



STAFF REPORT
Committee of Adjustment
Application

Date:	July 2, 2013
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Allen Appleby, Director, Community Planning, North York District
Ward:	Ward 16 (Eglinton-Lawrence)
Reference:	File No. A397/13NY Address: 238 HADDINGTON AVENUE Application to be heard: Wednesday, July 4, 2013 at 11:30 a.m.

RECOMMENDATION

Planning recommends that Variance No. 1 for proposed lot coverage of 36.2% and Variance No. 2 for proposed building height of 9.99 m be **reduced**; and,

Variance No. 3 for a proposed three (3)-storey dwelling be **refused**.

APPLICATION

To construct a new two-storey detached dwelling with integral, at grade, two-car garage. The existing dwelling would be demolished. This application was deferred at the June 19, 2013 meeting in order to address additional variances for east and west side yard setbacks.

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

1. **Section 14-A(6), By-law No. 7625**
Proposed lot coverage of 36.2% of the lot area
WHEREAS the maximum permitted lot coverage is 30% of the lot area;
2. **Section 14-A(8), By-law No. 7625**
Proposed building height of 9.99m
WHEREAS the maximum permitted building height is 8.80m;
3. **Section 14-A(8), By-law No. 7625**
Proposed number of storeys is 3
WHEREAS the maximum permitted number of storeys is 2;
4. **Section 14-A(9), By-law No. 7625**
Proposed building length of 17.37m
WHEREAS the maximum permitted building length is 15.30m;

5. **Section 14-A(5)c, By-law No. 7625**
Proposed east side yard setback of 1.23m
WHEREAS the minimum required east side yard setback is 1.8m; and
6. **Section 14-A(5)c, By-law No. 7625**
Proposed west side yard setback of 1.24m
WHEREAS the minimum required west side yard setback is 1.8m.

COMMENTS

The subject property is located south of Wilson Avenue and west of Avenue Road and is designated *Neighbourhoods* in the City of Toronto Official Plan. 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. Section 4.1 of the Plan outlines the development policies for *Neighbourhoods*.

Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- c) Heights, massing, scale and dwelling type of nearby residential properties;

The Plan affirms 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.

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. The intent of the provisions relating to lot coverage, building height, and maximum number of storeys are to ensure more uniform and consistent built form streetscapes to maintain a standard pattern of development.

The applicant is proposing to construct a new three-storey detached dwelling with integral, at grade, two-car garage. Planning Staff have concerns with the variances for lot coverage, building height, and maximum number of storeys.

In discussions with staff prior to the June 19, 2013 meeting of the Committee of Adjustment, the applicant has agreed to reduce the proposed lot coverage from 36.2% to 35.5% and the proposed building height from 10.32 m to 9.99 m. However, staff feels that greater reductions are required to respect and reinforce the existing physical character of the neighbourhood.

Staff recommends that the variances for lot coverage and building height be **reduced**. Additionally, staff recommends that the variance to permit a 3-storey dwelling be refused to ensure the dwelling be more in keeping with the existing neighbourhood character.

Respectfully submitted,

CONTACT

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SIGNATURE

sa Allen Appleby
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