

4 Overland Drive and 150 The Donway West – Rezoning Application – Final Report

Date:	March 25, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 25 – Don Valley West
Reference Number:	09 196460 NNY 25 OZ

SUMMARY

The rezoning application proposes to amend the Zoning By-laws to permit five (5) freehold townhouse units at 4 Overland Drive and 150 The Donway West. A portion of 4 Overland Drive and 150 The Donway West will be severed to provide for the development. The existing four and six storey apartment buildings will remain on the site.

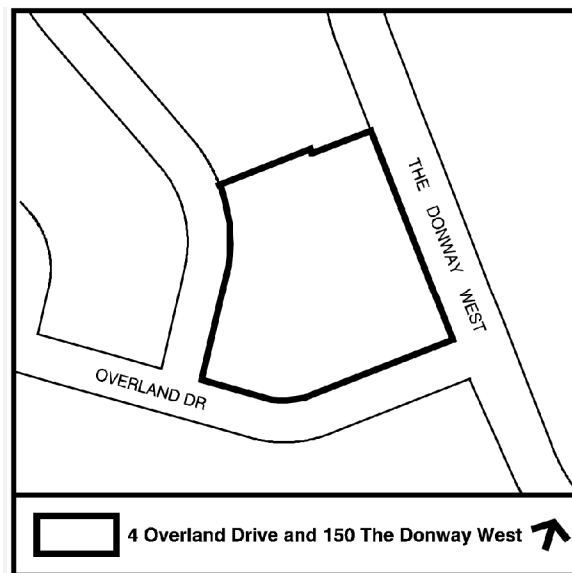
The project complies with Official Plan policies which permit compatible infill development on *Apartment Neighbourhood* sites in a manner consistent with development criteria set out in the Plan taking into consideration the site's local context.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law 7625 for the lands at 4 Overland Drive and 150 The Donway West



substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.

2. City Council amend City of Toronto Zoning By-law 1156-2010 for the lands at 4 Overland Drive and 150 The Donway West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require that Notice of Site Plan Approval Conditions be issued by the Director, Community Planning, North York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report for this application was considered by North York Community Council at its May 25, 2010 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the public meeting be given according to the regulations of the *Planning Act*.

Community Council adopted the staff recommendations and directed that the notice area for the community consultation meeting be expanded. The Preliminary Report is available at the following web link:

<http://www.toronto.ca/legdocs/mmis/2010/ny/bgrd/backgroundfile-29847.pdf>

ISSUE BACKGROUND

Proposal

The site has a total area of 10 784 m² with two existing apartment buildings. The applicant proposes to sever a 1 316 m² parcel from the existing lands and amend the Zoning By-laws to construct a five unit townhouse development. The location of the townhouse development is indicated as Part B in Attachment 1: Context Plan.

The proposed townhouse development consists of five units fronting on Paperbirch Drive ranging in size from 232 m² to 238 m². Vehicular access to the site will be provided from Paperbirch Drive with a 1.5 metre wide easement over the retained lands to provide the necessary width for a common driveway to parking in the rear. A total of eight resident and two visitor parking spaces are proposed. Attachment 2: Site Plan and Attachment 3: Elevations illustrate the townhouse development. The existing four and six storey apartment buildings on the retained lands will remain unchanged.

The site has an existing density of 1.06 Floor Space Index (FSI). The gross floor area (GFA) of the new development is 1 170 m² resulting in a FSI of 0.9 for the townhouse development and 1.2 for the existing apartment buildings. The new density for the application lands would be an FSI of 1.2. Additional project information is contained on the Application Data Sheet (Attachment 6).

Site and Surrounding Area

The proposed development site is located on the east side of Paperbirch Drive, north of Overland Drive on a larger parcel of land located at the northwest corner of The Donway West and Overland Drive. The subject lands currently contain two residential apartment buildings known municipally as 4 Overland Drive and 150 The Donway West. The lands have a frontage of 106 metres on The Donway West, 130 metres on Overland Drive and 94 metres on Paperbirch Drive.

4 Overland Drive is a four storey residential apartment building containing 48 units and 150 The Donway West is a six storey residential apartment building containing 72 units. Existing vehicular accesses are from The Donway West and Overland Drive.

Land uses surrounding the site are as follows:

East: Shops at Don Mills.

West: Single detached dwellings and the Overland Learning Centre.

South: Seniors club (E P Taylor Overland Club) and a seniors residence (Thompson House).

North: Parking lot for a residential apartment building (160 The Donway West).

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Consistency and conformity with these policies is discussed below.

Official Plan

The Official Plan designates the property as *Apartment Neighbourhoods* as shown on Land Use Map 20. The *Apartment Neighbourhoods* designation permits apartment buildings and lower density uses permitted in the *Neighbourhoods* designation.

Apartment Neighbourhoods are stable areas of the City where significant growth is generally not anticipated. The Official Plan recognizes, however, that there may be opportunities for development on underutilized sites and provides criteria to evaluate these situations. The policies for evaluating development in *Apartment Neighbourhoods* are outlined in Sections 4.2.2 and 4.2.3. of the Official Plan.

Section 3.2.1 of the Official Plan contains policies to preserve rental housing where significant new development is occurring on an existing rental apartment site. The objectives of the policy are to secure existing rental housing and secure improvements to existing rental housing.

Central Don Mills Secondary Plan

The subject lands are also located in the Central Don Mills Secondary Plan. The general goal of this Secondary Plan is to manage change in the community in a manner that retains and enhances the existing character of the area. The Plan contains policies that are specific to *Apartment Neighbourhoods*. Section 3.1.2 of the Central Don Mills Secondary Plan states that Don Mills was planned to provide a mix of housing forms and tenure. The full range of housing types and tenure, and the existing pattern of density distribution, will be maintained. Section 3.1.3 of the Central Don Mills Secondary Plan states that rental housing will be maintained and improved where possible.

Zoning

At its meeting of August 25-27, 2010, City Council adopted a new, harmonized Zoning By-law for the City of Toronto. By-law 1156-2010 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal the provision of both the former City of North York Zoning By-law 7625 and the new City of Toronto Zoning By-law are in effect for this site.

The subject lands are zoned RM5 (Multiple-Family Dwellings Fifth Density Zone) and RM6 (Multiple-Family Dwellings Sixth Density Zone) in the former City of North York Zoning By-law 7625. The RM5 and RM6 zones permit Apartment House Dwellings and Multiple Attached Dwellings at an FSI of 1.0 and 1.5, respectively.

The westerly portion of the site containing 4 Overland Drive is identified as "not part of this By-law" in the new City of Toronto Zoning By-law 1156-2010. Accordingly, none of this by-law currently applies to this portion of the site. The easterly portion of the site containing 150 the Donway West is zoned RA which permits apartment buildings.

Site Plan Control

The applicant has filed an application for site plan control which is currently being reviewed. This report recommends that the Notice of Approval Conditions be issued by the City prior to introducing the necessary bills to City Council for enactment.

Reasons for Application

An amendment to both zoning by-laws is required to provide appropriate performance standards for the townhouses development. Amendments are also required to implement density restrictions and new setbacks for the existing apartment buildings.

Community Consultation

A community consultation meeting on the application was held on June 2, 2010 at Norman Ingram Public School. A total of twelve residents and the Ward Councillor's assistant were in attendance.

In addition to the meeting at Norman Ingram Public School staff have received letters, e-mail and phone inquiries from the public. In the course of the community consultation process a number of issues were raised, including:

- Distance between the existing apartment building at 4 Overland Drive and the proposed townhouse units;
- Rationale for the rezoning application;
- Impact of the proposed development on the below grade parking structure for 160 The Donway West;
- The visual impact of waste storage and utilities on the streetscape;
- Loss of privacy on adjacent properties;
- Proposed coverage of the development;
- On-street parking along Paperbirch Drive; and
- Loss of trees.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement. As a residential infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure.

The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal's compact and efficient form optimizes the use of existing services and infrastructure. It is an example of intensification through redevelopment of an underutilized lot in a built-up area.

Land Use

The application proposes to maintain the two existing apartment buildings and construct five townhouses on an underutilized portion of the site. The proposal retains the rental units and adds diversity to the local housing stock which is in compliance with the Official Plan and the Don Mills Secondary Plan. The proposed townhouse development is sensitive to adjacent land uses and represents an appropriate land use for this site.

Development Criteria

Section 4.2.2 of the Official Plan outlines the development criteria in *Apartment Neighbourhoods*. Staff are satisfied with the site organization and building treatment. The height, massing and location of the townhouse development contributes to the definition of Paperbirch Avenue at a scale compatible with the residential dwellings across the street. The building defines the street with direct access to the entrances, four to six metre front yard setbacks, landscape treatment, and a building façade that includes third storey terraces facing Paperbirch Avenue. Resident and visitor parking is located in the rear of the townhouse building.

Outdoor amenity space for the townhouse development is proposed in the front and rear yards and on the third floor of the units. The apartment buildings will retain adequate amenity space in the yards around and between the buildings. In this respect the development complies with Section 4.2.3 of the Official Plan which requires an appropriate level of residential amenity on the site.

The scale of the townhouse development does not meet the threshold for significant new development therefore the housing policies of Section 3.2.1. do not apply in this instance.

Access and Parking

Transportation Services has reviewed the proposal to provide a single access from Paperbirch Drive including the 1.5 metre wide right-of-way over the retained lands. The proposed access and the sidewalk require modification which would be addressed through the site plan review process. A total of ten parking spaces would be supplied including two visitor spaces, which would be in accordance with the general Zoning By-law parking requirements. There will be no changes to the parking and access for the existing apartment buildings.

Servicing

The applicant submitted a site servicing assessment with the application. Staff have requested revisions to the servicing plan, grading plan, stormwater management, servicing report and other associated drawings. These matters will be addressed through the site plan review process.

Open Space/Parkland

The application proposes 5 residential units on a 1,316 m² site. The parkland dedication requirement is 0.0067 hectares (67 m²) or 5% of the new site area. The applicant proposes to satisfy this parkland dedication requirement through cash-in-lieu as the

parkland dedication requirement is too small to be used as a functional park. Parks Forestry and Recreation staff concur with this proposal. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Zoning Provisions

The townhouse development will be zoned a site specific RM1 in the former City of North York Zoning By-law 7625, and a site specific RT in the City of Toronto Zoning By-law 1156-2010. Both zones will provide appropriate performance standards for the townhouse development.

The existing apartment buildings at 4 Overland Drive and 150 The Donway West will be zoned site specific RM5 and site specific RM6 in the former City of North York Zoning By-law 7625, respectively. The existing apartment buildings will also be zoned site specific RM and site specific RA in the City of Toronto Zoning By-law 1156-2010.

The current boundary between the RM5 and RM6 zones bisects the apartment building at 150 The Donway West resulting in a structure located in two zones. Staff are recommending adjusting the boundary between the RM5 and RM6 zones to reflect the as-built conditions of the apartment buildings. The adjustment will result in a 306.8m² transfer of area from the RM5 zone to the RM6 zone. The as-built density for the RM6 zone (150 The Donway West) will decrease from an FSI of 1.7 to 1.6, and increase for the RM5 zone (4 Overland Drive) from an FSI of 0.8 to 0.9.

Schedule 1 in Attachment 7: Former City of North York Draft Zoning By-law Amendment and Diagram 1 in Attachment 8: City of Toronto Draft Zoning By-law Amendment show the changes in zoning.

Tenure

The Preliminary Report on this application indicated the proposed development would be a common element condominium. The applicant has clarified that the townhouse units would be freehold and there would not be a common element condominium application. Legal access will be granted by easements. The applicant will be required to confirm that all the townhouse units are legally self-sustaining prior to obtaining consent to sever the individual lots.

Site Plan Control

The applicant has submitted a site plan control application that is being processed concurrently with the rezoning application. The details for the townhouse development to be secured through the site plan review process include: achieving an attractive building design, access details, location of sidewalk, appropriate screening of garbage and utilities, and landscape treatment details. Improvement to the landscaping and amenity space for the apartment buildings will also be secured through the site plan review process.

Development Charges

It is estimated that the development charges for this project will be \$56,200. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Derrick Wong, Planner
Tel. No. (416) 395-7052
Fax No. (416) 395-7155
E-mail: dwong3@toronto.ca

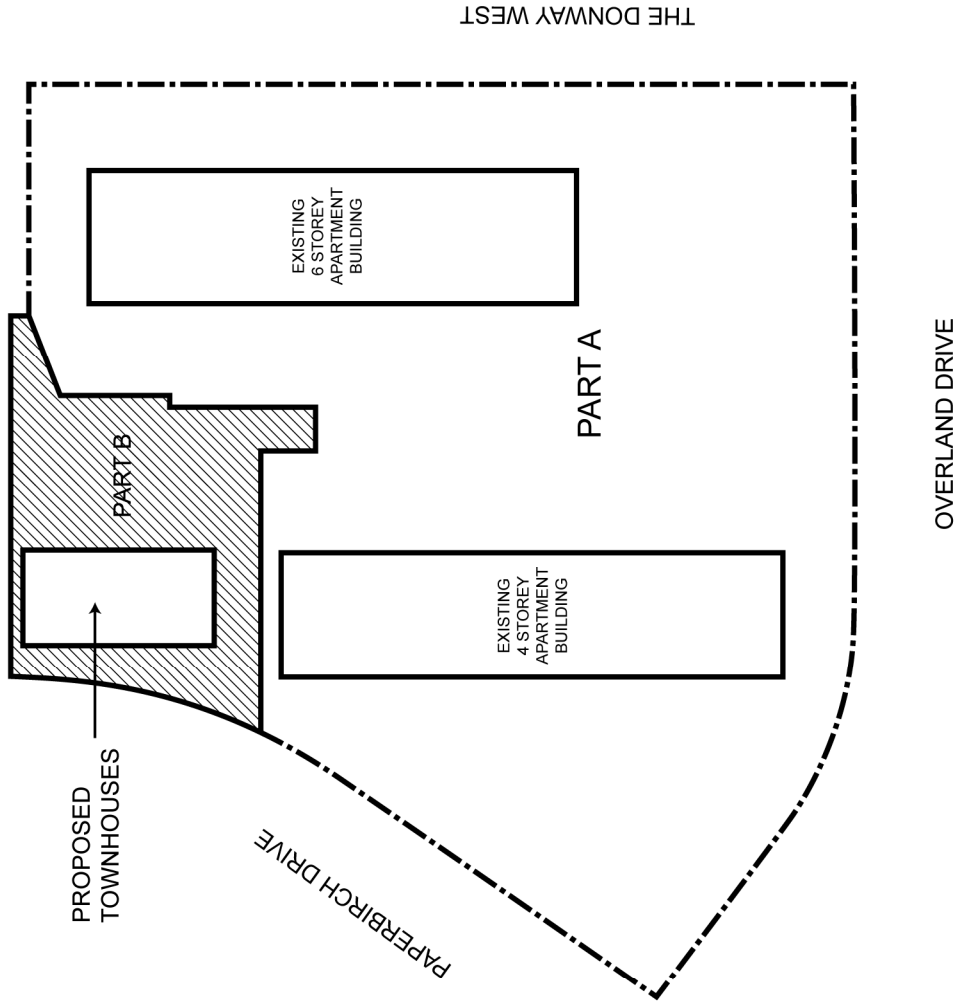
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Context Plan
Attachment 2: Site Plan
Attachment 3: Elevations
Attachment 4: Former City of North York Zoning By-law No. 7625
Attachment 5: City of Toronto Zoning By-law No. 1156-2010
Attachment 6: Application Data Sheet
Attachment 7: Former City of North York Zoning By-law No. 7625 Draft Zoning By-law Amendment
Attachment 8: City of Toronto Zoning By-law No. 1156-2010 Draft Zoning By-law Amendment

Attachment 1: Context Plan



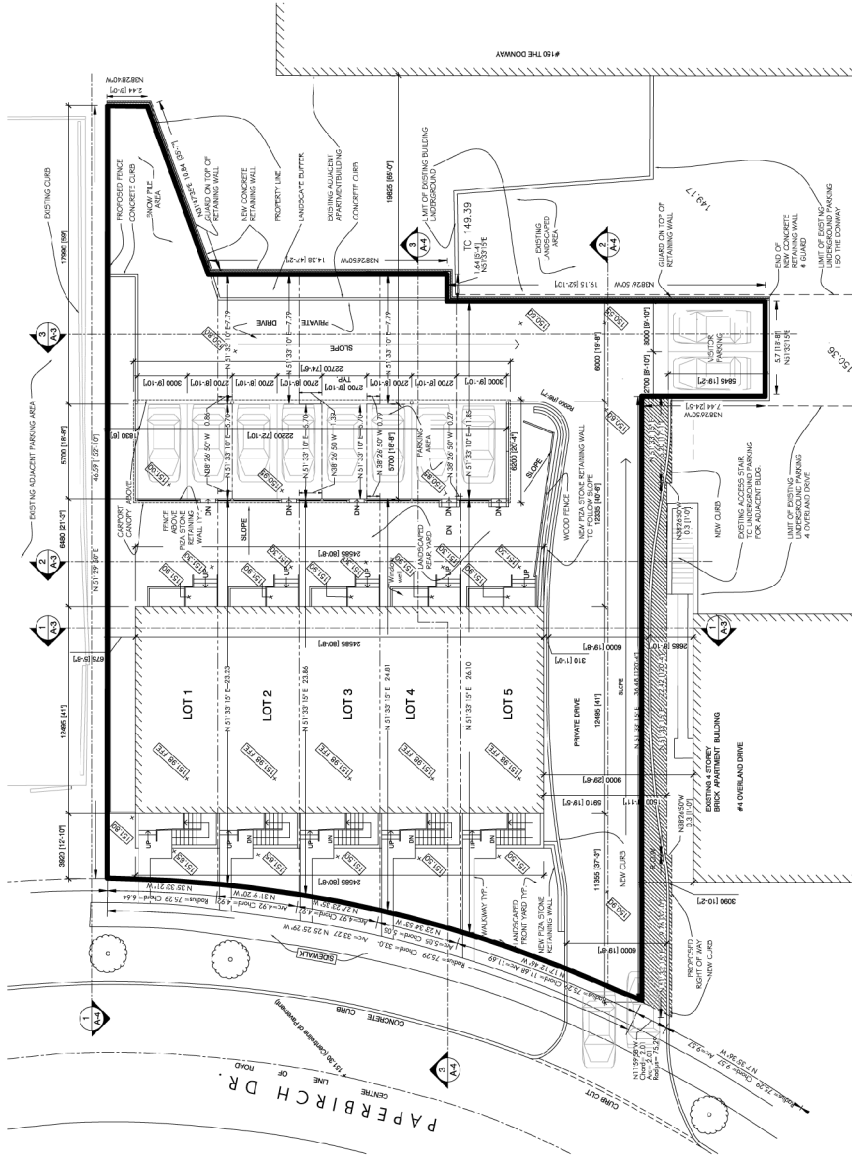
Context Plan
4 Overland Drive and 150 The Donway West

Applicant's Submitted Drawing

Not to Scale
04/22/2010

File # 09_196460

Attachment 2: Site Plan



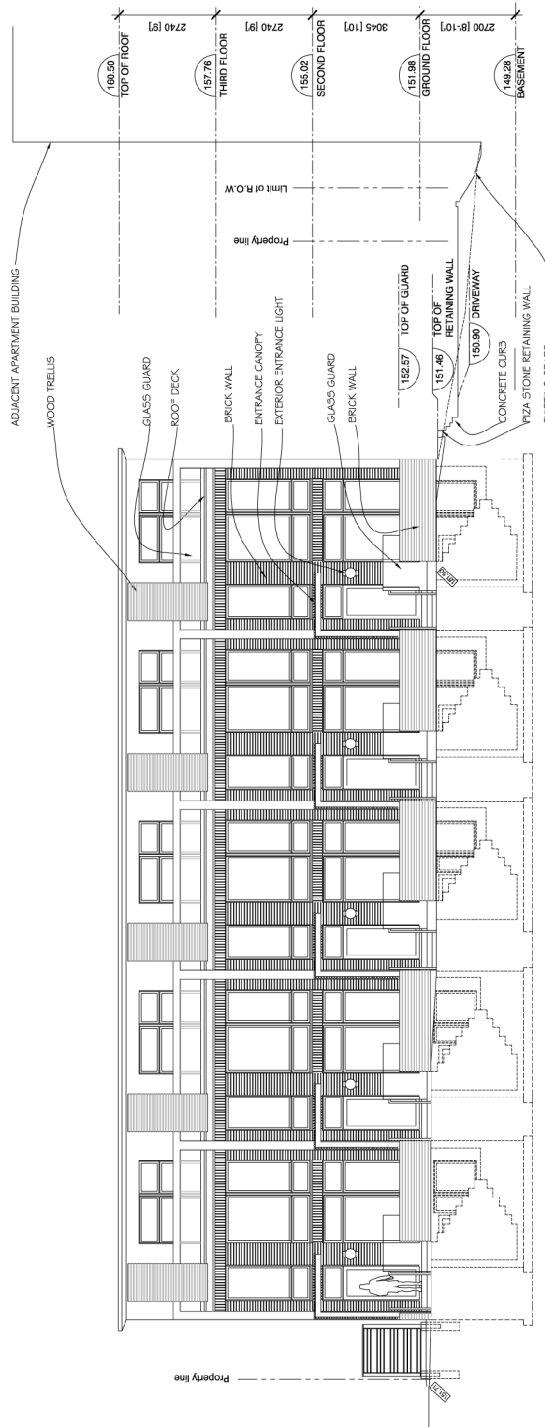
4 Overland Drive and 150 The Donway West

Site Plan
 Applicant's Submitted Drawing

Not to Scale
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**Attachment 3:
Elevations**



West Elevation

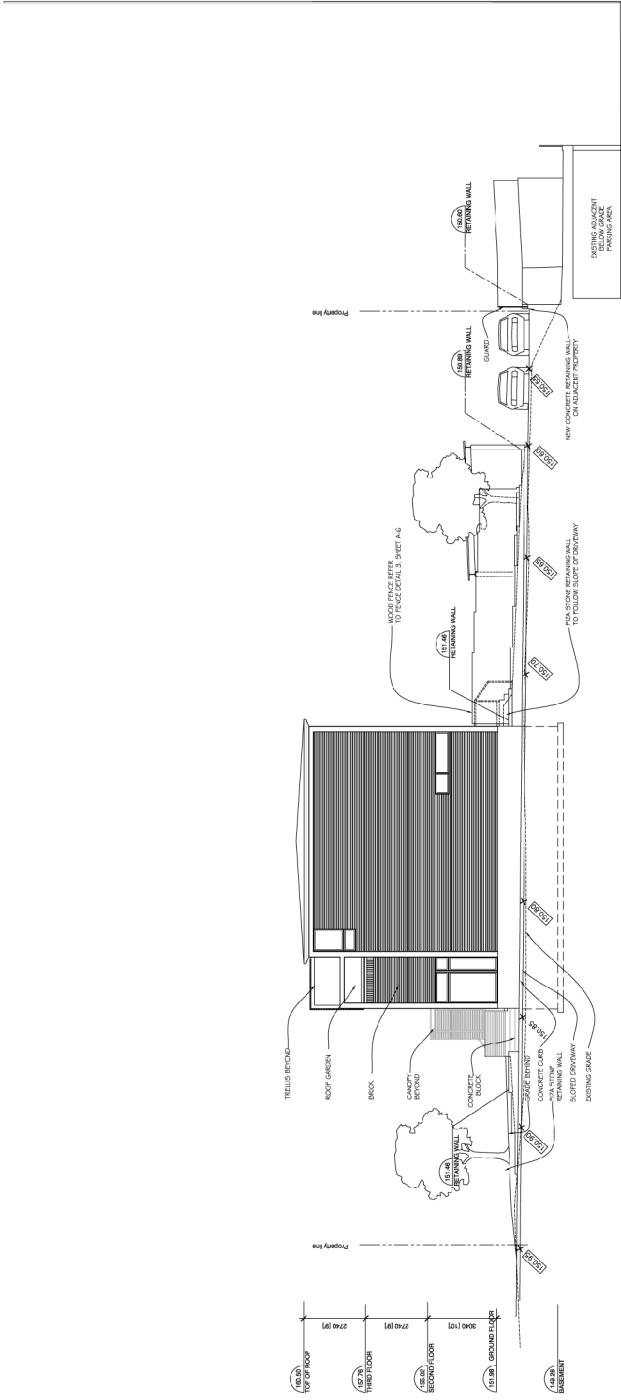
4 Overland Drive and 150 The Donway West

Elevations

Applicant's Submitted Drawing

Not to Scale
03/16/2010

File # 09_196460



South Elevation & Site Section

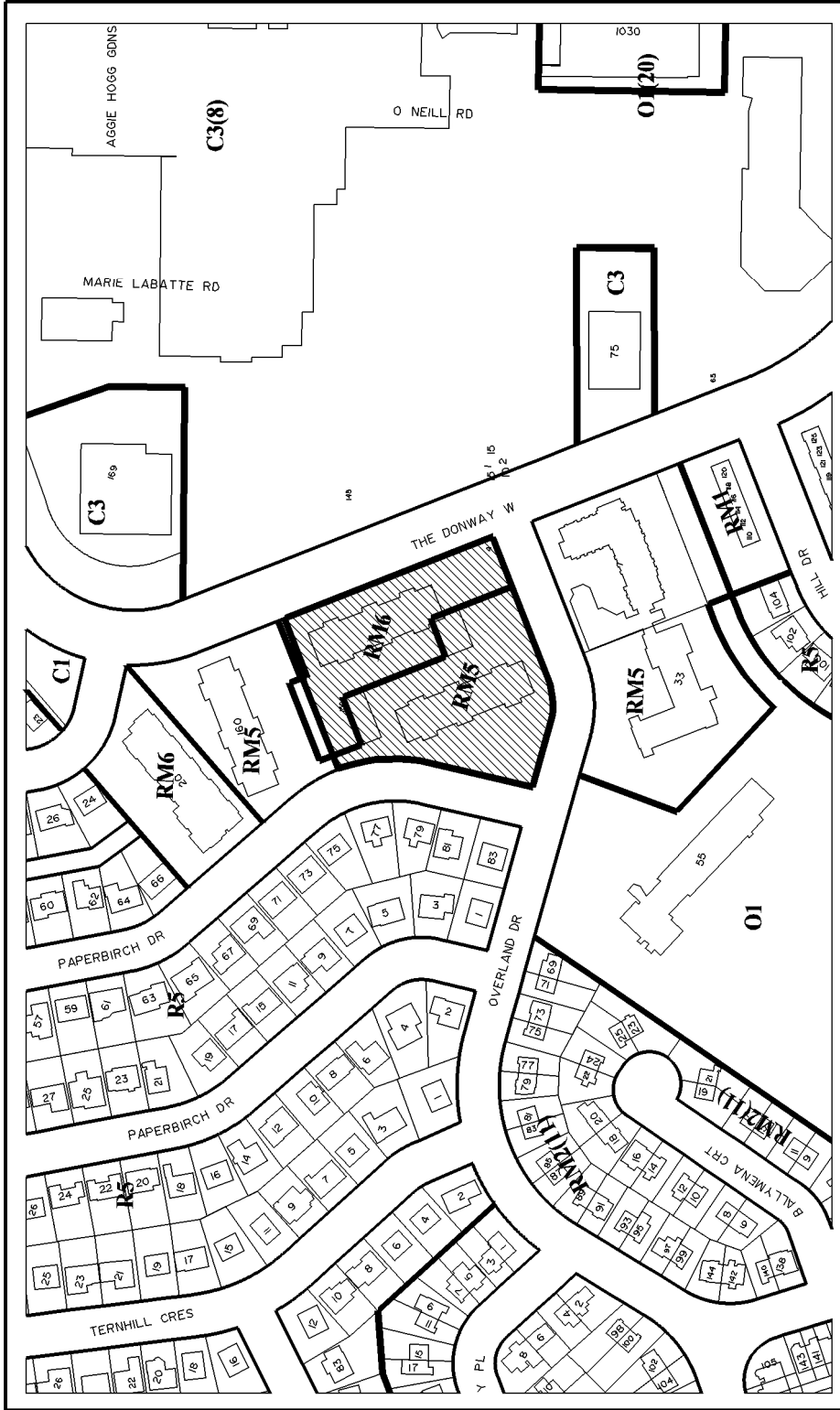
4 Overland Drive and 150 The Donway West

Elevations
 Applicant's Submitted Drawing

Not to Scale
 03/16/2010

File # 09_196460

Attachment 4: Former City of North York Zoning By-law No. 7625



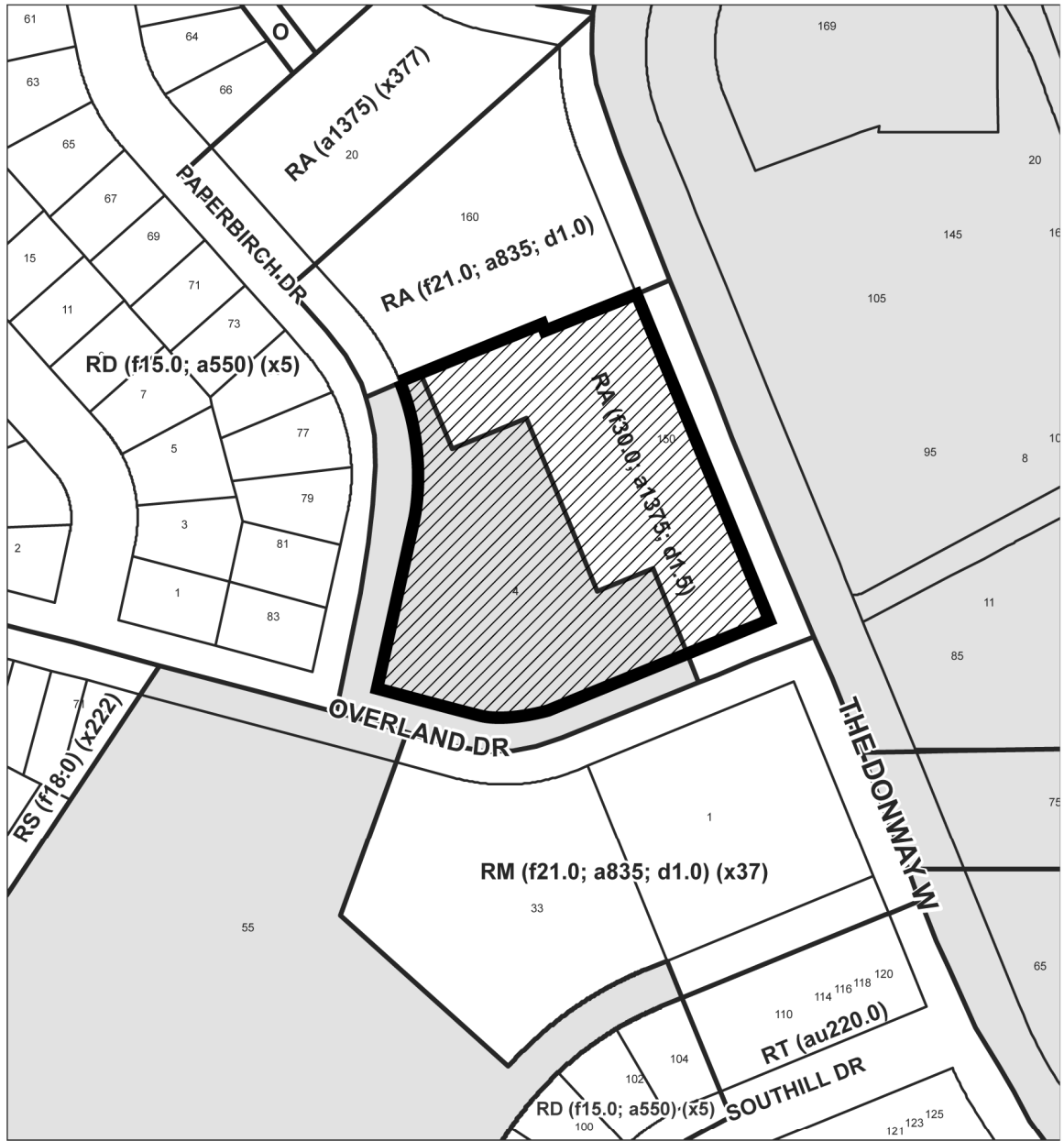
Toronto City Planning
Zoning
 4 Overland Drive and 150 The Donway West
 File # 09_196460

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 Zoning Bylaw 7625
 Extracted 03/16/2010

RM5 Multiple-Family Dwellings Fifth Density Zone
 RM6 Multiple-Family Dwellings Sixth Density Zone
 C3 District Shopping Centre Zone
 O1 Open Space Zone

R4 One-Family Detached Dwelling Fourth Density Zone
 R5 One-Family Detached Dwelling Fifth Density Zone
 RM1 Multiple-Family Dwellings First Density Zone
 RM2 Multiple-Family Dwellings Second Density Zone
 NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Attachment 5: City of Toronto Zoning By-law No. 1156-2010



Zoning By-law 1156-2010

4 Overland Drive and 150 The Donway West

File # 09_196460

Subject Site
 Not Part of Zoning By-law 1156-2010

RD Residential Detached Zone
 RS Residential Semi-Detached Zone
 RT Residential Townhouse Zone
 RM Residential Multiple Zone
 RA Residential Apartment Zone
 O Open Space Zone



Not to Scale

Extracted 03/11/2011

Attachment 6: Application Data sheet

APPLICATION DATA SHEET

Application Type	Rezoning and Site Plan Control	Application Number:	09 196460 NNY 25 OZ
Details	Rezoning Application	Application Date:	December 14, 2009

Municipal Address: 4 OVERLAND DRIVE AND 150 THE DONWAY WEST
 Location Description: PLAN 4545 S PT BLK E **GRID N2510
 Project Description: To permit the construction of 5 street facing townhouse units with a private drive providing access to parking at the rear.

Applicant:	Agent:	Architect:	Owner:
MICHAEL VAUGHAN			JAMESVIEW HOLDING CORPORATION LIMITED

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	
Zoning:	RM5 and RM6; "not part of this By-law" and RA (f.30.0; a1375; d1.5)	Historical Status:	N
Height Limit (m):	11.5	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	10 784.3	Height:	Storeys:	3	
Frontage (m):	106.9		Metres:	9.2	
Depth (m):	139				
Total Ground Floor Area (sq. m):	307.21				Total
Total Residential GFA (sq. m):	1172.7		Parking Spaces:	10	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	1172.7				
Lot Coverage Ratio (%):	0				
Floor Space Index:	0.89				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1172.7	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	5			

CONTACT: **PLANNER NAME:** **Derrick Wong, Planner**
TELEPHONE: **416-395-7052**

**Attachment 7: Former City of North York Zoning By-law No. 7625
Draft Zoning By-law Amendment**

Authority: North York Community Council Item ~ , as adopted by City of
Toronto Council on ~ , 2011
Enacted by Council: ~, 2011

**CITY OF TORONTO
BY-LAW No. ~-2011**

**To amend former City of North York Zoning By-law No. 7625, as amended,
with respect to lands municipally known in the year 2010 as
4 Overland Drive and 150 The Donway West**

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. Schedules “B” and “C” of By-law No. 7625 are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.16 of By-law 7625 is amended by adding the following Subsection:

"64.16(86) RM1(86)

EXCEPTION REGULATIONS

Requirements for Accessory Buildings

- a. Notwithstanding Section 6(23)(a)(ii)(C), the maximum coverage for accessory buildings is 12% of the lot area.
- b. Notwithstanding Section 6(23)(a)(iv)(A), the height of an accessory building is measured from a geodetic elevation of 151.3 metres.

Dwelling Units

- c. The maximum number dwelling units is 5.

Lot Area

- d. Notwithstanding Section 16.2.1, the minimum lot area is 170 square metres per dwelling unit.

Yard Setbacks

- e. Notwithstanding Section 16.2.4, the minimum setbacks are:
 - i. Front Yard 3.8 metres;
 - ii. Northerly Side Yard 1.5 metres;
 - iii. Southerly Side Yard 5.8 metres;
 - iv. Rear Yard 11 metres to the dwelling unit; and
 - v. Rear Yard 5.6 metres to the garage.
- f. Notwithstanding 2.e. of this by-law, stairs, stair enclosures, porchs, window sills, lighting features, ornamental elements and landscape features are permitted to project beyond the setbacks.

Gross Floor Area

- g. The maximum gross floor area of a building is ninety (90) per cent of the lot area.

Division of Lands

- h. Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands."

- 3. Section 64.20 of By-law 7625 is amended by adding the following Subsection:

"64.20(19) RM5(19)

EXCEPTION REGULATIONS

Yard Setbacks

- a. Notwithstanding Section 20-2.4, the minimum setbacks are:
 - i. Paperbirch Drive 7.8 metres;
 - ii. Overland Drive 8 metres;
 - iii. Northerly Side Yard 3 metres.

Distance between Buildings

- b. The minimum distance between buildings, or portions of buildings, on the same lot is 30 metres.

Projections

- c. Notwithstanding 3.a. and 3.b. of this by-law, open balconies, stairs, stair enclosures, window sills, lighting features, ornamental elements and landscape features are permitted to project beyond the setbacks."

- 4. Section 64.20-A of By-law 7625 is amended by adding the following Subsection:

"64.20-A(200) RM6(200)

EXCEPTION REGULATIONS

Yard Setbacks

- a. Notwithstanding Section 20-A-2.4, the minimum setbacks are:
 - i. The Donway West 10 metres;
 - ii. Overland Drive 35 metres;
 - iii. Northerly Side Yard 7.7 metres;

Distance between Buildings

- b. Notwithstanding Section 20-A.2.4.1, the minimum distance between buildings, or portions of buildings, on the same lot is 30 metres.

Projections

- c. Notwithstanding 4.a. and 4.b. of this by-law, open balconies, stairs, stair enclosures, window sills, lighting features, ornamental elements and landscape features are permitted to project beyond the setbacks.

Gross Floor Area

- d. Notwithstanding Section 20-A.2.5, the maximum gross floor area of a building is one hundred and sixty (160) per cent."
- 5. 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:

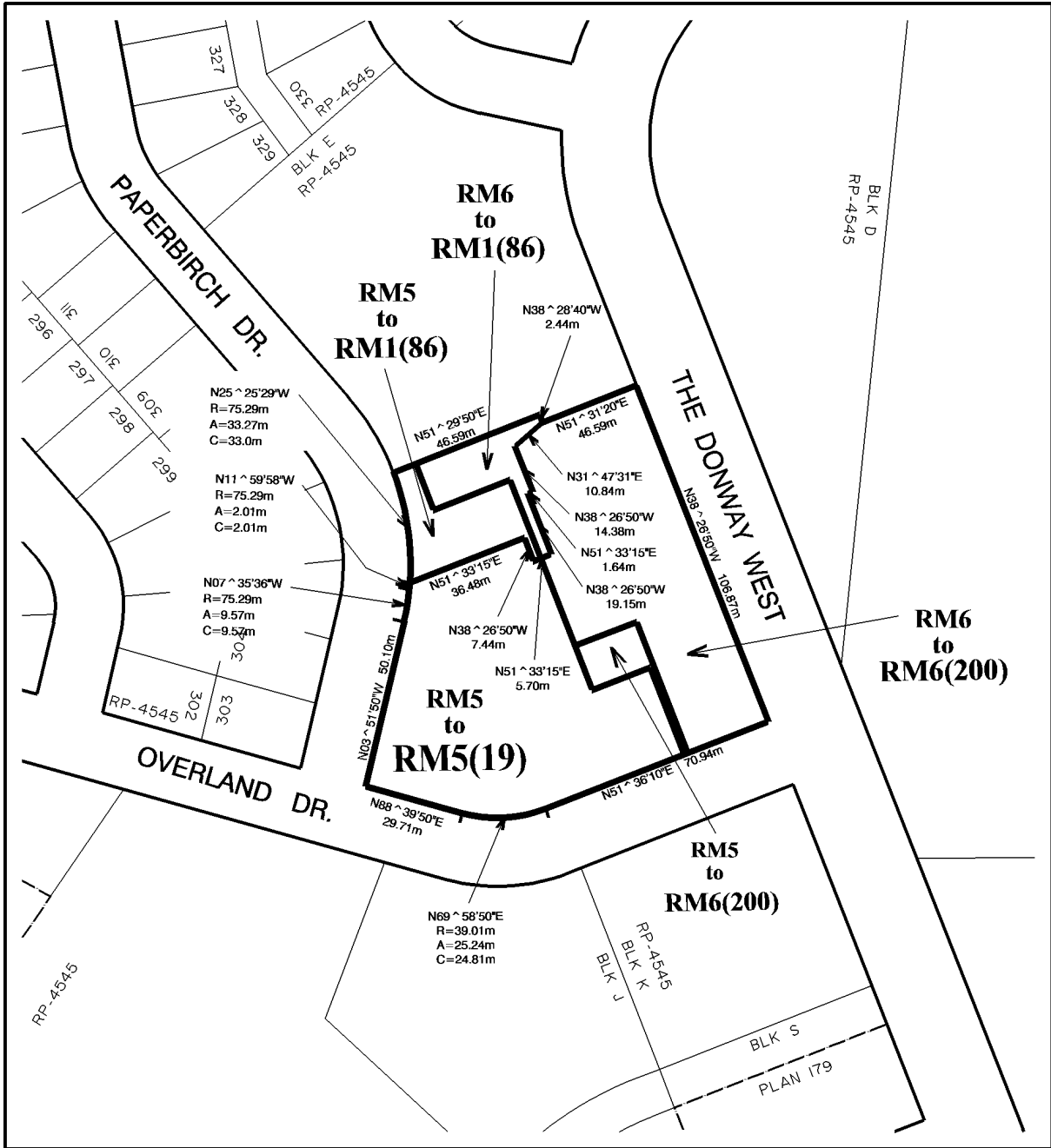
- a. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational."

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

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Part of Block E, R.P. 4545, City of Toronto
 Rabideau & Czerwinski, Ontario Land Surveyors
 Date: 02/01/2011
 Approved by: D. Wang

File # 09_196460



**Attachment 8: City of Toronto Zoning By-law No. 1156-2010
Draft Zoning By-law Amendment**

CITY OF TORONTO

BY-LAW No. xxx-2011

**To amend the Zoning By-law for the City of Toronto, being By-law No. 1156-2010,
as amended, with respect to the lands municipally known in the year 2010 as 4
Overland Drive and 150 The Donway West**

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 the Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting under Section 34 of the *Planning Act*;

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

1. The lands subject to this By-law are outlined by the heavy line on Diagram 1.
2. By-law No. 1156-2010, as amended, is further amended by adding the lands identified as "Lands to be added to By-law 1156-2010, as amended" as shown on Diagram 1, to the Zoning By-law Map, the Height Overlay Map, the Policy Areas Overlay Map, and the Lot Coverage Overlay Map.
3. The Zoning By-law Map of By-law No. 1156-2010, as amended, is further amended so that the zones and zone labels are revised and identified as RT(au170)(x350), RM(f30.0;d1.0;u48)(x460) and RA(f30.0;d1.6;u72)(x762), as shown on Diagram 1.
4. The Lot Coverage Overlay Map of By-law No. 1156-2010, as amended, is further amended by removing the numeric value "35" from the lands subject to this By-law.
5. By-law No. 1156-2010, as amended, is further amended by adding **Exception RT 350** to Article 900.5.10 so that it reads:

Exception RT 350

The lands subject to this exception must comply with the following:

- (A) Despite 10.5.40.10(1) the height of a principal **building** or **structure** is measured as the distance between the geodetic elevation of 151 metres and the elevation of the highest point of the **building**.

- (B) Despite 10.5.60.20(4) the minimum **rear yard setback** for an **ancillary building** or **structure** containing a **parking space** is 5.6 metres.
- (C) Despite 10.5.60.50(2) the maximum total **gross floor area** of all **ancillary buildings** or **structures** on a **lot** shall be 12% of the **lot** area.
- (D) Despite 10.5.100.1(3)(B) a **driveway** must have a maximum total width of 8 metres.
- (E) Clause 10.60.20.20 does not apply.
- (F) Despite regulation 10.60.30.20 the minimum **lot frontage** for each **dwelling unit** is 4.8 metres.
- (G) Despite 10.60.40.1(3) the minimum width of a **dwelling unit** in a **townhouse** is 4.8 metres.
- (H) Despite 10.60.40.40 the **maximum floor space** index for the **lot** is 0.9.
- (I) Despite 10.60.40.70 the minimum **building setbacks** is:
 - (i) Front Yard 3.8 metres;
 - (ii) Northerly Side Yard 1.5 metres;
 - (iii) Southerly Side Yard 5.8 metres;
 - (iv) Rear Yard 11 metres to the **dwelling unit**.
- (J) The maximum number of **dwelling units** is five (5).
- (K) Despite any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

6. By-law No. 1156-2010, as amended, is further amended by adding **Exception RM 460** to Article 900.6.10 so that it reads:

Exception RM 460

The lands subject to this exception must comply with the following:

- (A) Despite 10.5.40.10(1) the height of a principal **building** is measured as the distance between the geodetic elevation of 150 metres and the elevation of the highest point of the **building**.
- (B) Despite 10.5.40.80 the minimum distance between **buildings** on the same lot is not less than 30 metres.

(C) 10.5.50.10(5) does not apply.

(D) Clause 10.80.20.20 does not apply.

(E) Despite 10.80.30.40 the maximum permitted lot coverage is 35%.

(F) The maximum number of **storeys** permitted in a **building** is 4.

(G) Despite 10.80.40.70 the minimum **building setbacks** are:

(i) 7.8 metres from the lot line abutting Paperbirch Drive;

(ii) 8 metres from the lot line abutting Overland Drive;

(iii) Northerly Side Yard 3 metres.

(H) Despite (B) and (G) above **Building** separation and **setbacks** are not required below grade.

(I) Despite 10.5.40.60 the following elements of a **building** or **structure** may encroach into the **building** separation and **setbacks** in (B) and (G) above:

(i) a balcony may encroach to a maximum of 2 metres;

(ii) a canopy may encroach to a maximum of 3 metres;

(J) Despite (B) and (G) above **Building** separation and **setbacks** do not apply to vents, air shafts, transformer vaults and stairwells which may project above grade; and

7. By-law No. 1156-2010, as amended, is further amended by adding **Exception RA 762** to Article 900.7.10 so that it reads:

Exception RA 762

The lands subject to this exception must comply with the following:

(A) Despite 15.5.40.10(1) the height of a principal **building** is measured as the distance between the geodetic elevation of 148 metres and the elevation of the highest point of the **building**.

(B) Despite 15.5.40.80 the minimum distance between **buildings** on the same **lot** is not less than 30 metres.

(C) 15.5.50.10(2) does not apply.

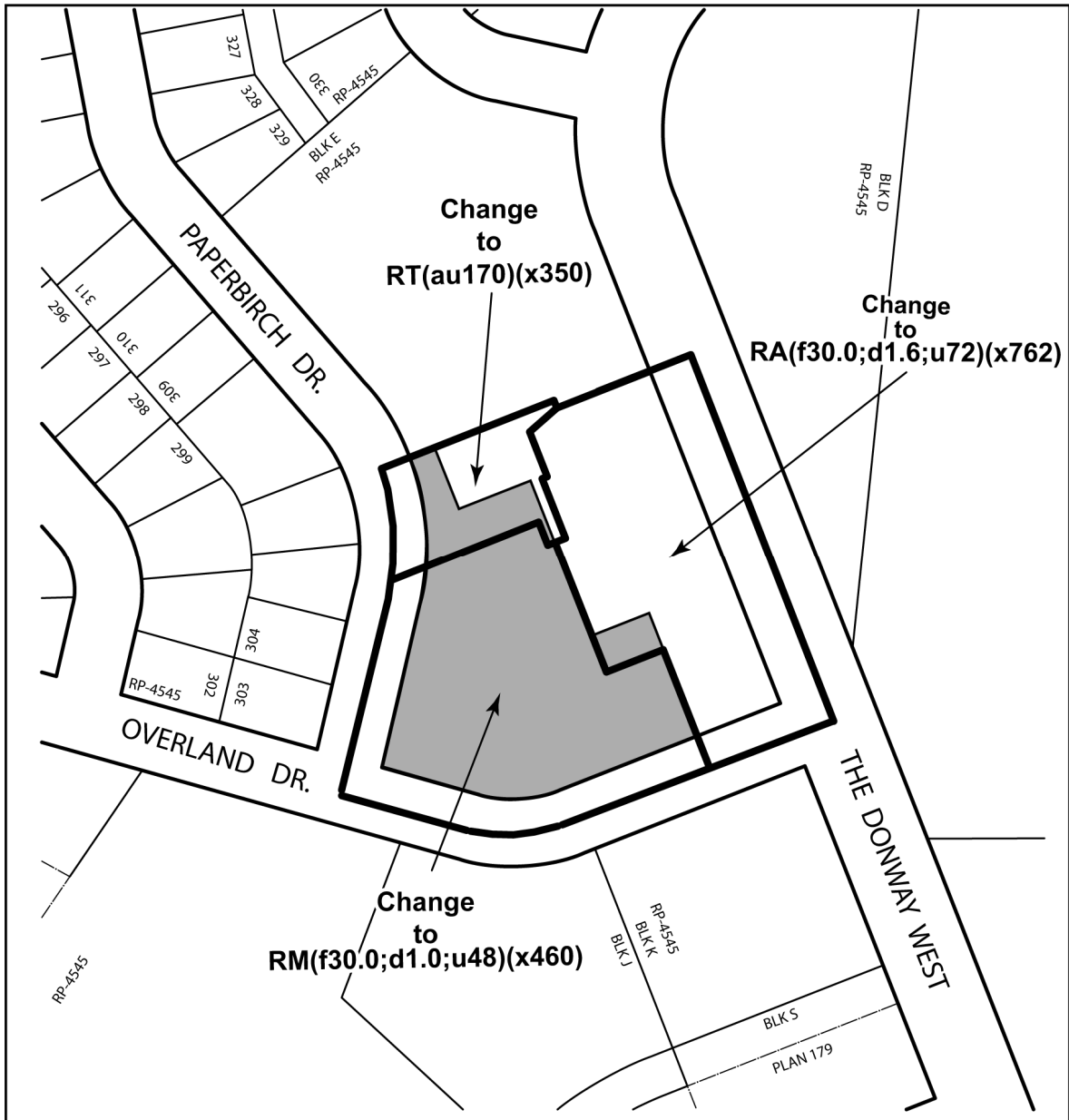
(D) Clause 15.10.20.20 does not apply.

- (E) Despite 15.10.30.40 the maximum permitted lot coverage is 35%.
- (F) Despite 15.10.40.50 an indoor or outdoor **amenity space** will be provided at a minimum rate of 4.0 square metres for each **dwelling unit**.
- (G) Despite 15.10.40.70 the minimum **building setbacks** are:
- (i) 10 metres from the lot line abutting The Donway West;
 - (ii) 35 metres from the lot line abutting Overland Drive;
 - (iii) Northerly Side Yard 7.7 metres.
- (H) Despite (B) and (G) above **Building** separation and **setbacks** are not required below grade.
- (I) Despite (B) and (G) above the following elements of a **building** or **structure** may encroach into the **building** separation and **setbacks** as follows:
- (i) a balcony may encroach to a maximum of 2 metres;
 - (ii) exterior stairways and landings; and
 - (iii) belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills may encroach to a maximum of 0.5 metres.
- (J) Despite (B) and (G) above **Building** separation and **setbacks** do not apply to vents, air shafts, transformer vaults and stairwells which may project above grade.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk



TORONTO City Planning
Diagram 1

4 Overland Drive and 150 The Donway West

File # 09_196460

■ Lands to be added to By-Law 1156-2010, as amended

Approved by: D. Wong

City of Toronto By-Law 1156-2010
 Not to Scale
 03/24/2011