

120 Donlands Avenue – Official Plan Amendment & Zoning Amendment – Final Report

Date:	January 27, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth
Reference Number:	12-298600 STE 29 OZ & 13-186029 STE 29 OZ

SUMMARY

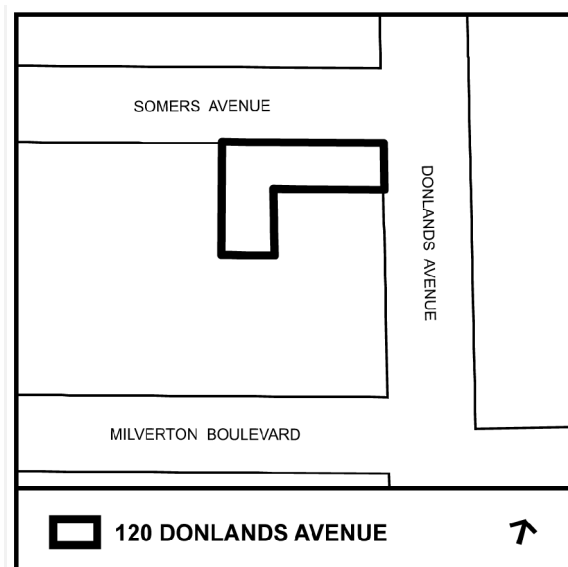
This application proposes the redevelopment of the property at 120 Donlands Avenue with a four storey apartment building comprising four townhouse-type units and 15 apartment units. A total of 14 vehicular parking spaces and 16 bicycle parking spaces will be provided.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law because the proposed building is a permitted building type in the Official Plan and it sensitively deploys height and massing on a corner lot which ensures that it fits into the surrounding *Neighbourhood*.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 120 Donlands Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 to the report (January 27, 2014) from the Director, Community Planning, Toronto and East York District.
2. City Council amend former Borough of East York Zoning By-law 6752 for the lands municipally known as 120



Donlands Avenue, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report (January 27, 2014) from the Director, Community Planning, Toronto and East York District.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
4. City Council direct the Chief Planner and Executive Director, City Planning to secure, amongst others, the following matters in a Site Plan Agreement pursuant to Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*:
 - a. appropriate privacy screens, planter walls, glazing, low voltage accent down lighting with respect to the ground floor area and roof top terrace along the west and south property lines;
 - b. exterior building materials that contemplates stone/brick on the lower levels, stucco finish on the upper levels and window and door placement that complements the character of the neighbourhood;
 - c. appropriate signage for small-car parking spaces to the satisfaction of the General Manager, Transportation Services; and
 - d. a 3.44 metre road widening along Donlands Avenue to satisfy the requirement of a 27-metre right-of-way.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2005, Bousfields Inc. on behalf of the owners submitted an Official Plan Amendment and Rezoning application for a 4-storey apartment building comprising 16 residential units at the subject site. The application proposed 16 parking spaces, with 10 spaces located underground and 6 spaces located beneath an elevated courtyard. The Preliminary Report on the 2005 application identified concerns with the built form, parking deficiencies and access. The applicant was unable to provide additional information and Planning staff subsequently closed the file for the applications in 2012.

Following discussions with City staff, Bousfields submitted a new application for zoning amendment on December 31, 2012.

On May 15, 2013, the Toronto and East York Community Council considered a Preliminary Report dated March 14, 2013, from the Director, Community Planning, Toronto and East York District and adopted the recommendations of that report which can be found at: <http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-56843.pdf>.

An application to amend the Official Plan to permit the proposed building was subsequently submitted on June 11, 2013 to address concerns in the Preliminary Report.

ISSUE BACKGROUND

Original Proposal

The original 2012 application proposed a 4-storey residential apartment building comprising: four townhouse-type units with 15 apartment units above and a parking structure containing 14 parking spaces partially above grade.

The application proposed 13 metres of building height along Somers Avenue and 10.7 metres in height at the deepest portion of the site. The proposed floor space index was 2.44 times the lot area and 2,019 square metres of gross floor area. The building coverage was 68% of the lot area. The proposed building was set back 1.2 metres and 6 metres from the west property line and the deepest portion of the south property line, respectively. The proposed building was set back approximately 3 metres along Donlands Avenue and the townhouse units were set back 3 metres from the south property line with patios on the ground floor. The townhouses project into the setback from the south property line by approximately 1.5 metres. The site is accessed off Somers Avenue on a 6 metre driveway/ramp.

Revised Proposal

On October 4, 2013, the applicant submitted a revised proposal with the following changes:

- Three small car spaces have been provided in addition to 14 vehicular parking spaces.
- The building mass has been redeployed on the site to ensure that it fits into the surrounding neighbourhood.
- The south side building setback has been increased from 6 metres to 7.5 metres at the deepest portion of the site.
- Some of the exterior steps to the townhouse-type units have been internalized making them more grade related.
- The corner unit has a front door providing direct access from the Donlands Avenue frontage ensuring that it is in keeping with the character of houses on the street.
- The proposed building is set back between 0.2 metres to 3.7 metres along the Somers Avenue property line.
- The projection of the townhouses into the southeast corner of the site has been eliminated.
- The proposed building will have a floor space index of 2.43 times the lot area and a building coverage of 80% after land conveyance for boulevard widening. The original proposal had a floor space index of 2.44 times the lot area and a building coverage of 68%.

- The gross floor area of the proposed building has been reduced from 2,019 square metres to 1,910 square metres.
- The revised proposal reflects conveyance of 3.44 metre for widening of the boulevard along Donlands Avenue.

Site and Surrounding Area

The site is an "L" shaped lot located at the southwest corner of Donlands Avenue and Somers Avenue. The subject property currently has an area of 828.56 m² with 12.88 metres of frontage on Donlands Avenue and a depth of 44.17 metres flanking Somers Avenue. The area if the site will be reduced to 784.26 m² after land conveyance. The site is currently occupied by a 1-storey non-residential building used by different tenants in the past, including a landscape contractor, a painting contractor and a general contractor.

To the north, south, east and west of the site are residential uses in the form of detached and semi-detached dwellings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Official Plan contains development criteria for assessing new development in *Neighbourhoods*. Specifically, Policy 5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;

- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

Further, Policy 5 states that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood. The policies state that the prevailing building type will be the predominant form of development in the neighbourhood and that some *Neighbourhoods* will have more than one prevailing building type.

Zoning

The former Borough of East York Zoning By-law 6752 zones the property Medium Density Residential (R2A), which permits residential uses, City-owned facilities, day nurseries in community centres, or in public libraries, schools and churches that existed at the date of the passing of the By-law. Residential uses are permitted in the form of single-detached dwellings and semi-detached dwellings. Institutional buildings, buildings and structures accessory to the above-noted building types are also permitted.

The subject property is excluded from the new harmonized City of Toronto By-law 569-2013, which was enacted by City Council on May 8, 2013.

Site Plan Control

A Site Plan Control application was submitted concurrently with the rezoning application and is currently being reviewed.

Reasons for Application

The *Neighbourhood* is characterised by detached and semi-detached residential buildings. An Official Plan amendment application is required because the proposed 4-storey apartment building is not consistent with the prevailing building types noted above.

The R2A zoning category only permits single-family detached dwellings, semi-detached dwelling and institutional buildings. As such, the proposed apartment house does not comply with the existing By-law requirements. A Zoning By-law amendment is required to permit the proposed building, density, building height, building length, building coverage, parking, setbacks and landscaped open space.

Community Consultation

A Community Meeting was held by Planning staff on July 3, 2013. The concerns expressed at that meeting related to the built form, density, height, privacy, parking on local streets, traffic, site access and servicing. In addition, residents submitted a petition expressing a desire for the site to be used the site as a community resource centre such as a library. All of the above noted issues are discussed in the Comments section of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

Discussions with the Applicant

City staff met with the applicant in September 2013 to address comments from City staff and concerns expressed by residents at the community consultation meeting. The applicant agreed to continue working with City staff to resolve the issues identified in this report.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement, because it proposes residential use in a neighbourhood that allows for the efficient use of the subject lands, infrastructure and public service facilities.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* Policy 5 requires new development to respect and reinforce the existing physical character such as the prevailing building type. However, the Official Plan permits 4-storey apartment buildings in *Neighbourhoods*. In this instance, the proposed residential apartment building is permitted in the Official Plan but it is not the prevailing building type in this *Neighbourhood* area. The *Neighbourhood* is characterised by detached and semi-detached residential buildings. Notwithstanding the foregoing, the building location on a corner site, the deployment of the height and massing, use of setbacks and stepbacks, privacy screens, grade related townhouse type units and the design and materials used, ensure that the proposed building fits in the physical character of the neighbourhood. City staff have reviewed lot sizes and configurations for the area and determined that there is limited opportunity for the proliferation of this type of development within the larger neighbourhood.

Land Use

A residential apartment building is a use permitted by the City of Toronto Official Plan, however, the Zoning By-law permits residential uses in only single-family detached and semi-detached buildings. The height and density of the proposed building exceed the permissions of the Zoning By-law, but the Official Plan permits 4-storey interspersed apartment buildings provided the building respects and reinforces the existing physical character of the neighbourhood. The proposed residential use is consistent with the surrounding uses and is

sensitive and fits in the physical character of the neighbourhood. In addition, the Toronto Public Library has indicated that there are no plans for additional sites in the area due to the proximity of the site to two other branches at 1675 Danforth Avenue and 170 Memorial Park Avenue, in light of the residents petition noted above.

Height, Massing & Density

The East York Zoning By-law 6752 permits a maximum building height of 8.5 metres, a maximum floor space index of 0.75 times the lot area, a building coverage of 35% of the lot area and a maximum building length of 16.75 metres for permitted residential building types. Most of the houses in the area are 2-storey houses with heights of approximately 8 metres. The site is located on the boundary of between the former Borough of East York and the former municipality of the City of Toronto which is regulated by By-law 438-86, where some of the houses are 2-3 storeys with roof dormers having building heights of approximately 10 metres. The proposed building will be 4-storeys or 13 metres in height along Somers Avenue and 3-storeys or 10.7 metres in height at the deepest portion of the site. The proposed building will have a floor space index of 2.43 times the lot area or 1,910 square metres and the building coverage will be 80% of the lot area after conveyance of land for boulevard widening on Donlands Avenue.

The proposed building will have a variety of setbacks on Somers and Donlands Avenue and is set back 1.2 metres and 7.5 metres from the west property line and the deepest portion of the south property line, respectively. The townhouses are set back 3 metres from the south property line and cantilevered above patios on the ground floor.

Even though the density and building coverage is higher than the By-law requirements and what exists in the neighbourhood, the built form of the development, with its stepbacks and setbacks, results in the density being sensitively deployed on the property. In addition, the town house type units are now grade related because some of the steps have been internalized. As such, the front entrances, living space and windows are located on the ground floor, enhancing views onto the street. The revised proposal is in keeping with the character of the area.

Light, Views and Privacy

The revised proposal has incorporated changes that redeploy the massing of the building on the site. The proposed building has been further set back from 6 metres to 7.5 metres along the south property line and the 4th storey has been stepped back along the west property line. The proposal contemplates the use of privacy screens, low-voltage down light bulbs, planter walls, and a continuous row of 1.5 metre upright cedar on the ground floor area and roof top terrace along the west and south property lines. The above noted measures address the concerns of City staff and residents regarding overlook, privacy and sky views and will be secured through Site Plan Approval.

Traffic Impact, Access & Parking

The proposed development provides a total of 14 parking spaces for unit owners, 3 small-car parking spaces and no visitor parking spaces. The applicant has increased the original number of parking spaces in response to concerns by City staff and residents by introducing 3 small-car parking spaces. The applicant also submitted a Parking Consideration Study in support of the application that concludes that the parking supply is sufficient for the project based on an on-street parking utilization survey and there would minimal impacts on the area. City Engineering staff have reviewed the study provided by the applicant and concur with the conclusion.

Access to the underground parking is provided off Somers Avenue by a 6 metre wide driveway/access ramp. City staff were concerned with the location and slope of the access ramp on the City Boulevard. Toronto Water (Water Infrastructure Management) have reviewed the Storm Water Management Report/Plan and the proposed Reverse Slope Driveway and deemed it to be acceptable. Development and Engineering Services have advised that the location of the access ramp on the City Boulevard is acceptable.

A 3.44 metre road widening is required along Donlands Avenue to satisfy the requirement of a 27-metre right-of-way. The applicant's revised plans show the lands to be dedicated for the above mentioned purposes and would be secured under the Site Plan Approval process.

Servicing

The applicant submitted a Servicing Report which concludes that full sewer and water services can be provided to the proposed development, including necessary utility infrastructure. The applicant also submitted a stormwater management report in support of this proposal. City Engineering staff have requested that a revised site servicing and grading plan as well as a landscaping plan showing existing and proposed utilities be submitted for review prior to approval of the site plan application. City Engineering staff have not identified any concerns with the existing City infrastructure being able to accommodate the proposed building.

No loading facilities are proposed for the building, nor are they required by the Zoning By-law. The City will provide curb side collection of waste materials from the proposed residential development.

Amenity Space

Section 3.1.2.6 of the Official Plan states that significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of new development. The East York Zoning By-law does not require the provision of indoor and outdoor amenity space; however, in other parts of Toronto and East York District where a building has 20 or more units, 2 m² per unit of indoor and outdoor amenity space is required. The modest size of the proposed building (19 units) with 175 m² of roof top amenity space and private balconies providing individual respite is acceptable.

Design & Materiality

The proposed exterior building materials to be secured in the site plan agreement contemplate incorporating architectural stone/brick on the lower levels, stucco finish on the upper levels, shingle roof, placement of windows and doors which complement the surrounding neighbourhood character. The applicant has provided detailed information on the proposed materials and architectural detailing/treatments on the north and east elevations, which will be visible as people approach the building. The Somers Avenue and Donlands Avenue frontages will have a new and improved landscaping.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The proposal would provide 4 bicycle spaces for visitors and 12 spaces for residents. City staff

are satisfied with the number of bicycle parking spaces provided. The organization of the bicycle spaces will be determined as part of Site Plan approval.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provision across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is located in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Parkland Dedication By-law 1020-2010.

The application proposes 19 residential units on a site with an area of 828.5 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.0253 hectares (30.5% of the site area). However, for sites of less than 1 hectare in size a cap of 10% applies for residential uses. In total, the parkland dedication requirement is 83 m².

The applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 83m² would not be of useable size. The actual amount of cash-in-lieu to be paid would be determined at the time of issuance of the building permit if an approval is granted.

Streetscape

Residential uses will be maintained at grade, to continue the residential character of the area. Particularly, the townhouse type units are grade related and would have direct access and views onto the street. The applicant provided revised plans showing landscaping areas on Somers and Donlands Avenue. Four street trees are proposed on Somers Avenue and two street trees are proposed on Donlands Avenue.

The sidewalk along Donland Avenue will be approximately 4 metres wide after the 3.44 metre land conveyance allowing for an edge zone, tree planting and street furnishing zone and a pedestrian clearway. The Somers Avenue frontage will have new and improved landscaping. The proposed exterior building materials at grade and streetscape improvements can be secured through Site Plan Approval.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. Applicable TGS performance measures will be secured through the Site Plan Approval process.

Conclusion

This application proposes a four storey residential apartment building with townhouse-type units which is permitted in the Official Plan and sensitively deploys the height and massing on site to ensure that it fits in the character of the neighbourhood. As such, this report recommends approval of the application to amend the Official Plan and Zoning By-law identified in attachments 7 and 8.

CONTACT

Francis Kwashie, Planner
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Fax No. 416-392-1330
E-mail: fkwashi@toronto.ca

SIGNATURE

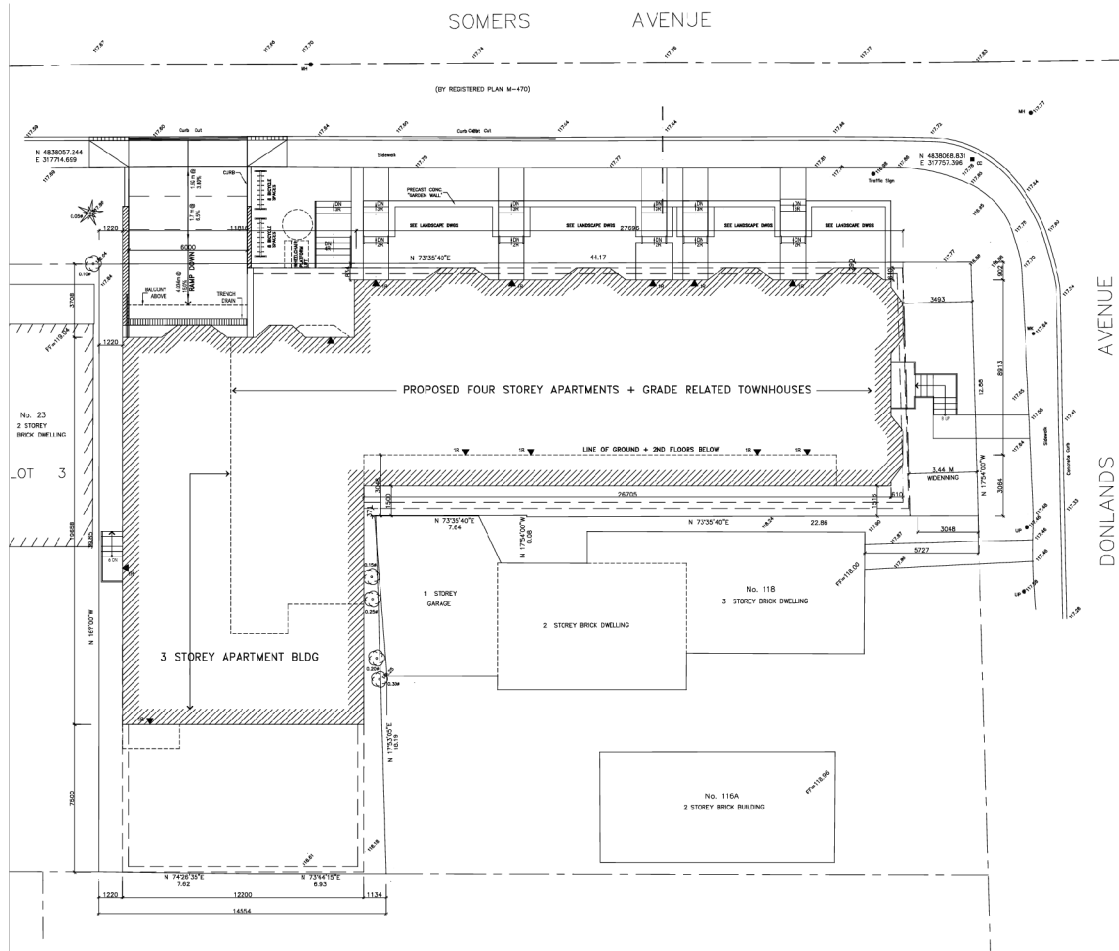
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North & East Elevations
Attachment 3: South & West Elevations
Attachment 4: Zoning
Attachment 5: Official Plan
Attachment 6: Application Data Sheet
Attachment 7: Draft Official Plan Amendment
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

120 Donlands Avenue

Applicant's Submitted Drawing

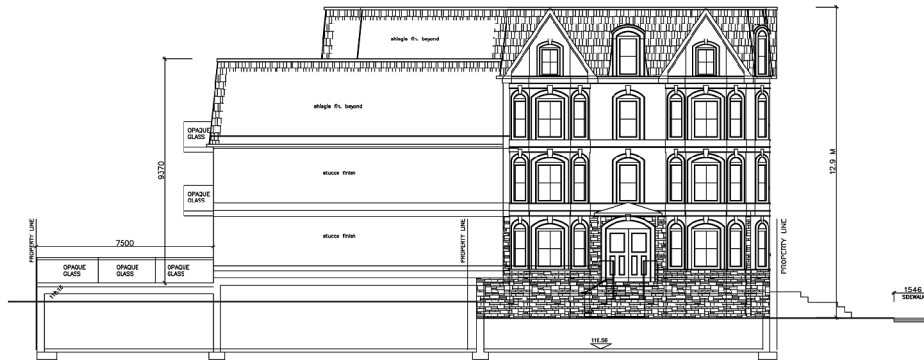
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Attachment 2: North & East Elevations



North Elevation



East Elevation

Elevations

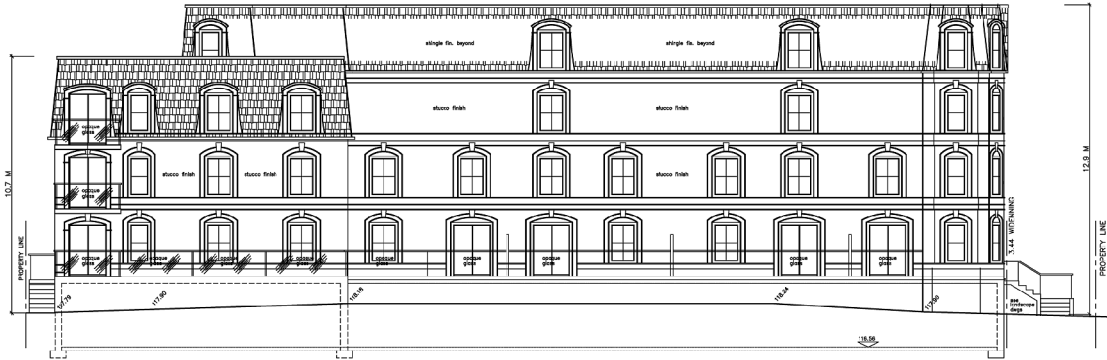
120 Donlands Avenue

Applicant's Submitted Drawing

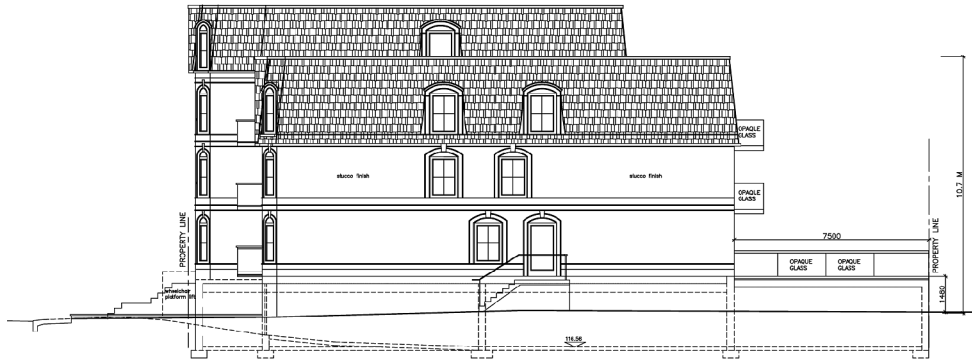
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Attachment 3: South & West Elevations



South Elevation



West Elevation

Elevations

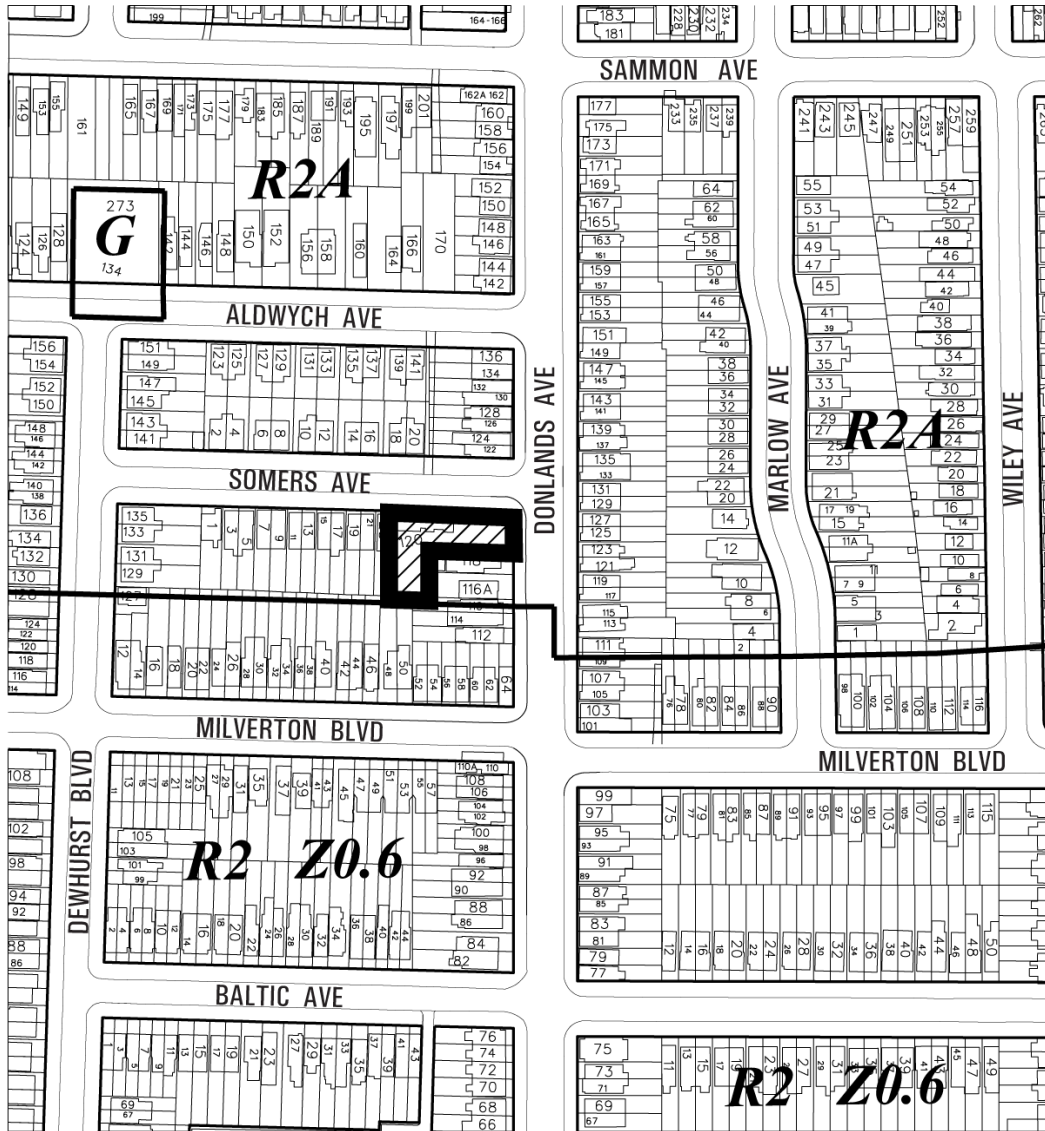
120 Donlands Avenue

Applicant's Submitted Drawing

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11/15/2013

File # 12 298600 OZ & 13 186029 OZ

Attachment 4: Zoning



120 Donlands Avenue

File # 12_298600_OZ

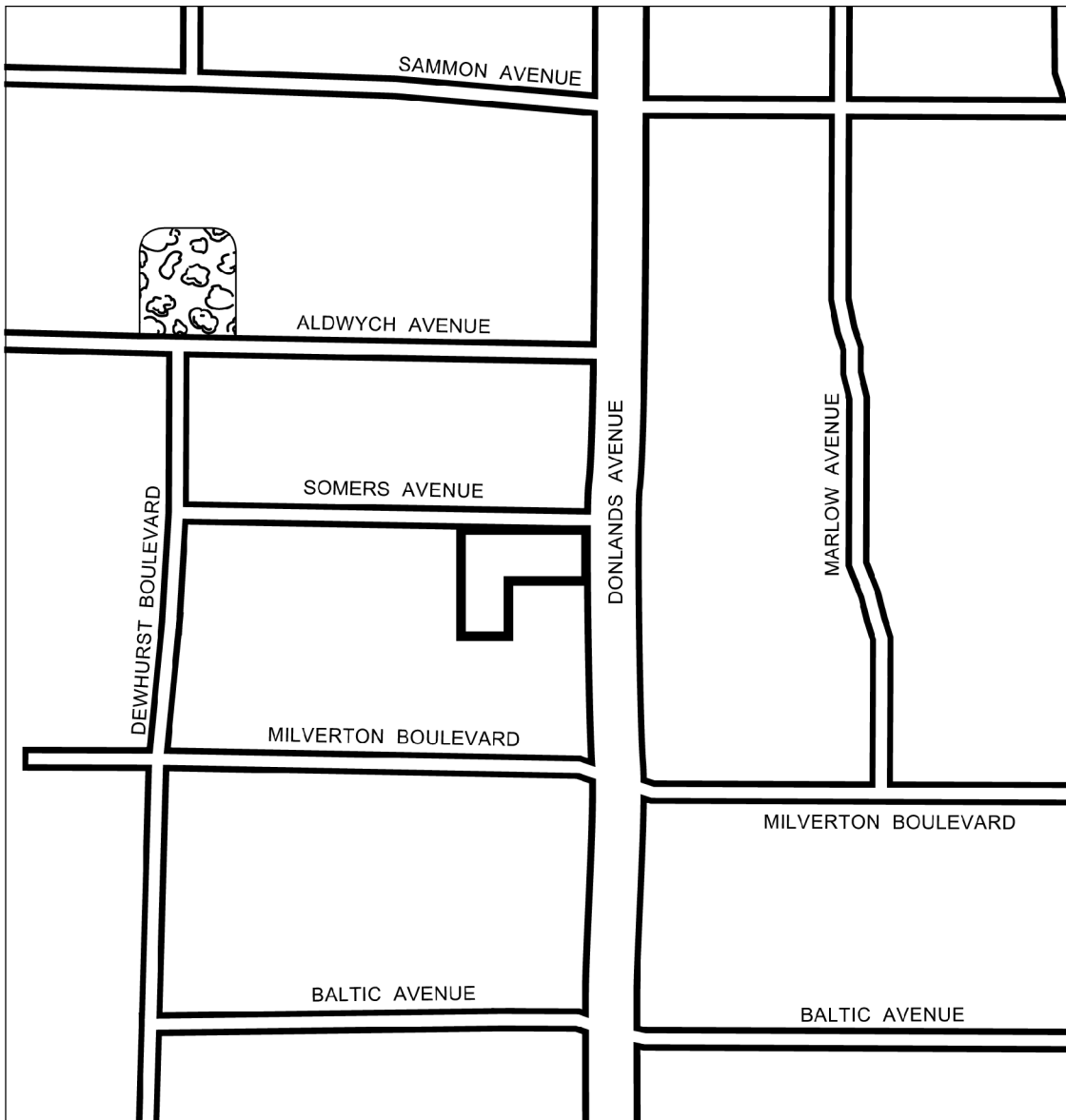
East York By-law 6752 as amended
 R2A Medium Density Residential
 G Conservation

City of Toronto By-law 438-86 as amended
 R2 Residential District

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Extracted 01/16/2013

Attachment 5: Official Plan



-  Site Location
-  Neighbourhoods
-  Parks & Open Space Areas
-  Parks

Attachment 6: Application Data Sheet

Application Type	OPA & Rezoning	Application Number:	12 298600 STE 29 OZ
Details	Rezoning, Standard	Application Date:	December 31, 2012

Municipal Address: 120 DONLANDS AVENUE
 Location Description: PLAN M470 LOT 1,2,PT BLK A **GRID S2903
 Project Description: A new 4-storey residential building comprising; 4 townhouses, 15 apartment units and 14 parking spaces. See related Site Plan Approval 12-298596.

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc.		Pedro Pimentel Arch Inc.	Louisville Homes Ltd.

PLANNING CONTROLS

Official Plan Designation:	<i>Neighbourhoods</i>	Site Specific Provision:	No
Zoning:	R2A	Historical Status:	No
Height Limit (m):	8.5	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	828.56	Height:	Storeys:	4	
Frontage (m):	12.88		Metres:	12.9	
Depth (m):	44.17				
Total Ground Floor Area (sq. m):	532.4				Total
Total Residential GFA (sq. m):	1,910		Parking Spaces:	14	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	1,910				
Lot Coverage Ratio (%):	80				
Floor Space Index:	2.43				

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	1
2 Bedroom:	18
3 + Bedroom:	0
Total Units:	19

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	1,910	0	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

CONTACT: PLANNER NAME: Francis Kwashie, Planner
TELEPHONE: 416-392-1306

Attachment 7: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2013, as 120 Donlands Avenue

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

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. The attached Amendment No. 228 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

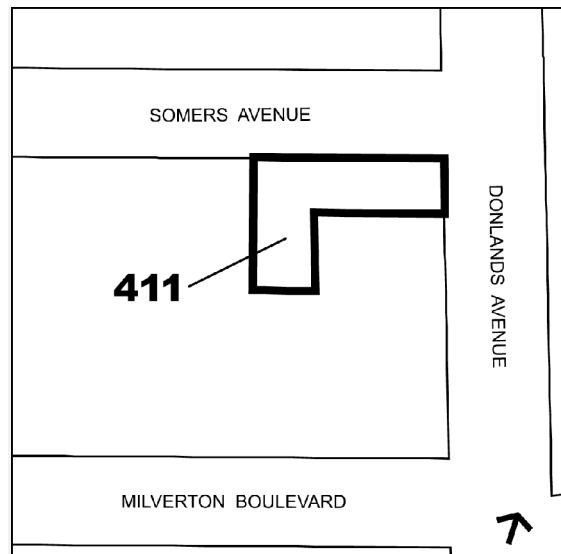
AMENDMENT NO. 228 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
120 DONLANDS AVENUE

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 411 for lands known municipally in 2013 as 120 Donlands Avenue, as follows:

411. An Apartment Building is permitted.

2. Chapter 7, Map 32, Site and Area Specific Policies, is revised to add the lands known municipally in 2013 as 120 Donlands Avenue shown on the map above as Site and Area Specific Policy No. 411.



Attachment 8: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
120 Donlands Avenue**

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 HEREBY ENACTS as follows:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified as "Area Subject to Amendment" as shown on Map 1 attached hereto.
2. Map "1" to former Borough of East York Zoning By-law No. 6752, as amended, is hereby further amended by changing the zoning category for the "Area Subject to Amendment" from R2A to R2A.44.
3. Former East York Zoning By-law No. 6752, as amended, is hereby further amended by adding a new Section 7.5.4.44 immediately after Section 7.5.4.43 as follows:

"7.5.4.44 **120 Donlands Avenue (R2A.44)**

7.5.4.44.1 Area Restricted

The provisions of this section shall only apply to those lands municipally known on the date of this amendment as 120 Donlands Avenue being part of Lots 1 and 2 and Part of Block A, Registered Plan M-470, City of Toronto (formerly Borough of East York), as shown on Map "1" of this By-law.

7.5.4.44.2 General Provisions

On those lands referred to in Section 7.5.4.44.1 of this By-law, no person shall use, occupy, erect, alter or cause to be used occupied, erected or altered any Building, Structure or land or part thereof except in accordance with the following provisions:

1) Definitions:

For the purposes of Section 7.5.4.44:

(a) **BICYCLE PARKING SPACE**

Means an area used for the purpose of parking and storing a bicycle with a minimum dimension of:

- (i) if located in a horizontal position (on the ground):

Minimum length - 1.8 metres,
Minimum width - 0.6 metres;
Minimum horizontal clearance from the ground - 1.9 metres; and

- (ii) if located in a vertical position (on the wall):

Minimum length or vertical clearance – 1.9 metres,
Minimum width - 0.6 metres;
Minimum horizontal clearance from the wall - 1.2 metres.

(b) **GRADE**

Means the elevation above the geodetic elevation of 119.955 metres above sea level.

(c) **GROSS FLOOR AREA**

Means the aggregate of the areas of each storey above Grade measured between the exterior faces of the exterior walls of a Building at the level of each storey and including the floors below Grade unless they are used only for storage, washrooms, heating equipment, parking, loading and/or other Accessory uses.

(d) **LOT**

Means the lands outlined by a heavy black line and identified as "Area Subject to Amendment" on Map 1 of By-law No. xxx-2013.

(e) **PARKING SPACE**

Means and area for the parking and storing of a vehicle with a minimum dimension of:

Length – 5.6 metres
Width – 2.6 metres
Vertical clearance – 2.0 metres

Except that the minimum required width of a Parking Space must be increased by 0.3 metres for each side of the Parking Space that is obstructed by a fixed object such as a wall, column, bollard fence or pipe, if it is situated within 0.3 metres of the side of the

Parking Space, measured at right angles and more than 1.0 metres from the front or rear of the Parking Space.

(h) **RESIDENTIAL AMENITY SPACE – OUTDOOR:**

Means an outdoor common area or areas on a Lot which are provided for the exclusive use of residents of a building on the Lot for recreational or social purposes.

(1) Permitted Uses, Buildings and Structures

APARTMENT HOUSE and MULTIPLE ATTACHED DWELLINGS

(2) Developable Area

For the purpose of this By-law, the development requirements shall only apply to the lands identified on Map “1” attached to this By-law.

(3) Development Requirements

(a)	Minimum Lot Area	784 m ²
(b)	Maximum No. of Dwelling Units	19 units
(c)	Maximum Residential Gross Floor Area	1,910 m ²
(d)	Maximum Coverage	80%
(e)	Maximum Floor Space Index	2.43 times the lot area
(f)	Maximum Building Height	As shown on Map 2 of this By-law
(g)	Maximum No. of Storeys	As shown on Map 2 of this By-law
(h)	Minimum Residential Amenity Space - Outdoor	2 m ² per dwelling unit
(i)	Minimum setback of all Buildings and Structures	As shown on Map 2 of this By-law
(j)	Minimum Residential Vehicle Parking	14
(k)	Minimum Bicycle Parking (visitors)	4
(l)	Minimum Bicycle Parking (residents)	12
(m)	Maximum Building Length	As shown on Map 2 of this By-law

(n) Landscape Open Space

To be provided in the areas not occupied by the building or driveway

(4) Other Provisions

Nothing in Section 7.5.4.43.2 (3)(f) shall prevent:

(a) Parapet walls to a maximum vertical projection of 1.5 metres.

(b) Building elements, equipment or Structures that are used for the functional operation of the Building, such as stair towers, elevator overruns, mechanical penthouses, roof access, vents, towers, antennas, maintenance equipment, storage and water supply facilities provided that the maximum height of the top of the Building element or Structure is no higher than the sum of 3.5 metres and the maximum permitted Height of that part of the Building on which it is located as indicated by the number following the symbol "(H)" shown on Map 2 of By-law No. xx-2013.

(c) No part of any building or structure on the *lot* erected or used above finished ground level is located other than wholly within the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law with the following exceptions applicable to other than a *lot* line;

(i) cornices, awnings, skylights, ornamental elements, trellises, window sills, balustrades, stairways and railings, stair enclosures, wheelchair ramps, underground and above *grade* garage ramps, retaining walls, landscape and public art features may project to a maximum of 1.0 metres beyond the heavy lines shown on Map 2; and

(ii) canopies and balconies may project to a maximum of 1.0 metres beyond the heavy lines shown on Map 2.

(5) Additional Uses

A temporary sale pavilion which shall only be used to sell the residential units located within the limits on the area identified on Map 1 of this By-law.

(6) Use Restrictions

There shall be no roof or projecting signs.

5. Within the lands shown on Map "1" attached to this By-law, no person shall use and 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.

6. Division of Lands:

Notwithstanding any existing or future severance or division of the lands subject to this exception, the regulations of the exception shall continue to apply to the whole of the lands.

7. Other provisions of the By-law:

Excepting the amendments contained in this By-law, all the other provisions of former Borough of East York Zoning By-law No. 6752, as amended, shall apply to the lands referred to in Section 7.5.4.44.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

