

CITY OF TORONTO

BY-LAW 454-2022

To amend Agincourt Community Zoning By-law 10076, as amended, with respect to the lands municipally known as 23 Glen Watford Drive.

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

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

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development; and

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

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

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters herein set out; and

Whereas the increase in the height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 10076, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this by-law which are secured by one or more agreements between the owner of the lands and the City of Toronto;

The Council of the City of Toronto enacts:

- 1. SCHEDULE "A"** of the Agincourt Community Zoning By-law 10076, as amended, for the lands outlined in the attached Schedule 1 is hereby further amended by deleting the existing Community Commercial (CC) zoning and replacing it with an Apartment Residential (A) Zone and Performance Standards so that the amended zoning shall read as follows:

A -145 - 146 - 153 - 185 - 186 - 217 - 218 - 219

2. **SCHEDULE "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

INTENSITY OF USE

145. Maximum **gross floor area** of all residential buildings shall not exceed 58,500 square metres.
146. The maximum floor plate area of each **storey** above 3 storeys shall be 980 square metres, including all built area within the **apartment buildings** and the floor area of any enclosed noise buffer balconies.

SIDE YARD

153. Minimum setbacks and stepbacks from the **lot** line(s) to the **main wall(s)** of any **building(s)** and minimum separation distances between **buildings** and additional **stepbacks** from the **main wall(s)** of any **building(s)** to the **main wall(s)** of any **building(s)** and minimum separation distances between **buildings** shall be the minimum distance in metres specified by the numbers on Schedule 2 of By-law 454-2022.

MISCELLANEOUS

185. Maximum **height** is measured from 168.35 metres above the Canadian Geodetic Datum elevation and the elevation of the highest point on the building or structure, and shall not exceed the height in metres specified by the numbers following the symbol HT on Schedule 2 of By-law 454-2022.
186. Amenity space shall be provided at a minimum rate of 4.0 square metres for each **dwelling unit**, of which a minimum of 1.5 square metres for each **dwelling unit** must be for outdoor amenity space.

PARKING

217. **Vehicle parking spaces** shall be provided on the lands as follows:

Residential:

- (i) bachelor **dwelling unit**: minimum 0.7 spaces per **dwelling unit**;
- (ii) one-bedroom **dwelling unit**: minimum 0.8 spaces per **dwelling unit**;
- (iii) two-bedroom **dwelling unit**: minimum 0.9 spaces per **dwelling unit**; and

Visitor:

- (i) a minimum of 0.15 spaces per **dwelling unit** shall be provided for visitors.

218. **Bicycle parking spaces** shall be provided as follows:

Residential:

- (i) minimum of 0.68 spaces per **dwelling unit**; and

Visitor:

- (i) residential visitors: minimum of 0.07 spaces per **dwelling unit**;

For the purpose of this by-law, a **bicycle parking space** shall mean an area used for parking or storing a bicycle.

219. Two **loading spaces** shall be provided with the following minimum dimensions:

- (i) 4.0 metres wide;
- (ii) 13.0 metres long; and
- (iii) 6.1 metres vertical clearance.

3. **SCHEDULE "C", EXCEPTIONS LIST**, of the Agincourt Community Zoning By-law 10076, as amended, is hereby further amended by adding the following Exception No. 42 to lands as shown on the attached Schedule 3 as follows:

42. On those lands identified as Exception No. 42 on Schedule 3, 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:

- a. The calculation of **height** shall exclude any mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, landscaping features including gazebos or fences, parapet walls, structures used for outside or open air recreation, safety or wind protection purposes, elements of a green roof, balconies, vents, stacks or other heating, cooling or ventilation equipment, a screen around such equipment, window washing equipment, ornamental elements, architectural elements, landscaping elements, privacy walls, trellises, stairs, stair enclosures, and guardrails or railings;
- b. The definition of **utility room** shall include loading bays;
- c. A temporary sales office for the sale/lease of residential **dwelling unit(s)** and associated parking is permitted on the lands;
- d. Canopies on the northern **main wall** are permitted to encroach into the required minimum building setbacks as shown on Schedule 2 of By-law 454-2022;

- e. For the purpose of this By-law, West Tower means the **building** labelled "West Tower" on Schedule 4 of By-law 454-2022;
- f. For the purpose of this By-law, East Tower means the **building** labelled "East Tower" on Schedule 4 of By-law 454-2022;
- g. For the purpose of this By-law, the labels W1 and W2, and E1 and E2, shown on Schedule 4 of By-law 454-2022, refer to the southwest and southeast **main walls** of each of the West Tower and East Tower, respectively;
- h. For the purpose of this By-law, Tower Orientation shall mean the physical orientation of the West Tower and East Tower relative to the south lot line as shown on Schedule 4 of By-law 454-2022. The Tower Orientation must be in compliance with the following:
 - (i) The angle formed between the southeast **main wall**, W2, of the West Tower relative to the south **lot line** shown as angle "A" on Schedule 4 and the angle formed between the southeast **main wall**, E2, of the East Tower relative to the south **lot line** shown as angle "B" on Schedule 4, must be 26 degrees with a maximum tolerance of 1 degree;
 - (ii) The interior angle between **main walls** W1 and W2 of the West Tower, shown as angle "C" on Schedule 4, and the interior angle between **main walls** E1 and E2 of the East Tower, shown as angle "D" on Schedule 4, must be no greater than 91 degrees and no less than 89 degrees;
 - (iii) Despite any setback or step back of **main walls** W1 and W2 from the building envelope shown on Schedule 2, **main walls** W1 and W2 of the West Tower must comply with the Tower Orientation requirements of subsections "i" and "j" above for the full length and height of such **main walls**; and
 - (iv) Despite any setback or step back of **main walls** E1 and E2 from the building envelope shown on Schedule 2, **main walls** E1 and E2 of the East Tower must comply with the Tower Orientation requirements of subsections "i" and "j" above for the full length and height of such **main walls**;
- m. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 7 Height of Apartment Building shall not apply;
- n. Pursuant to Section 37 of the Planning Act and subject to compliance with the provisions of this By-law, the increase in height and/or density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense:

- (i) A financial contribution in the amount of \$1,700,000.00 payable to the City of Toronto prior to issuance of the first above-grade building permit, with such amount to be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment. The funds shall be directed as follows:
 - (A) \$800,000 to be allocated towards capital improvements to the Agincourt Recreation Centre related to the accessibility of the building;
 - (B) \$900,000 to be allocated towards park improvements in proximity of the subject site; and
 - (C) in the event the cash contributions required in (A) and (B) above have not been used for the intended purpose within three (3) years of the date of the issuance of the first above-grade building permit, the cash contribution may be directed to another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject property; and
- o. That the Section 37 agreement referenced above secure, as a legal convenience, the requirement for and associated details respecting the satisfaction of the following conditions:
 - (i) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council applicable at the time of the site plan application for each building on the lands;
 - (ii) The Owner shall file applications for Site Plan Control Approval that clearly articulates the following at-receptor mitigation measures identified in the Environmental Noise Impact Study, dated April 25, 2019, prepared by Valcoustics Canada Limited, which secures appropriate mitigation measures to meet Ministry of Environment noise guidelines limits for noise control, including:
 - (A) Enclosed Noise Buffers (designed to meet the definition included in NPC-300) for all residential units with a direct view of the IGI facility;
 - (B) Exterior wall construction meeting a minimum Sound Transmission Class (STC) of 54;

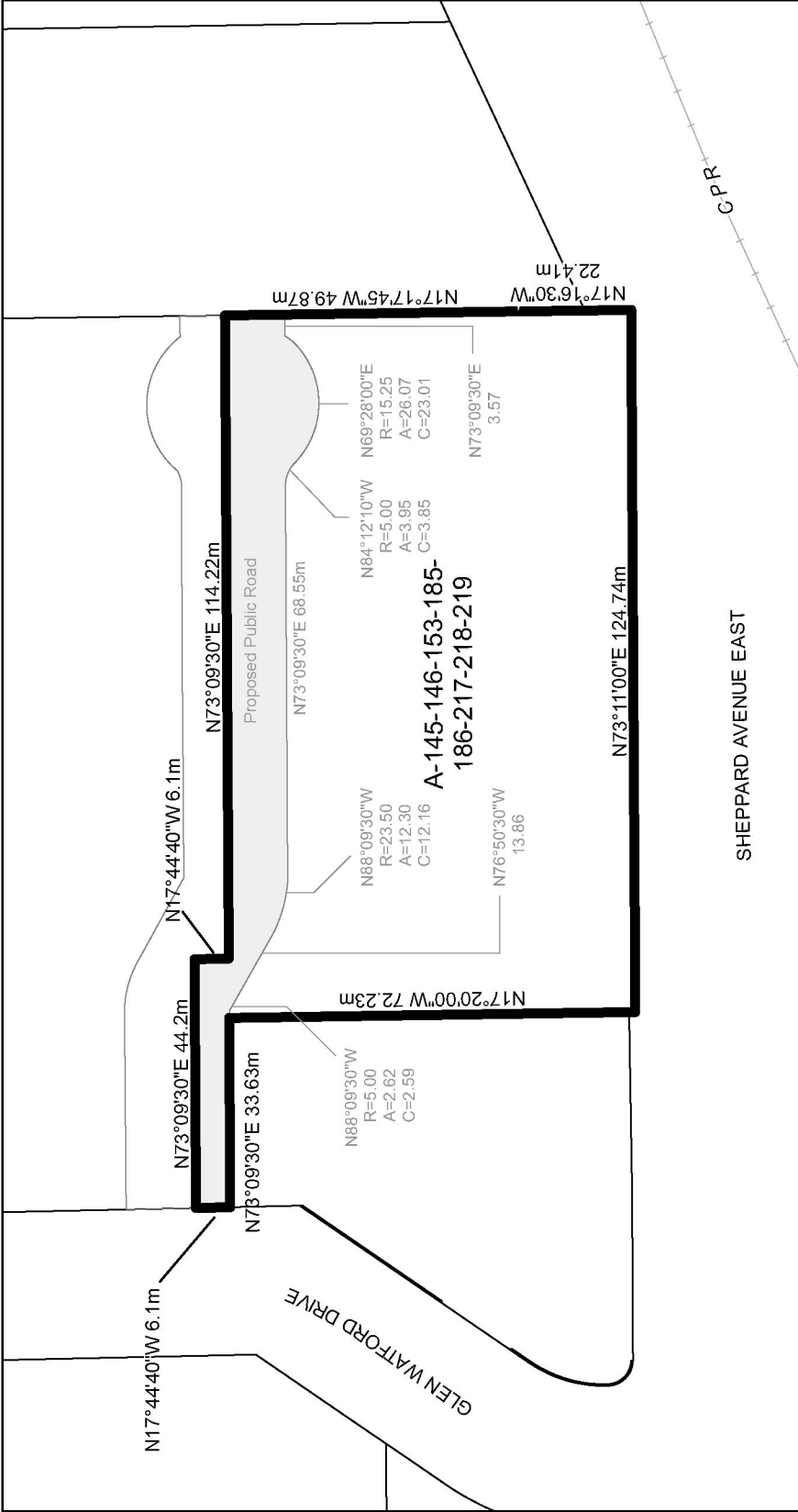
- (C) Exterior glass of Enclosed Noise Buffers meeting a minimum STC of 31;
 - (D) Exterior windows on facades without Enclosed Noise Buffers meeting a minimum STC of 41;
 - (E) Windows sealed along the south façade of the podium into amenity spaces, meeting a minimum STC of 37;
 - (F) A sound barrier around the south edge of the southernmost private terrace at the second storey of the east building (the 1.6 m high noise parapet identified on Figure 3 of Valcoustics' NIS report);
 - (G) The provision of air conditioning for all dwelling units; and
 - (H) Warning clauses in property and tenancy agreements, offers of purchase and sale, and condominium declarations to inform future residents of potential noise;
- (iii) All relevant drawings submitted for site plan control approval shall include a Noise Control Conformance stamp, by a qualified acoustical engineer, confirming that the recommended measures are included on the plans; and
 - (iv) Prior to issuance of the first building permit, and subsequent to the realignment of the pressure districts, the owner shall complete a hydrant flow test in accordance with NFPA 291, "Recommended Practice for Fire Flow Testing and Markings of Hydrants," to assess the water system on Glen Watford Drive and shall confirm to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services, that there is sufficient water supply to serve the development. If the results of the study do not confirm that there is sufficient water supply, the owner shall enter into a financially secured agreement(s) to ensure that appropriate upgrades to the water system servicing the development will be made, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and/or General Manager, Toronto Water.

Enacted and passed on May 12, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

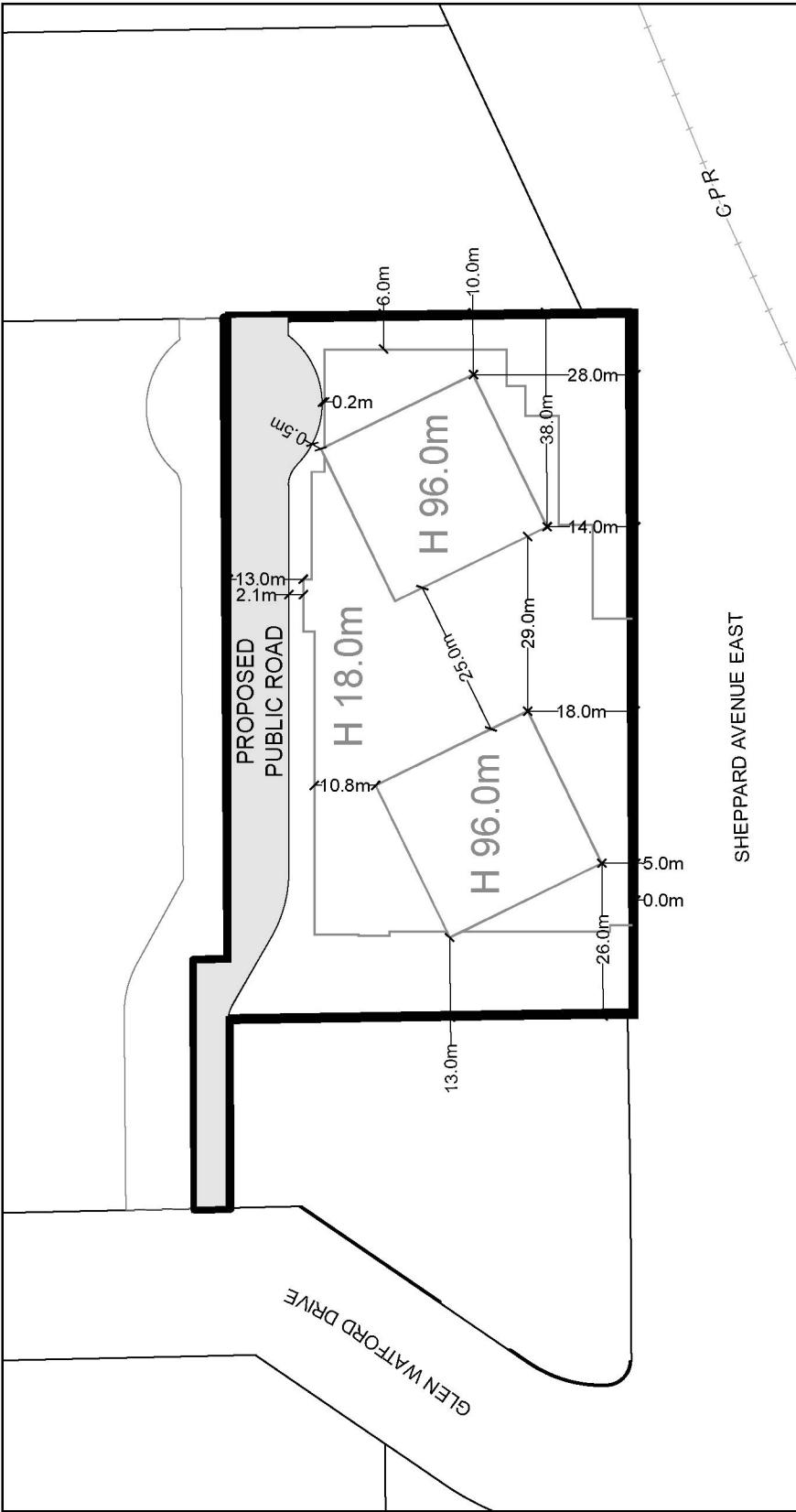


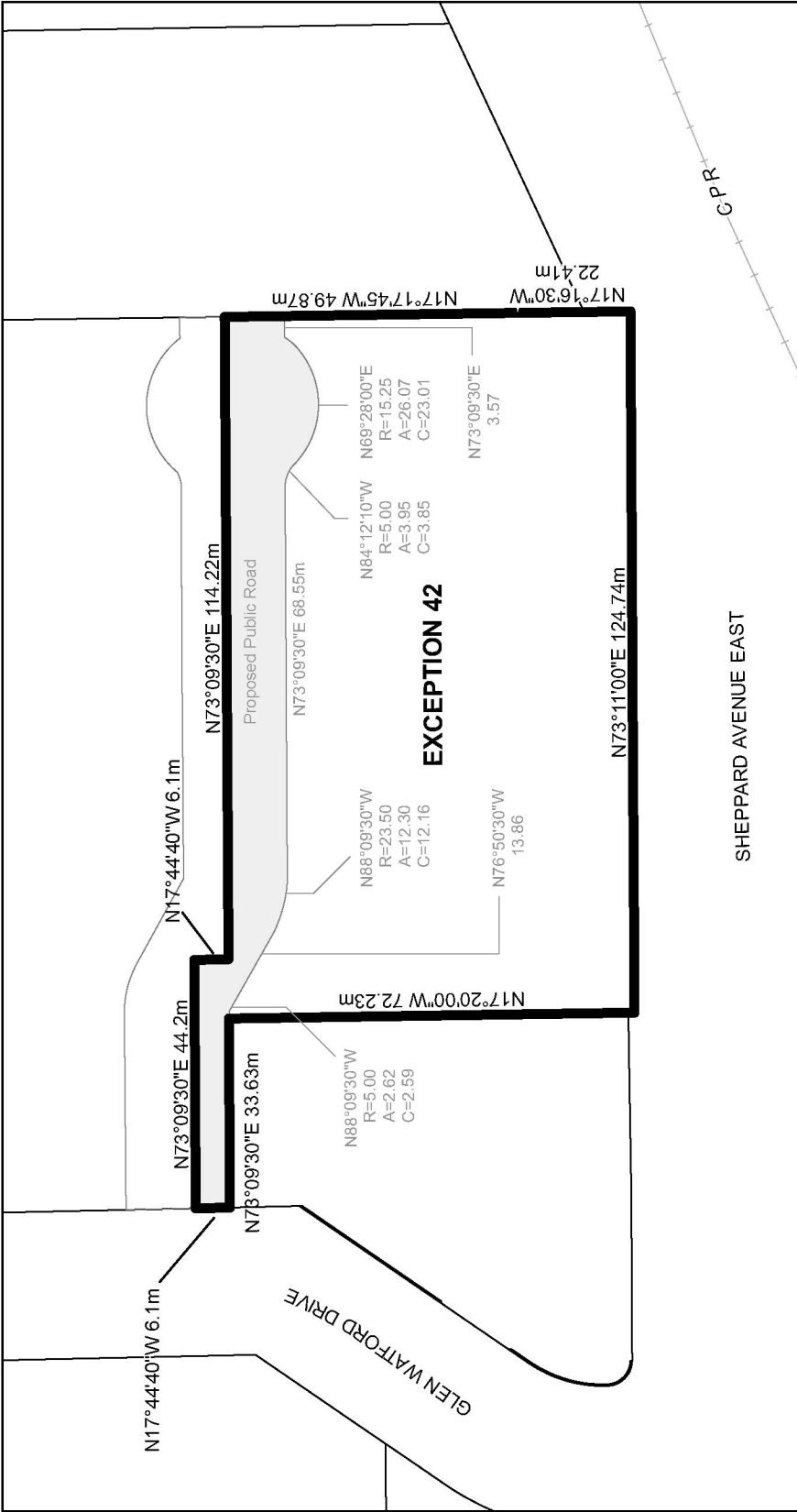
23 Glen Watford Drive

File # 12 146411 STE 41 0Z



Ajincourt Community Bylaw
Not to Scale
04/06/2022





23 Glen Watford Drive

File # 12 146411 STE 41 0Z



Agincourt Community Bylaw
Not to Scale
04/06/2022

