



STAFF REPORT
Committee of Adjustment
Application

Date:	Friday, June 14, 2013
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Allen Appleby, Director, Community Planning, North York District
Wards:	Ward 23 (Willowdale)
Reference:	File No. B010/13NY, A168/13NY & A169/13NY Address: 51 STUART CRESCENT Application to be heard: Wednesday, June 19, 2013 at 10:00 a.m.

RECOMMENDATION

Planning staff recommend that the application be refused.

APPLICATION

To divide a parcel of residential lands into two (2) parts for conveyance purposes for the creation of a new residential building lot. Please note this application will be heard in conjunction with File A168/13NY and A169/13NY.

The lands concerned have a lot frontage of 12.99m fronting onto the north east side of Stuart Crescent which is irregular (pie) in shape, having an average depth of 41.75m and an area of 897.78m². The lands presently contain a single detached dwellings municipally known as 51 Stuart Crescent.

The existing single detached dwelling would be demolished and a new two-storey dwelling is proposed to be constructed on each of the resulting lots.

Parts 1 and 2 on the plan attached to this notice would have a lot frontage of 6.14m and 6.85m respectively, fronting north east side of Stuart Crescent. Part 1 would also have an average depth of 50.33m and Part 2 would have an average depth of 37.87m. The resulting lot areas would be as follows; Part 1 528.67m² and Part 2 369.11m².

Variances have been applied for to facilitate other proposed developmental aspects, as represented below.

A168/13NY – NORTH 6.14M OF 51 STUART CRESCENT (PART 1)

To construct a two-storey dwelling with integral, at-grade, single car garage on the north 6.14m portion of 51 Stuart Crescent (Part 1). The existing dwelling would be demolished.

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

North York By-law No. 7625

1. Proposed lot frontage of 6.14m

WHEREAS a minimum lot frontage of 12.00m is required;

2. Proposed lot width of 5.89m

WHEREAS a minimum lot width of 12.00m is required;

3. Proposed north side yard setback of 0.77m

WHEREAS a minimum north side yard setback of 1.20m is required;

~~4. Proposed south side yard setback of 0.60m~~

WHEREAS a minimum south side yard setback of 1.20m is required;

5. Proposed building length of 23.389m

WHEREAS a maximum building length of 15.30m is permitted;

6. Proposed building height of 9.34m

WHEREAS a maximum building height of 8.80m is permitted; and

7. Proposed finished first floor height of 1.93m

WHEREAS a maximum finished first floor height of 1.50m is permitted

A169/13NY – SOUTH 6.85M OF 51 STUART CRESCENT (PART 2)

To construct a two-storey dwelling with integral, at-grade, single car garage on the south 6.85m portion of 51 Stuart Crescent (Part 2). The existing dwelling would be demolished.

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

North York By-law No. 7625

1. Proposed lot frontage of 6.85m

WHEREAS a minimum lot frontage of 12.00m is required;

2. Proposed lot width of 6.72m

WHEREAS a minimum lot width of 12.00m is required;

3. Proposed north side yard setback of 0.60m and 0.47m to the front porch

WHEREAS a minimum north side yard setback of 1.20m is required;

4. Proposed overall building length of 19.58m
WHEREAS a maximum overall building length of 15.30m is permitted;

5. Proposed building height of 9.55m
WHEREAS a maximum building height of 8.80m is permitted;

6. Proposed finished first floor height of 1.80m
WHEREAS a maximum finished first floor height of 1.50m is permitted; and

7. Proposed lot coverage of 31.02% of the lot area
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted.

COMMENTS

The subject property is located west of Yonge Street and south of Sheppard Avenue West 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:

- b) size and configuration of lots
- c) heights, massing, scale and dwelling type of nearby residential properties;
- 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 R6, in the former City of North York By-Law No. 7625 as amended. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. Limitations on lot frontage, side yard setbacks, building length and building height are devised to achieve more uniform and consistent built form streetscapes to maintain a standard pattern of development.

The applicant proposes to divide the irregular shaped subject property into two parts. The applicant also proposes to construct a new dwelling on each lot. The existing dwelling would be demolished. The subject lot has a width of 12.99m fronting onto the north east side of Stuart Crescent an average depth of 41.75m and an area of 897.78m². Parts 1 and 2 would have a lot frontage of 6.14m and 6.85m respectively, fronting north east side of Stuart Crescent. The

frontage for each new lot has been measured as per the by-law from 7.5m from the front lot line. Therefore, the resulting lot frontage would be much smaller at the front lot line. The lot area for Part 1 would be 528.67m² and the lot area for Part 2 would be 369.11m².

Under the North York Zoning By-law 7625, the minimum lot frontage in an R6 zone is 12m and the minimum lot area requirement is 371m². The proposed lots would meet the minimum requirements for lot area since the lot shape is an irregular pie shape with a small lot frontage and deep lot depth. However, these lots would not meet the frontage requirement for an R6 zone. Although there are several lots in the area with a lot frontage smaller than the requirement of the R6 zone, these would be among the smallest which will be visible from the street.

~~A severance of this lot does not respect the physical character of lots in this neighbourhood and does not meet the Zoning By-law regulations for an R6 zone for lot frontage. It would also create a precedent for the division of other lots in this neighbourhood.~~

~~Recently, a severance was granted at 14 Stuart Crescent with a lot frontage of 15.24m on the north side of Stuart Crescent and a depth of 40.54m and an area of 617.80m². The lot was rectangular in shape. The proposed lots had a lot frontage of 7.62m fronting onto the north side of Stuart Crescent, a depth of 40.54m and an area of 308.90m². This application was refused at the Committee of Adjustment and approved at the Ontario Municipal Board. Planning staff did not comment on this application.~~

The dwellings proposed on each lot do not meet the character of the neighbourhood with regards to side yard setbacks, overall building length and building height. The design of these dwellings are due to the irregular shape of the lot and do not respect and reinforce the character of this neighbourhood.

Therefore Planning staff recommend the following applications be refused.

Respectfully submitted,

CONTACT

Vanessa Covello, Assistant Planner
Tel: 416-395-7104
Fax: 416-395-7200
E-mail: vcovell@toronto.ca

SIGNATURE



Allen Appleby
Director, Community Planning, North York District

B010/13NY, A168/13NY & A169/13NY - 51 STUART CRESCENT

3, 3a-b

Mailed on/before: Wednesday, June 5, 2013

PUBLIC HEARING NOTICE
CONSENT
(Section 53 of the Planning Act)

MEETING DATE AND TIME: Wednesday, June 19, 2013 at 10:00 a.m.

LOCATION: Council Chamber, North York Civic Centre, 5100 Yonge St., M2N 5V7

File Number:	B010/13NY	Zoning	R7 [WAIVER]
Owner(s):	DAVID SALERNO	Ward:	Willowdale (23)
Agent:	DAVID SALERNO		
Property Address:	51 STUART CRES	Community:	North York
Legal Description:	PLAN M468 LOT 21 N PT LOT 22		

THE CONSENT REQUESTED:

To divide a parcel of residential lands into two (2) parts for conveyance purposes for the creation of a new residential building lot. Please note this application will be heard in conjunction with File A168/13NY and A169/13NY.

The lands concerned have a lot frontage of 12.99m fronting onto the north east side of Stuart Crescent which is irregular (pie) in shape, having an average depth of 41.75m and an area of 897.78m². The lands presently contain a single detached dwelling municipally known as 51 Stuart Crescent.

The existing single detached dwelling would be demolished and a new two-storey dwelling is proposed to be constructed on each of the resulting lots.

Parts 1 and 2 on the plan attached to this notice would have a lot frontage of 6.14m and 6.85m respectively, fronting north east side of Stuart Crescent. Part 1 would also have an average depth of 50.33m and Part 2 would have an average depth of 37.87m. The resulting lot areas would be as follows; Part 1 528.67m² and Part 2 369.11m².

Variations have been applied for to facilitate other proposed developmental aspects.

THE COMMITTEE OF ADJUSTMENT & CONSENTS

The Committee of Adjustment has the authority to grant consent to sever land and for other related property transactions. To approve a consent request, the Committee of Adjustment must have considered the provisions of section 51(24) of *The Planning Act* and be satisfied that a plan of subdivision is not necessary.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application,

letters received, deputations made at the public hearing and results of site inspections.

MAKING YOUR VIEWS KNOWN

The notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing.** Attendant Care Services can be made available with some advance notice.
- **Sending a letter by Mail or Fax.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal

TO VIEW THE MATERIALS IN THE APPLICATION FILE

Attend the Committee of Adjustment office at the above address Monday to Friday, 8:30 a.m. to 4:30 p.m. Plans filed with the application **will not be photocopied.**

RECEIVING A COPY OF THE COMMITTEE'S DECISION

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, fill out the Decision Request Form at our office or at the Public Hearing or write a letter requesting a copy of the Decision and send it to our office.
- If you wish to appeal a Decision of the Committee to the Ontario Municipal Board, you must file your written request for a decision with the Deputy Secretary-Treasurer.
- Be advised that the Ontario Municipal Board may dismiss an appeal of the consent Decision if the person or public body that filed the appeal did not make a submission to the Committee of Adjustment prior to the Decision having been made.

For more information please telephone our office. Call **Brenden Clapp, (416) 395-7134**, Office of the Committee of Adjustment, North York Civic Centre, Toronto, ON, M2N 5V7

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

Mailed on/before: Friday, June 7, 2013

PUBLIC HEARING NOTICE
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

MEETING DATE AND TIME: Wednesday, June 19, 2013 at 10:00 a.m.

LOCATION: Council Chamber, North York Civic Centre, 5100 Yonge St., M2N 5V7

File Number:	A168/13NY	Zoning:	R7 [WAIVER]
Owner(s):	DAVID SALERNO	Ward:	Willowdale (23)
Agent:	DAVID SALERNO		
Property Address:	51 STUART CRES	Community:	North York
Legal Description:	PLAN M468 LOT 21 N PT LOT 22		

PURPOSE OF THE APPLICATION:

To construct a two-storey dwelling with integral, at-grade, single car garage on the north 6.14m portion of 51 Stuart Crescent (Part 1). The existing dwelling would be demolished. Please note this application will be heard in conjunction with File B010/13NY and A169/13NY.

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

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WHEREAS a minimum lot frontage of 12.00m is required;
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WHEREAS a minimum lot width of 12.00m is required;
3. Proposed north side yard setback of 0.77m
WHEREAS a minimum north side yard setback of 1.20m is required;
4. Proposed south side yard setback of 0.60m
WHEREAS a minimum south side yard setback of 1.20m is required;
5. Proposed building length of 23.389m
WHEREAS a maximum building length of 15.30m is permitted;
6. Proposed building height of 9.34m
WHEREAS a maximum building height of 8.80m is permitted; and

7. Proposed finished first floor height of 1.93m
WHEREAS a maximum finished first floor height of 1.50m is permitted.

THE COMMITTEE OF ADJUSTMENT & MINOR VARIANCES

The role of the Committee of Adjustment is to provide flexibility in dealing with minor adjustments to zoning by-law requirements. To approve such variances, the Committee must be satisfied that:

- the variance requested is minor;
- the proposal is desirable for the appropriate development or use of the land and/or building;
- the general intent and purpose of the City's Zoning Code and/or By-law are maintained; and
- the general intent and purpose of the Official Plan are maintained.

The Committee of Adjustment forms its opinion through its detailed review of all material filed in support of the application, letters received, deputations made at the public hearing and results of site inspections.

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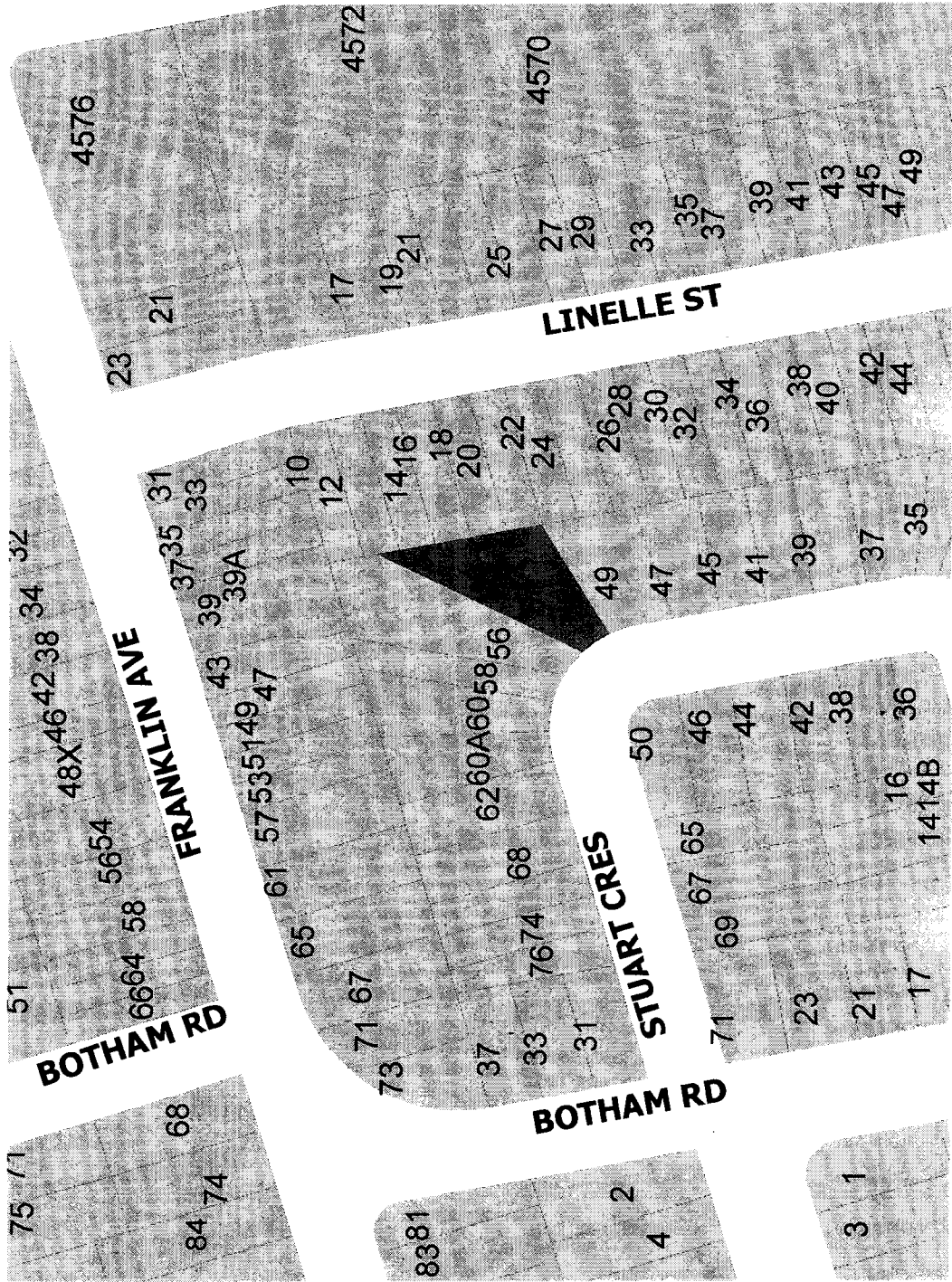
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Dan Antonacci
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51 STUART CRESCENT

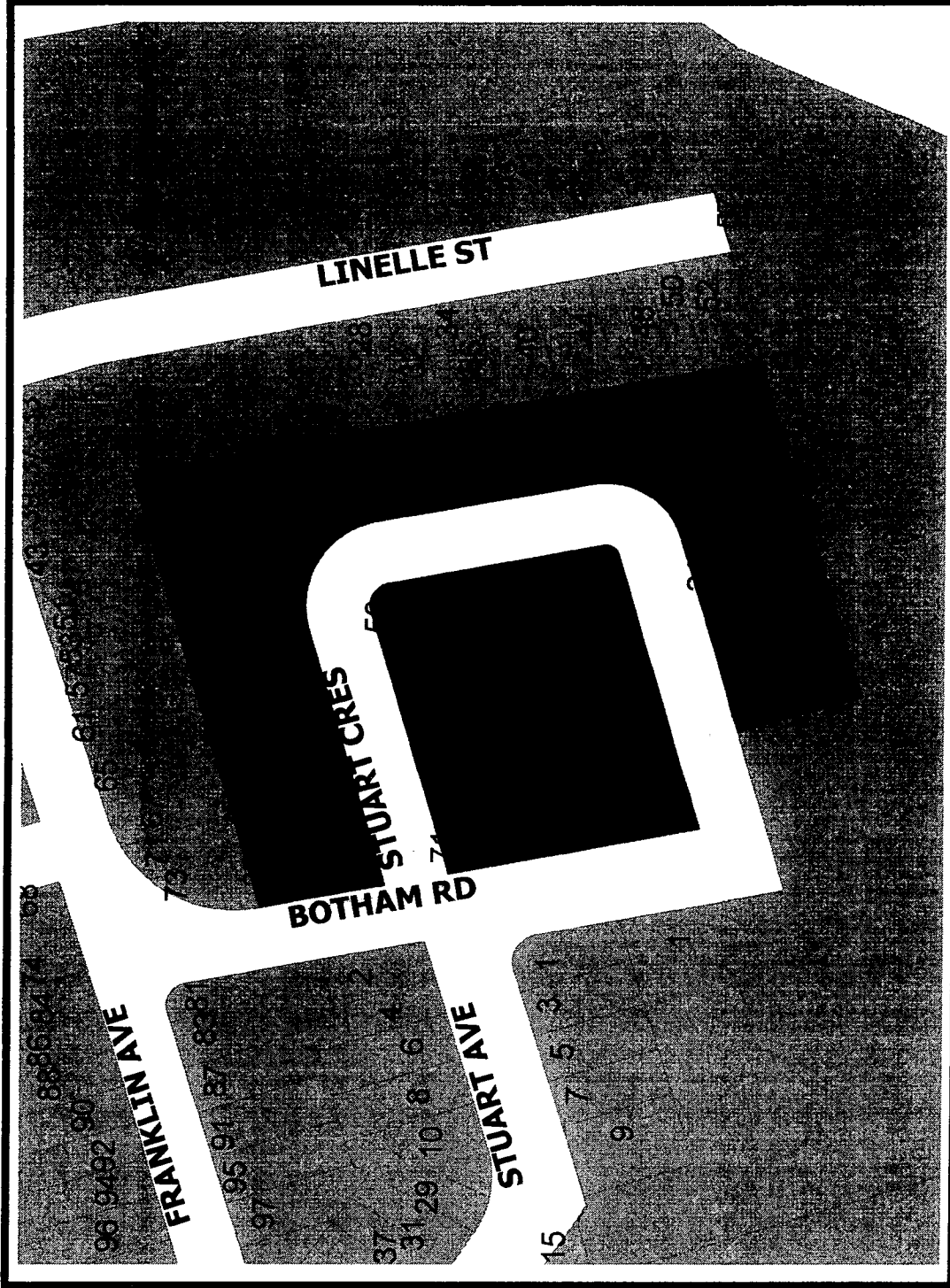
B010/13NY, A168/13NY & A169/13NY





LOT STUDY AREA FOR 51 STUART CRESCENT

B010/13NY, A168/13NY & A169/13NY



LOT STUDY RESULTS

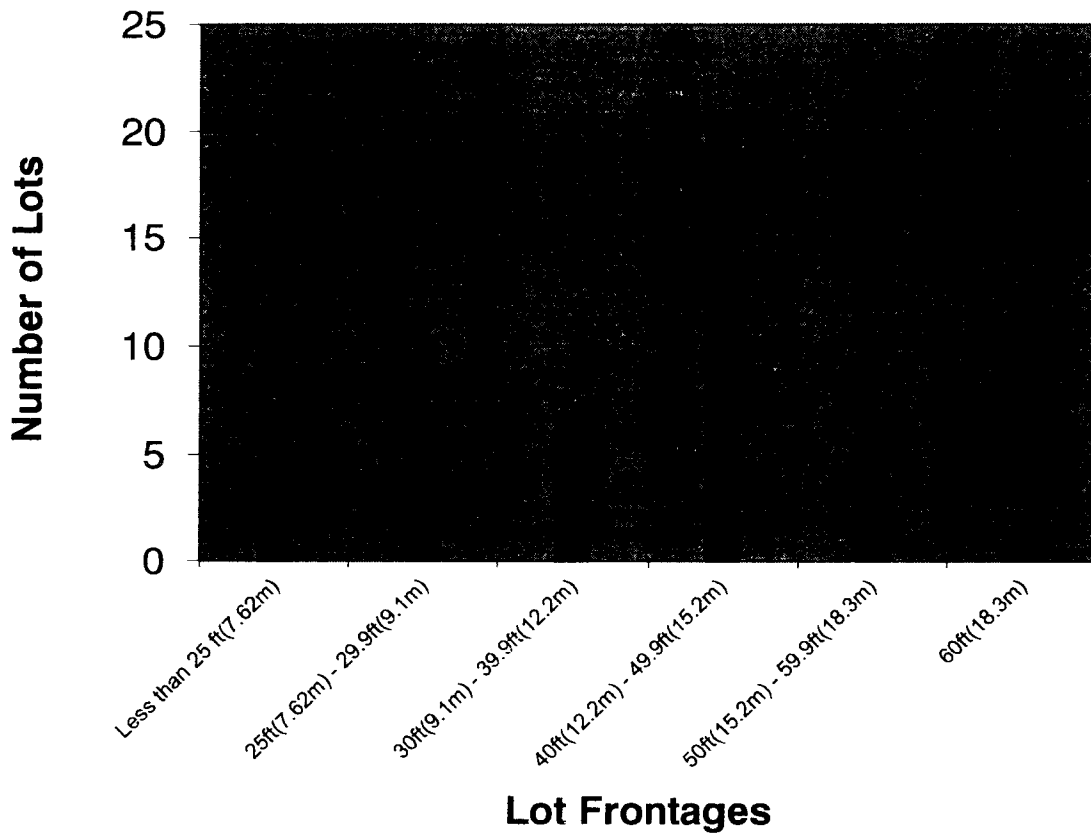
(Study Area For Lots Surrounding 51 Stuart Crescent)

Number of Lots In Study **46**

Less than 25 ft(7.62m)	6
25ft(7.62m) - 29.9ft(9.1m)	5
30ft(9.1m) - 39.9ft(12.2m)	7
40ft(12.2m) - 49.9ft(15.2m)	21
50ft(15.2m) - 59.9ft(18.3m)	6
60ft(18.3m)	1
Total Lots in Study Area	46

Minimum Frontage	18.8	5.7
Maximum Frontage	60.0	18.3
Average Frontage	38.7	11.8
Minimum Area	0.0	0.0
Maximum Area	6,650.0	617.8
Average Area	4,365.1	405.5
Total Lot Study Area	4.6	1.9
Units Per Acre/Hectare	10.0	24.7

Various Lot Frontage Sizes for Lots Surrounding 51 Stuart Crescent.

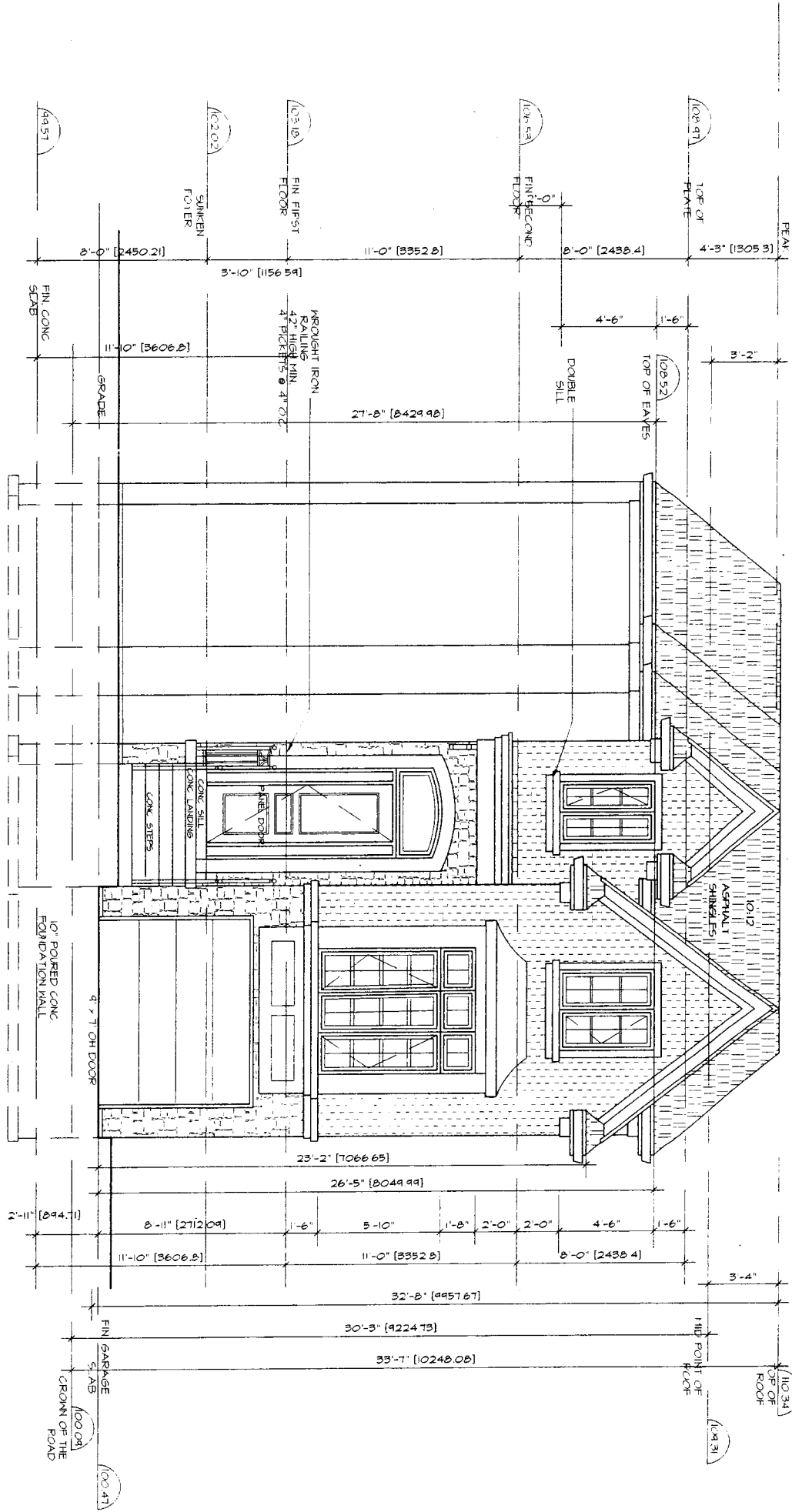


LOT STUDY RESULTS

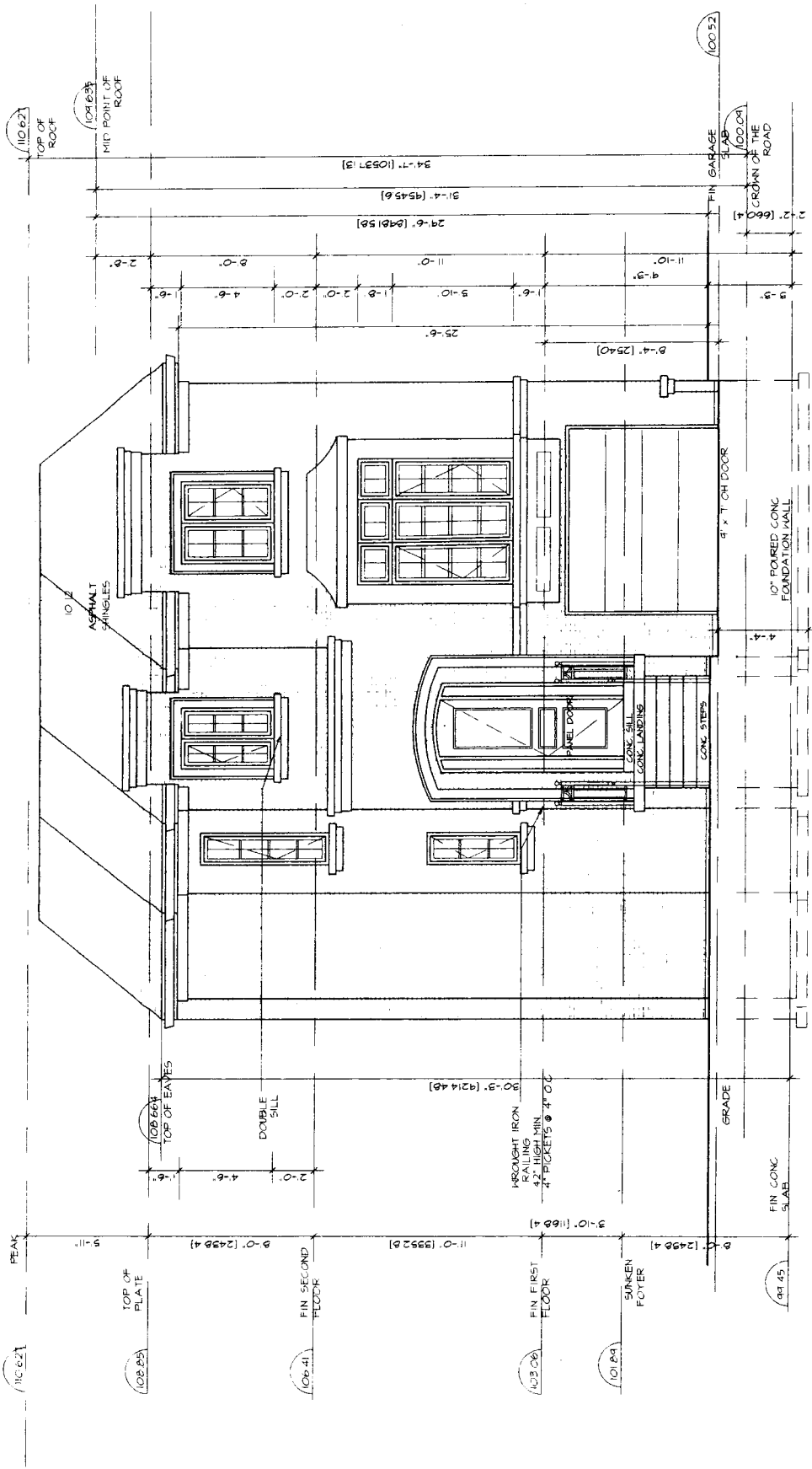
(Study Area For Lots Surrounding 51 Stuart Crescent)

17	BOTHAM RD	1947	R6	55.0	16.8	100.0	30.5	5500.0	511.0
21	BOTHAM RD	1949	R6	50.0	15.2	100.0	30.5	5000.0	464.5
23	BOTHAM RD	1946	R6	60.0	18.3	100.0	30.5	6000.0	557.4
31	BOTHAM RD	1979	R6	45.0	13.7	100.6	30.7	4526.1	420.5
33	BOTHAM RD	1953	R6	44.8	13.6	100.6	30.7	4501.0	418.1
37	BOTHAM RD	1987	R6	45.0	13.7	100.6	30.7	4526.1	420.5
10	STUART CRES	1925	R6	48.8	14.9	100.3	30.6	4889.1	454.2
11	STUART CRES	1984	R6	37.5	11.4	134.5	41.0	5042.3	468.4
12	STUART CRES	1950	R6	49.0	14.9	133.4	40.7	6535.1	607.1
14	STUART CRES	1950	R6	50.0	15.2	133.0	40.5	6650.0	617.8
15	STUART CRES	1984	R6	37.5	11.4	134.4	41.0	5040.8	468.3
16	STUART CRES	1958	R6	21.0	6.4	133.4	40.7	2800.8	260.2
17	STUART CRES	1951	R6	50.0	15.2	132.4	40.4	6621.0	615.1
19	STUART CRES	1955	R6	40.0	12.2	135.0	41.1	5400.0	501.7
21	STUART CRES	1923	R6	35.0	10.7	134.0	40.8	4690.0	435.7
23	STUART CRES	2003	R6	25.0	7.6	135.0	41.1	3375.0	313.5
25	STUART CRES	2007	R6	24.0	7.3	135.3	41.2	3247.9	301.7
27	STUART CRES	1987	R6	18.8	5.7		0.0	0.0	0.0
29	STUART CRES	1987	R6	21.3	6.5		0.0	0.0	0.0
33	STUART CRES	1997	R6	19.9	6.1	134.9	41.1	2677.4	248.7
35	STUART CRES	1997	R6	19.9	6.1	112.2	34.2	2226.6	206.8
36	STUART CRES	1965	R6	38.3	11.7	100.0	30.5	3825.0	355.3
37	STUART CRES	1950	R6	40.0	12.2	105.3	32.1	4210.0	391.1
38	STUART CRES	1948	R6	45.0	13.7	100.0	30.5	4500.0	418.1
39	STUART CRES	1957	R6	45.0	13.7	100.0	30.5	4500.0	418.1
41	STUART CRES	1949	R6	40.0	12.2	100.0	30.5	4000.0	371.6
42	STUART CRES	1947	R6	45.0	13.7	100.0	30.5	4500.0	418.1
44	STUART CRES	1948	R6	45.0	13.7	100.0	30.5	4500.0	418.1
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46	STUART CRES	2007	R6	45.0	13.7	100.0	30.5	4500.0	418.1
47	STUART CRES	1951	R6	40.0	12.2	100.0	30.5	4000.0	371.6
49	STUART CRES	1947	R6	52.1	15.9	101.1	30.8	5266.9	489.3
50	STUART CRES	1949	R6	49.3	15.0	100.6	30.7	4953.6	460.2
56	STUART CRES	1941	R6	25.0	7.6	192.8	58.8	4820.8	447.8
58	STUART CRES	1923	R6	25.0	7.6	197.9	60.3	4948.0	459.7
60	STUART CRES	2004	R6	25.0	7.6	163.4	49.8	4085.5	379.5
60 A	STUART CRES	1997	R6	25.0	7.6	163.4	49.8	4085.5	379.5
62	STUART CRES	1989	R6	45.0	13.7	134.0	40.8	6030.0	560.2
65	STUART CRES	1950	R6	40.0	12.2	133.4	40.7	5335.2	495.6
67	STUART CRES	1950	R6	40.0	12.2		0.0	0.0	0.0
68	STUART CRES	2004	R6	45.0	13.7	134.0	40.8	6030.0	560.2
69	STUART CRES	1951	R6	40.0	12.2	133.4	40.7	5335.2	495.6
70	STUART CRES	1974	R6	30.0	9.1	134.0	40.8	4020.0	373.5
71	STUART CRES	1947	R6	53.8	16.4	100.0	30.5	5375.0	499.3
74	STUART CRES	1974	R6	30.0	9.1	134.0	40.8	4020.0	373.5
76	STUART CRES	1984	R6	35.0	10.7	134.4	41.0	4703.0	436.9

FRONT ELEVATION



(100 97) TOP OF FINISH PLATE 4'-3" [1305.3]
 (100 98) FINISHED FLOOR 8'-0" [2438.4]
 (100 99) FIN FIRST FLOOR 3'-10" [1156.54]
 (100 52) TOP OF EAVES 4'-6"
 (100 34) 1/2" POINT OF FOOT 3'-4"
 (100 31) FIN POINT OF FOOT 30'-5" [9224.73]
 27'-8" [8429.98]
 26'-5" [8049.49]
 23'-2" [7066.65]
 32'-8" [9957.67]
 33'-7" [10248.08]
 11'-0" [3352.8]
 11'-0" [3352.8]
 8'-0" [2438.4]
 8'-11" [2712.09]
 1'-6" [48.26]
 5'-10" [177.78]
 1'-8" [50.80]
 2'-0" [60.96]
 2'-0" [60.96]
 4'-6" [139.70]
 1'-6" [48.26]
 2'-11" [84.11]
 11'-0" [3352.8]
 11'-0" [3352.8]
 8'-0" [2438.4]
 3'-4" [104.14]



FRONT ELEVATION

CITY COUNCILLOR, WARD 23, CITY OF
TORONTO
JOHN FILION
or OCCUPANT
CITY HALL
100 QUEEN ST SUITE W SUITE B36

Wednesday, June 19, 2013

NOTICE OF DECISION CONSENT (Section 53 of the Planning Act)

File Number:	B010/13NY	Zoning	R6 [WAIVER]
Owner(s):	DAVID SALERNO	Ward:	Willowdale (23)
Agent:	DAVID SALERNO		
Property Address:	51 STUART CRES	Community:	North York
Legal Description:	PLAN M468 LOT 21 N PT LOT 22		

Notice was given and the application considered on Wednesday, June 19, 2013, as required by the Planning Act.

THE CONSENT REQUESTED:

To divide a parcel of residential lands into two (2) parts for conveyance purposes for the creation of a new residential building lot. Please note this application will be heard in conjunction with File A168/13NY and A169/13NY.

The lands concerned have a lot frontage of 12.99m fronting onto the north east side of Stuart Crescent which is irregular (pie) in shape, having an average depth of 41.75m and an area of 897.78m². The lands presently contain a single detached dwelling municipally known as 51 Stuart Crescent.

The existing single detached dwelling would be demolished and a new two-storey dwelling is proposed to be constructed on each of the resulting lots.

Parts 1 and 2 on the plan attached to this notice would have a lot frontage of 6.14m and 6.85m respectively, fronting north east side of Stuart Crescent. Part 1 would also have an average depth of 50.33m and Part 2 would have an average depth of 37.87m. The resulting lot areas would be as follows; Part 1 528.67m² and Part 2 369.11m².

Variations have been applied for to facilitate other proposed developmental aspects.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

Wednesday, June 19, 2013

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number:	A168/13NY	Zoning:	R6 [WAIVER]
Owner(s):	DAVID SALERNO	Ward:	Willowdale (23)
Agent:	DAVID SALERNO		
Property Address:	NORTH 6.14M OF 51 STUART CRES (PART 1)	Community:	North York
Legal Description:	PLAN M468 LOT 21 N PT LOT 22		

Notice was given and a Public Hearing was held on Wednesday, June 19, 2013, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a two-storey dwelling with integral, at-grade, single car garage on the north 6.14m portion of 51 Stuart Crescent (Part 1). The existing dwelling would be demolished. Please note this application will be heard in conjunction with File B010/13NY and A169/13NY.

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

North York Zoning By-law No. 7625

1. Proposed lot frontage of 6.14m
WHEREAS a minimum lot frontage of 12.00m is required;
2. Proposed lot width of 5.89m
WHEREAS a minimum lot width of 12.00m is required;
3. Proposed north side yard setback of 0.77m **to the front porch only**
WHEREAS a minimum north side yard setback of 1.20m is required;
4. Proposed south side yard setback of 0.60m
WHEREAS a minimum south side yard setback of 1.20m is required;
5. Proposed building length of 23.389m
WHEREAS a maximum building length of 15.30m is permitted;
6. Proposed building height of 9.34m
WHEREAS a maximum building height of 8.80m is permitted; and
7. Proposed finished first floor height of 1.93m

WHEREAS a maximum finished first floor height of 1.50m is permitted.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

Wednesday, June 19, 2013

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number:	A169/13NY	Zoning:	R6 [WAIVER]
Owner(s):	DAVID SALERNO	Ward:	Willowdale (23)
Agent:	DAVID SALERNO		
Property Address:	SOUTH 6.85M OF 51 STUART CRES (PART 2)	Community:	North York
Legal Description:	PLAN M468 LOT 21 N PT LOT 22		

Notice was given and a Public Hearing was held on Wednesday, June 19, 2013, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a two-storey dwelling with integral, at-grade, single car garage on the south 6.85m portion of 51 Stuart Crescent (Part 2). The existing dwelling would be demolished. Please note this application will be heard in conjunction with File B010/13NY and A168/13NY.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**North York Zoning By-law No. 7625**

1. Proposed lot frontage of 6.85m
WHEREAS a minimum lot frontage of 12.00m is required;
2. Proposed lot width of 6.72m
WHEREAS a minimum lot width of 12.00m is required;
3. Proposed north side yard setback of 0.60m and 0.47m to the front porch
WHEREAS a minimum north side yard setback of 1.20m is required;
4. Proposed overall building length of 19.58m
WHEREAS a maximum overall building length of 15.30m is permitted;
5. Proposed building height of 9.55m
WHEREAS a maximum building height of 8.80m is permitted;
6. Proposed finished first floor height of 1.80m
WHEREAS a maximum finished first floor height of 1.50m is permitted; and

7. Proposed lot coverage of 31.02% of the lot area
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to NOT approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

