

218 Randolph Road – Zoning By-law Amendment Application – Request for Direction Report

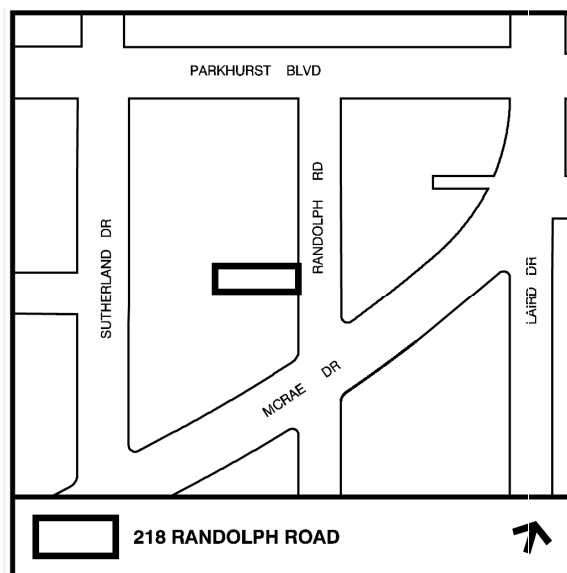
Date:	December 10, 2009
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	07 282963 NNY 26 OZ

SUMMARY

This is a report on an appeal of an application to amend the Zoning By-law to develop two single detached homes at 218 Randolph Road. As this matter has been appealed to the Ontario Municipal Board, this report recommends that the City solicitor and appropriate staff be instructed to attend the OMB hearing to oppose the Zoning By-law Amendment application for the reasons outlined in the report.

The original application was filed on November 29, 2007. Revised plans which form the basis of the present appeal were submitted on April 1, 2009. On October 28, 2009 the applicant appealed the Zoning By-law amendment application to the Ontario Municipal Board.

The application proposes two single detached homes on Randolph Road on a lot which currently contains one detached home.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse the proposed Zoning By-law Amendment application for the reasons outlined in this report.
2. City Staff be authorized to appear before the Ontario Municipal Board Hearing in support of the recommendation above and the City Solicitor and other appropriate City staff be authorized to take such action as necessary to give effect to the recommendations of this report

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On September 26, 2006 the owner met with City Planning staff to discuss the redevelopment of the subject property with two semi-detached units. City Planning staff subsequently visited the site and informed the applicant that the development would not comply with Official Plan polices regarding development in areas designated as *Neighbourhoods*. The proposed semi-detached built form did not respect the existing physical character of the neighbourhood and semi-detached units are not permitted by the applicable zoning.

On November 29, 2007 a Zoning By-law Amendment application was submitted to permit the existing detached home on the subject property to be replaced by two semi-detached units. On December 6, 2007 the applicant was provided with a Notice of Incomplete Application letter which noted that the application was incomplete due to the absence of information required by the *Planning Act*.

In June of 2008 City Planning staff met with the applicants planning consultant to review the application. On October 14, 2008 the owner was notified by City staff that the file would be closed if the information required to complete the application was not submitted. The applicant informed staff that they intended to proceed with the application.

On April 1, 2009 the applicant's consultant indicated that the owner wished to replace the two semi-detached units with two single detached units. City Planning staff advised that the amended proposal still did not comply with the Official Plan polices for development within *Neighbourhoods*. On June 25, 2009 the planning consultant met again with City staff and was advised that the proposal did not comply with the City's Official Plan policies.

On October 28, 2009 the applicant appealed the Zoning By-law amendment application to the Ontario Municipal Board. A hearing date has been scheduled for March 1, 2010.

ISSUE BACKGROUND

Proposal

The applicant proposes to replace the existing two storey detached house and accessory garage at 218 Randolph Road with two detached two storey houses with integral at-grade garages. The proposed development requires that the lot be severed to create two lots with frontages of approximately 6.1 metres. The proposed houses would have a lot coverage of 31% and an FSI of 0.6 (see Attachment 1).

Site and Surrounding Area

The site has an area of approximately 482 square metres (5,188 square feet) with approximately 12.2 metres (40 feet) frontage on Randolph Road. The site is occupied by a two storey detached house with a gross floor area of approximately 115 square metres (1,238 square feet). There is a detached garage located at the rear of the property.

Surrounding land uses are as follows:

North: A Two storey detached house; Further to the north are detached homes on Randolph Road and Parkhurst Boulevard .

East: A four storey apartment building on the opposite side of the street.

South: A five storey apartment building.

West: Detached houses fronting Sutherland Drive.

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.

Official Plan

The subject property is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* are 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 walk-up apartments no taller than four storeys. *Neighbourhoods* may also contain parks, low-scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses.

Official Plan policy 4.1.5 establishes criteria to evaluate development proposals within *Neighbourhoods*. The objective of these policies is to ensure that development respects and reinforces the 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.

This policy also contain the following statement:

No change will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

Zoning

The site and adjacent properties to the north and west are zoned Low Density Residential (R1A) Zone in former East York By-law No. 1916 (see Attachment 3).

This zone permits detached dwellings, schools, libraries, churches, buildings owned by the municipality and accessory structures.

The proposed development would require amending the development standards for two single detached dwellings for: lot frontage; lot area; side yard setbacks; floor space index and building height.

Site Plan Control

The application is not subject to site plan control approval.

Land Division

The applicant intends to file an application to create two lots by way of severance in the event the Zoning By-law is amended as proposed.

Reasons for the Application

The proposed development does not comply with the Official Plan policies regarding development within *Neighbourhoods* and does not comply with several of the performance standards within the Low Density Residential (R1A) Zone.

Community Consultation

Notice of the consideration of this report by Community Council was provided to residents within 120 metres of the subject property.

COMMENTS

The collective impact of the proposal to create two undersized lots and seek relief from other required performance standards within the R1A Zone would result in a development which is out of character with the neighbourhood. The proposed development does not comply with Official Plan policy 4.1.5 regarding development in *Neighbourhoods*, as it does not respect the existing physical character of the neighbourhood.

The subject site is located in the Leaside residential community to the north of McRae Drive. The subject site and the residential properties to the north and immediately to the west are zoned Low Density Residential (R1A) Zone. The properties governed by this zone in the vicinity of the subject site are characterized by single detached dwellings on properties with frontages typically of 9.0 metres or larger. This area is distinct from the residential area to the west of Sutherland Drive, which is zoned as Medium Density Residential (R2A) Zone, where semi-detached and duplex dwellings are permitted and where lot sizes and frontages are typically smaller.

Lot Area and Frontage

The applicant is seeking permission for two lots with frontages of approximately 6.1 metres (20 feet) and lot areas of approximately 240 square metres (2,584 square feet). The Low Density Residential (R1A) Zone requires a minimum lot frontage of 9.0 metres (30 feet) and a minimum lot area of 275 square metres (2,960 square feet). Most of the lots containing detached homes on the block which includes the subject site have frontages of 9.0 to 10.0 metres. Two lots within this block have frontages of approximately 12.0 metres (similar to the subject site). There is one property with a frontage of approximately 8.0 metres.

Within the lands zoned as R1A (see Attachment 5) there are no lots with a frontage of less than 7.6 metres (25 feet) and only 10 out of a total of 109 lots have frontages of between 7.6 metres (25 feet) and 9.1 metres (30 feet). Of the 109 lots within this zone, 96 (88%) have frontages of between 9.1 metres (30 feet) and 12.2 metres (50 feet).

As the majority of lots within the R1A Zone have frontages greater than 9.0 metres, the creation of two lots with frontages of 6.1 metres would result in two detached homes which do not respect and reinforce the physical character of the neighbourhood. There are three other lots within the zone with frontages of 12.2 metres (40 feet) and while these lots are larger than the predominant lot size within this zone, dividing a 12.2 metre lot into two 6.1 metre lots does not address the Official Plan policies regarding development in established *Neighbourhoods*, particularly as it relates to size and configuration of lots.

The approval of this application would also set a precedent for the creation of similarly smaller lots within the Low Density Residential (R1A) Zone. As the significant majority of lots within this zone have frontages of 9.0 metres or larger, there would be, in the event the application were approved, an opportunity to combine lots and create new lots with frontages of 6.0 metres throughout the zone.

With regard to variances granted to property owners within the R1A Zone to reduce performance standards and increase the usage of their properties, these variances have not resulted in lots with frontages substantially smaller than the required minimum lot frontage of 9.0 metres. The pattern of development has maintained the characteristics of the area with lots generally having frontages of 9.0 metres or larger.

Related Development Standards

The other changes required to accommodate the proposed redevelopment include:

Side yard reduction: 0.457 metres is proposed whereas 0.9 metre is required.

Increased FSI: 0.62 is proposed whereas 0.45 is permitted.

Increased height: 9.8 metres is proposed whereas 8.5 metres is permitted.

The collective impact of these changes will, along with the creation of two lots which are substantially smaller than the existing lots in the Low Density Residential (R1A) Zone, result in a development which does not respect and reinforce the physical character of the neighbourhood.

CONCLUSION

The proposed amendment to the zoning By-law is not appropriate as it as it does not respect the existing physical character of the neighbourhood and does not comply with the Official Plan policies for development within Neighbourhoods. The proposed amendment, if approved, would set a precedent for the creation of smaller lots within the Low Density Residential (R1A) Zone. Staff should be directed to attend the Ontario Municipal Board hearing to oppose the Zoning By-law amendment application.

CONTACT

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SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

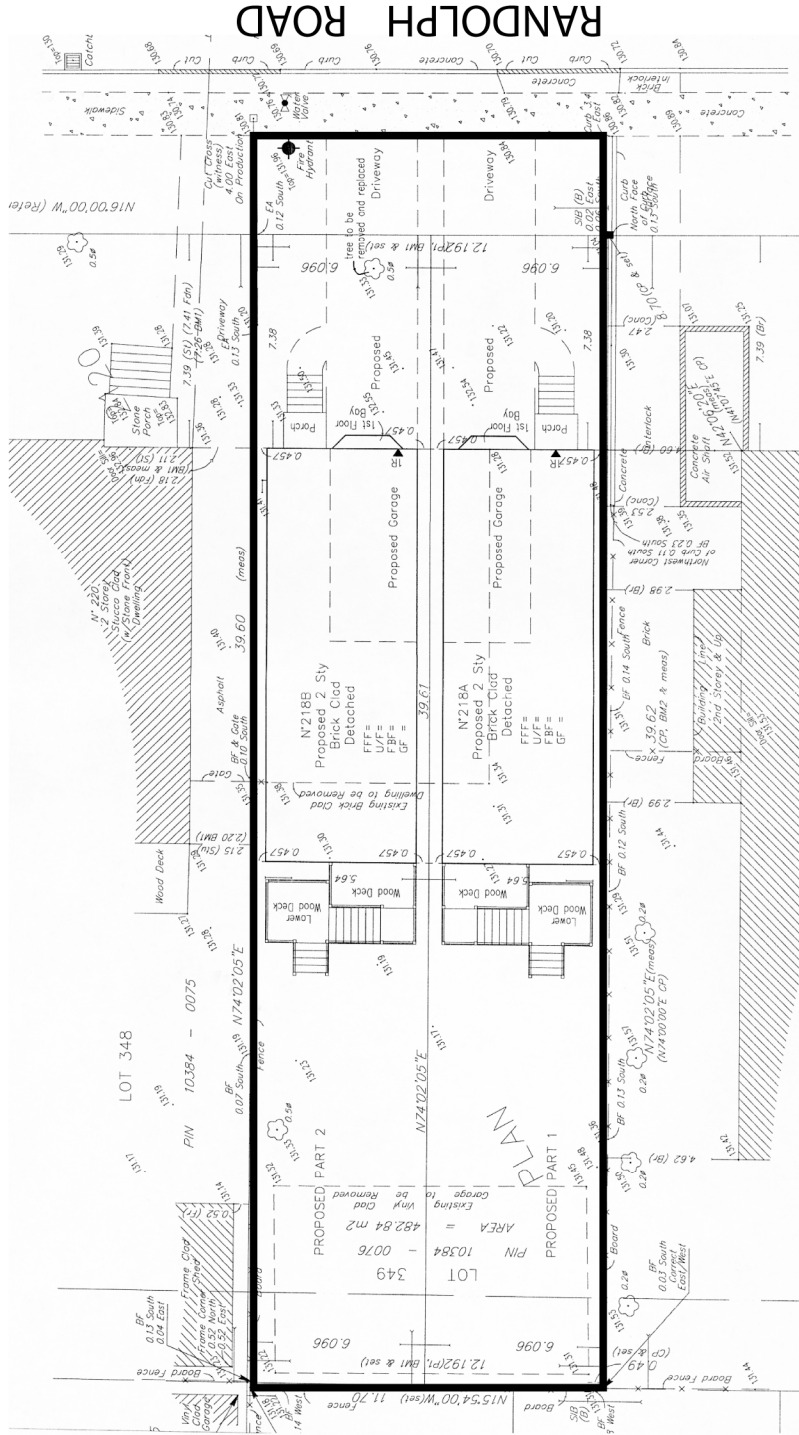
Attachment 3: Zoning

Attachment 4: Official Plan

Attachment 5: Lot Study Area

Attachment 6: Application Data Sheet

Attachment 1: Site Plan

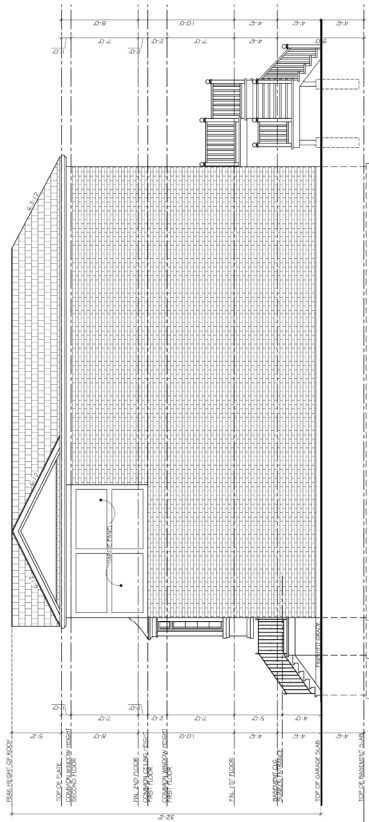


218 Randolph Road

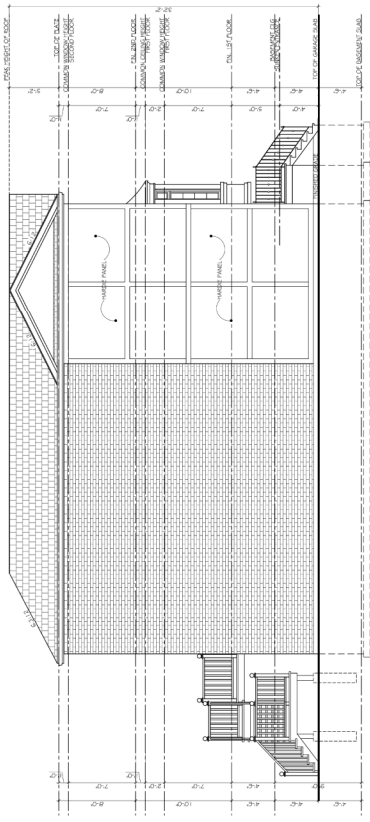
Site Plan
Applicant's Submitted Drawing
Not to Scale
11/27/2009

File # 07_282963

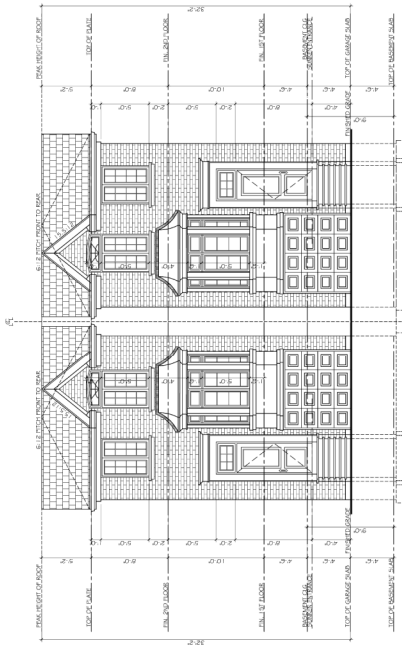
Attachment 2: Elevations



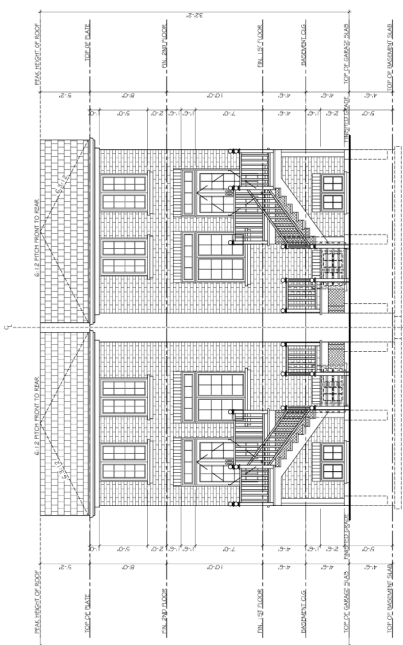
RIGHT SIDE ELEVATION
218 A RANDOLPH RD



LEFT SIDE ELEVATION
218 A RANDOLPH RD



218 A RANDOLPH RD
218 B RANDOLPH RD
FRONT ELEVATION



218 A RANDOLPH RD
218 B RANDOLPH RD
REAR ELEVATION

218 Randolph Road

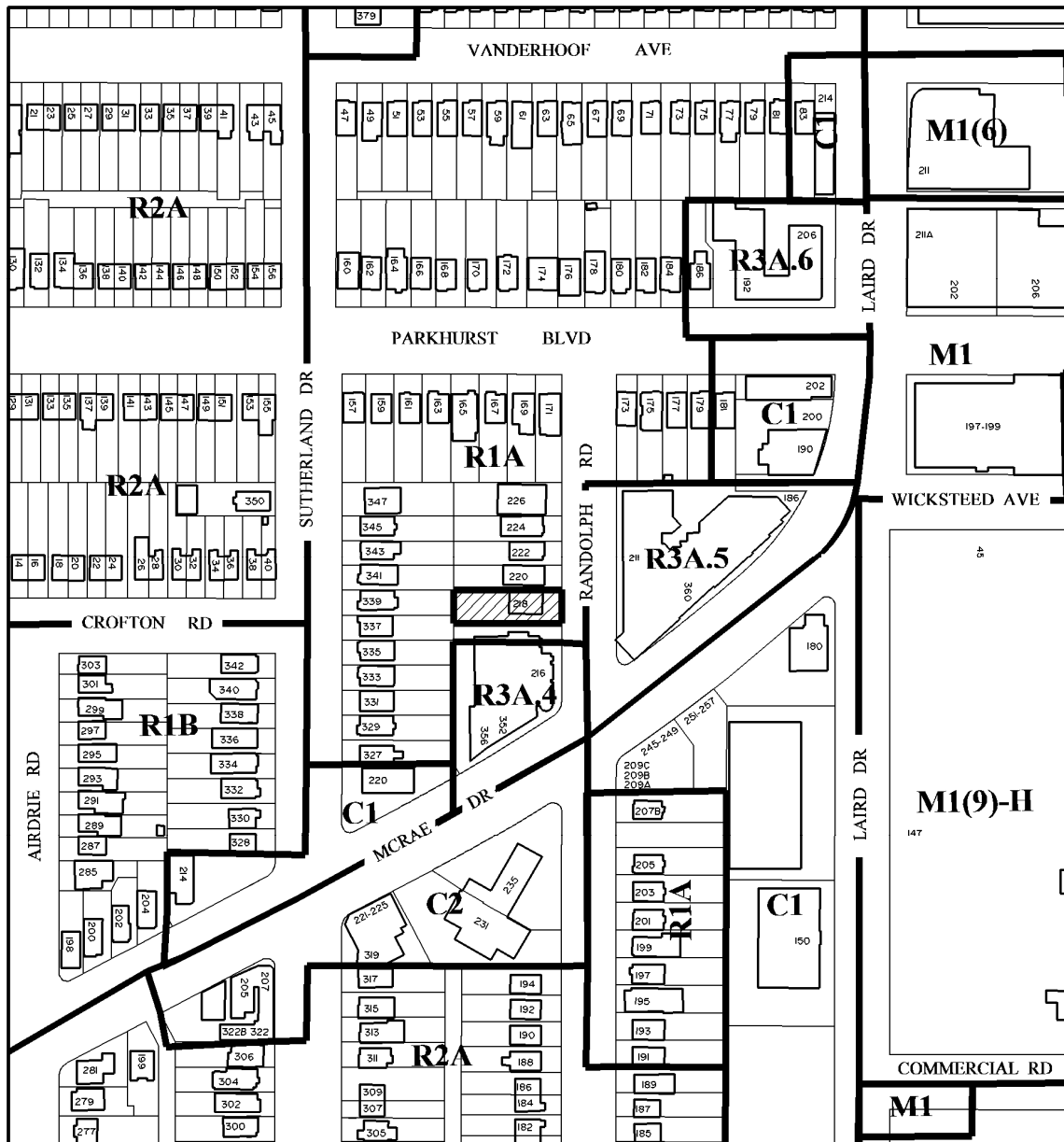
Elevations

Applicant's Submitted Drawing

Not to Scale
11/20/2009

File # 07 282963

Attachment 3: Zoning



TORONTO City Planning
Zoning

218 Randolph Road

File # 07_282963

R1A Low Density Residential
R2A Medium Density Residential
R3A High Density Residential

C.1 Commercial - General
C.2 Commercial - Local
M.1 Light Industrial

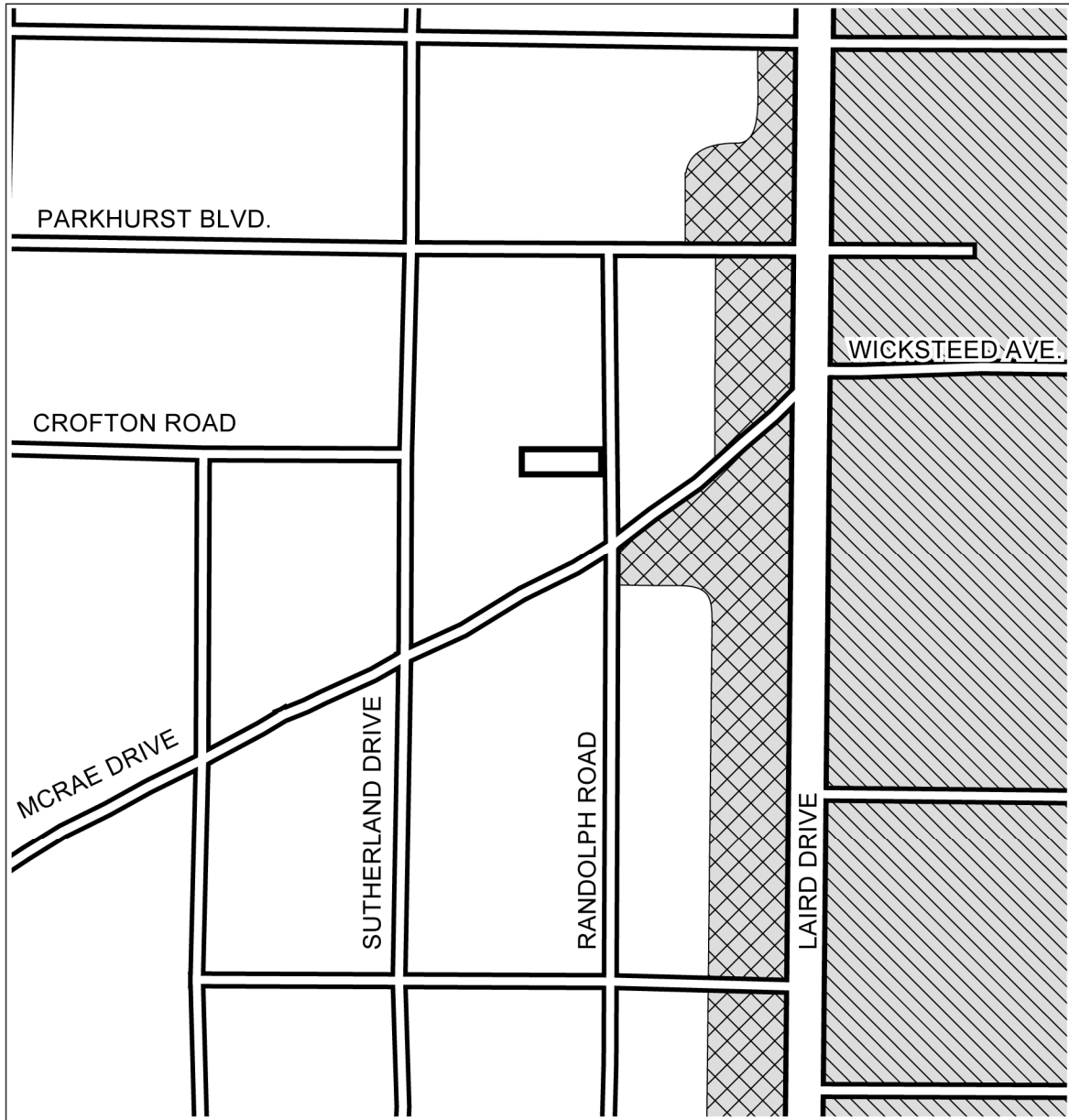
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale

East York Leaside Zoning By-Law 1916 as amended
Extracted 12/05/2007

Attachment 4: Official Plan



Toronto City Planning
Official Plan

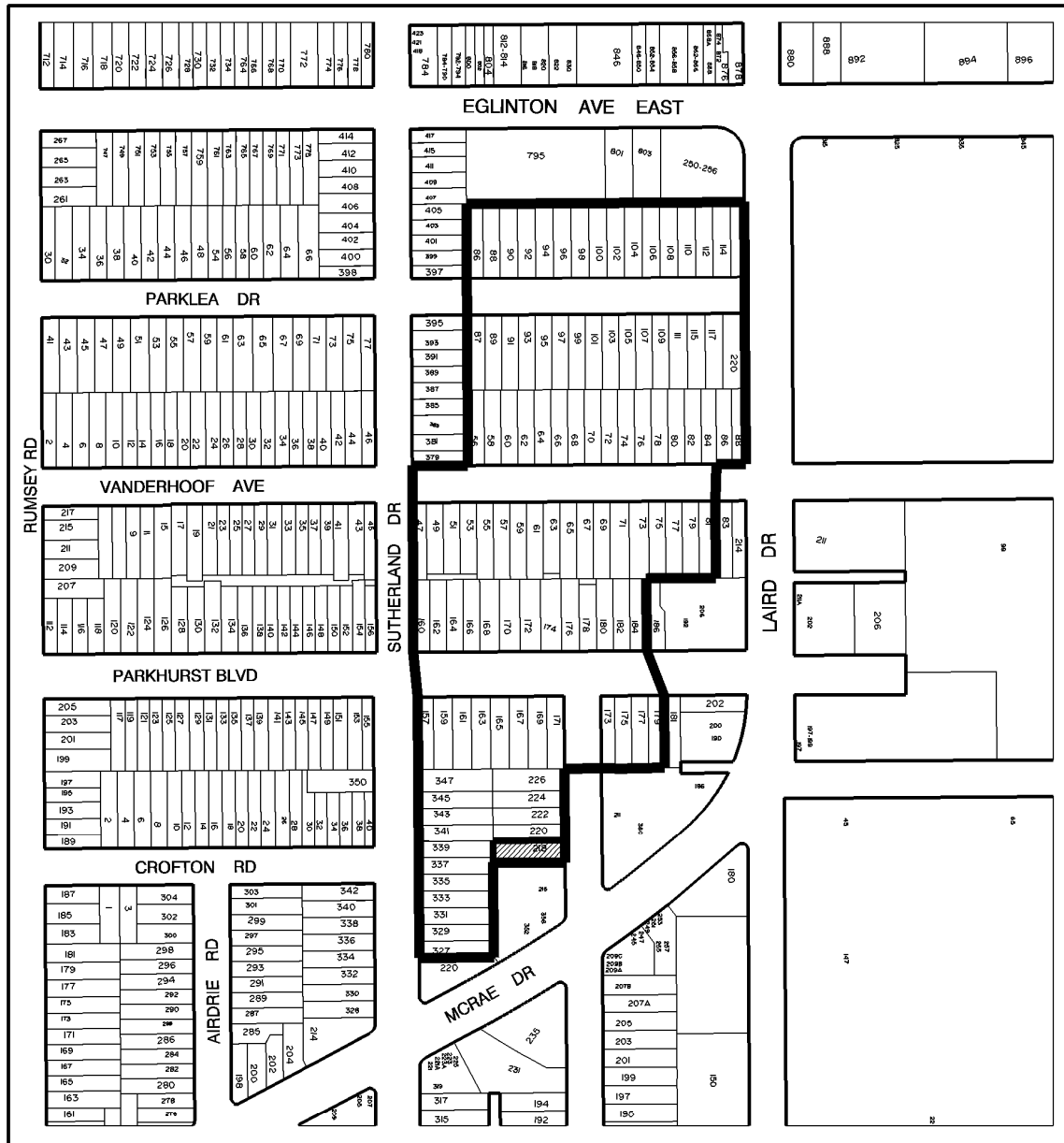
218 Randolph Road

File # 07_282963

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Employment Areas

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Not to Scale
12/23/2009


Attachment 5: Lot Study Area



Toronto City Planning
Lot Study Area

218 Randolph
 File # 07_282963

 LOT STUDY AREA
 SUBJECT SITE


 Not to Scale
 Extracted 12/11/2009

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	07 282963 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	November 29, 2007
Municipal Address:	218 Randolph Road		
Location Description:	Lot 349 & Part of Lane (Closed by By-law No. 1077) R-Plan 2120		
Project Description:	Residential development consisting of two detached houses		

Applicant:	Agent:	Architect:	Owner:
TONY PAGLIALUNGA	FRANCO ROMANO		Tony Paglialunga, Castleton Homes

PLANNING CONTROLS

Official Designation:	Plan	Neighbourhoods	Site Specific Provision:
Zoning:		RIA	Historical Status:
Height Limit (m):		8.5	Site Plan Control Area:
			Y

PROJECT INFORMATION

Site Area (sq. m):		Height:	Storeys:	4
Frontage (m):	12.138		Metres:	13.25
Depth (m):	39.6			
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):	298		Parking Spaces:	2
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	298			
Lot Coverage Ratio (%):	30.75			
Floor Space Index:	0.62			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	298	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:	2	Institutional/Other GFA (sq. m):	0	0
Total Units:	2			

CONTACT:	PLANNER NAME:	Dan Nicholson, Planner
	TELEPHONE:	(416) 395-7110