

**272, 274 & 280 Donlands Avenue – Rezoning Application
– Final Report**

Date:	July 23, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 29 – Toronto-Danforth
Reference Number:	09-200585 STE 29 OZ

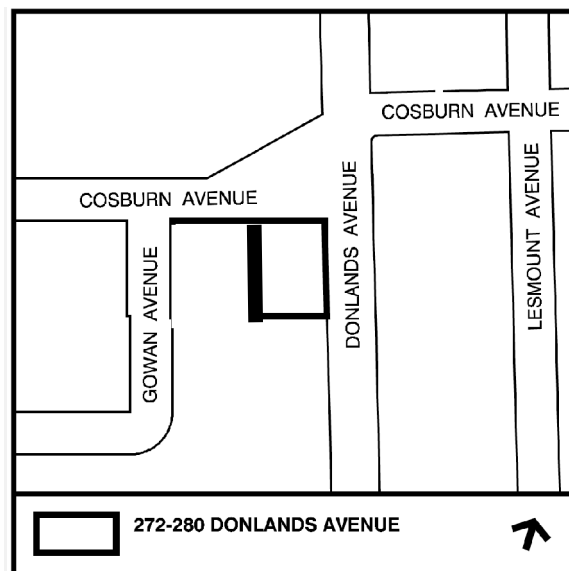
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to construct a new 12-storey, 105 unit, mixed-use building at 272, 274 & 280 Donlands Avenue. The application has been revised since April 2010, and no longer includes the properties located at 243 and 249 Cosburn Avenue.

The proposal will have an overall gross floor area of 9,189 m², a floor space index of 6.6 times the lot area, and an overall building height of 36 metres. The proposal will provide 210 m² of indoor amenity space and 210 m² of outdoor amenity space with approximately 560 m² of the ground floor area to be allocated for WoodGreen office space.

This report reviews and recommends approval of the application to amend the former Borough of East York Zoning By-law 6752, as amended.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former Borough of East York Zoning By-law 6752, for the lands at 272, 274 and 280 Donlands Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report dated July 23, 2010, from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the owner to pay for any improvements to the municipal infrastructure in connection with the Functional Servicing Report, as accepted by the Executive Director of Technical Services, should it be determined that upgrades to such infrastructure is required to support this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The southernmost parcel of land associated with this development application, municipally known at 272 Donlands Avenue, formed part of a Zoning By-law Amendment application which was before Council in 2007 (File No. 07 106506 STE 29 OZ). As part of the approval for that application, By-law 120-2008 requires that four (4) parking spaces be provided on the lands municipally known as 272 Donlands Avenue.

At its meeting of April 27, 2010, Toronto and East York Community Council added the following recommendation to Staff's preliminary report:

“Requested the Director, Community Planning, Toronto and East York District, to submit the Final Report on 272, 274 and 280 Donlands Avenue and 243 and 249 Cosburn Avenue – Rezoning Application, at or before the last meeting for this term of Council of the Toronto and East York Community Council to be held on August 17, 2010”

This report recommends approval of the application to amend the former Borough of East York Zoning By-law 6752, as amended.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct a 12-storey, 105-unit, mixed use building at 272, 274 and 280 Donlands Avenue. The proposal has been revised from the original submission and no longer includes the lands at 243 and 249 Cosburn Avenue.

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The proposed new building would have a gross floor area of approximately 9,189 m², and an overall building height of approximately 36 metres. The applicant proposes to provide 210 m² of indoor amenity space and 210 m² of outdoor amenity space. Approximately 560 m² of the ground floor will be allocated for WoodGreen office space. One hundred and two (102) parking spaces would be provided to service this development of which 4 spaces would be for the exclusive use of the residents at 270 Donlands Avenue. The overall floor space index would be 6.6 times the lot area.

Site and Surrounding Area

The site is located at the southwest corner of Donlands and Cosburn Avenues and consists of 3 properties; 272, 274, and 280 Donlands Avenue. The site is rectangular in shape and has a site area of approximately 1393 m².

Development in the vicinity of the site can be described as follows:

North: a mix of residential uses in single detached and semi-detached buildings. A 2-storey office building is located at the north east corner of Donlands and Cosburn Avenues;

South: an 8-storey apartment building which is currently under construction;

East: an elementary school and a place of worship; and

West: two existing apartment buildings at 6 and 8-storeys in height. Further west is a mix of single detached dwelling units and mid-to-high rise apartment buildings.

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 Official Plan designates the subject site "*Apartment Neighbourhoods*". "*Apartment Neighbourhoods*" are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that

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serve the needs of area residents. All land uses provided for in the “*Neighbourhoods*” designation are also permitted in “*Apartment Neighbourhoods*”.

Zoning

The subject site is zoned R3A – High Density Residential. The uses permitted in this zoning category include residential uses, facilities owned by the municipality, day nursery’s operated in a municipally owned community centre, a public library, or a school or church building, and uses accessory to the foregoing. Permitted residential buildings in the R3A zone are apartment houses, double duplexes, triplexes, and double triplexes.

Site Plan Control

The subject site and development are subject to Site Plan Control. A site plan control application was submitted on June 2, 2010 and is being reviewed by various City Divisions.

Reasons for Application

An amendment to the former East York Zoning By-law 6752, as amended, is necessary because the proposed level of development is greater than what is permitted within this zoning category.

Community Consultation

A Community Consultation meeting was held on July 21, 2010 at the East York Community Centre. Approximately 5 members of the public were in attendance. The following matters were raised and discussed at the Community Consultation meeting:

- Timing of Construction;
- LEED Certification; and
- Accessible design of the building.

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

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Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

"Apartment Neighbourhoods" are distinguished from low-rise *"Neighbourhoods"* because a greater scale of buildings is permitted and different scale-related criteria are used to guide development. Significant growth is not intended within developed *"Apartment Neighbourhoods"*, however there may be opportunities for development on underutilize sites.

When proposals for development in *"Apartment Neighbourhoods"* are made, the application is reviewed in accordance with the policies contained in Policy 4.2.2. These policies require that the proposal contribute to the quality of life within *"Apartment Neighbourhoods"* by: locating and massing new buildings to provide a transition between areas of different development intensity and scale; locate and mass new buildings so as to adequately limit shadow impacts on properties in lower-scale *"Neighbourhoods"*; locate and mass new buildings to frame the edge of streets and parks, with good proportion and maintain comfortable sunlight and wind conditions for pedestrians; include sufficient off-street motor vehicle and bicycle parking; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents. The applicant's proposal has addressed the policies contained within Section 4.2.2 of the Official Plan.

The subject site fronts Donlands Avenue, and is surrounded by a range of uses and built forms. Development in the vicinity of the site includes high-rise apartment buildings, a 2-storey community use building, a church and an elementary school. In 2008, Toronto City Council approved an 8-storey apartment building immediately south of the subject site. The 12-storey mixed use building is consistent with the higher density development immediately adjacent to the subject site.

Given the location of the site at the intersection of Donlands and Cosburn Avenues, and the higher density development adjacent to the site, the proposal is considered to be appropriate development of the site. The proposed use for the lands is both compatible with the adjacent residential uses and is in keeping with the policies and development criteria contained within the Official Plan.

Height, Scale and Massing

The Official Plan sets out criteria to evaluate development within the “*Apartment Neighbourhoods*” designation. All new development within “*Apartment Neighbourhoods*” is required to contribute to the quality of life of existing and new residents by locating and massing new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locating and massing new buildings to provide a transition between areas of different development intensity and scale. The height, siting and massing of the proposal addresses the criteria contained within the “*Apartment Neighbourhoods*” designation.

Since the original submission made by the applicant, City staff have met with the applicant and worked with them to revise the proposal to improve the relationship of the proposal with the recently approved apartment building at 270 Donlands Avenue. The proposal now provides a minimum setback of 4 metres to the south property line, along with greater step-backs of 7.8 metres above the 8th storey. The one-storey wing at the rear of 249 Cosburn Avenue has been eliminated, and the new building is now entirely contained on the lands municipally known as 272, 274 & 280 Donlands Avenue.

In addition, the R3A performance standards within the former Borough of East York Zoning By-law do not have a maximum height limit for new development. Since there is no maximum height prescribed by the By-law, the development was evaluated based on the character and context of the surrounding area. The height of the proposed 12-storey apartment is consistent with the apartment buildings abutting the site: a 6 and 8-storey apartment building at 266 Donlands Avenue, a 6-storey apartment building at 243 Cosburn Avenue, an 8-storey building at 270 Donlands Avenue, and a number of apartment buildings along Cosburn Avenue that range in height from 6 to 14-storeys.

Density

Within the former Borough of East York Zoning By-law, the R3A Density zone contains performance standards for coverage and floor space index. In this zone, the maximum coverage is 75% of the lot area, while the maximum floor space index (FSI) is 2.00 times the lot area. The FSI calculation does allow for an extra 0.1 FSI for every 10% in coverage reduction. The applicant’s proposal has a lot coverage in excess of the 75%, thereby increasing to the maximum FSI of this project would not be permitted as of right.

The applicant is seeking to increase the permitted density of the site by increasing the floor space index to 6.6 times the lot area. Although the proposed density is higher than the permitted FSI prescribed by the Zoning By-law and recent approvals in the immediate area, but given the location of the site, and based upon the built form, height, and massing of the development, the density is acceptable for the site.

Sun and Shadow

The applicant submitted shadow studies for the proposed development. The shadow studies submitted by the applicant have been reviewed by staff and are deemed to be acceptable. The studies demonstrate that any shadow generated by the proposed development will not unduly impact upon the surrounding lands.

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Traffic Impact, Access, Parking

A parking study was prepared in support of the proposed development. The applicant proposes to provide 102 parking spaces to serve the development, of which 4 parking spaces will be for the exclusive use of the residents at 270 Donlands Avenue.

In accordance with the Zoning By-law, a minimum of 168 parking spaces are required to service this development. A parking study was prepared by BA Group, which identified that the Zoning By-law requirement for parking results in an oversupply of parking for the proposed development. The May 31, 2010 report from BA Group identifies that a total of 83 parking spaces are required. Transportation Services staff have completed a review of the analysis and concur with the consultant's conclusions that the provision of 102 parking spaces for this development will not adversely affect parking operations in the area.

Access to the subject site will be via a westbound one-way westbound access point from Donlands Avenue. The new driveway will continue and link with the existing surface parking area at 243-249 Cosburn Avenue. All vehicular access to the site will be from Donlands Avenue with egress occurring on Gowan Avenue. Access to the underground parking garage at 272, 274 and 280 Donlands Avenue will be provided via a ramp that is accessed from Donlands Avenue and runs north-west at the western limit of the subject site. The proposed configuration is acceptable to staff.

As part of the Site Plan Control Application, the applicant will be required to secure appropriate right-of-way agreements/easements over 243 and 249 Cosburn Avenue in favour of the subject site for vehicular access. In addition, the 4 parking spaces for the exclusive use of 270 Donlands Avenue will also have to be secured via the appropriate agreements.

Loading and Refuse Collection

The applicant has revised their proposal to include a loading space which will exclusively serve the subject site at 272-280 Donlands Avenue. A second existing loading facility at 234 Cosburn Avenue will remain, and will continue to service the WoodGreen facilities located at 243 and, 249 Cosburn Avenue as well as the recently approved residential building at 270 Donlands Avenue. Easements will be secured to allow for access to the Gowan Avenue loading space from 272, 274 and 280 Donlands Avenue.

Originally, the applicant proposed to have refuse vehicles back onto Gowan Avenue once pick-up has been completed. The new westbound one-way driveway system eliminates this requirement and allows for refuse vehicles to enter and exit the site in a forward motion. A co-ordinated refuse/recycling pick-up plan between the properties at 272-280 Donlands Avenue and 243 & 249 Cosburn Avenue may be required, and will be secured as part of the Site Plan control application.

Servicing

The applicant has submitted a site servicing assessment which determines stormwater runoff, sanitary flow and water supply demand resulting from the development, as well as demonstrates how this site can be serviced, and confirms that the existing municipal infrastructure is adequate to service the proposed development. Staff have reviewed the servicing assessment and concur with the consultant's conclusions that the existing municipal infrastructure is adequate to service the proposed development.

Residential Amenity Areas

Section 3.1.2.6 of the Official Plan states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development, in addition to identifying that each resident will have access to outdoor amenity spaces. The applicant proposes to provide approximately 210 m² (2m² per unit) of common residential indoor amenity space and approximately 210m² (2m² per unit) of common residential outdoor amenity space. This is consistent with City practices when securing residential amenity space in new multi-use residential developments.

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 provisions across the City. The lands which are subject to this application are in an area with 0 to 0.49 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provisions of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 105 residential units on a total site area of 0.139 hectares (1,393m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.14 hectares (1,400m²). However, a cap of 10% applies, and hence, the parkland dedication for the development would be 0.0139 hectares (139m²).

The non-residential component of the development is less than 1,000m² and is therefore exempt from the parkland dedication requirements under section 165-7 of the former City of Toronto Municipal Code to implement Section 42 of the Planning Act RSO 1990, c.P.13.

The applicant will be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as there is no appropriate location for an on-site parkland dedication and the site would be fully encumbered with below grade parking.

The actual monetary amount for cash-in-lieu will be determined at the time of issuance of the building permit.

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 Staff report for action – Final Report – 272, 274 and 280 Donlands Avenue

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.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features:

- Automobile Infrastructure – One car share space will be provided
- Cycling Infrastructure – 79 bicycle parking spaces will be provided

Other applicable TGS performance measures will be secured through the Site Plan Approval process, including:

- Urban Heat Island Reduction
- Glass and Other Design Features for Migratory Birds

Green Roof By-law

By-law 583-2009 adopts Chapter 492 of the Toronto Municipal Code which deals with Green Roofs. The Bylaw is applicable to applications for residential, commercial and institutional developments made after January 31, 2010 which have a Gross Floor Area greater than 2,000m².

The proposed development is subject to the requirements of the Green Roof By-law. As per the By-law, a green roof which covers a minimum of 40% of available roof space will be required as part of this development. Compliance with the Green Roof By-law will be determined at building permit stage.

Section 37

The applicant has revised their proposal based on the comments contained within the Preliminary Report dated April 9, 2010. As such, the project no longer meets the threshold required for Section 37 contributions.

Development Charges

It is estimated that the development charges for this project will be \$674,349.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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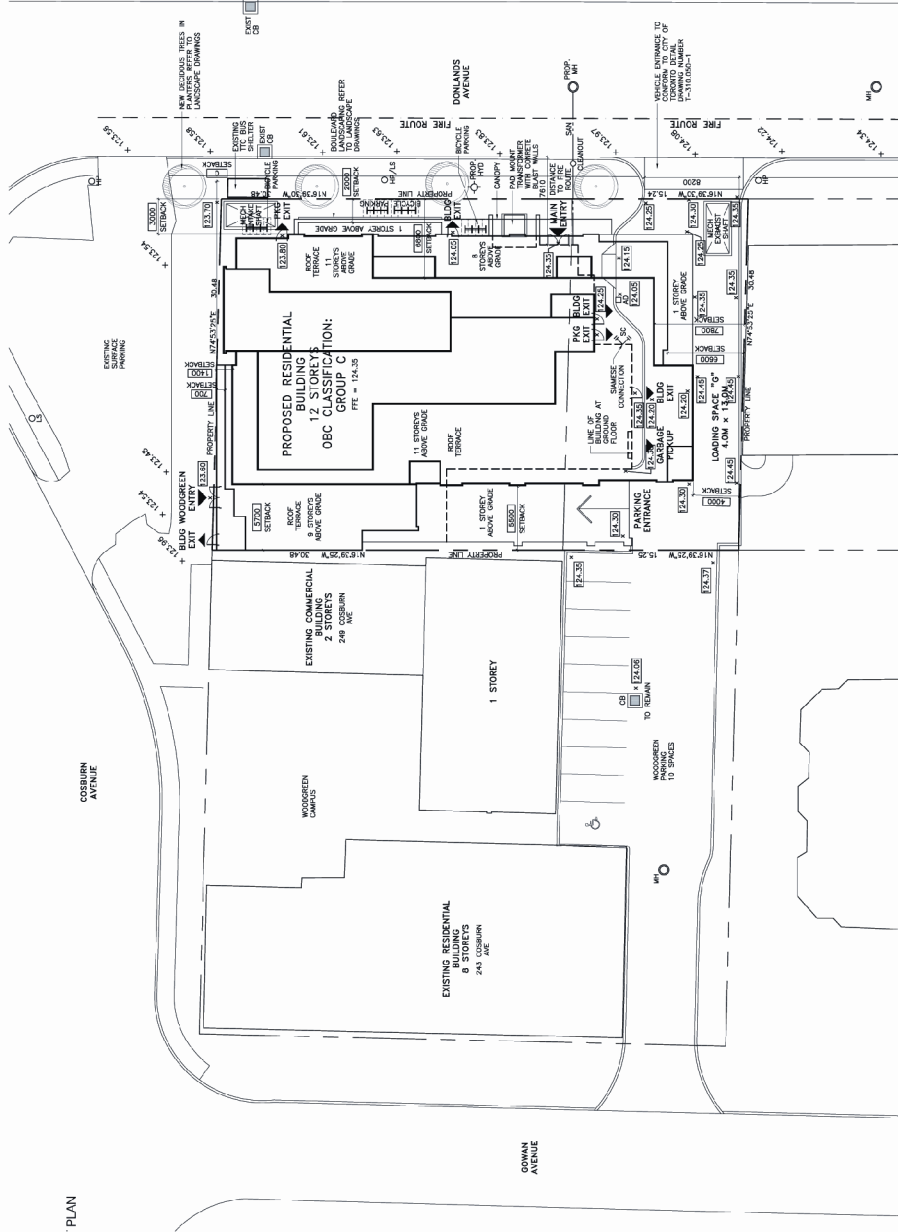
Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations (East and South)
Attachment 3: Elevations (North and West)
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment

Attachment 1: Site Plan



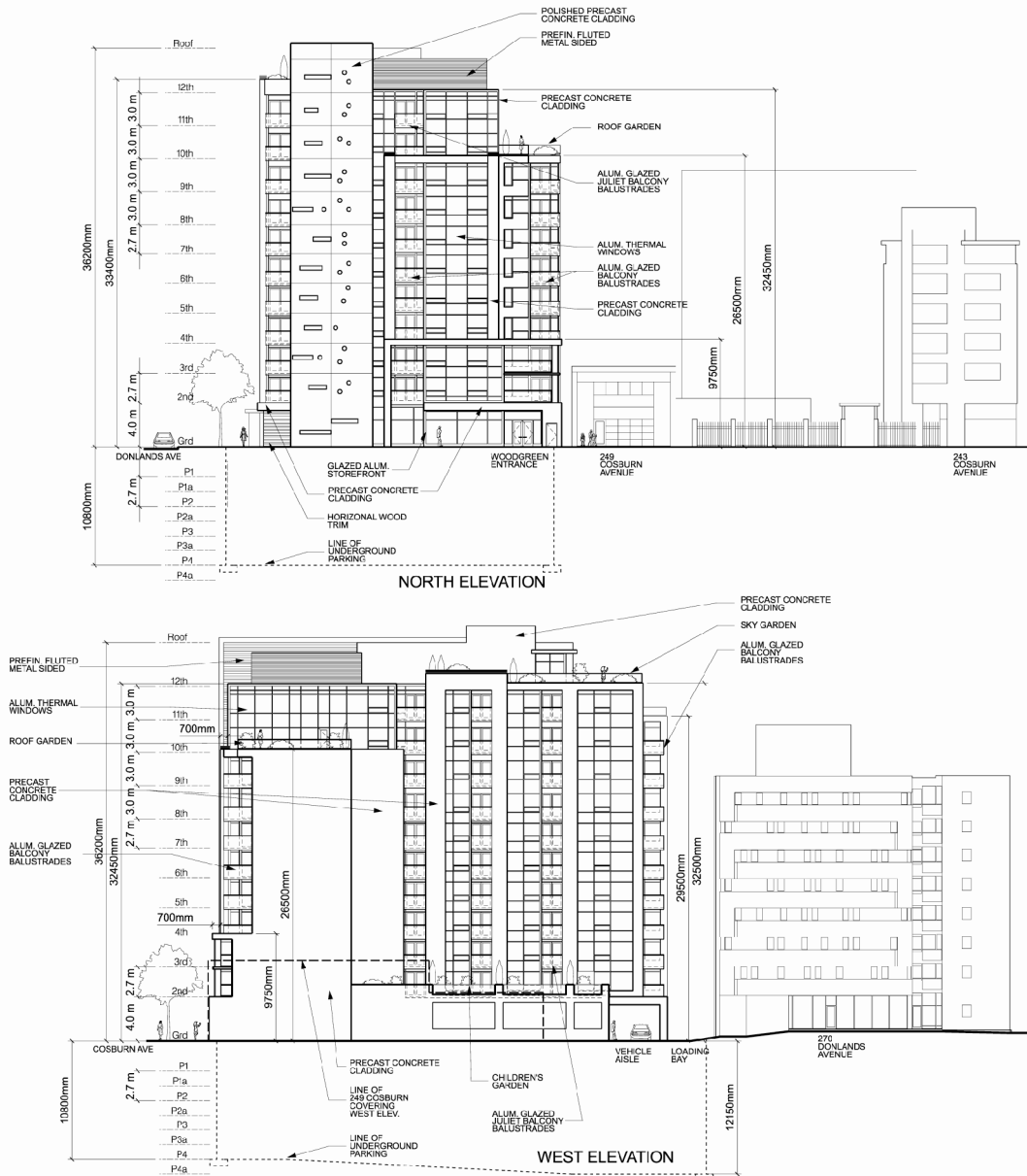
272-280 Donlands Ave

Site Plan
 Applicant's Submitted Drawing

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 07/08/2010

File # 09_200585

Attachment 3: Elevations (North and West)



Elevations sheet #2

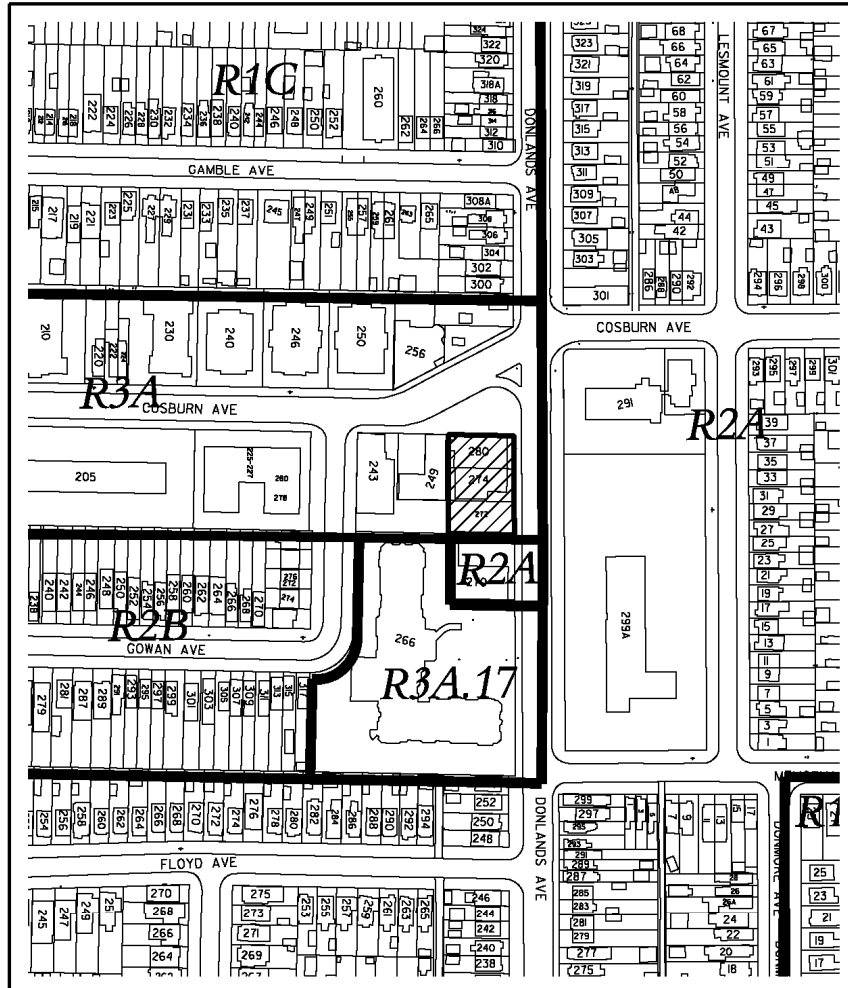
Applicant's Submitted Drawing

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272-280 Donlands Ave

File # 09_200585

Attachment 4: Zoning



Toronto Urban Development Services
Zoning

272 - 280 Donlands Ave

File # 09_200585

- R1 Residential District
- R2 Residential District
- R3 Residential District



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 Zoning By-law 438-88 as amended
 Extracted 07/12/2010-FF

Attachment 6: Zoning By-law Amendment

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2010

**To amend the former Borough of East York Zoning By-law No. 6752, as amended,
With respect to the lands municipally known as 272, 274 and 280 Donlands Ave**

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 heavy black line and identified as “Area Subject to Amendment” as shown on Schedule “1” attached hereto.
2. Schedule “A” to Zoning By-law No. 6752, as amended, is hereby further amended by changing the zoning category for the lands identified as “Area Subject to Amendment on Schedule “1” of this By-law from “R3A (Residential) Zone” to “R3A.27 (Residential Site Specific) Zone”
3. Zoning By-law No. 6725, as amended, is hereby further amended by adding a new Section 7.7.5.27 immediately after 7.7.5.26 of the by-law as follows:

“7.7.5.27 272, 274 and 280 Donlands Avenue (R3A.27 Zone)

7.7.5.27.1 Area Restricted

The provision of this section shall only apply to those lands being Part of Unit 1, Registered Plan D-107 and Part of Lots 158, 159 and 160, Registered Plan M-39, designated as R3A.27 on Schedule “1” of this By-law

7.7.5.27.2 Definitions:

For the purpose of this By-law:

- (a) “Bicycle Parking Space” shall mean an area that is equipped with a bicycle rack or a locker for the purpose of parking and securing bicycles of an occupant or visitor of the building and:

- i. where the bicycles are to be parked on a horizontal surface such space has a horizontal dimension of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - ii. where the bicycles are to be parked in a vertical position, such space has a horizontal dimension of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and
 - iii. in the case of a bicycle rack, bicycle racks shall be located outdoors, indoors or in a secured room or area.
- (b) “Residential Amenity Space – Outdoor” shall mean 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.
 - (c) “Residential Amenity Space – Indoor” shall mean a common area or room or contiguous common areas or rooms within a building, at least one of which is adjacent to a kitchen and washroom, which are provided for the exclusive use of residents of such building for recreational or social purposes.
 - (d) “WoodGreen Parking Space” shall mean the Off-Street Parking Spaces owned by WoodGreen and provided for the exclusive use of the residents of 270 Donlands Avenue.
 - (e) “Car-Share” shall mean the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable.
 - (f) “Car-Share Parking Space” shall mean an Off-Street Parking Space that is reserved and actively used for Car-Share purposes.

- (g) With exception of the words or expressions referred to in subparagraphs (a) to (f) above, each word or expression which is capitalized, shall have the same meaning as the said word or expression has for the purposes of the aforesaid By-law 6752, as amended.

7.7.5.27.3 General Provisions:

On those lands referred to in Section 7.7.5.27.1 of this By-law, no person shall use, occupy, Erect, alter, cause to be used, occupied, Erected or altered, any Building, Structure, or land or part thereof, except in accordance with Schedule “2” of this By-law and for the following provisions:

(1) Permitted Uses:

- a) Apartment House;
- b) Business and Professional Office; and
- c) Buildings, Structures, and uses Accessory to the foregoing.

(2) Developable Area:

For the purposes of this By-law the development requirements shall only apply to the lands identified as “Area Subject to Amendment” as shown on Schedule “1” attached hereto.

(3) Development Requirements:

- | | | |
|----|--|------------------------|
| a) | Minimum Lot Area | 1390 m ² |
| b) | Maximum Gross Floor Area –
Apartment House | 9,200 m ² |
| c) | Maximum Gross Floor Area -
Business and Professional Office | 600 m ² |
| d) | Maximum Floor Space Index | 6.70x the
Lot area |
| e) | Maximum Number of Dwelling
Units | 105 units |
| f) | Maximum Coverage | 80% of the
Lot Area |

g)	Minimum Front Yard – north side	0.0 metres
h)	Minimum Side Yard – east side	2.0 metres
i)	Minimum Side Yard- west side	0.0 Metres
j)	Minimum Rear Yard – south side	4.0 metres
k)	Maximum Building Height	As shown on Schedule “2” attached hereto
l)	Maximum Number of Storeys	12 storeys
m)	Minimum Number of Bicycle Parking Spaces	77 spaces
n)	Minimum Residential Amenity Space- Indoor	210m ²
o)	Minimum Residential Amenity Space- Outdoor	210 m ²

(4) Parking Requirements:

- i) For the purposes of this By-law, Off-Street Parking spaces shall be provided in following ratio:

Bachelor Dwelling Unit	0.50 spaces per unit
1-Bedroom Dwelling Unit ii)	0.54 spaces per unit
2-Bedroom Dwelling Unit	0.74 spaces per unit
Visitor Parking	0.12 spaces per unit
- ii) In addition to the Off-Street Parking ratio identified in Section (4)i) above, a minimum of four (4) Off-Street Parking Spaces shall be provided as WoodGreen Parking Spaces .
- iii) A minimum of one (1) Car-Share Parking Space shall be provided on the first parking level below Grade.

- (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.

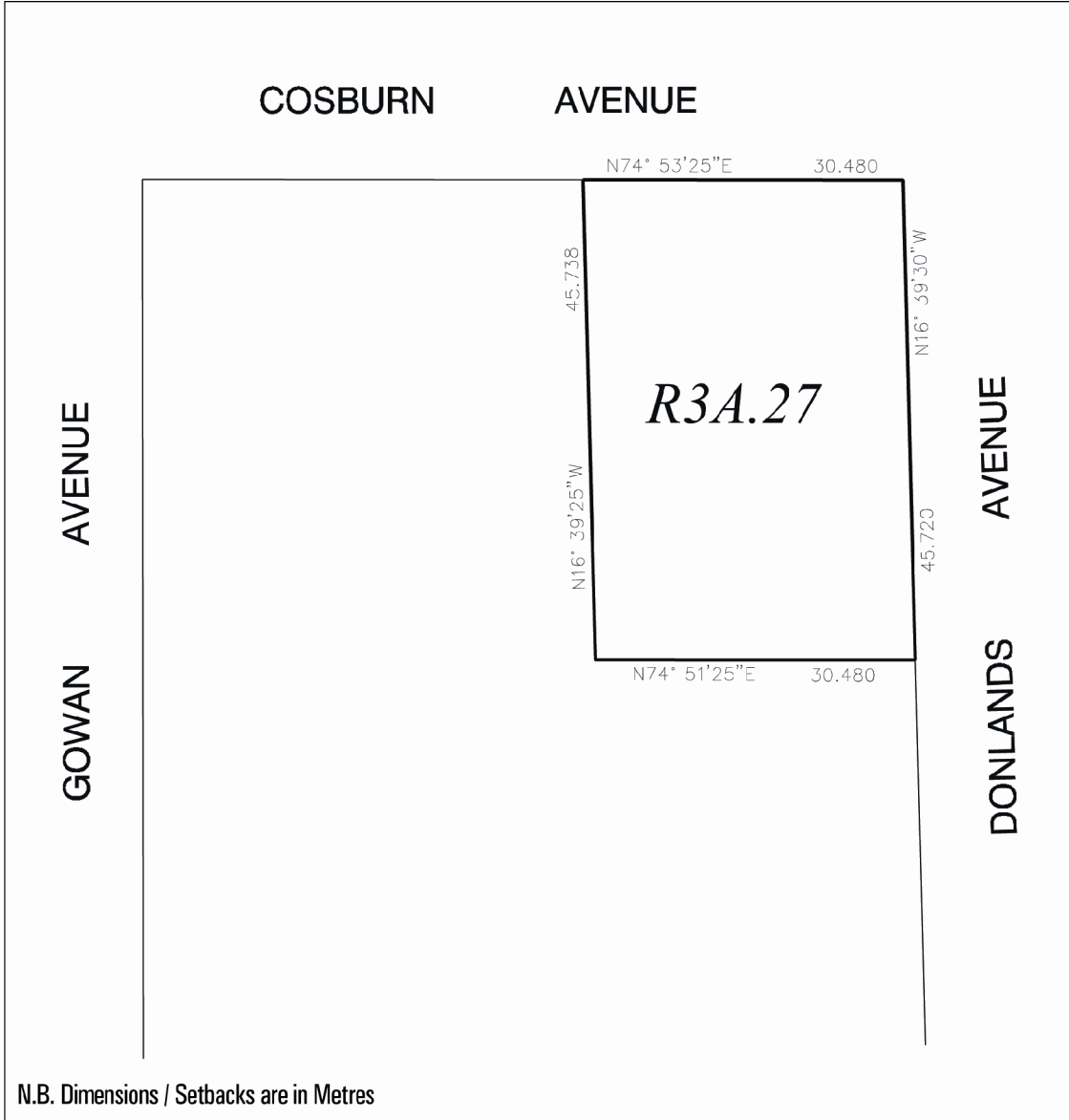
- (6) Other provisions of the By-law:
 - (a) Excepting the amendments contained in this By-law, all the other provisions of the former East York Zoning By-law 6752, as amended, with exception of Section 7.7.1 to 7.7.4 inclusive, shall apply to the lands referred to in Section 7.7.5.27.1.

ENACTED AND PASSED this ~ day of ~, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



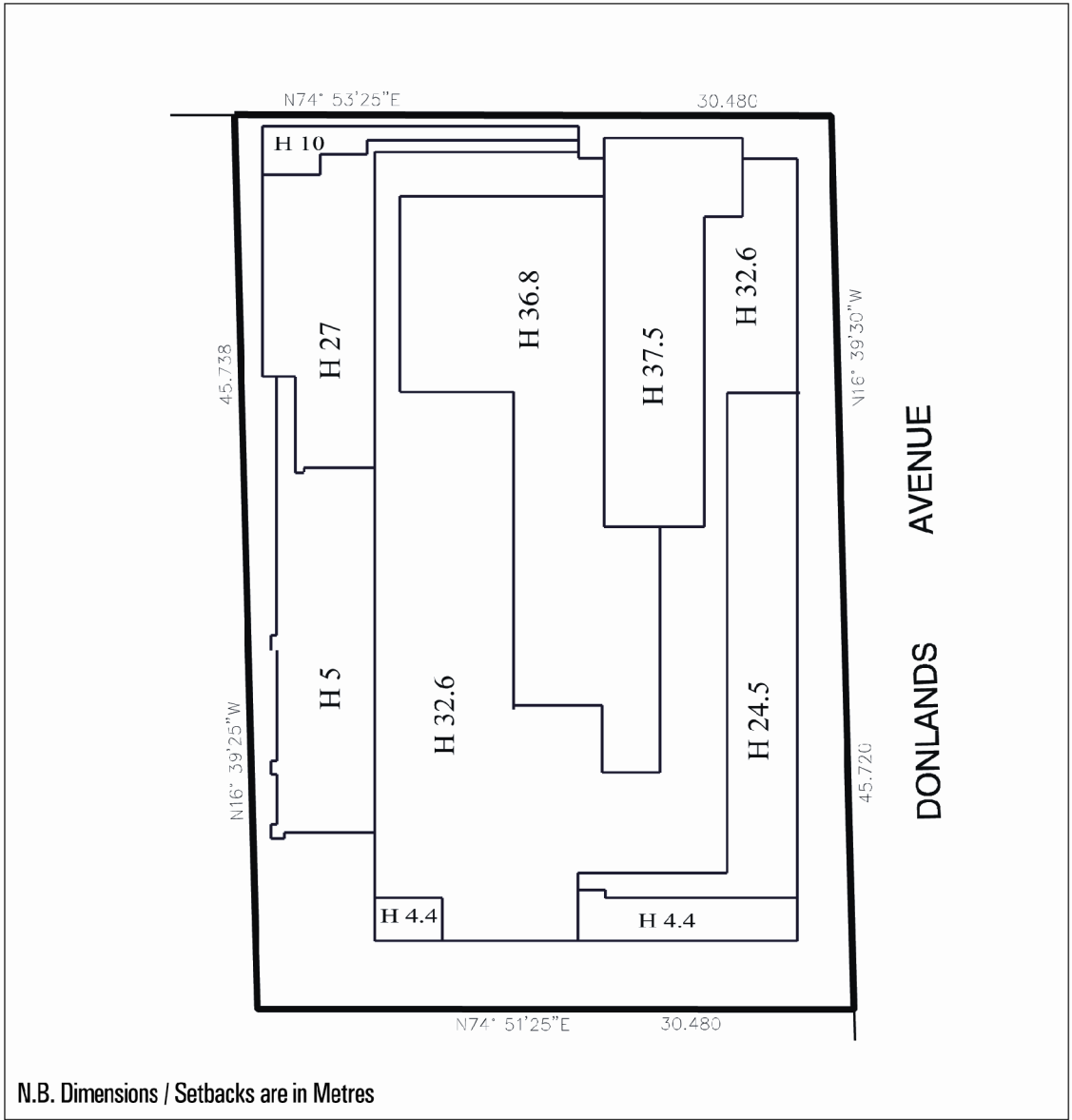
N.B. Dimensions / Setbacks are in Metres

TORONTO City Planning
Schedule 1 By-Law

272 & 280 Donlands Avenue

File # 09_200585

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 Not to Scale
 07/21/2010



N.B. Dimensions / Setbacks are in Metres

TORONTO City Planning
Schedule 2 By-Law

272 & 280 Donlands Avenue

File # 09_200585

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