



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

<b>Date:</b>	Tuesday, November 13, 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 24 - Willowdale
<b>Reference:</b>	File No. B078/12NY, A726/12NY, A727/12NY Address: <b>31 MONTFORD DRIVE</b> Application to be heard: Wednesday, November 21, 2012 at 10:00 a.m.

## **RECOMMENDATION**

---

Staff recommend that the Committee refuse these applications.

## **APPLICATION**

---

This application is for the consent of the Committee of Adjustment to the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new residential building lot.

The lands concerned have 29.69m fronting onto the east side of Montford Avenue, a depth of 25.04m and an area of approximately 743.4m<sup>2</sup>.

The owner proposes to divide the lands into two parts for the creation of a new residential building lot. The existing dwelling would be demolished and a two storey detached dwelling would be constructed on each lot.

Part 1, as shown on the attached drawing would have 14.99m fronting onto the east side of Montford Avenue, a depth of 28.48m and an area of 403.5m<sup>2</sup>.

Part 2, would have 14.7m fronting onto the east side of Montford Avenue, a depth of 25.12m and an area of 346.5m<sup>2</sup>.

The owner has also applied for variances A726/12NY & A727/12NY to permit the proposed dwellings and would be considered jointly by the Committee.

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

**A726/12NY – NORTH 14.99M OF MONTFORD DRIVE– PART 1**

North York Zoning By-law No. 7625

1. Proposed lot frontage/width of 14.99m  
WHEREAS a minimum of 15m is required;
2. Proposed lot area of 403.5m<sup>2</sup>  
WHEREAS a minimum of 550m<sup>2</sup> is required;
3. Proposed front yard setback of 4.92m  
WHEREAS a minimum of 7.5m is required;
4. Proposed north side yard setback of 1.22m  
WHEREAS a minimum of 1.8m is required;
5. Proposed south side yard setback of 1.22m  
WHEREAS a minimum of 1.8m is required;
6. Proposed lot coverage of 37.05% (149.5m<sup>2</sup> or 1609.2sq.ft.)  
WHEREAS a maximum of 30% (121.05m<sup>2</sup> or 1302.9sq.ft.) is permitted;
7. Proposed rear yard setback of 9m  
WHEREAS a minimum of 9.5m is required; and
8. Proposed building height of 9.1m  
WHEREAS a maximum of 8.8m is permitted.

**A727/12NY – SOUTH 14.7M OF MONTFORD DRIVE– PART 2**

North York Zoning By-law No. 7625

1. Proposed lot frontage/width of 14.7m  
WHEREAS a minimum of 15m is required;
2. Proposed lot area of 346.5m<sup>2</sup>  
WHEREAS a minimum of 550m<sup>2</sup> is required;
3. Proposed front yard setback of 4.83m  
WHEREAS a minimum of 5.25m is required;
4. Proposed north side yard setback of 0.95m  
WHEREAS a minimum of 1.8m is required;
5. Proposed south side yard setback of 1.2m  
WHEREAS a minimum of 1.8m is required;

6. Proposed lot coverage of 39.52% (136.9m<sup>2</sup> or 1473.9sq.ft.)  
WHEREAS a maximum of 30% (104m<sup>2</sup> or 1118.9sq.ft.) is permitted;

7. Proposed rear yard setback of 7m  
WHEREAS a minimum of 9.5m is required; and

8. Proposed building height of 9.1m  
WHEREAS a maximum of 8.8m is permitted.

## COMMENTS

---

The subject property is located south of Steeles Avenue East and west of Bayview Avenue. The applicant proposes to sever the subject property, creating two lots. Part 1 will have a frontage of 14.99 metres and an area of 403.5m<sup>2</sup> and Part 2 will have a frontage of 14.7 metres and an area of 346.5m<sup>2</sup>. The applicant further proposes to construct a two-storey detached dwelling on each of the proposed lots.

The property is designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered to be stable areas, however, the Official Plan recognizes that *Neighbourhoods* are not static, meaning there will be change in these areas. Physical changes are expected to occur within these areas, in the form of enhancements, additions and infill housing. Development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, lot sizes, streetscapes and open space patterns in these areas.

Policy 4.1.5 of the Official Plan outlines development criteria for 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

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 R4 in the former City of North York By-Law No. 7625, as amended. Under this zoning, a minimum lot frontage and width of 15 metres and a lot area of 550 square metres is required. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. Limitations on lot frontage and area are devised to achieve more uniform and consistent streetscapes and to maintain a standard pattern of development.

Staff conducted analyses of the frontages, depths and areas found in the neighbourhood. Of the 228 properties contained within this study area the majority of lot frontages in the study fall between 15.2 metres (50 feet) and 18.3metres (59.9 feet). Within the study area there are only 14 lots with a lot frontage between 12.2m (40ft) and 15.2m (49.9ft) similar to the lots proposed. The average lot area in the study area is 710.8 metres squared.

The subject lot is irregular in shape with a wide lot frontage and shallow lot depth. A severance of this lot does not respect the physical character of the neighbourhood in regards to lot frontage and depth and does not meet the Zoning By-law regulations for an R4 zone.

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](mailto:vcovell@toronto.ca)

**SIGNATURE**

---

Allen Appleby  
Director, Community Planning, North York District

**B078/12NY, A726/12NY, A727/12NY - 31 MONTFORD DRIVE**