



**STAFF REPORT**  
**Committee of Adjustment**  
**Application**

**Date:** March 17, 2020

**To:** Chair and Committee Members of the Committee of Adjustment, North York District

**From:** John Andreevski, Director (Acting), Community Planning, North York District

**Ward:** Ward 08, Eglinton-Lawrence

**File No:** A0572/19NY

**Address:** 113 Ridley Boulevard

**Application to be heard:** Thursday, March 26, 2020

## **RECOMMENDATIONS**

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Staff recommend that the following variance be refused:

- 1) Variance No. 2 related to the proposed third storey.

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

- 1) Variance No. 6 related to the east side yard setback to a minimum of 1.2 metres.

Should the Committee choose to approve this application, staff recommend the Committee attach the following condition:

- 1) The property be developed substantially in accordance with the site plan and east side elevation drawings submitted to the Committee of Adjustment, attached as Attachments 1 and 2 to this report.

## **APPLICATION**

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The application proposes to construct a new dwelling. This application was previously deferred September 26, 2019, in order to allow the applicant the opportunity to meet with City Staff.

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

1. **Chapter 10.5.40.50.(2), By-law No. 569-2013**  
A platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone; in this case 1.8m.  
The proposed rear platform encroaches 0.66m into the east side yard setback  
The proposed rear platform encroaches 0.58m into the west side yard setback.
2. **Chapter 10.20.40.10.(3), By-law No. 569-2013**  
The maximum number of storeys permitted is two (2).  
The proposed number of storeys is three (3).
3. **Chapter 10.20.40.20.(1), By-law No. 569-2013**  
The maximum permitted building length is 17.00m.  
The proposed building length is 27.36m.
4. **Chapter 10.20.40.30.(1), By-law No. 569-2013**  
The maximum permitted building depth is 19.00m.  
The proposed building depth is 20.52m.
5. **Chapter 10.20.40.70.(1)(B), By-law No. 569-2013**  
The minimum required front yard setback is 8.11m.  
The proposed front yard setback is 6.46m.
6. **Chapter 10.20.40.70.(3)(E), By-law No. 569-2013**  
The minimum required side yard setback is 1.80m.  
The proposed east side yard setback is 0.94m.
7. **Chapter 10.20.40.70.(3)(E), By-law No. 569-2013**  
The minimum required side yard setback is 1.80m.  
The proposed west side yard setback is 1.22m.
8. **Chapter 10.5.100.1.(1)(C), By-law No. 569-2013**  
The maximum permitted driveway width is 4.27m.  
The proposed driveway width is 5.25m.
9. **Chapter 10.5.40.60.(3)(A)(ii), By-law No. 569-2013**  
Exterior stairs may encroach into a required setback provided they are no wider than 2.00m.  
The proposed front stairs are 2.44m wide.

**10. Chapter 10.5.40.60.(7)(A), By-law No. 569-2013**

A dormer projecting from the surface of a roof may not have any wall of the dormer closer to a lot line than the required minimum building setback; the front yard setback is 8.11m.

The proposed dormer is encroaching 0.98m into the required front yard setback.

**11. Section 12.7 By-law No. 7625**

The maximum permitted building height is 8.0m.

The proposed building height is 11.47m.

**12. Section 6(30), By-law No. 7625**

The maximum permitted finished first floor height is 1.50m.

The proposed finished first floor height is 1.94m.

## **COMMENTS**

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The subject property is located east of Avenue Road, and south of Wilson Avenue. The property is zoned *RD (f18.0; a690)* under City of Toronto Zoning By-law No. 569-2013 and *R3(19)* under the former City of North York Zoning By-law No. 7625.

The application requests a variance to permit a third storey, whereas under Zoning By-law No. 569-2013, the maximum permitted storeys is two. The maximum storey provision is devised, in part, to ensure a consistent pattern of development. Staff acknowledge that the Committee of Adjustment has previously allowed a third storey at 115 Ridley Boulevard, however the third storey in that case was technical in nature as the proposed basement level was closer to the established grade than the proposed first floor. As a result, the basement level was considered the first-storey. Ridley Boulevard is a street characterized by two storey detached dwellings. It is the opinion of planning staff that the proposed number of storeys is contrary to the intent of the Zoning By-law and potentially destabilizing to the character of the neighbourhood.

The application requests variances to permit building length and depth of 27.36 metres and 20.52 metres as measured under Zoning By-law No. 569-2013, whereas the maximum permitted building length and depth are 17 metres and 19 metres, respectively. The 27.36 metres length applies only to the basement. The 21.26 metre length on the first floor is due to the excavated rear terrace. The second and third floors length would not exceed 17.60 metres. In order to ensure the increased building length and depth remain as proposed in the drawings submitted, staff recommend that any approval by the Committee include a condition that the property be developed substantially in accordance with the site plan, and east side elevation drawings submitted to the Committee of Adjustment, and attached as Attachments 1, and 2 to this report.

The application also proposes a side yard setback of 0.94 metres from the east property line as measured under Zoning By-law No. 569-2013, whereas the minimum required side yard setback is 1.8 metres. The applicant previously indicated to staff an intent to

increase the sideyard setback, as stated in planning report dated April 9, 2019, however, the submitted drawing continues to show a side yard setback of 0.94 metre. Side yard setback provisions are devised, in part, to ensure a consistent built form and to ensure adequate provisions for access, stormwater management and maintenance of dwellings. Staff are of the opinion that the requested variance for the east side yard setback is not in keeping with the intent of the Zoning By-law and should be increased to at least 1.2 metres.

## **CONTACT**

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Shirin.Yazdani@toronto.ca

## **SIGNATURE**

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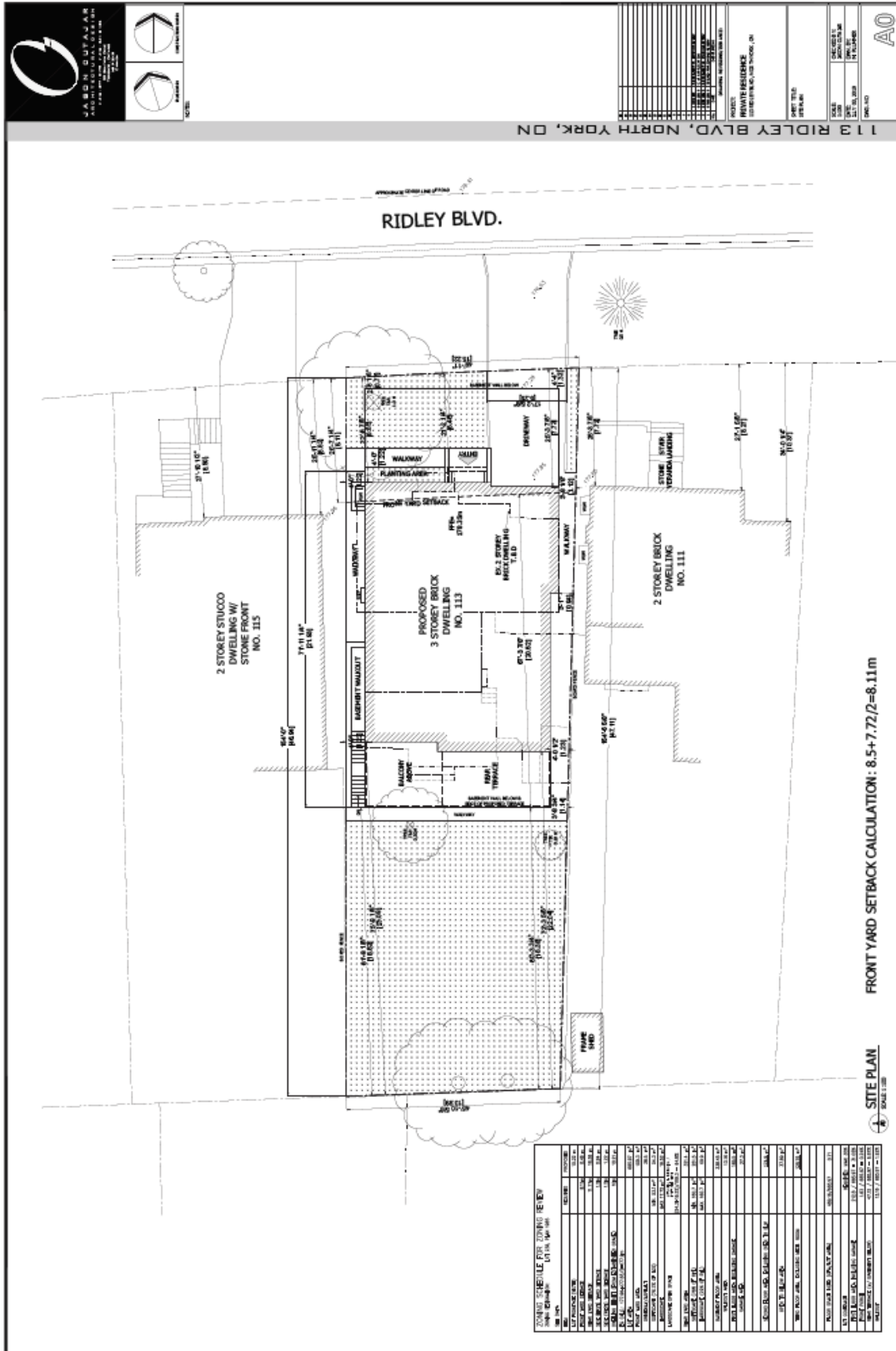
Signed by Al Rezoski, Manager, Community Planning, North York District on behalf of  
John Andreevski, Director (Acting), Community Planning, North York District

## **ATTACHMENTS**

**Attachment 1:** Site Plan

**Attachment 2:** East Side Elevation

# Attachment 1: Site Plan



# Attachment 2: East Side Elevation

