

Authority: Scarborough Community Council Item 10.20, adopted as amended, by City of Toronto Council on October 24 and 25, 2011 and Motion MM23.33, as adopted by City of Toronto Council on May 8 and 9, 2012  
Enacted by Council: May 9, 2012

**CITY OF TORONTO**

**BY-LAW No. 684-2012**

**To amend the Woburn Community Zoning By-law No. 9510, as amended, of the former City of Scarborough, respecting the lands known municipally as 1 and 2 Meadowglen Place.**

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

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

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

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the height or density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 9510, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law; and

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

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

1. Schedule "A" of the Woburn Community Zoning By-law No. 9510 is amended for the lands outlined in the attached Schedule '1' by deleting the existing Apartment Residential (A) zoning and replacing it with Apartment Residential (A) Zone, Community Commercial (CC) Zone and Park (P) Zone and the Performance Standards so that the amended zoning shall read as follows:

A – 245, 247, 255, 261, 262, 272, 273, 276, 277

A and CC – 246, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 263, 264, 265, 266, 267, 268, 269, 270, 271, 273, 274, 275, 276, 278, 279, 280

P



2. **CLAUSE V – INTERPRETATION (f) Definitions**, is amended by adding the following definitions:

**45 Degree Angular Plane**

means an imaginary flat surface projecting over a lot, at an inclined 45 degree angle measure up from the horizontal.

**Amenity Space**

means indoor or outdoor space on a lot that is:

- (i) ancillary to the main use, and
- (ii) communal and available for use by the occupants of a building on the lot, or the general public, or both, for recreational or social activities.

**Car-Share Motor Vehicle**

means a motor vehicle available for short term rental, including an option for hourly rental, intended primarily for use by the occupants of the building.

**Car-Sharing Parking Space**

means a parking space used for, and only for, the parking of a car-share motor vehicle.

3. **Schedule "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards as follows:

**INTENSITY OF USE**

Dwelling Units:

245. Maximum 32 **dwelling units** for lands identified as Block A.

246. Maximum 786 **dwelling units** for lands identified as Blocks B, C, D, E, F, G and H.

Gross Floor Area:

247. **Gross floor area** of all buildings on lands identified as Block A shall not exceed 2,800 square metres for Apartment (A) uses.
248. **Gross floor area** of all buildings on lands identified as Blocks B, C, D, E, F, G and H shall not exceed 79,800 square metres for Apartment (A) uses.
249. Community Commercial (CC) uses shall only be permitted on lands identified as Blocks D, E and F and shall not exceed a total of 1,080 square metres of **gross floor area**.
250. Community Commercial (CC) uses shall not be permitted on lands identified as Block A, Block B, Block C, Block G and Block H.

Floor Area:

251. The **floor area** of each storey above 7 storeys above grade of a building on lands identified as Block B:
- (i) Maximum 743 square metres per floor from the 8th storey to the 16th storey and above.
252. The **floor area** of each storey above 8 storeys above grade of a building on lands identified as Block D and Block F:
- (i) Maximum 743 square metres per floor from the 9th storey to the 24th storey and above.
253. The **floor area** of each storey above 8 storeys above grade of a building on lands identified as Block H:
- (i) Maximum 743 square metres per floor from the 9th storey to the 12th storey and above.

**BUILDING SETBACKS FROM STREET LINES**

254. **Main wall** building setbacks from the Markham Road street line:
- (i) minimum 1.0 metre from the Markham Road street line on lands identified as Block D, Block E, and Block F;
  - (ii) minimum 1.7 metres from the Markham Road street line at the 5th storey to the 24th storey above grade, on lands identified as Block D;
  - (iii) minimum 1.7 metres from the Markham Road street line at the 5th storey to the 8th storey above grade, on lands identified as Block E and Block F; and

- (iv) minimum 3.3 metres from the Markham Road street line at the 9th storey to the 24th storey above grade, on lands identified as Block F.
255. **Main wall** building setbacks from all street lines, other than Markham Road, on lands identified as Block A, Block B, Block C, Block D, Block E, and Block H:
- (i) minimum 2.0 metres from the west street line for Block A;
  - (ii) minimum 1.5 metres from the east street line for Block B and Block H; and
  - (iii) minimum 0.7 metres from the north street line for Block B, Block C and Block D.
256. **Main wall** building setbacks from street lines, other than Markham Road:
- (i) minimum 1.5 metres from the north street line at the 5th storey and above, on lands identified as Block B, Block C and Block D.

#### **BUILDING SETBACKS FROM LOT LINES OTHER THAN STREET LINES**

257. **Main wall** building setbacks from the south lot line on lands identified as Block E:
- (i) minimum 0.9 metres from the south lot line at the 1st storey to the 8th storey above grade.
258. **Main wall** building setbacks from the south lot line on lands identified as Block F:
- (i) minimum 10 metres from the south lot line at the 9th storey to the 24th storey above grade.
259. **Main wall** building setbacks from the south-westerly lot line on lands identified as Block G:
- (i) minimum 1.4 metres from the south-westerly lot line at the 1st storey to the 8th storey above grade; and
260. **Main wall** building setbacks from the south lot line on lands identified as Block G and Block H:
- (i) minimum 3.0 metres from the south lot line at 1st storey to the 8th storey above grade for Block G; and
  - (ii) minimum 3.0 metres from the south lot line at 1st storey to the 12th storey above grade for Block H.

261. **Main wall** building setbacks from the east lot line on lands identified as Block A:
- (i) minimum 7.5 metres from the east lot line at the 1st storey to the 3rd storey above grade.

### **MISCELLANEOUS**

#### **Height of Buildings:**

262. Maximum **height** of any building on Block A shall not exceed 12.5 metres.
263. Maximum **height** of any building on Block B shall not exceed the lesser of 16 **storeys**, excluding mechanical penthouses, or 51.0 metres.
264. Maximum **height** of any building on Block C shall not exceed the lesser of 7 **storeys** or 22.0 metres.
265. Maximum **height** of any building on Block D shall not exceed the lesser of 24 **storeys**, excluding mechanical penthouses, or 72.0 metres.
266. Maximum **height** of any building on Block E shall not exceed the lesser of 8 **storeys** or 25.0 metres.
267. Maximum **height** of any building on Block F shall not exceed the lesser of 24 **storeys**, excluding mechanical penthouses, or 72.0 metres.
268. Maximum **height** of any building on Block G shall not exceed the lesser of 8 **storeys** or 25.0 metres.
269. Maximum **height** of any building on Block H shall not exceed the lesser of 12 **storeys**, excluding mechanical penthouses, or 46.0 metres.

#### **Distance Between Main Walls of Buildings on Block B, Block D & Block F:**

270. The distance between the **main wall** of the building on Block B to a **main wall** of building on Block D shall be a minimum of 26.0 metres; and the distance between the **main wall** of the building on Block D to a **main wall** of building on Block F shall be a minimum of 25.0 metres.

#### **Amenity Space:**

271. Buildings on lands identified as Block B, Block C, Block D, Block E, Block F, Block G and Block H shall provide indoor and outdoor **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:
- (i) a minimum of 2.0 square metres for each **dwelling unit** must be indoor **amenity space**; and

- (ii) a minimum of 2.0 square metres for each **dwelling unit** must be outdoor **amenity space**.

45 Degree Angular Plane:

272. Buildings shall not exceed a **45 degree angular plane** from the rear lot line of abutting Single-Family Residential (S) Zones.

Provision of Services:

273. Within the lands identified as Block A, Block B, Block C, Block D, Block E, Block F, Block G and Block H no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (ii) all water mains and sanitary sewers and related appurtenances, have been installed and are operational.

Block I:

274. No above-grade buildings or structures, except for stair cases, underground garage entrances, utilities, a security gatehouse and landscape decorative features (such as a gazebo) are permitted on the lands identified as Block I.

**PARKING**

275. The following provision of **CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES** is not applicable:

1.5.2 Yards

276. Vehicle **parking spaces** shall be provided on Block A, Block B, Block C, Block D, Block E, Block F, Block G and Block H as follows:

Residential:

- (i) bachelor **dwelling unit**: minimum 0.8 spaces per **dwelling unit**;
- (ii) one-bedroom **dwelling unit**: minimum 0.9 spaces per **dwelling unit**;
- (iii) two-bedroom **dwelling unit**: minimum 1.0 spaces per **dwelling unit**; and
- (iv) three (or more) bedroom **dwelling units**: minimum 1.2 spaces per **dwelling unit**.

Visitor:

- (v) a minimum of 0.2 **parking spaces** per **dwelling unit** shall be provided for visitors.

Commercial:

- (vi) minimum 1.5 **parking spaces** per 100 square metres of Community Commercial (CC) use **gross floor area**;
- (vii) minimum 5.0 spaces per 100 square metres of restaurant **gross floor area**; and
- (viii) a minimum of three **car-share parking spaces** shall be provided and shown on all relevant drawings as **car-share parking spaces** set aside for the exclusive use of a **car-share motor vehicle** and organization; and
- (ix) Despite subsection (viii) above, for each **car-share parking space** provided on the lot, the minimum number of **parking spaces** required for resident use shall be reduced by one **parking space**.

Bicycle Parking Spaces:

- 277. For buildings located on lands identified as Block A, one bicycle **parking space** per **dwelling unit** shall be provided.
- 278. For buildings located on lands identified as Block B, Block C, Block D, Block E, Block F, Block G and Block H, bicycle **parking spaces** shall be provided at a rate of 0.7 bicycle **parking spaces** per **dwelling unit** for occupant use and 0.08 bicycle **parking spaces** per **dwelling unit** for visitors.
- 279. For buildings located on lands identified as Block D, Block E and Block F, bicycle **parking spaces** for retail, office and restaurant uses shall be provided as follows:
  - (i) 3 bicycle **parking spaces** plus 0.25 per 100 square metres of retail **gross floor area** for short term/visitor use and 0.13 per 100 square metres of retail **gross floor area** for long term/employee use;
  - (ii) 3 bicycle **parking spaces** plus 0.15 per 100 square metres of office **gross floor area** for short term/visitor use and 0.13 per 100 square metres of office **gross floor area** for long term/employee use; and
  - (iii) 3 bicycle parking spaces plus 0.25 per 100 square metres of restaurant **gross floor area** for short term/visitor use and 0.13 per 100 square metres of restaurant **gross floor area** for long term/employee use.

280. On lands identified as Block B, Block C, Block D, Block E, Block F, Block G and Block H, residential and visitor bicycle **parking spaces** shall not be provided within a **dwelling unit** or on a balcony associated thereto, or in a storage locker and shall be provided as follows.
- (i) long term/resident bicycle **parking spaces** shall be outside at grade, or on the ground floor of the building or on the first level of underground parking;
  - (ii) short term/visitor bicycle **parking spaces** shall be outside at grade, or on the ground floor of the building and if the requirement for short term/visitor bicycle **parking spaces** is greater than 10, at least 50% of the required short term/visitor bicycle **parking spaces** shall be in a weather protected bicycle parking area at grade;
  - (iii) where the bicycles are to be parked in a horizontal position the space shall have a horizontal dimension of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres; and
  - (iv) where the bicycles are parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 metres by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres.

**4. SCHEDULE "C", EXCEPTIONS LIST**, is amended by adding the following Exception Nos. 74, 75 and 76 to the lands shown on Schedule 2 as follows:

74. On lands identified as Exception No. 74, the following provisions shall apply, provided that all other provisions of this By-law, as amended, not inconsistent with this Exception, shall continue to apply:

Permitted Uses:

For the purposes of this Exception, the following uses shall be permitted within the ground floor of a residential building proposed on Block D, Block E and Block F, provided such uses are designed to serve the adjacent and nearby residential community. Permitted uses are as follows:

- Banks
- Day Nurseries
- Offices
- Personal Service Shops
- Retail Stores
- Restaurants

Temporary Use:

- Temporary Sales Trailer for the sale of residential dwelling units

Prohibited Uses:**- Group Homes**

75. On those lands identified as Exception No. 75 on Schedule 2 the following provisions shall apply:
1. The density and height of development permitted by this By-law is permitted subject to compliance with the conditions set out herein and provided that the owner, at its expense and in accordance with and subject to the agreement referred to in this By-law provides the following facilities, services and matters:
    - (a) Prior to the issuance of any building permit for construction on Block A, the owner shall provide a cash contribution to the City in the amount of \$100,000 to be used in the sole discretion of the City for the Scarborough Walk of Fame.
    - (b) Prior to the issuance of any building permit for construction on Block D, the owner shall provide a cash contribution to the City in the amount of \$200,000 to be used in the sole discretion of the City for the restoration and re-naturalization of the Gatineau Hydro Corridor along the bicycle path in the vicinity of the Markham Road/Brimorton Drive intersection and/or for local boulevard tree planting improvements.
    - (c) Prior to the issuance of any building permit for construction on Block F, the owner shall provide a cash contribution to the City in the amount of \$400,000 to be used in the sole discretion of the City for the restoration and renaturalization of the Gatineau Hydro Corridor in Ward 38 and/or for local park improvements.
    - (d) Prior to the issuance of any building permit for construction on Block G or Block F, the owner shall provide a cash contribution to the City in the amount of \$100,000 to be used in the sole discretion of the City for improvements to Thomson Park.
    - (e) With the exception of a building permit for townhouse buildings to be located on Block A and with the exception of a shoring or excavation permit for a building on Block D, the owner shall not be entitled to a building permit for any building on the lands until such time as the owner has been issued a building permit for the replacement rental building on Block B and part of Block C.

- (f) The owner shall provide and maintain on the lands not less than 146 new replacement rental dwelling units for a period of at least 20 years, comprising 41 three-bedroom dwelling units, 95 two-bedroom dwelling units, and 10 one-bedroom dwelling units, of which at least 141 dwelling units shall have affordable rents and the remaining 5 dwelling units shall have rents no higher than mid-range rents. The replacement rental dwelling units shall generally be of the same type and size as contained in the existing buildings on the subject site at the date of enactment of this By-law, to the satisfaction of the Chief Planner, subject to the following:
- i. the replacement rental dwelling units shall comprise at least 41 three-bedroom units, 95 two-bedroom units and 10 one-bedroom units, with at least 70 of the two-bedroom units with floor areas of at least 77 square metres, all three-bedroom units with floor areas of at least 90 square metres, and all one-bedroom units with at least 51 square metres;
  - ii. the rental replacement units shall be maintained as rental units for at least 20 years, beginning with the date that each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental units to be maintained as rental units;
  - iii. the 146 replacement rental dwelling units shall be ready and available for occupancy no later than the date by which not more than 80% of the dwelling units in Block D are available and ready for occupancy;
  - iv. the owner shall provide and maintain affordable rents charged to the tenants who rent each of the 141 designated affordable replacement rental dwelling units during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type, and, upon turn-over, the rent charged to any new tenant shall not exceed the initial rent, increased annually by the provincial rent guideline and any above-guideline increase, if applicable, and over the course of the 10 year period, annual increases shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases;

- v. the owner shall provide and maintain rents no greater than mid-range rents charged to the tenants who rent the 5 designated replacement rental dwelling units with mid-range rents on the same basis as in (iv) except that the maximum mid-range rent shall not exceed an amount that is 1.5 times average market rent by unit type;
  - vi. rents charged to tenants occupying an affordable replacement rental dwelling unit or a mid-range replacement rental dwelling unit at the end of the 10 year period set forth in (iv) shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their dwelling unit or until the expiry of the rental tenure period set forth in (ii) with a phase-in period of at least three years for rent increases; and
  - vii. rents charged to tenants newly occupying a replacement rental dwelling unit after the completion of the 10 year period set forth in (iv) will not be subject to restrictions by the City of Toronto under the terms of the section 37 agreement entered into under this By-law.
- (g) The owner shall provide a tenant relocation and assistance plan for tenants in the existing buildings to the satisfaction of the Chief Planner and Executive Director, City Planning. The plan shall require the owner to provide for each eligible tenant the right to return to a replacement rental unit. Assistance under the plan shall, at a minimum, include a moving allowance and, for tenants relocating off-site and finding their own accommodation, other financial assistance on a sliding scale that is geared to the length of occupancy of each tenant, with provisions for special needs tenants.
- (h) Prior to the issuance of the first building permit (including demolition and/or excavation permit) for each phase of the development proposal, the owner shall prepare and subsequently implement a construction mitigation and tenant communication strategy, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The Strategy shall address mitigation measures and a communication plan for tenants occupying rental buildings on the lands while the demolition or construction activities are underway.

2. The density and height of development permitted by this By-law is permitted provided the owner has entered into one or more agreements satisfactory to the City of Toronto, pursuant to section 37 of the *Planning Act*, to secure the facilities, services and matters required to be provided by section 1 and such agreement or agreements provide to the satisfaction of the City Solicitor for the financial contributions arising under section 37 of the *Planning Act* to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the section 37 agreement to the date of payment of the funds by the owner to the City and for registration of the section 37 agreement(s) in priority to other encumbrances to the satisfaction of the City Solicitor.
  
3. The following matters may also be secured in the agreement required under section 37 of the *Planning Act* as a legal convenience to support the development:
  - (a) Construction of the development proposal shall proceed in accordance with the development phasing plan attached as Attachment No. 9 to the report (September 16, 2011) from the Director, Community Planning, Scarborough District.
  
  - (b) The owner shall prepare a construction management plan and neighbourhood communication strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) for any building on the lands, to the satisfaction of the Executive Director, Technical Services in consultation with the Chief Planner and Executive Director, City Planning Division.
  
  - (c) Prior to the issuance of the first building permit for construction on any of Blocks A, B, C, D or E, the owner shall design and construct the external road improvements as noted in the updated traffic impact assessment, prepared by BA Group Transportation Consultants and dated August 2011, all to the satisfaction of the General Manager, Transportation Services and the Executive Director, Technical Services, in consultation with the Toronto Transit Commission.
  
  - (d) Prior to the issuance of the first building permit for construction in any of Blocks A, B, C, D or E, the owner shall provide a cash contribution to the Toronto Transit Commission in the total amount of \$75,000 for the installation of a transit priority signal in the vicinity of the lands.

4. Notwithstanding the foregoing provisions relating to section 37 of the *Planning Act*, the owner and the City may modify or amend the said agreement(s), from time to time upon the consent of both the City and the owner, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.
  5. In the event that this By-law requires the provision of a facility, service or matter pursuant to section 37 of the *Planning Act* as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.
76. On those lands identified as Exception No. 76 on Schedule 2 the following provision shall apply:
- (a) The provisions of the By-law shall apply collectively to this land, notwithstanding its future division.

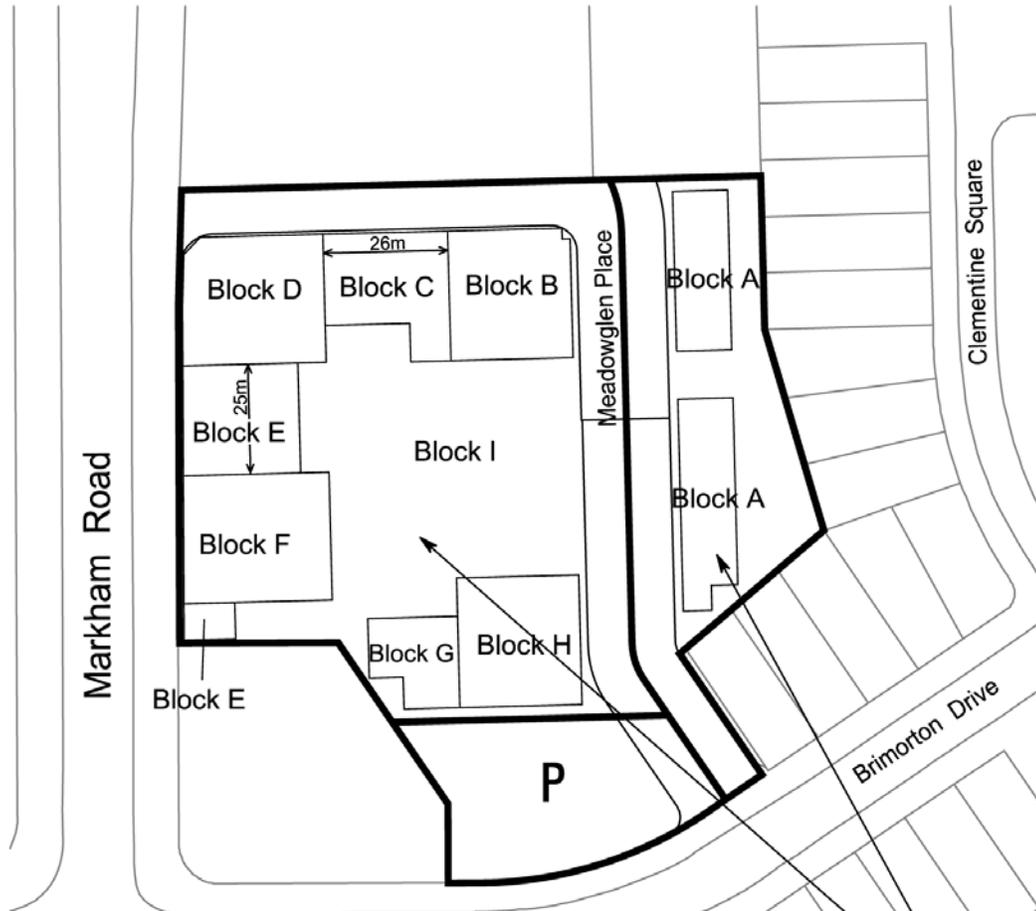
ENACTED AND PASSED this 9th day of May, A.D. 2012.

FRANCES NUNZIATA,  
Speaker

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

Schedule '1'



A and CC - 246,248,249,250,251,252,253,254,  
255,256,257,258,259,260,263,264,265,266,267,  
268,269,270,271,273,274,275,276,278,279,280

A - 245,247,255,261,262,272,273,276,277

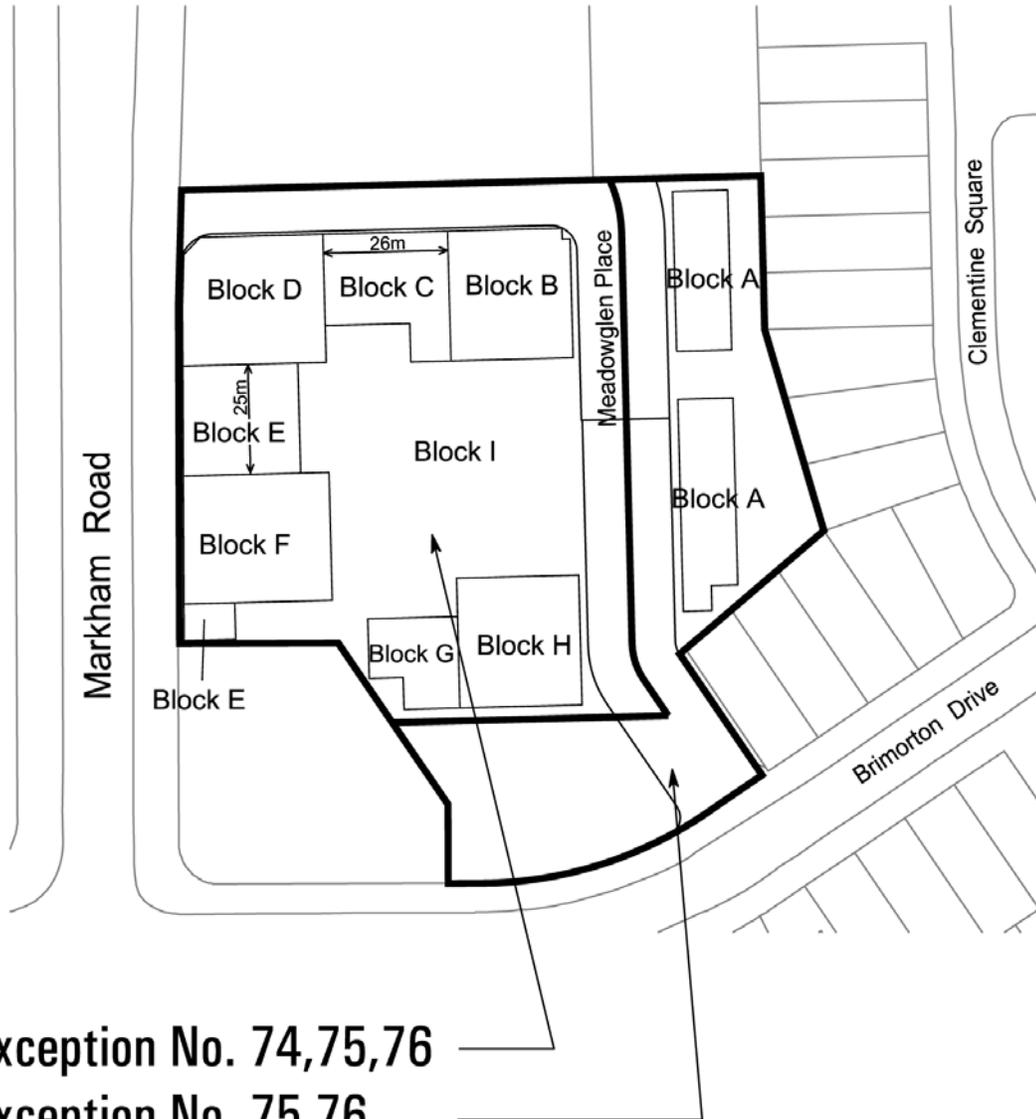
 **Toronto** City Planning  
Division  
**Zoning By-Law Amendment**

**1, 2 Meadowglen Place**  
File # 08 176491 OZ, 08 176779 RH,  
09 195940 SB, 11 262882 OZ

 Area Affected By This By-Law

Woburn Community Bylaw  
Not to Scale  
09/15/11  


Schedule '2'



Exception No. 74,75,76  
Exception No. 75,76

**TORONTO** City Planning  
Division  
Zoning By-Law Amendment

**1, 2 Meadowglen Place**  
File # 08 176491 OZ, 08 176779 RH,  
09 195940 SB, 11 262882 OZ

 Area Affected By This By-Law

Woburn Community Bylaw  
Not to Scale  
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