Date: February 11, 2014

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. A012/14NY
Address: 154 DELORAINE AVENUE
Application to be heard: Wednesday, February 19, 2014 at 11:30 a.m.

RECOMMENDATION

Planning recommends that Variance(s) No.1 for a proposed building height of 10.5 m and No. 6 for a proposed finished first floor height of 2.74 m be reduced; and,

Variance(s) No. 5 for a proposed east side yard setback of 0.3 m; No. 10 for a proposed east side yard setback of 0.3 m for the depth not exceeding 17.0 m; and, Nos. 8 and 16 for proposed front yard soft landscaping of 49.35% be increased to better fit the neighbourhood character.

In addition, if the Committee approves this application, the approval should be subject to the following condition:

1. The driveway maintain a 2% positive slope as per drawings submitted to the Committee of Adjustment.

APPLICATION

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling would be demolished.

1. Section 10.10.40.10.(1), By-law No. 569-2013
The maximum permitted building height is 10.0m.
The proposed building height is 10.5m.

2. Section 10.10.40.10.(2), By-law No. 569-2013
The maximum permitted height of all front and rear exterior main walls is 7.5m.
The proposed height of the front and rear exterior main walls is 7.83m.
3. **Section 10.10.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 17.0m.
The proposed building depth is 19.13m.

4. **Section 10.10.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.60 times the lot area.
The proposed floor space index is 0.75 times the lot area.

5. **Section 10.10.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 0.9m.
The proposed east side yard setback is 0.3m.

6. **Section 10.10.40.10.(6), By-law No. 569-2013**
The maximum permitted first floor height is 1.2m.
The proposed first floor height is 2.74m.

7. **Section 10.5.100.1.(1), By-law No. 569-2013**
The maximum permitted driveway width is 3.55m.
The proposed driveway width is 3.85m.

8. **Section 10.5.50.10.(1), By-law No. 569-2013**
The minimum required front yard soft landscaping is 75%.
The proposed front yard soft landscaping is 49.35%.

9. **Section 10.5.80.40.(2), By-law No. 569-2013**
The minimum required elevation of the lowest point of a vehicle entrance in a main wall of the building is 150.46.
The proposed elevation of the lowest point of a vehicle entrance in a main wall of the building is 150.26.

10. **Section 6(3) Part II 3.B(I), By-law No. 438-86**
The minimum required side lot line setback is 0.45m for a depth not exceeding 17.0m.
The proposed east side yard setback is 0.3m for the depth not exceeding 17.0m.

11. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback is 7.5m for that portion exceeding 17.0m in depth.
The proposed east side yard setback is 0.3m for that portion exceeding 17.0m in depth.

12. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback is 7.5m for that portion exceeding 17.0m in depth.
The proposed west side yard setback is 1.07m for that portion exceeding 17.0m in depth.

13. **Section 6(3) Part II 3(II), By-law No. 438-86**
The building is be located no closer than 1.2m to the portion of the side wall of an adjacent building that contains openings.
The proposed building is located 0.6m from the adjacent building.
14. **Section 6(3) Part IV 3(II), By-law No. 438-86**  
A below grade garage is not permitted.  
The proposed integral garage is below grade.

15. **Section 6(3) Part IV 4(I), By-law No. 438-86**  
The maximum permitted driveway width is 3.55m.  
The proposed driveway width is 3.85m.

16. **Section 6(3) Part III 3(B), By-law No. 438-86**  
The minimum required front yard soft landscaping is 75%.  
The proposed front yard soft landscaping is 49.35%.

17. **Section 6(3) Part I 1, By-law No. 438-86**  
The maximum permitted gross floor area is 0.6 times the lot area.  
The proposed gross floor area is 0.75 times the lot area.

**COMMENTS**

The subject property is located south of Wilson Avenue and west of Yonge Street 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 R2 Z0.6 in the former City of Toronto Zoning By-law No. 438-86, as amended and R (f7.5; d0.6)(x604) in the new City of Toronto Zoning By-law 569-2013. 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 building height, finished first floor height, side yard setbacks and front yard soft landscaping is to ensure more uniform and consistent built form streetscapes to maintain a standard pattern of development.

The applicant is proposing to construct a new two-storey detached dwelling with an integral garage. Planning Staff have concerns with the variances for building height, finished first floor height, side yard setbacks and front yard soft landscaping.

Staff recommends that the variances for building height, exterior main wall height, and finished first floor height be **reduced**. In addition, **staff recommends that the proposed east side yard setbacks and amount of front yard soft landscaping be **increased** to better reflect the character of the neighbourhood.**
Additionally, if the Committee were to approve this application, planning staff recommend that approval be subject to the following condition:

1. The driveway maintain a 2% positive slope as per drawings submitted to the Committee of Adjustment.

Respectfully submitted,

CONTACT

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SIGNATURE

Allen Appleby
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A012/14NY – 154 DELORAINE AVE