

333 Lake Shore Boulevard East, 200 Queens Quay East, and 2, 11, and 11 R Small Street (Quayside Blocks 3, 4 and 5) – Draft Plan of Subdivision Application – Decision Report – Approval

Date: March 16, 2026

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 10 - Spadina-Fort York

Planning Application Number: 23 170161 STE 10 SB

SUMMARY

This report advises that the Executive Director, Development Review, acting under delegated authority, intends to approve the Draft Plan of Subdivision necessary to facilitate the second phase of development of the Quayside lands, encompassing 333 Lake Shore Boulevard East, 200 Queens Quay East, and 2, 11, and 11 R Small Street, as well as portions of the current Parliament Street alignment and Queens Quay East ("Quayside Phase Two"), subject to conditions.

The application proposes to create a total of eight blocks, consisting of an extension of Queens Quay East, the creation of two development blocks with a combined size of 1.015 hectares, two public streets, two public parks (Silo Park and the Water's Edge Promenade) and Parliament Slip lake fill. The approval of the Draft Plan of Subdivision will be subject to conditions that require the transfer of streets and parkland into public ownership, the reservation of a block for a school site, construction of municipal services, and other matters that will facilitate the orderly development of Quayside Phase Two lands.

The application is consistent with the Provincial Planning Statement (2024). The application also conforms to the City's Official Plan, Central Waterfront Secondary Plan, Keating Channel Precinct Plan, and has regard for the criteria in Section 51(24) of the Planning Act, subject to addressing outstanding matters from the ongoing technical review of the application.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. In accordance with the delegated approval under Section 415-16 of the Toronto Municipal Code, as amended, City Council be advised that the Executive Director, Development Review intends to approve the Draft Plan of Subdivision for 333 Lake Shore Boulevard East, 200 Queens Quay East, and 2, 11, and 11 R Small Street, and portions of the current Parliament Street alignment and Queens Quay East, as generally illustrated in Attachment 3 to this report, subject to:

a. draft approval conditions which must be fulfilled prior final approval and the release of the Plan of Subdivision for registration; and

b. resolution of outstanding matters arising from the technical review of the application, as set out in this report, to the satisfaction of the City;

c. any revisions to the proposed subdivision plan or any additional modified conditions as the Executive Director, Development Review may deem to be appropriate to address matters arising from the ongoing technical review of this development.

2. City Council approve that in accordance with Section 51 of the Planning Act, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 8,992 square metres (Blocks 2, 3 and 6), to the satisfaction of the Executive Director, Development Review and the City Solicitor in accordance with the timing established in the Quayside Projects Delivery Agreement dated April 29, 2024.

3. City Council approve the acceptance of on-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments (with the exception of Dock Wall and Temporary Easement requirements), in an acceptable environmental condition; the Owner may propose the exception of encumbrances of tiebacks, 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.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

The CWSP and East Bayfront Zoning By-law were appealed to the Ontario Municipal Board (OMB), which approved the secondary plan and zoning by-law amendment with amendments for portions of the Central Waterfront including the site in 2012. The CWSP was brought partially into force within the City of Toronto Official Plan by the Local Planning Appeal Tribunal on August 16, 2018, including Quayside Blocks 3-5. On July 19, 2022, City Council adopted EX34.11 "Quayside Business and Implementation Plan". As part of this item, a Draft Plan of Subdivision application was determined to be required for the Phase Two lands. Waterfront Toronto, as agent, will act as the applicant for the Draft Plan of Subdivision application. The report can be found here: [Agenda Item History - 2022.EX34.11 \(toronto.ca\)](#).

On June 29, 2023, Quayside Impact Limited Partnership and Waterfront Toronto submitted an Official Plan Amendment and Zoning By-Law Amendment application for Quayside Blocks 3, 4, and 5. The application proposes two residential towers and one mid-rise building, collectively accommodating 8,988 square metres of non-residential Gross Floor Area (GFA) and 119,581 square metres of residential GFA. The residential component includes 1,475 condo units and 407 affordable units, and a public park to be conveyed to the City and a future institutional use.

THE SITE AND SURROUNDING LANDS

Description

Quayside Phase Two is a 1.5-hectare site which consists of 333 Lake Shore Boulevard East, 200 Queens Quay East, and 2, 11, and 11 R Small Street. The current Parliament Street alignment and Queens Quay East bisect the site.

Quayside Phase Two has frontages on Lake Shore Boulevard East on the north and the Lake Ontario shoreline to the south. The site has frontage on Small Street to the west and 351 Lake Shore Boulevard to the east.

The property was created through lake filling in the 1930s and was part of the Victory Soya Mills silos complex. See Attachment 2 for the Location Map.

Surrounding Uses

North: Gardiner Expressway and 307 Lake Shore Boulevard East, a proposed 49-storey mixed use tower containing 430 residential units, currently under appeal to the Ontario Land Tribunal. Beyond is the St. Lawrence community.

South: Parliament Slip, Keating Channel and Toronto Harbour.

East: 351-369 Lake Shore Boulevard East, a 2.14 hectare site with zoning approval for mixed-use development, including the conservation and future potential adaptive re-use of the Victory Soya Mills Silos, designated under Part IV of the Ontario Heritage Act.

West: 257-259 and 291 Lake Shore Boulevard East, 2 Small Street and 200 Queens Quay East (Quayside Phase One), a four tower and two mid-rise building development containing 2,850 residential units, including 553 affordable rental units. 155 Merchants Wharf, a 16-storey building containing 225 units and a City Community Centre, is located across the Parliament Street Slip from the site.

THE APPLICATION

Description

The Draft Plan of Subdivision application proposes to create a total of eight blocks, consisting of an extension of Queens Quay East, the creation of two development blocks with a combined size of 1.015 hectares, two public streets, two public parks (Silo Park and the Water's Edge Promenade), and Parliament Slip lake fill.

The chart below describes the use and area for each block. The Draft Plan of Subdivision can be found in Attachment 3 to this report:

Table 1 - Subdivision Blocks

Block Number	Use	Area (ha)
Block 1	Queens Quay East	0.367
Block 2	Parliament Street Lake Fill	0.062
Block 3	Silo Park	0.465
Block 4	Mixed Use Development Block	0.501
Block 5	Mixed Use Development Block/School Site	0.514
Block 6	Water's Edge Promenade	0.372
Block 7	Street A	0.093
Block 8	Street D	0.150

Additional Information

See the attachments of this report for the Application Data Sheet, Location Map, and Draft Plan of Subdivision. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: toronto.ca/333LakeShoreBlvdE

Reasons for Application

An application for a Plan of Subdivision is required under Section 51 of the Planning Act to create new public streets, new public park and open space blocks and two

development blocks that will accommodate the Quayside Phase Two development and the extension of Queens Quay East.

This meeting at Toronto and East York Community Council represents the statutory public meeting for the Draft Plan of Subdivision application.

APPLICATION BACKGROUND

The current application was submitted on July 7, 2023 and deemed complete on July 10, 2023, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre: toronto.ca/333LakeShoreBlvdE

Agency Circulation Outcomes

The application has been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the Draft Plan of Subdivision, including associated conditions of approval.

Statutory Public Meeting Comments

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

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024) (PPS), and shall conform to provincial plans.

Official Plan

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Authority for the Official Plan derives from the Planning Act. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities may be applicable to any application.

The Toronto Official Plan policies may be found here: [Official Plan – City of Toronto](#)

The Official Plan Urban Structure Map 2 identifies the site as Downtown and Central Waterfront, and designates the site as Regeneration Areas.

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan (CWSP) designates the site as Regeneration Areas. These lands may be subdivided into smaller areas for a wide variety of both public and private development ranging from industries to residential to community services and parks, offices, stores, hotels and restaurants. The CWSP states that the creation and dedication of roads shall normally be created through a Plan of Subdivision for future development blocks unless it can be demonstrated to the satisfaction of the City that a Plan of Subdivision is not required.

The Central Waterfront Secondary Plan can be found here: [CENTRAL WATERFRONT SECONDARY PLAN \(toronto.ca\)](https://www.toronto.ca/cwsp/)

Keating Channel Precinct Plan

Quayside Phase Two is subject to the Keating Channel Precinct Plan (2010). The Keating Channel Precinct Plan provides detailed planning direction to guide the development to create a 21st-century neighbourhood that reflects Toronto's evolving character, providing new sustainable, walkable and connected mixed-use residential communities with great parks and open spaces along with a distinct water's edge promenade. The Keating Channel Precinct Plan envisions that Quayside Phase Two will provide an urban mix of heritage elements, water, urban development and park space, with Victory Soya Mills Silos and Parliament Slip Head providing a unique mix of public space and community amenities.

The Keating Channel Precinct Plan can be found here: [Keating Channel Precinct Plan](https://www.toronto.ca/keating-channel-precinct-plan/)

Draft Plan of Subdivision

The Executive Director, Development Review has delegated authority for the approval of Plans of Subdivision under Section 415-16 of the Toronto Municipal Code, as amended. Section 51(24) of the Planning Act outlines the criteria for determining whether a proposed subdivision is appropriate. These criteria include conformity to provincial plans, whether the plan conforms to the Official Plan and adjacent plans of subdivision, the appropriateness of the proposed land use, the dimensions and shapes of the proposed blocks, and the adequacy of utilities and municipal services.

COMMENTS

Provincial Planning Statement (PPS) 2024 and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the PPS (2024).

The PPS directs planning authorities to support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, such as child care centres, parks and open spaces, ensure continued accessibility, and improving social equity for persons of all ages and abilities.

The PPS requires municipalities to promote a mix of densities to efficiently use land, resources, infrastructure and public service facilities and to support the use of active transportation, and to plan for intensification on lands that are adjacent to existing and planned frequent transit corridors, where appropriate. The PPS states that infrastructure and public service facilities shall be provided in an efficient manner and shall be coordinated and integrated with land use planning and are available to meet current and projected needs.

The Draft Plan of Subdivision creates appropriate block patterns to facilitate development and complete communities. The eventual creation of new public streets will provide servicing to development blocks and the extension of Queens Quay East will support and extend the existing transportation and transit network which will improve multimodal travel options. The application will expand the open space network by creating a block for a new public park, as well as water's edge promenade blocks. These park and street blocks will be conveyed to the City. The application also creates new development blocks that facilitate the efficient use of land and will allow for development intensification that will accommodate a range and mix of land uses, including residential, cultural, commercial, retail, entertainment and institutional uses.

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

Draft Plan of Subdivision

Section 51(24) of the Planning Act outlines the criteria for determining whether or not a proposed subdivision is appropriate. These criteria include conformity to provincial plans, whether the plan conforms to the Official Plan and adjacent plans of subdivision, the dimensions and shapes of the proposed blocks, and the adequacy of utilities and municipal services. The Executive Director, Development Review has delegated authority for Plans of Subdivision under By-law 1112-2024 as amended.

The Draft Plan of Subdivision has been reviewed against the relevant matters listed in Section 51(24) of the Planning Act, including, but not limited to:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (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;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites; 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;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters.

The Draft Plan of Subdivision conditions (Attachment 4) and the Draft Plan of Subdivision (Attachment 3) are both subject to further refinement as City staff complete their final review.

Public Streets

The Draft Plan of Subdivision proposes an extension of Queens Quay East as well as the creation of two blocks that will be constructed as new public streets and dedicated as such in the future.

Block 1 will accommodate the 38.0 metre right-of-way for the planned alignment of the Queens Quay East extension and the Waterfront East LRT.

Block 7 has an area of 0.09 hectares (0.21 acres). It will connect Lake Shore Boulevard East and Queens Quay East. The right of way, as established in the Minutes of Settlement for 333 Lake Shore Boulevard East, is 16.5 metres wide.

Block 8 has an area of 0.141 hectares (0.34 acres). It is located south of Silo Park between Block 5 and the Water's Edge Promenade and will connect to local roads within the Silo development and through to Trinity Street. The right-of-way will be 16.5 metres wide.

The new streets meet Official Plan and CWSP objectives. These streets will provide appropriate access to future residential development, parks, and institutional uses within the site, connect the area to nearby neighbourhoods, and promote transit and active transportation modes, as well as allow for vehicle access the blocks.

Proposed draft plan conditions included in Attachment 4 require Waterfront Toronto to deliver all municipal infrastructure and transportation servicing and complete necessary environmental testing and remediation. The necessary land conveyances and required easements in favor of the City related to the extension of Queens Quay East and

creation of new blocks for public streets are also listed in Attachment 4. The Draft Plan of Subdivision meets the criteria under Section 51(24)(k) as the proposed public streets will be conveyed into City ownership.

Development Blocks

The Draft Plan of Subdivision proposes two new development blocks.

Block 4 (Mixed Use Development Block) has an area of approximately 0.50 hectares that will form the eastern gateway to Parliament Slip and integrate with Parliament Plaza East. The development block will consist of Phase 2 of the Quayside development. Approximately 73,207 square metres (787,994 square feet) of gross floor area with residential and non-residential uses is proposed.

Block 5 is approximately 0.51 hectares (1.27 acres) in area and is expected to provide for a co-located elementary school and cultural facility. Waterfront Toronto has completed a feasibility test-fit for co-locating both uses on site but detailed design for the site will be subject to a future design competition. Staff have had discussions with the Toronto District School Board (TDSB) on the future of Block 5 for a future school use. A draft plan condition is proposed in Attachment 4 to provide for the reservation of Block 5 for school/cultural facility purposes. Details with respect to timing for the reservation will be determined as part of the Subdivision Agreement.

As currently constituted, Block 5 does not have access to a public street. Conditions as outlined in Attachment 4 require Waterfront Toronto to provide temporary access and municipal services to Block 5 if the site is developed before the neighbouring lands to the east at 351-369 Lake Shore Boulevard East.

The new blocks meet Official Plan and Secondary Plan objectives. They will provide for the proposed school site at the Parliament Street Slip and will provide normalized development blocks to provide strategic development opportunities, as anticipated in the Keating Channel Precinct Plan. The proposed school site at Block 5 will provide a development block for the school site to serve the East Bayfront and Keating Channel Precincts. The application provides an adequate school site and suitable land for future development.

Therefore, the proposed Draft Plan of Subdivision meets the criterion in Section 51(24)(j) of the Planning Act.

Servicing

Development Engineering staff have determined that capacity is available in the existing municipal sewers and watermains to service the site. The applicant is currently working to address outstanding comments from Development Engineering Staff in relation to identifying easements for the Gardiner Expressway, the condition of Block 8 before transfer to City ownership, and proposed phasing. Additional conditions may need to be included prior to finalizing the Draft Plan of Subdivision to reflect any further comments from engineering staff.

The proposed Draft Plan of Subdivision meets the criterion in Section 51(24)(i) of the Planning Act with respect to ensuring adequate municipal services are available to service the lands subject to subdivision.

Affordable Housing

A key driver for the Quayside project is the provision of affordable rental homes by the City in partnership with Waterfront Toronto and Quayside Impact Limited Partnership (QILP). Delivery will follow the City's "Public Developer" approach, with QILP transferring stratified lands to the City for lease to non-profit housing providers, acting as development manager, and Waterfront Toronto serving as master developer to coordinate infrastructure, public realm, design, and sustainability objectives, supported by government funding and financing. The draft plan of subdivision creates development blocks for the next phase of the Quayside project to provide affordable housing units as part of the Quayside project.

The proposed Draft Plan of Subdivision meets the criterion in Section 51(24)(d.1) of the Planning Act with respect to providing affordable housing units.

Parkland

The Draft Plan of Subdivision proposes three new blocks that will accommodate park and open space uses, which will be conveyed by Waterfront Toronto to the City.

Block 2 (Parliament Street Lakefill) has an approximate area of 0.06 hectares (0.15 acres) and will contain the Water's Edge Promenade and new dock wall, creating a continuous promenade with Block 6.

Block 3 (Silo Park) is identified as parkland in the Minutes of Settlement for 333 Lake Shore Boulevard East. It will have an approximate area of 0.47 hectares (1.15 acres). The design of Silo Park will be determined once a development concept for Block 5 has advanced.

Block 6 (Water's Edge Promenade) is identified as parkland. Bordering Silo Park and Block 5, a parcel of 0.37 hectares (0.92 acres) will form part of the linear open space system along the waterfront.

While these blocks were identified as Waterfront Toronto's parkland contribution for the Quayside development in the Quayside Report (2022.EX34.11), the Council adopted report did not directly acknowledge authorization for the City to receive these lands as parkland. As such, recommendations 2 and 3 to this report provide the council authorization for the dedication of these lands as parkland through the draft plan of subdivision process.

The new parks and open space blocks meet Official Plan and CWSP objectives, and in particular the Keating Channel Precinct Plan's goal of the Promenade as a connector between the Central Waterfront to Biidaasige Park North in Ookwemin Minising, creating access to nearby parks and institutional uses to facilitate mixed use complete communities and preserve and stabilize existing dockwalls. The Draft Plan Conditions at

Attachment 4 provide a list of site-specific conditions that require Waterfront Toronto to convey blocks to the City, submit records of environmental condition, construct base parks to City standards, construct and complete dockwall reinforcement, and design and construct the full build-out of Silo Park to City standards before transfer.

The Draft Plan of Subdivision meets the criterion in Section 51(24)(k) as the proposed public park and open space blocks will be conveyed into public ownership.

Schools

The KCPP estimates that the future population of the area will generate up to 330 school-age children and up to 210 pre-school-age children. A planned school facility has been identified in the KCPP to respond to the plan's goals of creating mixed use diverse communities that supports families. Block 5 has been identified as a location of a future co-located cultural facility and school site in the KCPP. TDSB has also identified Block 5 as the location of a future school site for the Keating Channel area.

Staff have had discussions with Waterfront Toronto and the TDSB on the future of Block 5 for a future cultural facility/school use. As the feasibility of co-locating both uses and the finalized design and funding for the school site has not yet been completed, a draft plan condition is proposed in Attachment 4 to provide for the reservation of Block 5 for school/cultural facility purposes. Details with respect to timing for the reservation will be determined as part of the Subdivision Agreement.

Phasing

The subdivision is expected to be delivered and implemented in one phase. Blocks 5 and 8 are expected to be serviced and accessed through completed streets as part of the neighbouring lands to the east at 351 and 369 Lake Shore Boulevard East. Conditions have been provided in Attachment 4 to allow for temporary road access and servicing for Blocks 5 and 8 to ensure they can be serviced and accessed if development of the blocks is completed before the streets at 351-369 Lake Shore Boulevard East.

Works External to the Subdivision

The Draft Plan of Subdivision will also ensure that in-progress infrastructure work in the waterfront can be coordinated with Quayside Phase Two and proceed in a timely manner. These works include:

- The closure of Parliament Street and opening of new Parliament Street as the Queens Quay East extension work extends east;
- Public realm works on Queens Quay East as the Queens Quay East extension work proceeds;
- Parliament Slip lakefill (complete);
- Comprehensive design of the Water's Edge Promenade; and
- Dock wall improvements can be coordinated across multiple sites.

Conclusion

The proposed Draft Plan of Subdivision has been reviewed against the policies of the PPS (2024) and the criteria set out in Section 51(24) of the Planning Act. The Draft Plan of Subdivision will create new development blocks that will support new residential development, develop blocks for park uses and future school sites, and extend and develop new public streets to enhance the urban transportation network in the Toronto Waterfront.

The proposed Draft Plan of Subdivision is consistent with the PPS (2024) and conforms to the Toronto Official Plan and Central Waterfront Secondary Plan, has regard for the matters of provincial interest listed in Section 2 of the Planning Act, and the criteria set out in Section 51(24) of the Planning Act, and is in the public interest. The Executive Director, Development Review, intends to approve the Draft Plan of Subdivision, as generally illustrated in Attachment 3 to this report, subject to conditions in Attachment 4.

CONTACT

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SIGNATURE



Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Information/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Draft Plan of Subdivision

Attachment 4: Draft Plan of Subdivision Conditions

Attachment 1: Application Data Sheet

Municipal Address: 333 LAKE SHORE BOULEVARD EAST Date Received: July 5, 2023

Application Number: 23 170161 STE 10 SB

Application Type: Subdivision Approval

Project Description: Quayside development - Proposed Draft Plan of Subdivision to establish eight blocks, including the Queens Quay East extension, two development blocks (Blocks 3 and 5 of the Quayside development), two public roads, a public park (Silo Park), and the Water's Edge Promenade.

Applicant	Agent	Architect	Owner
WATERFRONT TORONTO			CITY OF TORONTO ECONOMIC DEVELOPMENT CORPORATION

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	Central Waterfront Secondary Plan
Zoning:	CR(h)	Heritage Designation:	
Height Limit (m):	58	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	9,890	Frontage (m):	170	Depth (m):	87
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CONTACT:

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Attachment 2: Location Map



Attachment 4: Draft Plan of Subdivision Conditions

City File No.: 23 170161 STE 10 SB

CONDITIONS OF DRAFT PLAN APPROVAL

Date:	March 16, 2026
File No:	23 170161 STE 10 SB
Owner:	Waterfront Toronto and City of Toronto 251 Queens Quay E #301, Toronto, ON M5A 0X3
Location:	333 Lake Shore Boulevard East, 200 Queens Quay East, and 2, 11, and 11 R Small Street

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 Waterfront Toronto. The plan of subdivision is for lands legally described as Marsh lands granted to the City of Toronto by the Ontario Government on May 18, 1880 and the Dominion Government on October 10, 1903, Part of the waterlot granted to the Toronto Harbour Commissioners by the Dominion Government by letters patent, dated Nov. 4, 1925, Lots 25 and 26, Registered Plan 694-E (Parliament Street Slip), and 150-foot-wide road by Registered Plan 159E (closed by By-law 13521, Inst. No. ES11973), City of Toronto.

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. The terms, including details and timing, will be subject to existing agreements between the City of Toronto and Waterfront Toronto, including, but not limited to, the Quayside Projects Delivery Agreement between the City of Toronto and Waterfront Toronto, April 19, 2024. Outstanding project-specific subdivision requirements not addressed in existing agreements will be incorporated into the Subdivision Agreement with Waterfront Toronto to the satisfaction of the Executive Director, Development Review, in consultation with the applicable commenting Division or agency:

Legal

1. 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.

2. 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 and Parks for lands owned by the City, 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.

3. The Services subject to this agreement are also subject to the Quayside Projects Delivery Agreement between the City of Toronto and Waterfront Toronto, April 19, 2024. The parties recognize that the existing approved funding is not sufficient to complete all projects and services set out in the Infrastructure Timeline in the Quayside Projects Delivery Agreement. The parties agree that the Owner shall proceed with funded projects and services while the parties work collaboratively to engineer, adjust scope and timing, and seek additional funding to complete all projects and services in the Infrastructure Timeline. For clarity, noting in this agreement obligates the Owner to expend or commit funds in respect of projects and services that are in excess of available and committed funding.

Community Planning

4. Prior to the issuance of any Building Permit for any area north of the proposed extension to Queens Quay East, including a permit for excavation and shoring the applicant shall:

(a) Retain a consultant archaeologist, licensed by the Ministry of Citizenship and Multiculturalism, under the provisions of the Ontario Heritage Act, to carry out a program of archaeological monitoring for any subgrade disturbance, in accordance with the Archaeological memorandum prepared by ASI, dated June 9, 2023, and the Archaeological Monitoring and Mitigation Strategy prepared by ASI, dated January 18, 2024.

(b) The consultant archaeologist shall submit a copy of the relevant assessment report(s) to the Heritage Planning Unit as an Acrobat PDF file.

(c) Significant archaeological resources and findings will be incorporated into the proposed development through either in situ preservation and interpretation where feasible or will be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

5. The Owner agrees that opportunities for natural heritage enhancements through appropriate net ecological gains will be considered in the detailed design of Blocks within or adjacent to the Natural Heritage System. The Owner shall submit a habitat enhancement memo informed by the submitted Natural Heritage Impact Study, describing all ecological improvements implemented or to be implemented, including the

creation or enhancement of terrestrial and aquatic habitat in conjunction with the future Site Plan Control Applications for each respective development block within or adjacent to the Natural Heritage System.

6. The Owner agrees that easement requirements and conditions for a Temporary Private Lane linking Block 8 to Queens Quay East will be conveyed to the satisfaction of the Director, Engineering Review, Development Review and General Manager Parks and Recreation in consultation with the City Solicitor.

7. The Owner agrees to pay for the full cost of removal and decommissioning of the temporary private lane to the satisfaction Director, Engineering Review, Development Review and General Manager of Parks and Recreation in consultation with the City Solicitor.

8. The Owner shall construct all utilities required to service the Plan of Subdivision at no cost to the City to the satisfaction of the Chief Planner and Executive Director, Development Review.

Urban Forestry

9. Prior to the registration of the plan of subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan and Landscape Plan, to the satisfaction of the Executive Director, Environment, Climate and Forestry.

10. Prior to the registration of the plan of subdivision, the Owner agrees to provide a street tree planting plan, in conjunction with a Composite Utility Plan that indicates the species, size and location of all proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities, to the satisfaction of the Executive Director, Environment, Climate and Forestry.

11. Prior to the registration of the plan of subdivision, the Owner agrees to provide a Composite Utility Plan, indicating the location of all underground and above ground utilities, as well as proposed tree planting locations, to the satisfaction of the Executive Director, Environment, Climate and Forestry and the Chief Engineer and Executive Director of Engineering and Construction Services.

12. Prior to the registration of the plan of subdivision, the Owner agrees to submit an application and pay the required application fees, tree value and contractor's service agreement for the removal of trees that are subject to the City's Street By-law and associated regulations in effect on the date of draft approval of the plan of subdivision, all to the satisfaction of the Executive Director, Environment, Climate and Forestry.

13. Prior to the registration of the plan of subdivision, the Owner agrees to guarantee the planting and maintenance by the Owner of the new street trees for a period of two years after the planting date ("two-year renewable guarantee period"), to the satisfaction of the Executive Director, Environment, Climate and Forestry.

14. Prior to registration of the Plan of Subdivision, the Owner agrees to submit a detailed landscape plan of street tree planting indicating the location, species, size and condition of all trees proposed to be planted within the road allowance for the approval of Urban Forestry and Engineering and Construction Services.

15. Upon written request from the Owner, Urban Forestry agrees to inspect the newly planted trees and will advise the Owner if the trees are satisfactory. The Owner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Urban Forestry is satisfied with the newly planted trees. The Owner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. Provided the City is satisfied with the tree planting at the end of the (2) two year maintenance period, the City will assume responsibility for the maintenance of the trees.

16. The Owner agrees that, prior to the City assuming ownership and maintenance of the trees, the Tree Planting Security Deposit will be drawn on by the City to cover any costs incurred as a result of enforcing and ensuring that the trees are kept in a healthy and vigorous state.

17. Prior to any site work, the Owner agrees to protect all existing trees associated with the Subdivision for which approval to remove or injure has not been granted, in accordance with the approved Arborist Report and Tree Preservation Plan, to the satisfaction of the Executive Director, Environment, Climate and Forestry.

18. Prior to any site work, the Owner agrees to install tree protection barriers and signage for trees to be preserved in accordance with the approved Arborist Report and Tree Preservation to the satisfaction of Urban Forestry and to maintain the barriers in good repair until removal has been authorized by Urban Forestry, on behalf of Executive Director, Environment, Climate and Forestry.

19. The Owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the Executive Director, Environment, Climate and Forestry.

20. The Owner agrees to notify Urban Forestry prior to commencement of planting trees on City road allowance and on private property or within common areas. The Owner further agrees to plant trees in accordance with the approved Landscape Plan and Composite Utility Plan, to the satisfaction of the Executive Director, Environment, Climate and Forestry.

21. Following the planting of street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street addresses. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e., distances in meters from the curb, sidewalk, driveway, utility pole or pedestal).

Engineering Review

22. The Owner shall enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
23. The Owner shall dedicate all roads, corner roundings and road widenings shown on the plan.
24. The Owner shall convey all necessary easements (internal and external) to the City.
25. The Owner shall prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Director, Engineering Review, Development Review in consultation with the City Solicitor.
26. The Owner shall submit a draft Reference Plan of Survey to the Director, Engineering Review, Development 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.
27. The Owner shall pay all costs for preparation and registration of reference plan(s).
28. Prior to registration, the owner shall prepare all documents and convey to the City the "Transmission Watermain Easement", which is to be a standard easement with dimensions in accordance with the Design Criteria for Sewers and Watermains, consisting of Parts 1, 2 and 3 of the R-plan E-2394, prepared by Callon Dietz Incorporated, all to the satisfaction of the General Manager, Toronto Water and Director, Engineering Review, Development Review.
29. Prior to registration, the owner shall prepare all documents and convey the "Temporary Access Driveway and Turning Circle Easement," providing access for Block 5 to Queens Quay East Extension via Block 3, consisting of Parts 1 and 2 of the R-plan E-2370, prepared by Callon Dietz Incorporated, to the satisfaction of the General Manager, Transportation Services.
30. The Owner shall undertake environmental site assessments for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).

31. Per the Delivery Agreement, the Owner acknowledges and agrees to meet the standard environmental conditions of the Subdivision Agreement and additional environmental requirements (such as: Soil Management Plan, Health and Safety Plan, as-built drawings, etc.) associated with risk management measures that may be stipulated in Certificate of Property Use for the conveyed lands. All environmental documentation will be provided to the City's peer reviewer to support the conveyance(s) and consistent with O.Reg. 153/04 requirements.

32. Per the Delivery Agreement, the Owner acknowledges and agrees to include environmental conditions in the Subdivision Agreement for the City owned lands constructed as future roads, including environmental requirements associated with risk management measures (such as: Soil Management Plan, Health and Safety Plan, as-built drawings, etc.). All environmental documentation will be provided to the City's peer reviewer to support the transfer and consistent with CSA, and if needed risk assessment based on O. Reg. 153/04.

33. Per the Delivery Agreement, the Owner acknowledges and agrees to include environmental conditions regarding "Initial ESA", "Exit ESA" and preparation of an "Environmental Site Plan Report" (as such terms may be defined in the subdivision agreement), such report to include documentation of the environmental barriers and soil quality therein, in the Subdivision Agreement for existing City roads to be reconstructed. All environmental documentation will be provided to the City's peer reviewer to support the transfer and consistent with CSA Standard Z768-01 and Z769-00, if needed risk assessment based on O. Reg. 153/04. Additional environmental requirements associated with risk management measures (such as: Soil Management Plan, Health and Safety Plan, as-built drawings, etc.) may be required, if Waterfront Toronto's temporary use of City roads is such that a return to the City's prior use requires a Records of Site Conditions (RSC) in accordance with Provincial Law or by order of the Ontario Ministry of the Environment, Conservation and Parks, Waterfront Toronto shall prepare and file such RSC, in accordance of O. Reg 153/04. All environmental documentation will be provided to the City's peer reviewer to support the transfer.

34. Prior to assumption of services, Owner shall prepared environmental site plan drawings and signed by a Qualified Person, which will describe the Property, placement and quality of all the barriers to site soils to the satisfaction of the General Manager, Transportation Services. Owner shall be responsible for maintenance of risk management measures (RMMs) identified in the risk assessment, including but not limited to semi-annual barrier inspections and barrier repairs.

35. The Owner shall pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision and servicing work required to meet sanitary sewer capacity obligations (catchbasin disconnections, storm sewers, etc.)

36. The Owner shall apply stormwater management techniques in the development of this subdivision to the satisfaction of Development Engineering.

37. The Owner shall obtain all necessary permits and approvals to construct the onsite and offsite infrastructure and Services that the Owner is required to construct for the Plan of Subdivision.

38. The Owner shall obtain Environmental Compliance Approvals from the Ministry of the Environment, Conservation and Parks for the construction of all sewer and water infrastructure required to service the Plan of Subdivision and pay all fees under the Consolidated Linear Infrastructure Environmental Compliance Approval program.

39. The Owner shall update the accepted Functional Servicing Report, including the stormwater management strategy, if directed by the Director, Engineering Review, Development Review, in the event that the Director, Engineering Review, Development Review, determines that field conditions are not suitable for implementation of the servicing and storm water strategy recommended in the Functional Servicing Report prior to proceeding to the next development phase.

40. The Owner acknowledges that the municipal infrastructure required to service the Plan of Subdivision is subject to the obligations in the Quayside Projects Delivery Agreement between the City of Toronto and Waterfront Toronto, dated April 29, 2024. Specifically, the requirements for Release for Construction of Services shall be per the terms agreed to in the Delivery Agreement.

41. Notwithstanding Release for Construction following the terms of the Delivery Agreement, the Owner acknowledges and agrees that Acceptance and Assumption of Services under the Delivery Agreement shall be processed through the terms of the standard subdivision agreement.

42. The Owner shall agree to construct generally in accordance with the list of Projects and Services described in the Quayside Projects Delivery Agreement.

43. The Acceptance of Services on a staggered basis is at the discretion of the Director, Engineering Review, Development Review.

44. Prior to the issuance of any Building Permit for Block 5, the Owner shall design and construct Block 8 (Street D) to base asphalt and base curb. Should the Block 5 development require a temporary access driveway and turning circle from Queens Quay East Extension, the Owner shall construct Block 8 (Street D) to the fullest extent possible while accommodating the temporary access driveway and turning circle. The Owner shall complete the remainder of Street D construction upon removal of the temporary access driveway and turning circle.

45. Should the development of Block 5 proceed prior to the development of the adjacent development to the east, requiring interim municipal services from Queens Quay East Extension and a temporary access driveway and turning circle, the Owner shall:

- (a) Submit to the Director, Engineering Review, Development Review, for review and acceptance, a detailed infrastructure phasing plan outlining the necessary temporary infrastructure to service Block 5.

(b) Submit to the Director, Engineering Review, Development Review, for review and acceptance, an updated Functional Servicing Report, demonstrating the temporary services are feasible to service Block 5.

(c) Pay for and construct the temporary access driveway and turning circle to be located within the Temporary Access Driveway and Turning Circle Easement lands.

(d) Pay for and construct the required temporary municipal services from Queens Quay East Extension to Block 5.

(e) Pay for and decommission the temporary access driveway, turning circle and municipal services once they are no longer required to serve Block 5 to the satisfaction of the Director, Engineering Review, Development Review and General Manager, Parks, Forestry & Recreation.

46. Acceptance of Services for Block 8 (Street D) will not occur until Street D and associated services (sewers, watermain) are complete, functional and connected to the City road and infrastructure network via the development to the east.

47. Prior to Acceptance of Services for Block 8 (Street D), provide confirmation that the temporary access driveway, turning circle and municipal services, if constructed, have been decommissioned to the satisfaction of the Director, Engineering Review, Development Review and General Manager, Parks, Forestry & Recreation.

48. Prior to Acceptance of Services for Block 8 (Street D) to the city, the Owner shall release the Temporary Access Driveway and Turning Circle Easement, at their sole cost.

49. Prior to Assumption of Services, the Owner agrees to maintain all constructed storm sewer systems in good working condition, specifically the removal of sediment buildup in any reverse sloped sections of sewer.

50. Until such time as the Lower Don Lands Stormwater Attenuation Shaft and associated infrastructure to drain stormwater to the Ballasted Flocculation Facility is operational, the Owner shall, prior to the Release for Construction of Services for each phase, update the Stormwater Management Report to include an E.coli Monitoring Plan and E.coli Best Management Action Plan for that phase and provide an estimate of the cost of implementing the E.coli Monitoring Plan for that phase, including reporting requirements, until the Assumption of Services for each phase, and shall submit a financial security to the City in the value of 120% of such amount, all to the satisfaction of the Director, Engineering Review, Development Review and the General Manager, Toronto Water. The financial security will be released on:

(a) On Assumption for each phase, where no E.coli exceedances are identified through the implementation of the E.coli Monitoring Plan; or

(b) The satisfaction of the obligations in Condition 1.31.

51. The Owner shall, to the satisfaction of the General Manager, Toronto Water, be responsible for implementing the E.coli Monitoring Plan in respect of all monitoring locations within the applicable phase and all monitoring locations tributary to stormwater management infrastructure within such phase, timing of monitoring samples, duration of monitoring program, and reporting requirements recommended by such Plan, between Acceptance of Services and Assumption of Services for each phase.

52. Should any E.coli exceedances be identified through the implementation of the E.coli Monitoring Plan by the Owner, the Owner shall:

(a) prior to Assumption of Services for the phase in which the exceedance was identified, implement the recommendations of the E.coli Best Management Action Plan; and

(b) following implementation of the recommendations in accordance with clause (a), submit a report in accordance with the E.coli Best Management Action Plan that includes E.coli monitoring results and summarizes the effectiveness of the E.coli Best Management Action Plan post implementation, and, should monitoring results still indicate non-compliance with the City's Wet Weather Flow Management Guidelines, outline any future feasible remediation options, all to the satisfaction of the General Manager, Toronto Water. The Owner acknowledges that such work may be required to occur following Assumption of Services for each applicable phase.

53. The Owner shall include in the Subdivision Agreement appropriate conditions for any proposed development blocks that encroach on the Transmission Watermain Easement, including the requirement for additional technical reports, geotechnical investigations, peer review fees, updating the easement description and any other requirements as necessary, to the satisfaction of the General Manager, Toronto Water. Proposed encroachments into the Transmission Watermain Easement shall be permitted at the discretion of the General Manager, Toronto Water.

54. Prior to earlier of the registration of the Plan of Subdivision or the Release for Construction of Services submit to the Director, Engineering Review, Development Review:

(a) Regarding Toronto Hydro-Electric System Limited (distribution group):

(i) copy of "offer to connect" (OTC).

(ii) written confirmation that financial securities have been posted.

(iii) written confirmation that satisfactory arrangements have been made.

(b) Regarding Toronto Hydro Energy (streetlight group):

(i) cost estimate of the construction/installation of streetlights, and the hydro inspection fee.

(ii) financial security in amount of 130% of the streetlight cost estimate and inspection fee.

(iii) copy of written confirmation from Toronto Hydro Energy that satisfactory arrangements have been made.

Transportation

55. The Owner shall construct the proposed new public streets and alterations required to existing streets internal and external to the site, in accordance with the Quayside Projects Delivery Agreement between the City of Toronto and Waterfront Toronto, dated April 19, 2024.

56. The Owner shall submit a construction phasing plan and supporting transportation impact assessment for each phase that describes the sequence of development and construction of supporting infrastructure including consideration of interim and final conditions for the review and acceptance of the General Manager, Transportation Services.

57. The Owner shall identify in the Subdivision Agreement the triggers and timing of the construction, dedication and assumption, by the City, of the proposed public highways, including consideration of the following scenarios:

(a) Construction of roads in accordance with the Quayside Projects Delivery Agreement

(b) Construction of roads in accordance with the Quayside Projects Delivery Agreement, to be built and opened to the public in an interim condition to serve as a temporary detour of Lake Shore Boulevard East, as may be secured in an additional or amended delivery agreement between the City of Toronto and Waterfront Toronto;

Parks

58. The Owner shall:

(a) Per the timing in the associated Delivery Agreement, Convey City Blocks 2, 3 and 6 being 8,992 square metres of land for public park purposes to the satisfaction of Executive Director, Development Review and where the Parkland shall satisfy the Owners Statutory Parkland Dedication requirements for the as-of-right development in Quayside.

(b) convey the Parkland free and clear above-grade and below-grade of all physical obstructions and easements, encumbrances, unless otherwise permitted in writing by the Executive Director, Development Review, or as otherwise permitted by this Agreement (Dock Wall and Temp Easement requirements), and free and clear of all title encumbrances including, but not limited to all easements, rights-of-way, leases, charges, and encroachments, including

surface and subsurface easements, to the satisfaction of the Executive Director, Development Review, and the City Solicitor; and

(c) complete the environmental obligations outlined in this Agreement and associated Delivery Agreement to the satisfaction of the Executive Director, Development Review.

59. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the Dockwall encroachment into the Keating Channel for the new parkland.

60. Prior to the conveyance of the Parkland to the City, the Public Park shall be deemed to be parkland in respect of the limiting distance requirements of the Building Code Act. The Owner must design Buildings on the Lands to achieve Building Code setbacks related to fire separation on their own site on the portions of any Building that abuts the Parkland. A five (5) metre setback shall apply to any Building located next to the Public Park or, the required setbacks which meet the Building Code for fire separation, whichever is greater. Prior to the issuance of the first Above-Grade Building Permit for the Development, the Owner shall be required to demonstrate that the Building Code requirements have been achieved to the satisfaction of the Executive Director, Development Review, and the Chief Building Official. The City shall not be entering into a limiting distance agreement under the Building Code Act for the Public Park.

61. Prior to conveying the Parkland to the City, the Owner shall:

(a) submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the Owner's Qualified Person describing the lands to be conveyed to the City, and identifying what environmental documentation shall be provided to the City's peer reviewer to support the Parkland conveyance;

(i) all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with O. Reg. 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, Engineering and Construction Services (ECS) 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 Chief Engineer and Executive Director, ECS. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer;

(c) submit, to the satisfaction of the City's peer reviewer, all environmental site assessment reports prepared in accordance with O. Reg. 153/04 that describe the current conditions of the land to be conveyed to the City and the proposed

remedial action plan based on the site condition standards approach, to the Chief Engineer and Executive Director, ECS;

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

(e) 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 Section 2.8(d)(i)(A) of this Agreement 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.

(f) Land to be conveyed to the City meets either:

(i) the applicable Ministry of the Environment, Conservation and Parks, or any such successors, 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 of the Environment, Conservation and Parks, or any such successors, for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein;

(g) the Qualified Person's statement, referenced in Section 2.8(d) of this Agreement, shall include a Reliance Letter that is dated and signed by the Owner's Qualified Person 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, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, ECS.

(h) For conveyance of lands requiring a RSC:

(i) file the 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, to the Chief Engineer and Executive Director, ECS and to the Executive Director, Development Review.

62. Prior to conveyance of the Public Park, the Owner shall be responsible for the installation and maintenance of temporary fencing around the Public Park and after the conveyance of the Public Park, and until such time as the Public Park is completed to the satisfaction of the Executive Director, Development Review and the General Manager, Parks and Recreation, the Owner shall continue to maintain the temporary fencing on the Public Park as may be required. This section shall be interpreted so as to provide consent to the Owner to erect, maintain and repair the temporary fencing on the Public Park conveyed to the City.

63. Prior to conveyance of the Public Park, the Owner shall ensure that the grading and drainage of the adjacent development blocks are consistent with the grades of the Public Park to the satisfaction of the General Manager, Parks and Recreation, and the Chief Engineer and Executive Director, ECS.

64. After conveyance of the Public Park, but before the Public Park is accepted by the General Manager, Parks and Recreation, the Owner shall ensure that the grading and drainage of the Public Park is consistent with the grade of the adjacent lands to the satisfaction of the General Manager, Parks and Recreation and the Chief Engineer and Executive Director, ECS.

65. Prior to conveyance of the public parkland, the Owner covenants and agrees, at its sole expense, to construct the Dock Wall Improvements in accordance with the Delivery Agreement.

Toronto District School Board

66. The Owner acknowledges and agrees that Block 5 will be reserved for the Toronto District School Board as a school site with terms and conditions for such reservation to be detailed in the Subdivision Agreement and/or other required agreement(s) to the satisfaction of the Executive Director, Development Review, the Chief Planner and Executive Director, City Planning, the General Manager, Parks and Recreation, and the Toronto District School Board