

Date:	July 25, 2017
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Ward:	Ward 23 – Willowdale
Reference:	File No: B0006/17NY, A0047/17NY, and A0048/17NY Address: 169 GOULDING AVENUE Application to be heard: Thursday August 3, 2017 at 9:30 a.m.

RECOMMENDATION

1. Planning staff recommend the Committee of Adjustment approve the following applications, B0006/17NY, A0047/17NY and A0048/17NY.

Should the Committee choose to approve this application, staff recommend that the following variances first be modified to be more in keeping with the intent of the Zoning By-law:

1. Parts 1 and 2, Variance Nos. 2, 3, 14, and 15 for the proposed side yard setback as measured under Zoning By-law No. 569-2013 and 7625 be modified to between 1.5m and 1.8m;
2. Part 1, Variance No. 7 and 16 for the proposed lot coverage as measured under Zoning By-law Nos. 569-2013 and 7625 be modified to 32%; and,
3. Parts 1 and 2, Variance No. 8 for the proposed exterior main wall height as measured under Zoning By-law Nos. 569-2013, be modified to not exceed 7.5 metres.

Further, should the Committee choose to approve this application for consent, planning staff recommend it be made subject to the following conditions:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division.
2. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4, and in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the consent, shall be

submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of this decision.

3. Copies of a deposited Reference Plan of Survey, integrated with the Ontario Co-ordinate System, and clearly delineating the parcels of land approved by the Committee of Adjustment. A listing of the PARTS and their respective areas is required.
4. A copy of a letter from the Executive Director of Engineering and Construction Services advising that the applicant has obtained the necessary adjustment to the municipal addressing of the land. Contact Survey and Mapping Services, Engineering and Construction Services at (416) 392-7755. The application for municipal addressing must be accompanied by a copy of the deposited Reference Plan of Survey, integrated with the Ontario Co-ordinate System, and specify the PART numbers that will comprise each of the new parcels.
5. This Decision shall become null and void within 12 months unless the Certificate of the Committee of Adjustment is affixed to the relevant documents.

APPLICATION

THE CONSENT REQUESTED:

B0006/17NY – 169 Goulding Avenue

The applicant is seeking consent to sever the property into two undersized residential lots.

Retained – Part 1

Address to be assigned

The proposed lot frontage is 13.01 metres and the lot area is 523.15m². The property will be redeveloped as the site of a new detached dwelling requiring variances to the applicable Zoning By-law(s) as outlined in application A0047/17NY.

Conveyed - Part 2

Address to be assigned

The proposed lot frontage is 13.01 metres and the lot area is 626.43m². The property will be redeveloped as the site of a new detached dwelling requiring variances to the applicable Zoning By-law(s) as outlined in application A0048/17NY.

The applications B0006/17NY, A0047/17NY, and A0048/17NY will be considered jointly.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

A0047/17NY – 169 GOULDING AVENUE (Part 1)

1. Chapter 10.5.40.10 (5) , Zoning By-law No. 569-2013

A minimum of 10.0 m² of the first floor must be within 4.0 m of the front main wall.

Proposed 6.45 m² area is within 4 m of the front main wall.

2. Chapter 10.20.40.70 (3), (5) Exception RD 5, Zoning By-law No. 569-2013

(A) Despite regulation 10.20.40.70 (3), the minimum side yard setback is 1.8 m.

The proposed west side yard is 1.22m.

3. Chapter A 10.20.40.70 (3), (5) Exception RD 5, Zoning By-law No. 569-2013

(A) Despite regulation 10.20.40.70 (3), the minimum side yard setback is 1.8 m.

The proposed east side yard is 1.22m.

4. Chapter 10.5.40.70, Zoning By-law No. 569-2013

(1)(B) The minimum required building front yard setback is 7.49m.

The proposed building front yard setback is 7.28m.

5. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013

A) The required minimum lot area is 610 m².

The proposed lot area is 523.15 m².

6. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013

A) The required minimum lot frontage is 15.0 m.

The proposed lot frontage is 13.01 m.

7. Chapter 10.20.30.40.(1), Zoning By-law No. 569-2013

A) The permitted maximum lot coverage is 30 percent of the lot area: 156.95 m².

The proposed lot coverage is 34.34 percent of the lot area: 179.66 m².

8. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013

A)(i) The permitted maximum height of all front exterior main walls is 7.5 m.

The proposed height of the front exterior main walls is 8.8 m.

A)(ii) The permitted maximum height of all rear exterior main walls is 7.5 m.

The proposed height of the rear exterior main walls is 8.05 m.

9. Chapter 10.20.40.20.(1), Zoning By-law No. 569-2013

The permitted maximum building length for a detached house is 17.0 m.

The proposed building length is 17.17 m.

10. Chapter 10.5.40.60.(1), Zoning By-law No. 569-2013

(A)(i) A platform without main walls, attached to or less than 0.3 metres from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 metres if it is no closer to a side lot line than the required side yard setback.

The proposed platform is 0.58 m closer to the side lot line than the required setback.

11. Section 13.2.1, Zoning By-law No. 7625

The minimum required lot frontage is 15.0m .

The proposed lot frontage is 13.01m.

12. Section 6(8), Zoning By-law No. 7625

The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed.

13. Section 13.2.2, Zoning By-law No. 7625

The minimum required lot area is 550m².

The proposed lot area is 523.15m².

14. Section 13.2.3(b), Zoning By-law No. 7625

The minimum required west side yard setback is 1.61m.

The proposed west side yard setback is 1.22m.

15. Section 13.2.3(b), Zoning By-law No. 7625

The minimum required east side yard setback is 1.61m.

The proposed east side yard setback is 1.22m.

16. Section 13.2.4, Zoning By-law No. 7625

The maximum permitted lot coverage is 30% of the lot area.

The proposed lot coverage is 34.34% of the lot area.

17. Section 13.2.5A, Zoning By-law No. 7625

The maximum permitted building length is 16.8m.

The proposed building length is 17.17m.

18. Section 13.2.6, Zoning By-law No. 7625

The maximum permitted building height is 8.8m.

The proposed building height is 9.42m.

A0048/17NY – 169 GOULDING AVENUE (Part 2)

1. Chapter 10.20.40.70 (3), (5) Exception RD 5, Zoning By-law No. 569-2013

(A) Despite regulation 10.20.40.70 (3), the minimum side yard setback is 1.8 m.

The proposed west side yard is 1.22m.

2. Chapter 10.20.40.70 (3), (5) Exception RD 5, Zoning By-law No. 569-2013

(A) Despite regulation 10.20.40.70 (3), the minimum side yard setback is 1.8 m.

The proposed east side yard is 1.22m.

3. Chapter 10.5.40.70, Zoning By-law No. 569-2013

(1)(B) The minimum required building front yard setback is 7.28m.

The proposed building front yard setback is 6.55m.

4. Chapter 10.5.40.10, Zoning By-law No. 569-2013

(5) A minimum of 10.0m² of the first floor must be within 4.0 m of the front main wall.
Proposed 5.04 m² area is within 4 m of the front main wall.

5. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013

A) The required minimum lot frontage is 15.0 m.
The proposed lot frontage is 14.03 m.

6. Chapter 10.20.30.40.(1), Zoning By-law No. 569-2013

A) The permitted maximum lot coverage is 30 % of the lot area: 187.93 m².
The proposed lot coverage is 32.4 % of the lot area: 203.02 m².

7. Chapter 10.20.40.10.(1), Zoning By-law No. 569-2013

A) The permitted maximum height of a building or structure is 10.0 m.
The proposed height of the building is 10.37 m.

8. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013

A)(i) The permitted maximum height of all front exterior main walls is 7.5 m.
The proposed height of the front exterior main walls is 8.47 m.

A)(ii) The permitted maximum height of all rear exterior main walls is 7.5 m.
The proposed height of the rear exterior main walls is 8.47 m.

9. Chapter 10.20.40.20.(1), Zoning By-law No. 569-2013

The permitted maximum building length for a detached house is 17.0 m.
The proposed building length is 17.87 m.

10. Chapter 10.5.40.60.(1), Zoning By-law No. 569-2013

(A)(i) A platform without main walls, attached to or less than 0.3 metres from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 m if it is no closer to a side lot line than the required side yard setback.

The proposed platform encroaches 2.62 m into the required front yard setback and is 1.11 m closer to the side lot line than the required setback.

11. Chapter 10.5.80.40.(3), Zoning By-law No. 569-2013

(B) Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.

The proposed vehicle access to a parking space is from the front yard street.

12. Section 13.2.1, Zoning By-law No. 7625

The minimum required lot frontage is 15.0 m.
The proposed lot frontage is 14.11 m.

13. Section 6(8), Zoning By-law No. 7625

The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed.

The lot width is 14.03m.

14. Section 13.2.3(b), Zoning By-law No. 7625

The minimum required west side yard setback is 1.7m.

The proposed west side yard setback is 1.22m.

15. Section 13.2.3(b), Zoning By-law No. 7625

The minimum required east side yard setback is 1.7m.

The proposed east side yard setback is 1.22m.

16. Section 13.2.4, Zoning By-law No. 7625

The maximum permitted lot coverage is 30% of the lot area.

The proposed lot coverage is 32.19% of the lot area.

17. Section 13.2.5A, Zoning By-law No. 7625

The maximum permitted building length is 16.8m.

The proposed building length is 17.22m.

18. Section 13.2.6, Zoning By-law No. 7625

The maximum permitted building height is 8.8m.

The proposed building height is 9.58m.

COMMENTS

The subject property is located on the south side of Goulding Avenue, southwest of Yonge Street and Steeles Avenue West. The property is zoned *R4* under the North York Zoning By-law No. 7625 and *RD(f15.0; a610)(x5)* under the City of Toronto Zoning By-law No. 569-2013. The site is designated *Neighbourhoods* in the City of Toronto Official Plan. The applicant is proposing to sever the existing lot to create two new residential detached dwellings; the existing dwelling will be demolished. The variances that are required to construct the proposed two-storey dwellings on each new lot are outlined in applications A0047/17NY and A0048/17NY.

Planning staff conducted an analysis of 572 lot patterns in the neighbourhood, generally bounded by Moore Park Avenue to the north, Patricia Avenue to the south, Crossen Drive to the east, and Chelmsford Avenue to the west. The lot configuration that is being proposed at this time is consistent with the pattern of lots that exists the surrounding neighbourhood. The zoning within the study area is split between *R4* and *R6* under Zoning By-law No. 7625 and *RD(15.0; a550)(x5)* and *RD(f12.0; a370)* under Zoning By-law No. 569-2013.

The proposed frontages on Part 1 and Part 2 are 13.01 metre, each with a lot area of 523.15m² and 626.43m². The requirements for lot frontage and lot area are established to achieve a consistent streetscape as well as pattern of development and the proposed severance respects the stabilized characteristic. Planning staff are of the opinion the proposed consent for severance at 169 Goulding Avenue is in keeping with the existing lot fabric and physical built form character of the neighbourhood.

The minor variance applications propose to construct a new detached two-storey dwelling on each of the newly proposed lots. Planning Staff recommend that the following variances first be modified to be more in keeping with the intent of the Zoning By-law:

1. Parts 1 and 2, Variance Nos. 2, 3, 14, and 15 for the proposed side yard setback as measured under Zoning By-law No. 569-2013 and 7625 be modified to between 1.5m and 1.8m;
2. Part 1, Variance No. 7 and 16 for the proposed lot coverage as measured under Zoning By-law Nos. 569-2013 and 7625 be modified to 32%; and,
3. Parts 1 and 2, Variance No. 8 for the proposed exterior main wall height as measured under Zoning By-law Nos. 569-2013, be modified to no exceed 7.5 metres.

The provisions for lot coverage, side yard setbacks, and exterior main wall height work together to ensure a stable built form throughout the neighbourhood while maintaining adequate separation distance from adjacent properties.

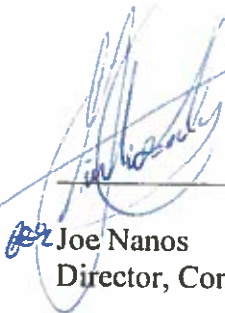
RECOMMENDATION

Planning staff are of the opinion that the following proposal for consent and minor variance does respect the existing character of the area, subject to the modifications proposed by staff pertaining to side yard setback, lot coverage, and exterior main wall height. It is recommended that the Committee of Adjustment approve the applications for consent and minor variance. It is recommended that the approval be subject to the conditions as set out under the Recommendations section of this report.

CONTACT

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SIGNATURE



for Joe Nanos
Director, Community Planning, North York District

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