

**59 Lynndale Road – Zoning Amendment Application –
Final Report**

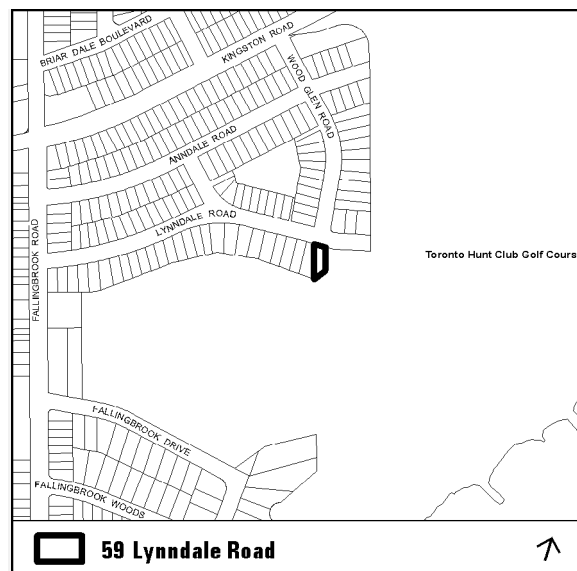
Date:	July 15, 2013
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	12 219378 ESC 36 OZ

SUMMARY

This application proposes to rezone the lands at 59 Lynndale Road from an Institutional Uses (I) Zone to a Single-Family Residential (S) Zone to permit the construction of a new detached dwelling that will replace the existing detached dwelling.

This proposal conforms to the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement. The proposed land use and built form are consistent with the policies of the Official Plan. The proposal respects and reinforces the existing physical character of the neighbourhood. The Zoning By-law amendment will allow for appropriate and compatible residential development on the subject property.

This report reviews and recommends approval of the application to amend the Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Scarborough Birchcliff Community Zoning By-law No. 8786, as amended, for the lands at

59 Lynndale Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the report (July 15, 2013) from the Director of Community Planning, Scarborough District.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A preliminary report for this rezoning application was adopted by Scarborough Community Council at its October 10, 2012 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held and that notice be given according to the regulations of the Planning Act. The preliminary report is available online at: <http://goo.gl/H1JcV>

ISSUE BACKGROUND

Proposal

This application proposes to rezone the property in the Birchcliff Community Zoning By-law Number 8786, as amended, from an Institutional Uses (I) Zone to a Single-Family Residential (S) Zone to permit the construction of a new two-storey, 375 square metre (4,026 square feet) detached dwelling with an integral single-car garage. The existing detached dwelling is to be demolished.

For additional details, please see Attachment 1: Site Plan, Attachment 2: Elevations, and Attachment 3: Application Data Sheet.

Site and Surrounding Area

This relatively flat, trapezoidal-shaped site is located south of Kingston Road and east of Fallingbrook Road. The site is approximately 560 square metres (6,025 square feet) in area, with a frontage on Lynndale Road of approximately 15 metres (50 feet) and a depth of approximately 31 metres (102 feet) on the east side and 46 metres (151 feet) on the west side. The subject property currently contains a two-storey, 238 square metre (2,562 square feet) detached dwelling with an integral single-car garage, which is to be demolished.

Abutting uses include:

North and West: detached dwellings

South and East: Hunt Club golf course and Lake Ontario

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are physically stable areas providing for a variety of lower scale residential uses. Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive, gradual, and generally "fit" the existing physical character. Development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular: size and configuration of lots; setbacks of buildings from the street or streets; prevailing patterns of rear and side yard setbacks and landscaped open space; and continuation of special landscape or built form features that contribute to the unique physical character of a neighbourhood. 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 southern half of the subject property is part of the natural heritage system. All proposed development in or near the natural heritage system will be evaluated to assess the development's impacts on the natural heritage system and identify measures to mitigate against negative impact on and/or improve the natural heritage system.

Zoning

The subject property is zoned for Institutional Uses (I) in the Birchcliff Community Zoning By-law Number 8786, as amended (see Attachment 3: Zoning). Permitted uses include day nurseries and institutional uses, which are confined to public, semi-public and/or commercial uses consisting of large tracts of land with low building coverage such as cemeteries, fraternal organizations, hospitals, limited institutional uses, private and public educational institutions and private and public recreational uses and commercial uses incidental thereto. Residential uses are not permitted.

City Council enacted City of Toronto Zoning By-law Number 569-2013 on May 9, 2013. The property is not subject to the new Zoning By-law.

Site Plan Control

The proposal is not subject to Site Plan Control under City of Toronto By-law Number 774-2012.

Reasons for Application

The Institutional Uses (I) Zone in the Birchcliff Community Zoning By-law Number 8786, as amended, does not permit residential uses. An amendment to the Zoning By-law is required to permit residential uses on the site with appropriate performance standards.

Community Consultation

A community meeting was held on December 12, 2012. Approximately six members of the public, the area Councillor, the owners and their representatives, and Community Planning staff attended the meeting.

Residents raised concerns about the potential impact of the proposed dwelling on the trees on both the subject and surrounding properties. Residents also inquired about expected construction timelines and expressed concerns about the impacts associated with construction.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. It represents appropriate development and use of the lands, maximizing the use of public resources and infrastructure while providing a built form that will help build stronger communities. It will add to the city's supply and diversity of housing opportunities, and will utilize public infrastructure and services efficiently.

For the same reasons, the proposal conforms, and does not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposal is appropriate for the site and is consistent with the built form character of the neighbourhood. The proposed land use conforms to the policies of the Official Plan. The intent of the Official Plan in areas designated as *Neighbourhoods* is to permit new development that respects and reinforces the existing physical character of the established neighbourhood. Included in the matters to consider are the height, massing, and scale of dwellings, the prevailing patterns of rear and side yard setbacks and landscaped open space, and the continuation of special landscape or built form features that contribute to the unique physical character of a neighbourhood.

The proposed dwelling is compatible with the existing fabric of the surrounding area, which includes predominantly detached dwellings to the north and west, with mixed commercial and residential uses beyond along Kingston Road, and the Hunt Club golf course to the south and east. The proposed detached dwelling will extend the built form on the lands west and north of the site.

Height, Massing, Scale

The subject property is located in an area that is characterized by relatively large lots with generous front yard landscaping that contain one- and two-storey detached dwellings, generally with either garages or front yard parking pads. Newer house construction in the area has been primarily for two-storey detached dwellings with integral garages.

The proposed two-storey detached dwelling is appropriate for the development of the land and is consistent with the established character of the area. The proposed dwelling is reflective of newer dwellings constructed in the surrounding area. It will have a slightly increased building height due to the pitch of the roof, an increased porch projection into the front yard, and a higher floor area and coverage than some of the older homes in the area. The proposed detached dwelling has front and side yard setbacks that are comparable to the existing built form in the surrounding area. The proposed single-car garage has been significantly recessed to allow additional light and privacy for the residents of the dwelling west of the subject site. The reduced rear yard setback is due to the irregular shape of the lot, which means that while the minimum required rear yard setback is slightly less than 7 metres, it increases to approximately 16 metres at the westerly portion of the dwelling.

Planning staff are satisfied that the proposal is compatible with the character of the surrounding neighbourhood in terms of height, massing, and scale.

Open Space/Parkland

The application to replace an existing dwelling with new dwelling is exempt from the City-Wide Parkland Dedication By-law Number 1020-2010.

Tree Preservation and Planting

An arborist report and tree protection plan have been submitted in support of the application. There are a total of four private trees on the site that are protected under the Private Tree By-law, of which a total of two trees are intended to be preserved. Urban Forestry staff have reviewed the plans and have indicated that a permit is required to destroy the remaining two trees. These trees cannot be preserved due to their location adjacent to the proposed driveway. A minimum of three replacement trees are required for every tree included in the application to be destroyed, for a total of six new trees. Additionally, one new tree is required to be planted within the right-of-way.

There are three trees located within six metres of the subject property that may be injured due to the construction activity on the site. The affected neighbours have provided written

consent acknowledging that their trees may be injured due to the construction of the dwelling. Urban Forestry staff have reviewed the plans and have indicated that permits are required to injure these trees. Additional tree planting may be required as part of the permit process.

Environment

The southern half of the subject property is part of the natural heritage system and the southwest corner of the property is subject to the Ravine and Natural Feature Protection By-law. Urban Forestry and Strategic Initiatives, Policy and Analysis staff have evaluated the potential impacts of the proposed development on the natural heritage system and determined that the any impacts can be sufficiently dealt with through the permit process associated with the Ravine and Natural Feature Protection By-law.

Two trees located within the Ravine and Natural Feature Protection limit east of the proposed dwelling may be injured due to the construction of the dwelling. A Ravine and Natural Feature Protection permit will be required to injure these trees. A minimum of one tree is required to be planted for each tree that is included in the application to be injured.

The footprint of the proposed dwelling will be located outside of the Ravine and Natural Feature Protection limit. This has been secured through the minimum required east side yard setback of the dwelling in the Zoning By-law amendment.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. The application is not required to meet the TGS.

CONTACT

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Fax No. 416-396-4265
E-mail: pjohnso3@toronto.ca

SIGNATURE

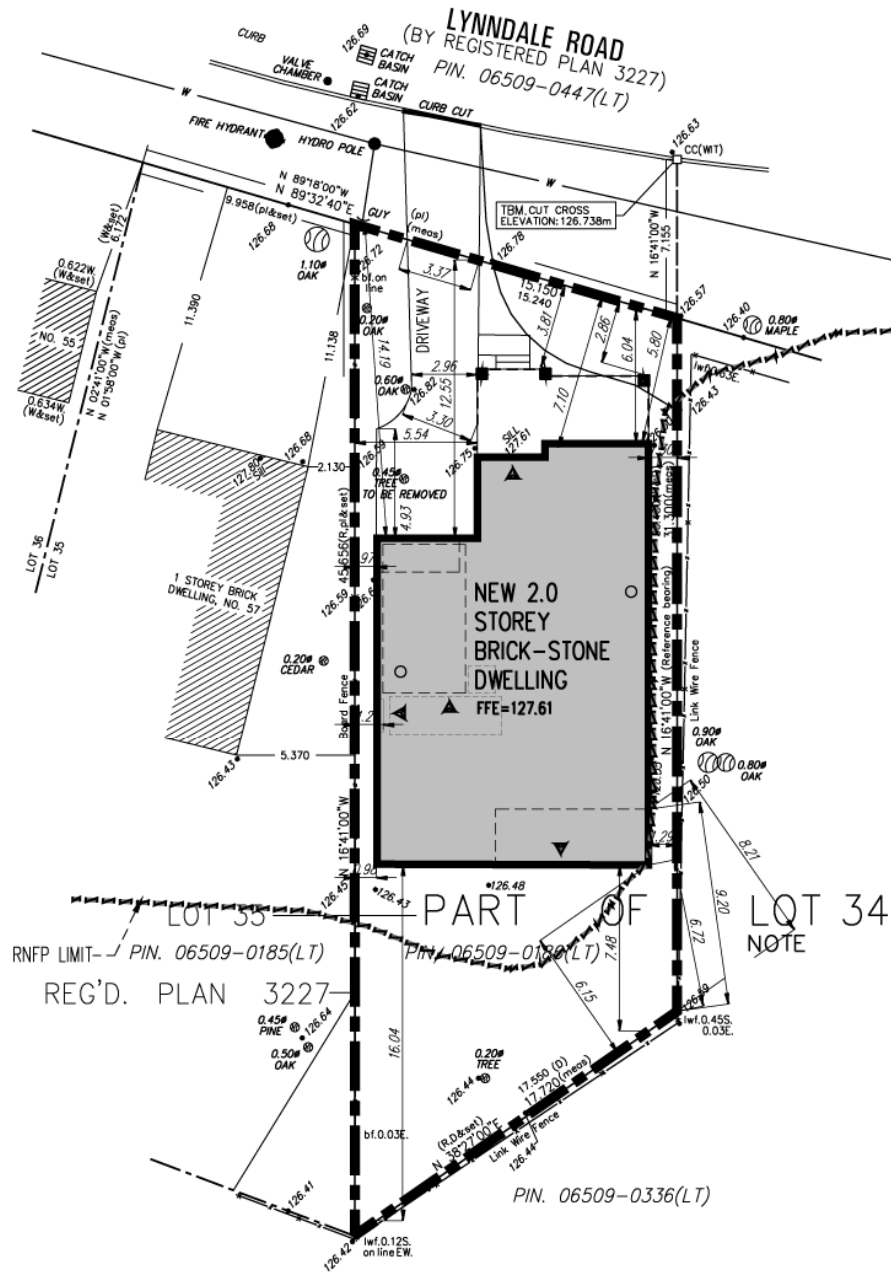
Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations

Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

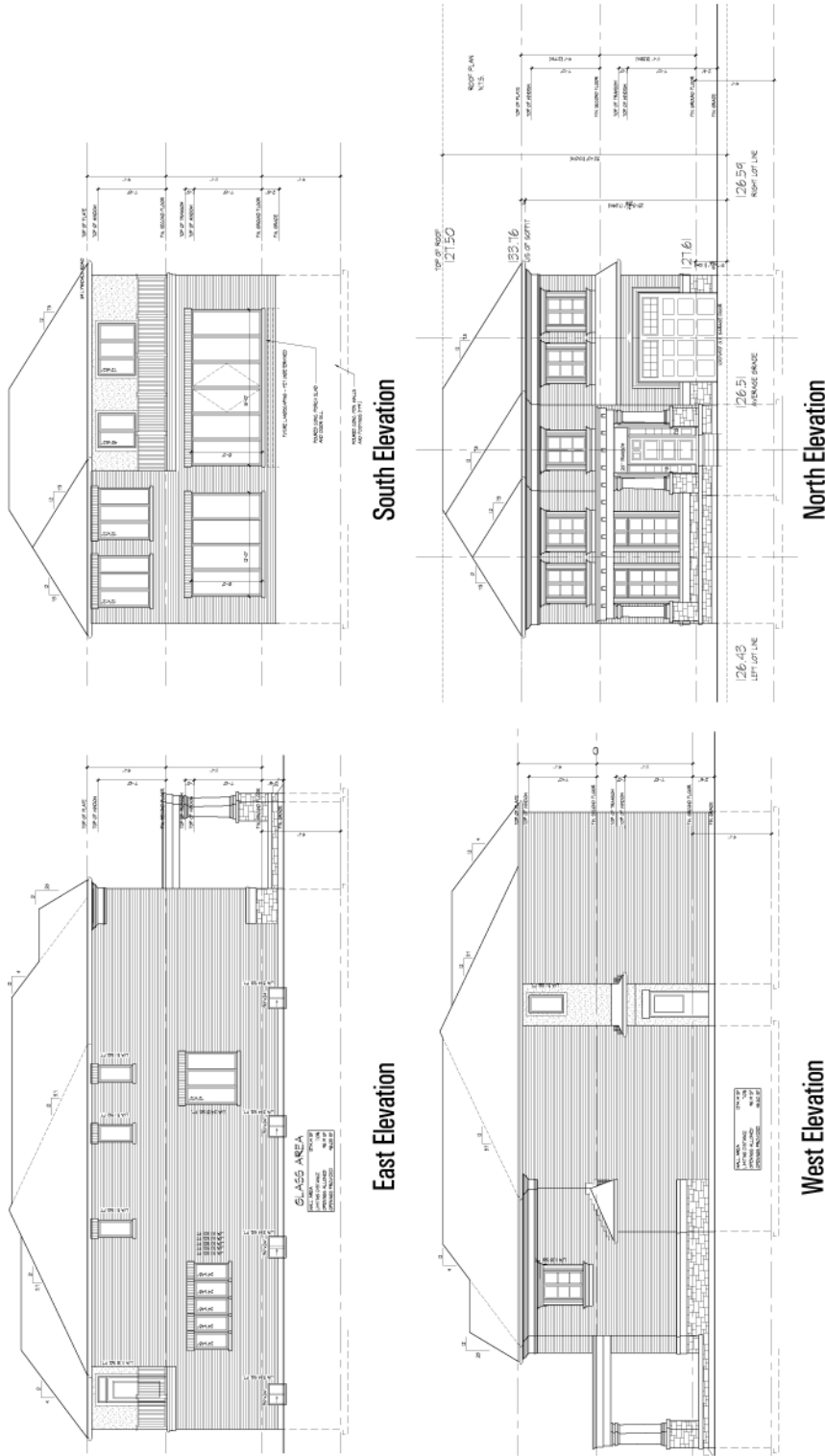
Applicant's Submitted Drawing

Not to Scale

59 Lynndale Road

File # 12 219378 ESC 36 0Z

Attachment 2: Elevations



59 Lynndale Road

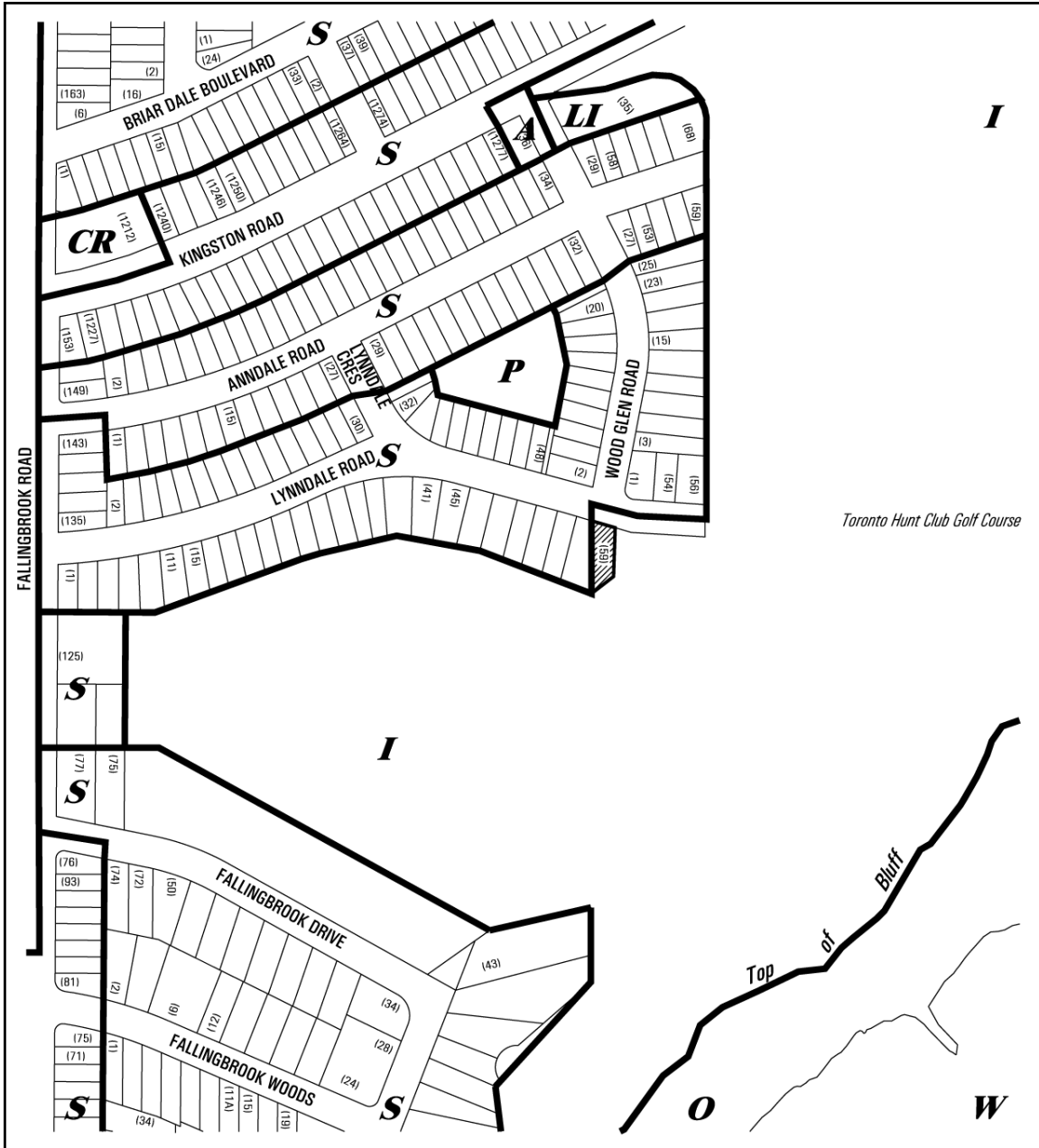
Elevations

Applicant's Submitted Drawing

Not to Scale
07/24/13

File # 12 219378 ESC 36 0Z

Attachment 3: Zoning



TORONTO City Planning
Zoning Birchcliff Community District

59 Lynndale Road
 File # 12 219378 ESC 36 0Z

- Location of Application
- S** Single-Family Residential
- A** Apartment Residential
- CR** Commercial-Residential
- I** Institutional Uses
- LI** Limited Institutional
- P** Park
- O** Major Open Spaces
- W** Water Lots

Not to Scale
 07/24/12

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 219378 ESC 36 OZ
Details	Rezoning, Standard	Application Date:	July 26, 2012

Municipal Address: 59 LYNNDALE RD
 Location Description: CON A PT LOT 34 **GRID E3601
 Project Description: Zoning By-law Amendment application to rezone the property in Birchcliff Community Zoning By-law Number 8786, as amended, from Institutional Uses (I) to Single-Family Residential (S) Zone to permit the construction of a new 374.02 square metre detached dwelling. The existing detached dwelling is to be demolished.

Applicant:	Agent:	Architect:	Owner:
MATJAZ SKUBE			KELLY ANN DIEMER

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	Institutional	Historical Status:
Height Limit (m):		Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	559.81	Height:	Storeys:	2	
Frontage (m):	15.2		Metres:	10	
Depth (m):	0				
Total Ground Floor Area (sq. m):	238.83				Total
Total Residential GFA (sq. m):	374.02		Parking Spaces:	2	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	374.02				
Lot Coverage Ratio (%):	42.7				
Floor Space Index:	0.67				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	374.02	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	1	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Paul Johnson, Assistant Planner
	TELEPHONE:	416-396-5279

Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council
on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend Birchcliff Community Zoning By-law No. 8786, as amended,
with respect to the lands municipally known as,
59 Lynndale Road**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **Schedule "A"** is amended by deleting the current zoning and replacing it with the following zoning as shown on the attached Schedule "1":

S – 4 – 163 – 210 – 211 – 248 – 249 – 270 – 271 – 272 – 273 – 274

2. **Schedule "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

FLOOR AREA

163. Maximum **floor area** shall be 0.67 times the lot area.

SETBACKS

210. Minimum building **setback** of 5.8 m from the **front lot line** except that the garage **main wall** containing the vehicular access shall be set back a minimum of 12 m from the **front lot line**.

211. Minimum 0.97 m west **side yard** building **setback** and minimum 1.28 m east **side yard** building **setback**.

MISCELLANEOUS

248. Maximum 10 m building **height**.

249. Maximum 1.1 m **basement height**.
270. Maximum **driveway** width within 7 m of the **front lot line** shall be 3.3 m and the maximum width of the remaining **driveway** shall be 4.5 m.
271. Minimum 6.7 m **rear yard setback**.
272. Maximum **coverage** for all buildings and structures shall be 43% of the area of the lot.
273. Unenclosed porches may be permitted to project a maximum of 2.9 m into the front yard.
274. No person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

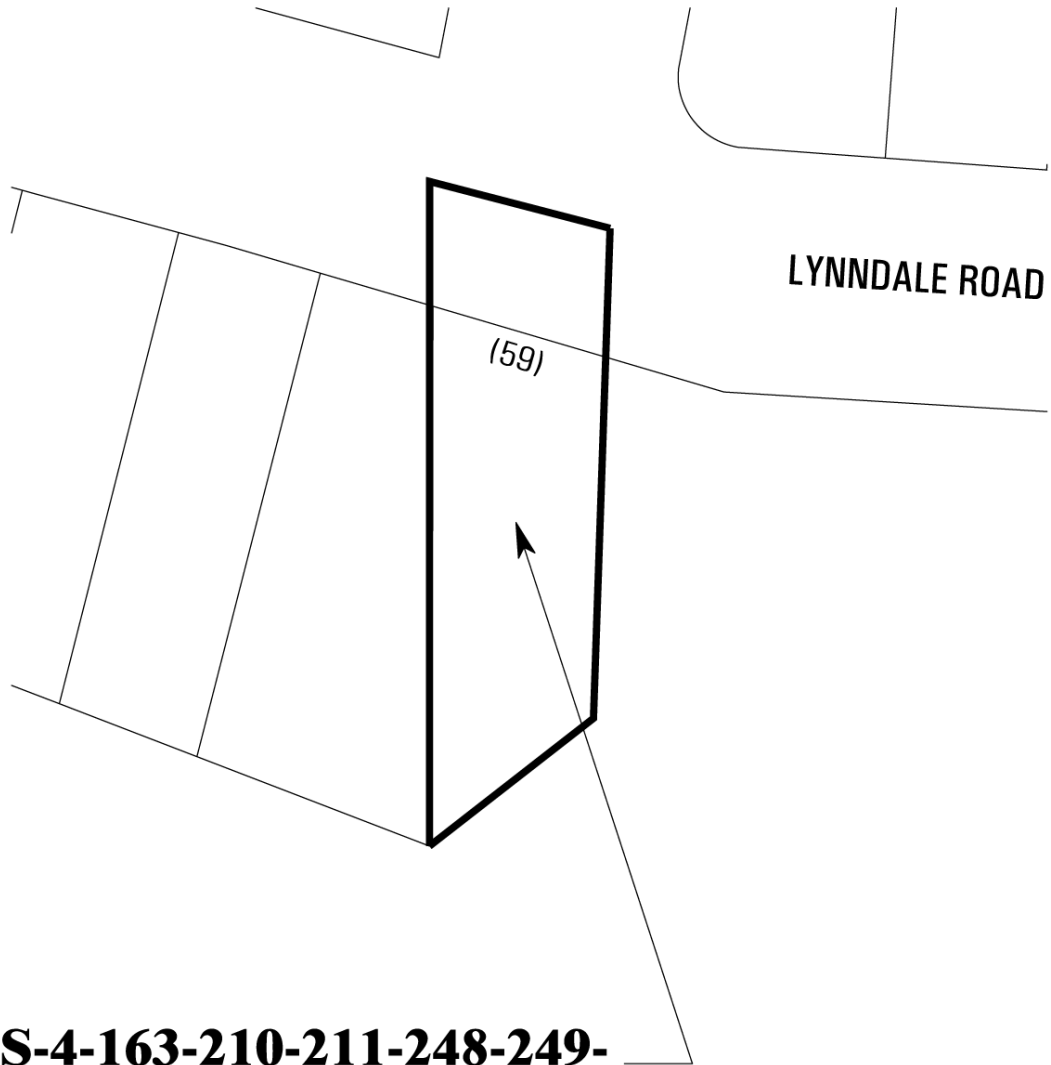
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



**S-4-163-210-211-248-249-
270-271-272-273-274**

TORONTO City Planning
Division
Zoning By-Law Amendment

59 Lynndale Road
File # 12 219378 ESC 36 OZ

 Area Affected By This By-Law

Birchcliff Community Bylaw
Not to Scale
07/24/13
