

## **147 Overbrook Place - Zoning Amendment Application – Supplementary report**

Date: July 15, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 6 - York Centre

**Planning Application Number: 20 212771 NNY 06 OZ**

### **SUMMARY**

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At its meeting of April 20, 2022, North York Community Council considered a Final Report from the Director, Community Planning, North York District which recommended approval of a Zoning By-law Amendment (Item NY 31.2). While the Zoning amendments were adequately described in the Final Report, it did not contain draft zoning by-law amendments and Community Council recommended that City Council amend the zoning by-laws in accordance with draft zoning by-laws to be presented directly to City Council. This item was deferred to the July 19 and 20, 2022 meeting of City Council.

This supplementary report contains the draft Zoning By-law amendments necessary to implement the proposed development. In addition to directing staff to bring forward draft by-law amendments, North York Community Council directed staff, through Recommendation 4, as part of their review of the application, ensure that all unit entrances are from Overbrook Place; that all 10 semi-detached units have access to the public sidewalk along Overbrook Place; ensure that the proposed sidewalk along Shaftsbury is extended further down the property line until the gate of the adjoining property; and to work with the applicant in producing a privacy buffer along the south property line is secured through things such as landscaping, window placement and/or other design options in consultation with the local Ward Councillor (Recommendation 4 in Item NY 31.2). The draft Zoning By-law amendments reflect some of these requested modifications and the remaining other matters will be pursued further with the applicant, as appropriate given that a site plan application is not required for this proposal.

### **RECOMMENDATIONS**

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The Chief Planner and Executive Director, City Planning, recommends that:

1. City Council delete recommendations 1 and 2 from North York Community Council and replace with the following new recommendations:

1. City Council amend Zoning By-law 569-2013 for the lands at 147 Overbrook Place substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to this report.
2. City Council amend City of Toronto Zoning By-law 7625 for the lands at 147 Overbrook Place substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to this report.
2. City Council authorize the Chief Planner, Executive Director to continue discussions with the applicant to implement Recommendation 4 in Item NY 31.1, as appropriate.
3. City Council determine that no further notice is required in respect of the proposed amendments to the draft Zoning By-law Amendment.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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At its April 20, 2022 meeting, North York Community Council considered a Final Report from the Director, Community Planning, North York District dated March 29, 2022 for 147 Overbrook Place (Item 31.2) and directed that staff bring forward draft zoning by-law amendments to City Council.

City Council considered the Final Report at its meetings of May 11, 2022 and June 15, 2022 and deferred consideration of the report to the July 19 and 20, 2022 meeting. City Council's decisions are available here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY31.2>.

## **PROPOSAL**

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This application proposes to amend the former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013 for the property at 147 Overbrook Place to permit 10 semi-detached 3-bedroom residential dwellings with a Floor Space Index of 1.35 times the lot area. The proposed development has a height of 10.0 metres and 3 storeys.

No Site Plan Control application is required for semi-detached dwellings.

## **COMMENTS**

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As outlined in the Final Report from the Director, Community Planning, North York District dated March 29, 2022, the proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal and the attached draft zoning by-law amendments are consistent with the PPS (2020) and conform with the Growth Plan (2020). Furthermore, the proposal conforms to the Toronto Official Plan, particularly as it relates to the Healthy Neighbourhood and *Neighbourhoods* policies.

Some of the amendments adopted by North York Community Council (Recommendation 4) can be addressed through an amendment to the zoning by-law but not all. The draft zoning by-law amendments require that access to the semi-detached dwellings be from Overbrook Place. The draft by-laws also require a 1.0 metre wide landscaping strip along the rear property line. These zoning by-law requirements address two of the items identified in Recommendation 4 of North York Community Council.

The remaining two items are beyond the scope of a zoning by-law. Ensuring that the sidewalk be extended to the south property line as well as location of windows would be normally details that would be reviewed and secured through the Site Plan Control process however applications for semi-detached dwellings are not subject to Site Plan Control and thus these elements cannot be secured through the subject application. Staff will continue to work directly with the applicant to address these matters.

Staff recommend that Council adopt the attached draft Zoning Bylaw amendments.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Chief Planner and Executive Director, City Planning

## **ATTACHMENTS**

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Attachment 1: Draft Zoning By-law Amendment - By-law 569-2013  
Attachment 2: Draft Zoning By-law Amendment - By-law 7625  
Attachment 1:

Authority: North York Community Council Item NY31.2, as adopted by City of Toronto Council on July 19 and 20, 2022.

## CITY OF TORONTO

Bill

BY-LAW -2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 147 Overbrook Place.

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

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands subject to this By-law from a zone label of RD (f15.0; a550) (x5) to RM (f7.4; a136) (x 240), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 240 so that it reads:

(240) Exception RM 240

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) A maximum of 10 dwelling units are permitted within 5 semi-detached houses;
- (B) Despite Regulation 10.80.20.40(1) a dwelling unit is only permitted in a semi-detached house;
- (C) The front lot line is the lot line abutting Overbrook Place and pedestrian entrances to the dwelling units will be located in the front main wall facing Overbrook Place;

- (D) Despite Regulation 10.80.30.40(1), the permitted maximum lot coverage is 69 percent;
- (E) Despite Regulation 10.5.50.10, a 1 metre landscaping privacy strip is required along the rear lot line;
- (F) Despite Regulation 10.80.40.40(1), the permitted maximum gross floor area is 2,350 square metres and minimum gross floor area for each dwelling unit is 240 square metres;
- (G) Despite Regulation 10.80.40.10(3), the permitted maximum number of storeys is 3;
- (H) Despite Regulations 10.5.40.10(2), (3) and (4), the following equipment and structures may project beyond the permitted maximum height of a building:
- (i) equipment used for the functional operation of the building including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents to a maximum of 1 metre;
  - (ii) structures that enclose, screen or cover the equipment, structures and parts of a building listed in (i) above, inclusive of a mechanical penthouse, to a maximum of 1metre;
- (I) Despite Regulation 10.80.40.70(1)(2) or (3), the required minimum building setbacks are as shown in metres on Diagram 3 of By-law \_\_\_\_\_;
- (J) Despite Clauses 10.5.40.60 and 10.80.40.50 and (I) above, the following elements may encroach into the required minimum building rear yard setbacks and separation distances as follows:
- (i) decks, porches, and balconies, to a maximum extent of 1.8 metres;
  - (ii) canopies and awnings, to a maximum extent of 1.0 metres;
  - (iii) window projections, including bay windows and box windows, to a maximum extent of 1.0 metres;
  - (iv) eaves, to a maximum extent of 0.3 metres;

Prevailing By-laws and Prevailing Sections:

- (A) Schedule 'D' Airport Hazard Map from City of North York zoning By-law 7625.

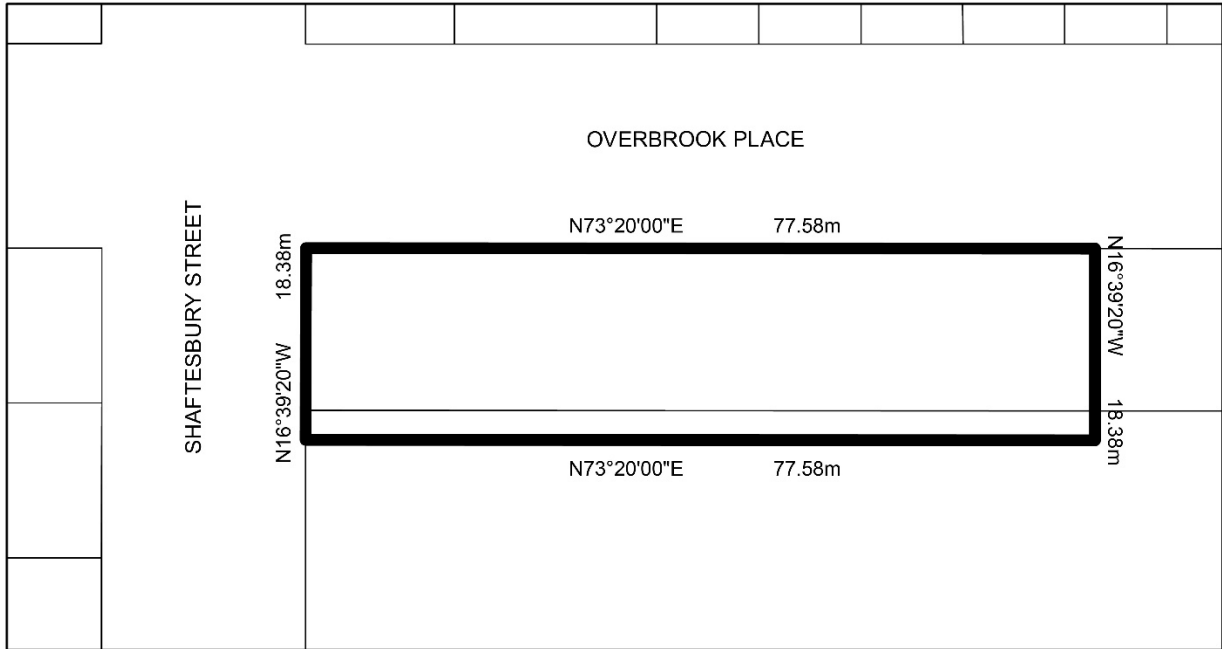
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on July , 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

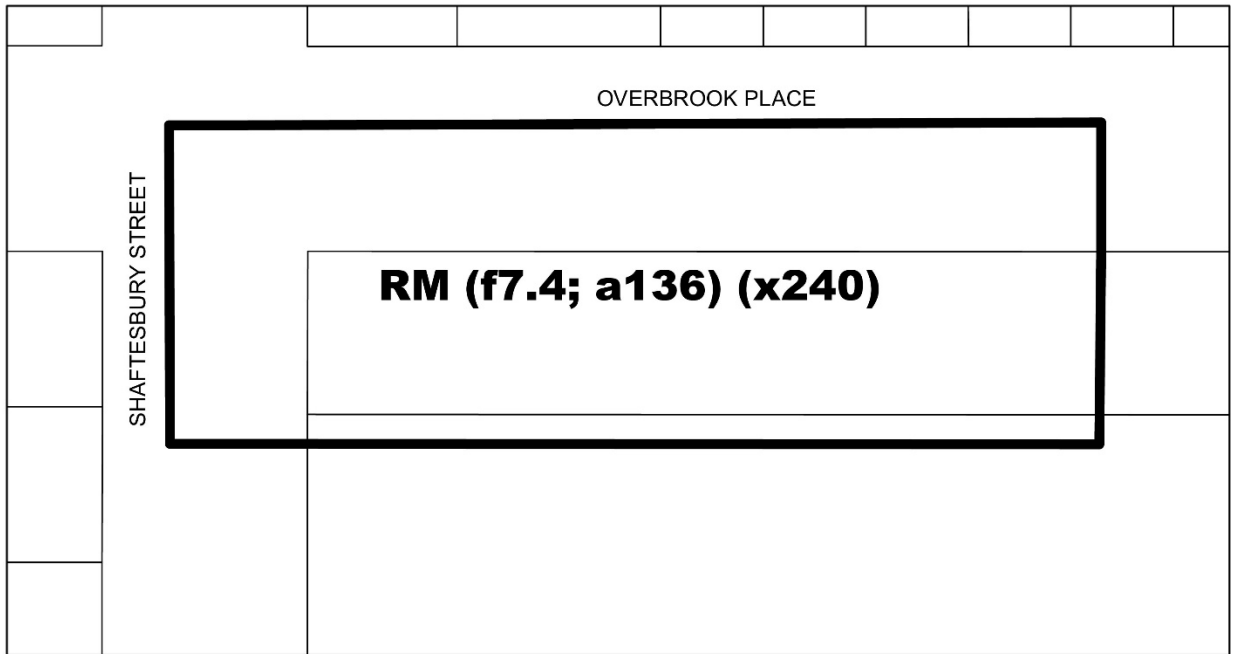


**Toronto**  
 Diagram 1

**147 Overbrook Place**

File # 20 212771 NNY 06 02


City of Toronto By-law 569-2013  
 Not to Scale  
 05/09/2022



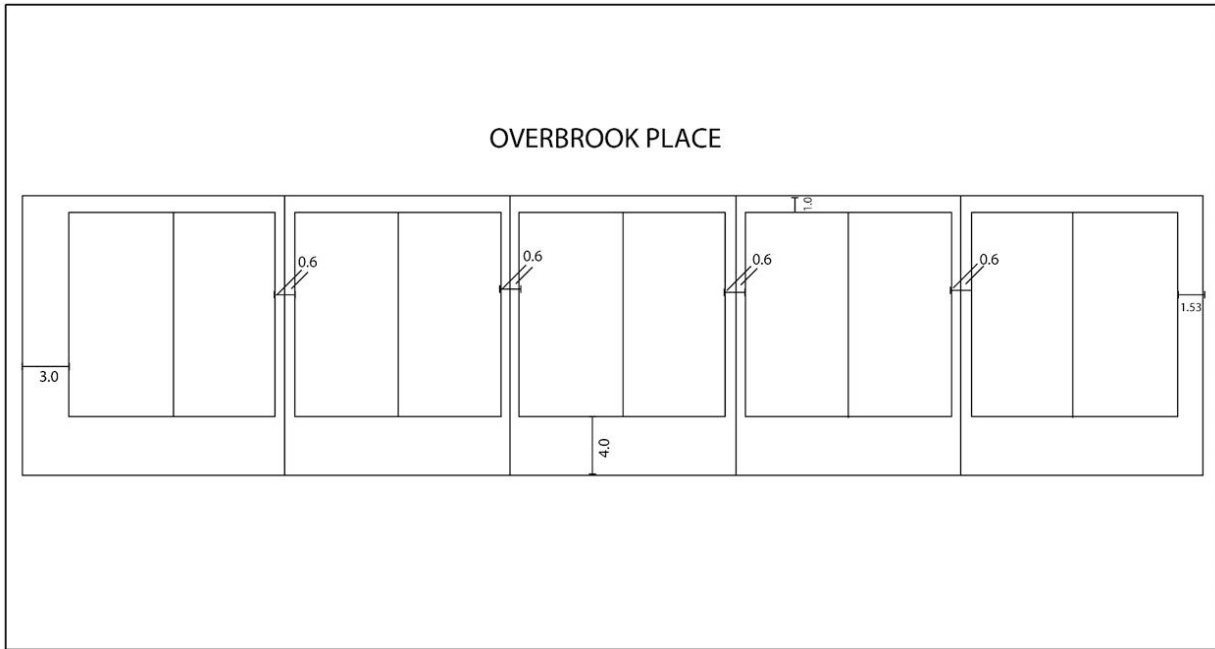
 **TORONTO**  
Diagram 2

147 Overbrook Place

File # 20 212771 NNY 06 02

  
City of Toronto By-law 569-2013  
Not to Scale  
05/09/2022





**TORONTO**  
Diagram 3

**147 Overbrook Place**

File # 20 212771 NNY 06 0Z

City of Toronto By-law 569-2013  
Not to Scale  
05/06/2022

## Attachment 2:

Authority: North York Community Council Item NY31.2, as adopted by City of Toronto Council on July 19 and 20, 2022.

CITY OF TORONTO

Bill

BY-LAW -2022

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known as 147 Overbrook 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 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 enacts as follows:

1. Schedule “B” and “C” of By-law 7625 of the former City of North York are amended in accordance with Schedule 1 and Schedule RM6 (282) attached to this By-law.
2. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding the following subsection:

64.20-A RM6(282)

### PERMITTED USES

- (a) The only permitted uses shall be:
  - (i) Semi-Detached Dwellings;

### EXCEPTION REGULATIONS

- (a) Yard Setbacks
  - (i) Notwithstanding Section 20-A.2.4 (Yard Setbacks), the minimum yard setbacks are as shown on Schedule RM6(282); and
  - (ii) Canopies, window projections, eaves, decks, porches and balconies may encroach within the minimum yard setbacks by a maximum of 1.8 metres.
- (b) Building Height/Storeys

- (i) Notwithstanding Section 20-A2.6 (Building height), the maximum building heights shall not exceed 3 storeys and 10 metres;
  - (ii) Mechanical enclosures shall not be considered a storey and may project beyond the permitted maximum building height limits to a maximum of 1 metre; and
  - (iii) Screens, parapets and skylights are permitted to exceed the height of 3 storeys and 10 metres by a maximum of 1 metre.
- (c) Density
- (i) Notwithstanding Section 20-A.2.5 (Gross Floor Area), the maximum total gross floor area is 2,350 square metres and the minimum gross floor area is 240 square metres per unit;
- (d) Lot Coverage
- (i) Notwithstanding the provisions of Section 20-A.2.2 (Lot Coverage) the maximum lot coverage is 69 percent;
- (e) Landscaping
- (i) Notwithstanding the provisions of Section 15.8 (Landscaping) a 1 metre landscaping strip shall abut the rear property line;
- (f) Lot Frontage
- (i) Notwithstanding the provisions of Section 20-A.2.3 (Lot Frontage) the minimum lot frontage for each dwelling unit shall be 7.4 metres; and
- (g) Lot Area
- (i) Notwithstanding the provisions of Section 20-A.2.1 (Lot Area) the lot area for each dwelling unit shall be 136 square metres.

#### PREVAILING BY-LAWS

- (a) Schedule `D' Airport Hazard Map from City of North York zoning by-law 7625.

3. Within the lands shown on Schedule "1" attached to this By-law, 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:

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

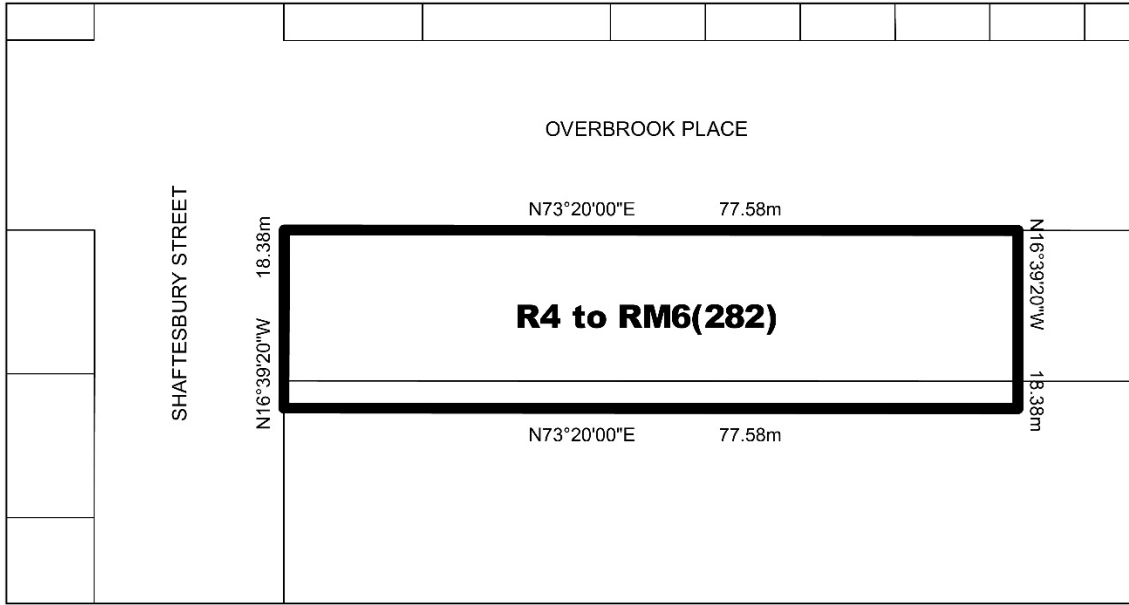
(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on July , 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

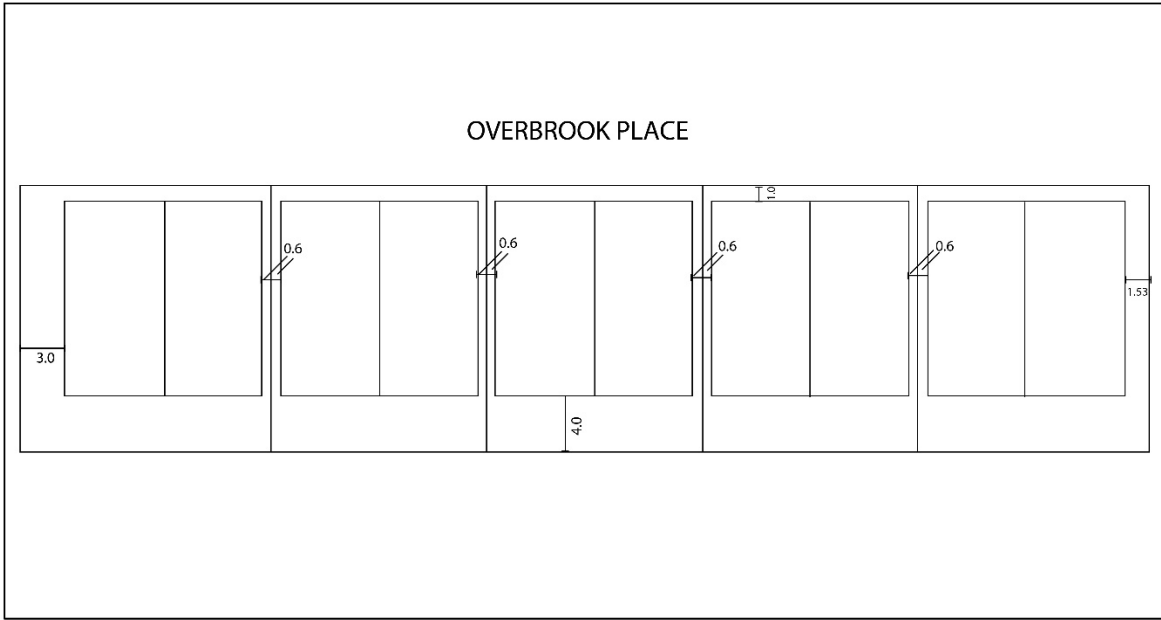


**TORONTO**  
Schedule 1

**147 Overbrook Place**

File # 20 212771 NNY 06 02

  
 Former City of North York By-law 7625  
 Not to Scale  
 05/09/2022



**TORONTO**  
 Schedule RM6(282)

**147 Overbrook Place**  
 File # 20 212771 NNY 06 02

↑  
 Former City of North York By-law 7625  
 Not to Scale  
 05/08/2022