt or concrete, including all associated infrastructure in accordance with the accepted drawings, to the satisfaction of the Director, Engineering Review.
17. Prior to the issuance of any building permit for the first phase of the development, Public Street B2 within Block 16 shall be constructed to, at minimum, base curb and base asphalt or concrete, including all associated infrastructure in accordance with the accepted drawings, to the satisfaction of the Director, Engineering Review.

18. Prior to the registration of the Plan of Subdivision, the owner shall submit to a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands, to the satisfaction of the Director, Development Engineering.
19. Prior to the release for Construction of Services, the owner shall provide a financial guarantee, in a form and amount satisfactory to the Treasurer, City of Toronto, to secure the construction of all municipal infrastructure, including new public roads, sidewalk widenings, boulevard improvements, and reconstruction of existing roads, to the satisfaction of the Director, Engineering Review.
20. Prior to the release for Construction of Services, the owner shall provide all necessary documentation, including reference plans, to convey the required lands to the City in fee simple for nominal consideration, such lands to be free and clear of all encumbrances, including any easements, charges, liens, or physical encroachments, to the satisfaction of the Director, Engineering Review, in consultation with the City Solicitor.
21. Prior to the release for Construction of Services, the owner is to submit a draft Reference Plan of Survey to the Director, Engineering Review, 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.
 - c. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
22. Prior to the release for Construction of Services, the owner is to pay all costs for preparation and registration of reference plan(s), to the satisfaction of the Director, Engineering Review.
23. Prior to the release for Construction of Services, the owner shall undertake an environmental site assessments for all lands conveyed and dedicated to the City on the Plan of Subdivision or otherwise required to be conveyed in accordance with the terms and conditions of the Subdivision Agreement, including retaining a Qualified Person (QP), providing payment for a peer reviewer and the submission of environmental information and a Record of Site Condition (RSC) which shall be completed prior to registration of the Plan of Subdivision or applicable conveyance, to the satisfaction of the Director, Development Engineering.
24. Prior to the release for Construction of Services, the owner shall apply phasing stormwater management techniques in the development of this subdivision, and design interim stormwater management measures required for each phase to the satisfaction of Director, Engineering Review.

25. Prior to the release for Construction of Services, the owner shall design and implement stormwater management measures for the subdivision in accordance with all applicable municipal, provincial, and conservation authority requirements in effect at the time of detailed design. The stormwater management system shall maintain existing major and minor drainage patterns and shall not result in adverse impacts to upstream or downstream lands, all to the satisfaction of the Director, Engineering Review.
26. Prior to the release for Construction of Services, the owner shall design the stormwater management system for all proposed public services in accordance with the applicable municipal and provincial requirements in effect at the time of detailed design. Low Impact Development (LID) measures, including but not limited to Silva Cells, shall not be relied upon or credited toward meeting the required stormwater quality, quantity, or water balance criteria for the proposed public roads, all to the satisfaction of the Director, Engineering Review.
27. Prior to issuance of Notice of Approval Condition (NOAC) for each block, the owner shall design the stormwater management for private blocks in such a way that LID measures, including but not limited to Silva Cells, green roof, infiltration facilities will not be considered toward addressing quantity control, all to the satisfaction of the Director, Engineering Review.
28. Prior to the release for Construction of Services, the owner shall obtain approval from internal and external agencies, and provide financial security for upgrading existing municipal infrastructures to the satisfaction of Director, Engineering Review.
29. Prior to the release for Construction of Services, the owner shall pay any engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement for all necessary improvements to the municipal infrastructure external to the Plan of Subdivision, to the satisfaction of Director, Engineering Review.
30. Prior to the release for Construction of Services, the owner shall submit financial security in accordance with the terms and conditions of the standard subdivision agreement for all necessary improvements to the municipal infrastructure external to the Plan of Subdivision, to the satisfaction of Director, Engineering Review.
31. Prior to the release for Construction of Services, the owner shall implement the water distribution realignment and improvements, to the satisfaction of Director, Engineering Review.
32. Prior to the earlier of release for Construction of Services or the registration of the Plan of Subdivision, the owner shall make satisfactory arrangements with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Subdivision, to the satisfaction of Director, Engineering Review.

33. Prior to the release for Construction of Services, each building within each block must be designed in such away to have its own sanitary, storm, storm tank, storm quality control, and domestic water connections to satisfy the requirements of Chapter 681 and 851 of Municipal Code, to the satisfaction of the Director, Engineering Review.
34. Prior to the earlier of registration of the Plan of Subdivision or Release for Construction of Services, the owner shall provide the City with financial security in the amount of 130% of the cost estimate of the street lighting required to be installed to service the subdivision, to the satisfaction of the Director, Engineering Review.
35. Prior to registration of the Plan of Subdivision, the owner acknowledges that the proposed municipal roads must be designed and constructed in accordance with the City of Toronto Development Infrastructure Policy and Standards (DIPS) to the satisfaction of General Manager, Transportation Services, and Director, Engineering Review. No deviation from pavement width and boulevards width are acceptable despite the conceptual cross section in engineering reports and the Urban Design Guideline.
36. Prior to the earlier of the registration of the Plan of Subdivision or the release for Construction of Services, the owner shall submit to Engineering Review for review and acceptance, plans showing:
- a. Cross-sections of all proposed roads within the Plan of Subdivision, incorporating approved pavement widths and infrastructure elements, including a minimum unobstructed pedestrian clearway of 2.1 metre on all roads and at all intersections;
 - b. Proposed connections to, and any required improvements of, existing streets within and surrounding the site;
 - c. Proposed pavement markings and signage for all new roads and intersections; and
 - d. Required modifications to pavement markings and signage on existing roads,
- all to the satisfaction of the Director, Engineering Review.
37. Prior to registration of the Plan of Subdivision, the owner shall submit for review and acceptance, a detailed Construction Plan outlining the necessary Transportation Services infrastructure required to access all phases of the subject lands, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
38. Prior to earlier the issuance of release for Construction of Services, the owner shall coordinate with the City Parks to determine their requirements in terms of grading, stormwater management, and servicing, to the satisfaction of Director, Engineering Review.
39. Prior to release for Construction of Services of the proposed public roads and services, the owner acknowledges that Water Balance and quantity control

requirements of stormwater management in all blocks must be overcompensated to address the requirements for public roads, to the satisfaction of Director, Engineering Review.

40. Prior to the release for Construction of Services, the owner agrees and acknowledges, to design Silva Cells in such a way that they are not located at the proposed or existing municipal watermain meeting the clearance requirements, to the satisfaction of Director, Engineering Review.
41. Prior to the release for Construction of Services, the owner agrees and acknowledges, to conduct updated water distribution analysis if the fire demand changes during the detailed design of each block compared the demand during planning stage, to the satisfaction of Director, Engineering Review.
42. Prior to the release for Construction of Services, the owner shall Implement green infrastructure within municipal right-of-ways in compliance with the following City of Toronto Green Infrastructure Guidelines:
 - a. Green Streets: www.toronto.ca/services-payments/building-construction/infrastructure-city-construction/construction-standards-permits/standards-for-designing-and-constructing-city-infrastructure/?accordion=green-infrastructure-standards
 - b. Construction standards: <https://www.toronto.ca/services-payments/building-construction/infrastructure-city-construction/construction-standards-permits/standards-for-designing-and-constructing-city-infrastructure/construction-specifications-drawings-for-green-infrastructure/>
 - c. Toronto's Green Streets project selection process: <https://www.toronto.ca/wp-content/uploads/2021/09/9680-ecs-specs-gi-appendix-a-green-streets-selection-process-Sep2021.pdf>
 - d. The lifecycle activities guide: <https://www.toronto.ca/wp-content/uploads/2021/08/961c-ecs-specs-gi-life-cycle-activities-green-infrastructure-Sep2021.pdf>

to the satisfaction of the Director, Engineering Review, and General manager, Transportation Services.

43. Prior to earlier of release for Construction of Services or any other stage of this development, the owner shall provide a separate Hydrogeology Report as part of a complete Site Plan application, which is specific to each Block and specific to each development phase. This Hydrogeology Report shall contain information regarding subsurface hydrologic and geologic conditions in an area or location and determine the quality and quantity of groundwater from the property and follow the City of Toronto Terms of Reference. Groundwater quality shall be assessed for each proposed building on the block. The groundwater quantity, including construction dewatering and permanent dewatering for each building, shall be provided in the updated Hydrogeology Report that is specific to the block under review at Site Plan stage, to the satisfaction of Director, Engineering Review.

44. Prior to issuance of NOAC, the owner acknowledges that for each Block the City Fire Services will review their requirements for the specific Block/Building, to the satisfaction of Director, Engineering Review.
45. Prior to issuance of NOAC, the owner agrees and acknowledges that discharge of private water to municipal sewer system is prohibited and must comply with foundation drainage policy (<https://www.toronto.ca/services-payments/water-environment/water-sewer-related-permits-and-bylaws/sewers-by-law/managing-foundation-drainage/>).
46. Prior to issuance of NOAC for each block or Building, within the Plan of Subdivision, the owner of the block must apply for discharge agreement as required to the City sewer system according to City policy at the time of application, to the satisfaction of Director, Engineering Review.

Transportation Services

47. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall dedicate all roads, corner rounding, and road widenings shown on the plan, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
48. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall submit a draft Reference Plan of Survey to Engineering Review, 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; and
 - d. Pay all costs for the preparation and registration of reference plan(s),to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
49. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall submit financial security and construct the proposed public roads as per approved functional plan to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
50. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall prepare and submit functional designs, implement the approved works and submit financial guarantee for all

proposed traffic control signal installation and modification along the frontages of Sandhurst Circle, McCowan Road, and Finch Avenue East as recommended in the Transportation Impact Study, dated April 2020, and Transportation Addendum reports dated January 20, 2023, dated July 5, 2023, and dated May 24, 2024 prepared by LEA Consulting Limited, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.

51. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall pay for the preparation/modification of traffic control signal timing plan (amount to be determined) for the new and modified traffic light signals along the frontages of Sandhurst Circle, McCowan Road, and Finch Avenue East as recommended in the Transportation Impact Study, dated April 2020, and Transportation Addendum reports dated January 20, 2023, dated July 5, 2023, and dated May 24, 2024 prepared by LEA Consulting Limited, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
52. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall pay all costs (amount to be determined) related to the installation of pavement markings and signage of new public roads, and modifications to existing pavement markings and signage, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
53. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall pay for and construct all municipal infrastructure required to service the Plan of Subdivision, to the satisfaction of the Director, Engineering Review.
54. Prior to the registration of the Plan of Subdivision, the owner shall submit for review and acceptance, a detailed Construction Plan outlining the necessary Transportation Services infrastructure required to access all phases of the lands, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
55. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall submit, a plan or plans, showing:
 - a. cross-sections of all roads within the Plan of Subdivision incorporating the approved pavement widths and other infrastructure elements, and including the proposed connections with, and any improvements to, the existing streets within and surrounding site;
 - b. the proposed pavement markings and signage for all new roads;
 - c. modifications to the pavement markings and signs on the existing roads; and
 - d. the minimum pedestrian clearway is 2.1 metres on all Roads and at intersections of all roads.

to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.

56. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall lift or remove all existing easements within the proposed road allowances, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
57. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall eliminate all encroachments that are located within the lands that are to be conveyed to the City and are to be located within the City's road allowance. Proposed public roads must be free and clear of encumbrances, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
58. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall submit a Phased Road Network Plan which shall confirm:
 - a. streets will operate safely as fully functional road segments, including appropriate terminations, turning areas, and signage;
 - b. Temporary dead-end conditions, if any, will include approved emergency turning facilities and do not exceed City standards; and
 - c. Interim conditions will not compromise traffic operations, emergency access, waste collection, or maintenance activities.

to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.

59. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall revise the Draft Plan and supporting drawings to demonstrate that Private Street 'D' is protected for a minimum right-of-way width sufficient to accommodate all required traffic operations, including turn lanes identified through the approved Transportation Impact Study. No reduction in the protected right-of-way width for Private Street 'D' shall be permitted without the prior written approval of the Director, Engineering Review.
60. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner agrees to submit confirmation identifying:
 - a. The phase or triggers (based on safety or policy objectives, not solely on warrants) at which a new traffic control signal at the intersection of Brimwood Boulevard and Sandhurst Circle will be installed; or
 - b. An alternative approved pedestrian and school-related safety treatment plan demonstrating how pedestrian safety will be ensured in interim phases should signalization be deferred.

to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.

61. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner shall provide details where shared access between loading vehicles and passenger vehicles is unavoidable, demonstrate appropriate geometric design, signage, pavement markings, and yield controls to safely manage such movements, to the satisfaction of the Director, Engineering Review and the General Manager, Transportation Services.
62. Prior to the earlier of the registration of the Plan of Subdivision or the Release for Construction of Services, the owner acknowledges that approval of the Draft Plan of Subdivision does not constitute acceptance of interim access arrangements, road configurations, or block functionality, and that detailed review and approval of such matters shall occur through Site Plan Control or Site Plan Amendment applications, to the satisfaction of the Director, Engineering Review.

Park Development

Parkland Dedication

63. Prior to the issuance of the first Above-Grade Building Permit for any building within the development (the “**Phase 1 Building Permit**”), the owner shall convey, in fee simple to the City, an on-site parkland dedication with frontage on Finch Avenue East and a minimum total area of 4,633 square metres, shown as Block 7 on the draft M-Plan dated March 16, 2026 (the “**Central Park**”), to the satisfaction of the Executive Director, Development Review.
64. Prior to the issuance of the first Above-Grade Building Permit for any building within Block 5 of the development as shown on the Phasing Plan prepared by Graziani + Corazza Architects and dated March 17, 2026 (the “**Phase 5 Building Permit**”), the owner shall convey an on-site parkland dedication with frontage on Sandhurst Circle and a minimum total area of 3,247 square metres, shown as Block 6 on the draft M-Plan dated March 16, 2026 (the “**North Park**”), to the satisfaction of the Executive Director, Development Review.
65. The owner is required to convey both the Central Park and North Park free and clear, above and below grade, of all easements, encumbrances, and encroachments, to the satisfaction of the Executive Director, Development Review, and in an acceptable environmental condition, to the satisfaction of Chief Engineer and Director, Engineering Review. The owner may propose the exception of encumbrances of tie-backs, where such an encumbrance is deemed acceptable by the Executive Director, Development Review, in consultation with the City Solicitor, and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the

Executive Director, Development Review, and the Executive Director, Corporate Real Estate Management.

66. Prior to the issuance of the first Above-Grade Building Permit for any Building on any part of the Lands the owner shall, at no cost to the City, register a Section 118 Restriction on title to the North Park lands, pursuant to the Land Titles Act, in a form and with priority satisfactory to the City Solicitor. The restriction shall prohibit any transfer or charge of the Lands without the consent of the Executive Director, Development Review. The owner agrees that the Section 118 Restriction shall remain on title to the North Park lands, until such a time that the North Park has been conveyed to the City to the satisfaction of the Executive Director, Development Review and the City Solicitor.
67. Following issuance of the Phase 1 Building Permit, the owner shall provide financial securities, as required, to temporarily secure any outstanding parkland dedication requirements associated with each subsequent building within the development that is subject to a requirement to convey parkland under section 42 of the *Planning Act*, with such security provided prior to the issuance of the first above-grade building permit for that building.
68. The owner is required to pay for the costs of the preparation and registration of all relevant documents. The owner shall provide all legal descriptions and applicable reference plans of survey for the new parkland, to the satisfaction of the City Solicitor.

Limiting Distance Agreement

69. The owner acknowledges that the City shall not enter into a limiting distance agreement under the Building Code Act for the Parkland, and the owner shall resolve all setback and spatial separation requirements on its lands, and the owner shall resolve all setback and spatial separation requirements on its lands.

Tie-back Encumbrances

70. Where the owner has obtained the requisite Council authority, the Parkland may contain encumbrances in the form of de-stressed tie-backs (the "Tie-Back Encumbrances"), provided that such encumbrances are to the satisfaction of the Executive Director, Development Review.
71. Prior to conveying the Parkland to the City, the owner shall, at its sole cost and expense:
 - a. provide drawings showing the number and location of the Tie-Back Encumbrances, and the plane area of such Tie-Back Encumbrances;
 - b. pay compensation to the City for any accepted Tie-Back Encumbrances, the amount of which shall be determined by the Executive Director, CREM; and

- c. de-stress all permitted Tie-Back Encumbrances such that they no longer provide physical support to any element of any building or structure on the Lands, and provide to the Executive Director, Development Review a certificate stamped by a Professional Engineer, being a practitioner competent in the field of structural engineering, confirming the same; all to the satisfaction of the Executive Director, Development Review.

72. The owner covenants and agrees that the indemnification provisions set out in this agreement apply to the Tie-back Encumbrances and to any of the matters described therein arising from the, or to arise by reasons of the City, de-stressing and removing any and all Tie-Back Encumbrances that remain on the Parkland after conveyance.

Park Improvement Financial Securities

73. The owner acknowledges and agrees to design and construct the Park Improvements on the Parkland (the “**Public Park**”) to the satisfaction of the Executive Director, Development Review and the General Manager, Parks & Recreation.

74. Prior to the issuance of the Phase 1 building permit, the owner shall:

- a. submit a cost estimate and any necessary plans for the Base Park Improvements for the Central Park, to the satisfaction of the General Manager, Parks & Recreation.
- b. provide a financial security of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, Parks & Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.

75. Prior to the issuance of the Phase 5 building permit, the owner shall:

- a. submit a cost estimate and any necessary plans for the Base Park Improvements for the North Park, to the satisfaction of the General Manager, Parks & Recreation.
- b. provide a financial security of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, Parks & Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.

76. Prior to the issuance of the Phase 1 building permit, but in no event shall it be later than the issuance of the First Above Grade Building Permit, the owner shall submit a Letter of Credit equal to 120% of the Parks and Recreation component of the Development Charges for Phase 1 to be applied to the Central Park.

77. Prior to the issuance of the Phase 5 building permit, but in no event shall it be later than the issuance of the First Above Grade Building Permit, the owner shall submit a Letter of Credit equal to 120% of the Parks and Recreation component of the Development Charges for Phase 5 to be applied to North Park.
78. The Financial Securities mentioned in Condition Nos. 74 to 77 above shall be held for the installation and warranty of the Park Improvements. For greater certainty, no credit shall be given toward the component of the Development Charges for costs associated with the Base Park Improvements.

Environmental Assessment

79. Prior to conveying any parkland to the City, the owner must:
- a. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the owner's Qualified Person, as defined in Ontario Regulation 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by Director, Engineering Review and copy to the Executive Director, Development Review;
 - b. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit of \$10,000.00 towards the cost of the Peer Review in the form of a certified cheque, to the Director, Engineering Review. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer;
 - c. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Director, Engineering Review;
 - d. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Director, Engineering Review for peer review and concurrence, which states:
In the opinion of the Qualified Person:
 - i. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and

- ii. To the extent that the opinion in Condition No. 79 d) i. is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.
- e. Land to be conveyed to the City meets either:
 - i. the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9; subject to applicable exemptions as stated in O. Reg. 153/04) for the most environmentally sensitive adjacent land use; or
 - ii. the Property Specific Standards as approved by the Ministry for a Risk Assessment / Risk Management Plan which was conducted in accordance with the conditions set out herein.
- f. The Qualified Person's statement, referenced in Condition 79 a), will include a Reliance Letter that is dated and signed by the owner's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director, Engineering Review.
- g. For conveyance of lands requiring a Record of Site Condition (RSC):
 - i. File the Record of Site Condition (RSC) on the Ontario Environmental Site Registry; and
 - ii. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering Review and to the General Manager, Parks & Recreation.

Park Construction

Base Park Improvements

80. The owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:
- a. Demolition, removal and disposal of all existing materials, buildings, foundations and associated servicing;
 - b. Grading inclusive of 300mm depth topsoil supply and placement. Where lands have been environmentally risk assessed in accordance with MECP regulations, the required depth profile of the environmental soil / soft cap will be 1.5 metre of engineered fill and certified by the consulting engineer;

- i. In the case of a risk-assessed site, all materials brought on site shall comply with the site-specific standards outlined in the Certificate of Property Use. In the case where no risk assessment of the site was required, all materials brought on site shall comply with the Ontario Reg. 153/04 Table 3 RPI standards;
- c. Sodding #1 nursery grade;
- d. Fencing, where deemed necessary;
- e. Sanitary and storm service connections with manholes at streetline;
- f. Water and electrical service connections; (minimum water: 50mm to the street line including backflow preventers, shut off valves, water metre and chamber; electrical connection to the street line and electrical panel in a lockable cabinet (200 Amp service));
- g. Street trees along all public road allowances abutting City-owned parkland; and
- h. Standard park sign (separate certified cheque required).

All work is to be completed to the satisfaction of the General Manager, Parks & Recreation.

- 81. The construction of the Base Park Improvements to the Central Park shall be completed within two years after the issuance of the Phase 1 building permit, to the satisfaction of the General Manager, Parks & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, Parks & Recreation when determining a revised delivery date for the park block.
- 82. The construction of the Base Park Improvements to the North Park shall be completed within two years after the issuance of the Phase 5 building permit, to the satisfaction of the General Manager, Parks & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, Parks & Recreation when determining a revised delivery date for the park block.
- 83. Where the owner undertakes Base Park Improvements on any park block following conveyance of the park block to the City, the owner must obtain the necessary approvals and enter agreements in a form satisfactory to the General Manager, Parks and Recreation which include insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks & Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the owner on the park.

Temporary Fencing

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

Parkland Grading and Drainage

85. Prior to conveyance of any parkland, the owner shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, Parks & Recreation.
86. The owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park. Please contact SGQ@toronto.ca for more details.

Above Base Park Improvements

Credit against DCs for Above Base Park Improvements

87. In the event the owner agrees to design and construct the Above Base Park Improvements to the new park(s) the owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, Parks & Recreation. Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, Parks & Recreation.
88. Where the Above Base Park Improvements are to be provided in exchange for a development charge credit against the Parks and Recreation component of Development Charges, the credit shall be to the satisfaction of the General Manager, Parks & Recreation, and shall be limited to the lesser of:
- a. the owner's cost of installing the Above Base Park Improvements, as approved by the General Manager, Parks & Recreation; and
 - b. the Parks and Recreation component of the Development Charges payable for the development in accordance with the City's Development Charges By-law, as amended from time to time.
89. The construction of Above Base Park Improvements to the park block shall be completed within two years after the issuance of the Phase 1 building permit to the satisfaction of the General Manager, Parks & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the Central Park shall be taken into consideration and at the discretion of the General Manager, Parks & Recreation when determining a revised delivery date for the park block.
90. The construction of Above Base Park Improvements to the park block shall be completed within two years after the issuance of the Phase 5 building permit to

the satisfaction of the General Manager, Parks & Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the North Park shall be taken into consideration and at the discretion of the General Manager, Parks & Recreation when determining a revised delivery date for the park block.

91. Where the owner undertakes Above Base Park Improvements on the Central Park following conveyance of the park block to the City, the owner must obtain the necessary approvals and enter agreements in a form satisfactory to the General Manager, Parks and Recreation which include insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks & Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the owner on the park.
92. Where the owner undertakes Above Base Park Improvements on the North Park following conveyance of the park block to the City, the owner must obtain the necessary approvals and enter agreements in a form satisfactory to the General Manager, Parks and Recreation which include insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks & Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the owner on the park.

Warranty

93. The owner, upon satisfactory completion of the construction and installation of the Base Park and Above Base Improvements for the Central Park shall be required to guarantee such work and associated materials. The owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, Parks & Recreation be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the Letter(s) of Credit will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
94. The owner, upon satisfactory completion of the construction and installation of the Base Park and Above Base Improvements for the North Park shall be required to guarantee such work and associated materials. The owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, Parks & Recreation be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the

Letter(s) of Credit will be released less 20% which will be retained for the 2-year guarantee known as the Parkland Warranty Period.

95. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks & Recreation.

As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, shall be submitted to Parks & Recreation. A complete set of “as built” plans shall be provided electronically in PDF format and in a georeferenced AutoCAD file, in addition to two (2) sets full size bond hard copies to the General Manager, Parks & Recreation. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted with written warranties and related documents such as lists of contractors, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.

96. Spare or replacement parts, special tools, etc. as provided by manufacturers, if any, are to be provided to Parks & Recreation.

Urban Forestry

Private & City Trees

97. Prior to the registration of the Plan of Subdivision, the owner shall update the Tree Preservation Plan to reflect the submitted revised Tree Inventory Report, to the satisfaction of Urban Forestry on behalf of the Executive Director, Environment, Climate and Forestry, ensuring both documents are aligned.
98. Prior to the registration of the Plan of Subdivision, the owner shall design all public streets and proposed private streets within Phases 1–5 in accordance with City of Toronto standards, including minimum streetscape dimensions for tree planting zones, street tree planting, soil volumes, and spacing, to the satisfaction of Urban Forestry on behalf of the Executive Director, Environment, Climate and Forestry. Without limiting the foregoing, the owner shall provide a minimum soil volume of 30 cubic metres per tree to support the growth and maturity of large-canopy shade trees.
99. Prior to the registration of the Plan of Subdivision, the owner shall submit landscape and soil volume plans, to the satisfaction of Urban Forestry on behalf of the Executive Director, Environment, Climate and Forestry, demonstrating coordination with all existing and proposed utilities within all new and existing streets. The owner shall demonstrate that all lateral utility connections do not

conflict with proposed tree planting locations and shall, where feasible, locate such connections between planting areas to minimize conflicts.

100. Prior to the registration of the Plan of Subdivision, the owner shall provide subsurface utility information to Quality Level A (QL-A) for all areas where tree planting is proposed, including precise horizontal and vertical utility locations obtained through test hole verification (daylighting), to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The quality level of all subsurface utility data shall be clearly identified adjacent to the professional stamp of the consulting engineer on all applicable plans and supporting documentation.
101. Prior to the registration of the Plan of Subdivision, without limiting the generality of the foregoing, the owner shall demonstrate, to the satisfaction of Urban Forestry on behalf of the Executive Director, Environment, Climate and Forestry, that:
 - a. all above- and below-grade utilities, including but not limited to watermains, gas mains, hydro infrastructure, and J.U.T., are identified and coordinated with tree planting areas.
 - b. all required horizontal and vertical clearances between utilities and tree planting areas are achieved.
 - c. a minimum planting zone width of 2.5 metre is provided:
 - d. a minimum horizontal clearance of 0.75 metre is maintained between the tree trunk and the extent of available underground soil volume on at least three sides of each tree:
 - e. no conflicts exist between tree planting areas and utilities, including watermains, such that a minimum vertical clearance of 300 millimetres and a minimum horizontal clearance of 750 millimetres is maintained; and
 - f. all utilities, including but not limited to service connections, light standards, hydrants, and other infrastructure located within soil cell systems, are shown on cross-sections, and the space occupied by such elements is deducted from the required soil volume calculations.
102. Prior to the registration of the Plan of Subdivision, the owner shall address the following street-specific requirements, to the satisfaction of Urban Forestry on behalf of the Executive Director, Environment, Climate and Forestry:
 - a. Finch Avenue East: The proposed planting zone width shall be increased from 1.0 metre to a minimum of 2.5 metre.
 - b. McCowan Road: The proposed 1.0 metre planting zone width shall be revised, as it is not feasible due to insufficient tree openings, and planting zones shall be consolidated to support viable street tree planting.
 - c. Sandhurst Circle: The proposed planting zone width of 0.8 metre shall be increased to a minimum of 2.5 metre.

- d. Public Street A: The planting zone width and tree openings, currently proposed at 1.5 metre and 0.6 metre respectively, shall be increased to meet the minimum 2.5 metre planting zone requirement.
 - e. Public Street C: The planting zone width currently proposed at 1.5 metre and the proposed tree opening at 0.6 metre respectively, shall be increased to meet the minimum 2.5 metre planting zone requirement.
 - f. Public Street E: The planting zone width and tree openings, currently proposed at 1.5 metre and 0.6 metre respectively, shall be increased to meet minimum requirements, and all utility connections within soil cell areas shall be clearly identified on cross-sections and accounted for in soil volume calculations.
103. Prior to the registration of the Plan of Subdivision, the owner agrees to submit an application and pay the required application fees and provide satisfactory replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of the approval of the draft plan of subdivision, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
104. Prior to the registration of the Plan of Subdivision, the owner agrees to provide a signed and stamped Landscape Plan, Public Utilities Plan and Soil Volume Plan, showing the locations of all tree species, size, and location of all proposed street trees, as these relate to the location of any roads, soil volume, sidewalks, driveways, street lines and utilities to ensure and verify feasibility of newly proposed tree planting locations, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
105. Prior to the registration of the Plan of Subdivision, the owner acknowledges and agrees that once all site works are complete, including sodding, planting will be implemented in accordance with the approved Tree Replacement Plan, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
106. The owner agrees to contact Environment, Climate, and Forestry 48 hours prior to the planting of trees on private property or within common areas and further agrees to plant the trees in accordance with the approved planting plans, to the satisfaction of the Executive Director of Environment, Climate and Forestry
107. Prior to the registration of the Plan of Subdivision, the owner agrees to submit an application and pay the required application fees and provide satisfactory Landscape Plan for the removal of tree(s) that are subject to the City's Street Tree By-law and associated regulations in effect on the date of the approval of the draft plan of subdivision, to the satisfaction of the Executive Director of Environment, Climate and Forestry.

108. Prior to the registration of the Plan of Subdivision, the owner agrees to provide a street tree planting plan, in conjunction with a composite utility plan that indicates the acceptable tree species, size, and location of all proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities. The street tree planting plan will be, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
109. Prior to the registration of the Plan of Subdivision, the owner agrees to post a Letter of Credit in the form and from an institution, acceptable to the City Treasurer, equivalent to \$583 per tree, as a Financial Security, to guarantee the planting including the maintenance of the street trees for a minimum period of two (2) years, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
110. Prior to the registration of the Plan of Subdivision, the owner agrees to provide a signed and stamped Landscape Plan and Soil Volume Plan, showing the locations of all tree species, size, and location of all proposed street trees, as these relate to the location of any roads, soil volume, sidewalks, driveways, street lines and utilities to ensure and verify feasibility of newly proposed tree planting locations, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
111. Prior to the registration of the Plan of Subdivision, the owner agrees to provide a Composite Public Utilities Plan, showing the location of all underground and above ground utilities plan supporting QL-A horizontal and vertical clearance documentation to ensure and verify feasibility of newly proposed tree planting locations, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
112. Prior to the registration of the Plan of Subdivision, the owner agrees to contact Environment, Climate and Forestry, Tree Protection and Plan Review or his/her designate prior to commencement of street tree planting. The owner further agrees to plant the street trees in accordance with the approved street tree planting and composite utility plans, to the satisfaction of the Executive Director of Environment, Climate and Forestry.
113. Following the planting of the street trees, the owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying the street trees, as shown on the approved planting plan, by street address. The as-installed plant list will also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e. distances in metres from the curb, sidewalk, driveway, utility pole or pedestal) to the satisfaction of the Executive Director of Environment, Climate and Forestry.