



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

<b>Date:</b>	Wednesday, February 29, 2012
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment North York District</b>
<b>From:</b>	Allen Appleby, Director, Community Planning, North York District
<b>Wards:</b>	Ward 16 (Eglinton-Lawrence)
<b>Reference:</b>	File No. A841/11NY Address: <b>320 BROOKDALE AVE</b> Application to be heard: Wednesday, March 14, 2012 at 11:00 a.m.

**RECOMMENDATION**

Staff recommend that the following application be refused.

**APPLICATION**

This is an application to permit the construction of a new two storey dwelling on the above noted property. The existing dwelling would be demolished.

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

Toronto By-law 438-86

1. Proposed Gross Floor Area of 218.3m<sup>2</sup> (0.86 times the area of the lot)  
WHEREAS a maximum Gross Floor Area of 151.1m<sup>2</sup> (0.6 times the area of the lot ) is permitted;
2. Flanking street setback of 0.3m from Elm Road to the proposed dwelling  
WHEREAS a minimum setback of 2.63m is required;
3. East side lot line setback of 0.42m to the proposed dwelling  
WHEREAS a minimum setback of 0.9m is required;
4. East side lot line setback of 0.42m to the rear portion of the dwelling exceeding 17m in depth  
WHEREAS a minimum setback of 7.5m is required for the portion of the dwelling exceeding 17m in depth;
5. Proposed eaves projection on to City property on the west side  
WHEREAS the by-law limits the projection of eaves into the required setback to a maximum of 0.45m;

6. Proposed eaves projection within 0.3m on the east side  
WHEREAS the by-law limits the projection of eaves into the required setback to a maximum of 0.45m;

7. Proposed front walkway to have a width of 1.52m  
WHEREAS a maximum walkway width of 1.06m is permitted;

8. Proposed vehicular access to be from the front of the building  
WHEREAS access from the flanking street or public lane is required;

9. Proposed integral garage to be located within the front wall of the proposed building  
WHEREAS an integral garage is not permitted in a building having a frontage less than 7.62m;  
and

10. Proposed building to be located 0.66m from the adjacent dwelling to the east (318 Brookdale Avenue)  
WHEREAS a minimum setback of 1.2m is required where the adjacent building contains openings.

## COMMENTS

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The subject property is located north of Lawrence Avenue West and east of Avenue Road and is designated *Neighbourhoods* in the City of Toronto Official Plan.

*Neighbourhoods* are considered stable areas where new development will maintain the existing physical character of the area.

Section 4.1 of the Plan outlines the development policies for *Neighbourhoods*. The Official Plan acknowledges that *Neighbourhoods*, while stable, will be subject to physical change in the form of enhancements, additions, and infill housing. The key policy of the Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. The preamble to the development criteria states, "Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing character."

Policy 4.1.5 outlines development criteria for in established *Neighbourhoods*. Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the area, with regard to:

- a) Patterns of streets, blocks and lanes, parks and public building sites;
- e) Setbacks of buildings from the street or streets;
- f) Prevailing patterns of rear and side yard setbacks and landscaped open space;

The Plan affirms that no changes will be made with respect to rezoning, minor variance, consent or other public action that are not in keeping with the physical character of the neighbourhood.

The subject property is zoned R2 Z0.6-One Family Detached Dwelling, Second Density Zone, in the Toronto By-law 438-86. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. Limitations on density and building setbacks from lot

lines, are devised to achieve more uniform and consistent streetscapes and to maintain a standard pattern of development.

The subject property is a corner lot that fronts on to Brookdale Avenue and flanks Elm Road on the west side. Planning staff are concerned specifically with variances for a proposed Gross Floor Area of 218.3m<sup>2</sup> (0.86 times the area of the lot) and a proposed flanking street setback of 0.3m from Elm Road to the proposed dwelling where the Toronto Zoning By-law requires a minimum setback of 2.63m.

These variances described above trigger two other variances for proposed eaves projection on City property on the west side and eaves projection of 0.3m on the east side of the proposed dwelling. Combined, these variances contribute to an over development of the lot that is not in keeping with the character of the neighbourhood.

In addition to these concerns by planning staff, it should be noted that the applicant also proposes an integral garage with a vehicular access from the front of the building on Brookdale Avenue when the existing vehicular access point and garage is provided off Elm Road. According to transportation staff, the vehicular access and garage would be preferred off of Elm Road as there is little frontage on Brookdale Avenue and access to the property from this street would be located in close proximity to the intersection at Elm Road and Brookdale Avenue.

Due to these concerns, staff recommend that the following application be refused.

Respectfully submitted,

## **CONTACT**

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## **SIGNATURE**

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Allen Appleby  
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