

2,2a-3,3a-b



**STAFF REPORT**  
Committee of Adjustment  
Application

<b>Date:</b>	January 17, 2014
<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 23 (Willowdale)
<b>Reference:</b>	File No. B062/13NY, A768/13NY, and B063/13NY, A766/13NY, and A767/13NY Address: <b>289 and 291 HOUNSLOW AVENUE</b> Application to be heard: Wednesday, January 22, 2014 at 10:00 a.m.

**RECOMMENDATION**

Staff recommends that the Committee of Adjustment refuse Applications B062/13NY, A768/13NY, and B063/13NY, A766/13NY, and A767/13NY.

**APPLICATION**

These applications are for the consent of the Committee of Adjustment to obtain consent to sever a portion of each of the subject properties to create an undersized lot, and for the purpose of a lot addition to create a new lot. Essentially, this application proposes the division of two residential lots into four parts for conveyance purposes that would result in the creation of three new equal residential building lots.

For the lands at 289 Hounslow Avenue, the following is proposed:

**RETAINED - Part 1**

The lot frontage is 10.16m and the lot area is 408.84 m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the Zoning By-law, as outlined in Application A766/13NY.

**CONVEYED - Part 2**

The lot frontage is 5.08m and the lot area is 204.35 m<sup>2</sup>. Part 2 will be added to Part 3, being severed under consent application number B062/13NY (lands to the west) to create a new building lot between 289 and 291 Hounslow Ave.

For the lands at 291 Hounslow Avenue, the following is proposed:

**RETAINED - Part 4**

The lot frontage is 10.16m and the lot area is 408.84 m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the Zoning By-law, as outlined in Application A768/13NY.

**CONVEYED - Part 3**

The lot frontage is 5.08m and the lot area is 204.37 m<sup>2</sup>. Part 3 will be added to Part 2, being severed under consent application number B063/13NY (lands to the east) to create a new building lot between 289 and 291 Hounslow Ave.

The owner proposes to divide the lands into three equal parts for the creation of three residential building lots. Each lot will have an area of approximately 408.84 m<sup>2</sup> and lot frontage of 10.16 m.

The existing dwellings will be demolished and each of the proposed lots will be developed with new two-storey detached dwellings with an integral garage. The owner has also applied for variances A766/13NY, A767/13NY and A768/13NY to permit the proposed dwellings and would be considered jointly by the Committee.

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

**A766/13NY – 289(A) HOUNSLOW AVE - PART 1**

1. Section 10.20.30.10(1), By-law No. 569-2013  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
2. Section 10.20.30.20(1), By-law No. 569-2013  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.
3. Section 10.20.30.40.(1), By-law No. 569-2013  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
4. Section 10.20.40.10.(6), By-law No. 569-2013  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 1.27m.
5. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed east side yard setback is 1.22m.

6. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed west side yard setback is 0.91m.
7. Section 10.20.40.10.(2), By-law No. 569-2013  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 9.51m.
8. Section 13.2.1, By-law No. 7625  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.
9. Section 13.2.2, By-law No. 7625  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
10. Section 13.2.3(b), By-law No. 7625  
The minimum required west side yard setback is 1.5m.  
The proposed west side yard setback is 0.91m.
11. Section 13.2.3(b), By-law No. 7625  
The minimum required east side yard setback is 1.5m.  
The proposed east side yard setback is 1.22m.
12. Section 13.2.4), By-law No. 7625  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
13. Section 13.2.6, By-law No. 7625  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.1m.
14. Section 6(8), By-law No. 7625  
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed.  
The minimum required lot width for the zone is 15m.  
The proposed lot width is 10.16m.

**A767/13NY – 289(B) HOUNSLOW AVE - PARTS 2 and 3**

1. Section 10.20.30.10(1), By-law No. 569-2013  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
2. Section 10.20.30.20(1), By-law No. 569-2013  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.

3. Section 10.20.30.40.(1), By-law No. 569-2013  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
4. Section 10.20.40.10.(6), By-law No. 569-2013  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 1.3m.
5. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed west side yard setback is 1.22m.
6. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed east side yard setback is 0.91m.
7. Section 10.20.40.10.(2), By-law No. 569-2013  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 9.53m.
8. Section 13.2.1, By-law No. 7625  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.
9. Section 13.2.2, By-law No. 7625  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
10. Section 13.2.3(b), By-law No. 7625  
The minimum required east side yard setback is 1.5m.  
The proposed east side yard setback is 0.91m.
11. Section 13.2.3(b), By-law No. 7625  
The minimum required west side yard setback is 1.5m.  
The proposed west side yard setback is 1.22m.
12. Section 13.2.4), By-law No. 7625  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
13. Section 13.2.6, By-law No. 7625  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.1m.

14. Section 6(8), By-law No. 7625  
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed.  
The minimum required lot width for the zone is 15m.  
The proposed lot width is 10.16m.

**A768/13NY – 291 HOUNSLOW AVE – PART 4**

1. Section 10.20.30.10(1), By-law No. 569-2013  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
2. Section 10.20.30.20(1), By-law No. 569-2013  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.
3. Section 10.20.30.40.(1), By-law No. 569-2013  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
4. Section 10.20.40.10.(6), By-law No. 569-2013  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 1.32m.
5. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed west side yard setback is 1.22m.
6. Section 10.20.40.70.(3), By-law No. 569-2013  
The minimum required side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.  
Proposed east side yard setback is 0.91m.
7. Section 10.20.40.10.(2), By-law No. 569-2013  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 9.56m.
8. Section 13.2.1, By-law No. 7625  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 10.16m.
9. Section 13.2.2, By-law No. 7625  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 408.84m<sup>2</sup>.
10. Section 13.2.3(b), By-law No. 7625  
The minimum required east side yard setback is 1.5m.  
The proposed east side yard setback is 0.91m.

11. Section 13.2.3(b), By-law No. 7625  
The minimum required west side yard setback is 1.5m.  
The proposed west side yard setback is 1.22m.
12. Section 13.2.4), By-law No. 7625  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
13. Section 13.2.6, By-law No. 7625  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.1m.
14. Section 6(8), By-law No. 7625  
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed.  
The minimum required lot width for the zone is 15m.  
The proposed lot width is 10.16m.

## COMMENTS

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The subject property is located south of Finch Avenue West and approximately 1.1 km west of Yonge Street. The applicant proposes to sever the subject properties into four parts which would have the effect of creating three residential lots, each having a frontage of 10.16 metres. 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. 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:

b) size and configuration of lots

Policy 4.1.8 further states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood. This includes in particular: Zoning By-laws, which contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential *Neighbourhoods*.

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 and RD (f15.0; a550) (x5), as amended in the new City of Toronto Zoning By-law No.

569-2013 as amended. Under these zoning categories, 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 of lots in the area generally bounded by Bevdale Road to the north, Churchill Avenue to the south, Abbotsford Road to the east, and Elgin Road to the west. The 378 properties contained within this study area are zoned R4 and RD (f15.0; a550).

Of the 378 lots studied, 31 have frontages between 9.1 m and 12.2 m, while only 19 have frontages of 10.2 m or less, which represent 5% of the lots in the study area. This represents a minority of the lots that make up the character of the neighbourhood.

On June 3, 2004, the Committee of Adjustment approved applications for consent and minor variance for 293 Hounslow Avenue, which is located to the immediate west of the subject properties. The lands concerned had 19.81m fronting onto the south side of Hounslow Avenue, a depth of 40.23m and an area of 797m<sup>2</sup>. The lands, which are now severed, have 9.9m fronting onto the south side of Hounslow Avenue, a depth of 40.23m and an area of 398.54m<sup>2</sup>.

It is recognized that the lot sizes proposed are similar to the above-noted application for consent at 293 Hounslow. However, staff is concerned with the creation of three lots from two existing parcels and the impact on the character of the neighbourhood. In the case of 293 Hounslow, one lot with a total frontage of 19.81 m was split into two parts. The frontage of 19.81 m for the existing lot exceeded the requirements of the R4 zone. The subject application at 289 and 291 Hounslow is proposing the creation of three undersized lots from two parcels with 15 m of frontage. The lots in their current form are consistent with the character of the area and comply with the requirements of the Zoning By-law. Approval of a consent involving the redevelopment of two individual lots into three undersized parcels could lead to other applications of similar scope and considerably weaken the character of the neighbourhood.


Planning staff are of the opinion that the subject lots in their current form maintain and reinforce the stability and character of the neighbourhood and approval of a severance on a lot this size could risk weakening the character of this neighbourhood. The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated by the proposal. Therefore, staff recommended that the following applications be refused in order to respect and reinforce neighbourhood lot pattern and frontages as indicated in the prepared lot study.

Respectfully submitted,

## **CONTACT**

Jason Brander, Planner  
Tel: 416-395-7124  
Fax: 416-395-7200  
E-mail: jbrande@toronto.ca

**SIGNATURE**



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*CA* Allen Appleby  
Director, Community Planning, North York District

**B062/13NY, A768/13NY, and B063/13NY, A766/13NY, and A767/13NY - 289 and 291  
HOUNSLOW AVENUE**