



STAFF REPORT
Committee of Adjustment
Application

Date:	Wednesday, December 19, 2012
To:	Chair and Committee Members of the Committee of Adjustment Etobicoke York Panel
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5
Reference:	File No.: B89/12EYK, A515/12EYK & A667/12EYK Address: 932 Royal York Road Application to be heard: In Circulation

RECOMMENDATION

It is recommended that the application be refused.

Should the Committee of Adjustment find merit in approving the application, it is recommended that the application be deferred in order for the applicant to make revisions to the existing proposal to be more in accordance with the Zoning By-law.

APPLICATION

The applicant is requesting permission to sever the property into two undersized residential lots. The property will be redeveloped as the site of two new detached dwellings, each with an attached single car garage.

The new dwellings will require variances to the Zoning By-law which will incur seeking a reduction in lot frontage; lot area; side yard setbacks; and front/soft landscaping; and an increase in floor space index and dwelling height.

COMMENTS

Under Section 53 of the *Planning Act*, the Committee has authority to grant severances. The matters a Committee must have regard to, in hearing severance applications, is found in Subsection 51(24) of that Act. Matters of relevance for the proposed severance include but are not limited to:

- (c) whether the plan conforms to the official plan; and
- (f) the dimensions and shapes of the proposed lots

The subject site is designated as *Neighbourhoods* under the *Official Plan*.
Neighbourhoods contain a full range of residential uses within lower scale buildings.

The proposed application does not meet the intent of Policy 4.1.5 which establishes that development will respect and reinforce the existing physical character of the neighbourhood, including in particular: size of lots; heights/massing of nearby residential properties; and prevailing patterns of side yard setbacks and landscape open space. Further, the Official Plan states that "*...no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood*".

Staff have reviewed the submitted information and are of the opinion that this is a stable neighbourhood with minimal change. Creating parcels of land which are not consistent with the lot pattern of the neighbourhood is not considered minor nor does it meet the general intent and purpose of the Official Plan and Zoning By-law.

Based on the variances, staff has determined that the proposed floor space index and dwelling height are excessive beyond what has previously been granted by the Committee and are not in keeping with the characteristics of the surrounding neighbourhood. If the Committee is inclined to approve the application, the two variances above shall be reduced.

ATTACHMENTS

Lot Frontage Analysis

CONTACT

Sabrina Salatino, Assistant Planner
Tel: 416-394-8025
Fax: 416-394-6063
E-mail: ssalati@toronto.ca



Sharon Hill, Acting Director
Community Planning
Etobicoke York District