RECOMMENDATION

Planning recommends that the Committee of Adjustment refuse Applications B031/14NY, B032/14NY, A326/14NY, A327/14NY, A328/14NY.

APPLICATION

These applications request consent from the Committee of Adjustment 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 265 Greenfield Avenue, the following is proposed:

RETAINED – Part 1

The lot frontage is 10.36 metres and the lot area is 379 m². 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 No. A326/14NY.

CONVEYED – Part 2

Part 2 has a lot frontage of 4.89m and a lot area of 178.8m². Part 2 will be added to Part 3 (severed from B032/14NY) to create a new building lot. Parts 2 and 3 will be redeveloped with a new detached residential dwelling as outlined in application A327/14NY.

For the lands at 267 Greenfield Avenue, the following is proposed:
RETIRED – Part 4

The lot frontage is 9.77 metres and the lot area is 357.5 m². 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 No. A328/14NY.

CONVEYED – Part 3

Part 3 has a lot frontage of 5.48m and a lot area of 200.2 m². Part 3 will be added to the Part 2 (severed from B032/14NY) to create a new building lot. Parts 2 and 3 will be redeveloped with a new detached residential dwelling as outlined in application A327/14NY.

The applicant 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 379 m² and lot frontage of 10.36 metres.

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 through Applications A326/14NY, A327/14NY, A328/14NY to permit the proposed dwellings. These will be considered jointly by the Committee.

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

A326/14NY – 265 GREENFIELD – PART 1

1. Section 1.20.3 (3), By-law No. 569-2013
   The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
   The proposed EAST side yard setback is 0.91m.

2. Section 1.20.3 (3), By-law No. 569-2013
   The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
   The proposed WEST side yard setback is 1.22m.

3. Section 10.5.40.10.(5), By-law No. 569-2013
   A minimum of 10m² of the first floor must be within 4m of the front wall.
   Proposed 6.2m² within 4m of the front wall

4. Section 10.20.40.10.(2), By-law No. 569-2013
   The permitted maximum 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 8.77m.

5. Section 10.20.30.10.(1), By-law No. 569-2013
   The required minimum lot area is 550m².
   The proposed lot area is 379m².

6 Section 10.20.30.20.(1), By-law No. 569-2013
   The required minimum lot frontage is 15m.
   The proposed lot frontage is 10.36m.

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7. Section 10.20.30.40.(1), By-law No. 569-2013
The permitted maximum lot coverage is 30% of the lot area: 113.7m2.
The proposed lot coverage is 32.9% of the lot area: 124.6m2.

8. Section 10.20.40.10(1), By-law No. 569-2013
The permitted maximum height of a building or structure is 10m.
The proposed height of the (building/structure) is 10.53m.

9. Section 13.2.2, By-law No. 7625
The minimum required lot frontage is 15m.
The proposed lot frontage is 10.36m.

10. Section 13.2.1, By-law No. 7625
The minimum required lot area is 550m2.
The proposed lot area is 379m2.

11. Section 13.2.3(b), By-law No. 7625
The minimum required side yard setback is 1.8m.
The proposed EAST side yard setback is 0.91m.

12. Section 13.2.6, By-law No. 7625
The minimum required side yard setback is 1.8m.
The proposed WEST side yard setback is 1.22m.

13. Section 13.2.4, By-law No. 7625
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.9% of the lot area.

14. Section 13.2.3(b), By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.53m.

15. Section 16(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, in this case 15m.
Proposed lot width is 10.36m.

A32714NY - 267 GREENFIELD AVENUE - PARTS 2 & 3

1. Section 1.20.3 (3), By-law No. 569-2013
The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
The proposed EAST side yard setback is 0.91m.

2. Section 1.20.3 (3), By-law No. 569-2013
The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
The proposed WEST side yard setback is 1.22m.

3. Section 10.5.40.1.(5), By-law No. 569-2013
A minimum of 10m2 of the first floor must be within 4m of the front wall.
Proposed 6.2m2 within 4m of the front wall.

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4. Section 10.20.30.40.(1), By-law No. 569-2013
The permitted maximum lot coverage is 30% of the lot area: 113.7m².
The proposed lot coverage is 32.9 % of the lot area: 124.6m².

5. Section 10.20.40.10(1), By-law No. 569-2013
The permitted maximum height of a building or structure is 10m.
The proposed height of the (building/structure) is 10.65m.

6. Section 10.20.40.10.(2), By-law No. 569-2013
The permitted maximum 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 8.88m.

7. Section 10.20.30.20(1), By-law No. 569-2013
The required minimum lot frontage is 15m.
The proposed lot frontage is 10.35m.

8. Section 10.20.30.10(1), By-law No. 569-2013
The required minimum lot area is 550m².
The proposed lot area is 379m².

9. Section 132.1, By-law No. 7625
The minimum required lot frontage is 15m.
The proposed lot frontage is 10.35m.

10. Section 132.2, By-law No. 7625
The minimum required lot area is 550m².
The proposed lot area is 379m².

11. Section 132.3(b), By-law No. 7625
The minimum required EAST side yard setback is 1.8m.
The proposed EAST side yard setback is 0.9m.

12. Section 132.3(b), By-law No. 7625
The minimum required WEST side yard setback is 1.8m.
The proposed WEST side yard setback is 1.22m.

13. Section 132.4, By-law No. 7625
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.9% of the lot area.

14. Section 132.6, By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.51m.

15. 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, in this case 15m.
The proposed lot width is 10.36m.

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1. Section 1.20.3 (3), By-law No. 569-2013
The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
The proposed EAST side yard setback is 0.92m.

2. Section 1.20.3 (3), By-law No. 569-2013
The minimum required Side Yard Setback is 1.8m as per site specific exception (x5).
The proposed WEST side yard setback is 0.61m.

3. Section 10.5.40.10.(5), By-law No. 569-2013
A minimum of 10m2 of the first floor must be within 4m of the front wall.
Proposed 6.2m2 within 4m of the front wall.

4. Section 10.20.40.10.(2), By-law No. 569-2013
The permitted maximum 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 9.07m.

5. Section 10.20.30.10.(1), By-law No. 569-2013
The required minimum lot area is 550m2.
The proposed lot area is 357.02m2.

6. Section 10.20.30.20.(1), By-law No. 569-2013
The required minimum lot frontage is 15m.
The proposed lot frontage is 9.76m.

7. Section 10.20.30.40.(1), By-law No. 569-2013
The permitted maximum lot coverage is 30% of the lot area: 107.1m2.
The proposed lot coverage is 33% of the lot area: 117.9m2.

8. Section 10.20.40.10(1), By-law No. 569-2013
The permitted maximum height of a building or structure is 10m.
The proposed height of the (building/structure) is 10.74m.

9. Section 13.2.2, By-law No. 7625
The minimum required lot frontage is 15m.
The proposed lot frontage is 9.76m.

10. Section 13.2.1, By-law No. 7625
The minimum required lot area is 550m2.
The proposed lot area is 357.02m2.

11. Section 13.2.3(b), By-law No. 7625
The minimum required side yard setback is 1.8m.
The proposed EAST side yard setback is 0.92 m.

12. Section 13.2.6, By-law No. 7625
The minimum required side yard setback is 1.8m.
The proposed WEST side yard setback is 0.61m.
13. Section 13.2.3(b), By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.41m.

14. Section 6(3) 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, in this case 15m.
Proposed lot width is 9.76m.

15. Section 13.2.4, By-law No. 7625
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 33% of the lot area.

COMMENTS

The subject property is located north of Sheppard Avenue and east of Yonge Street. The applicant
proposes to sever the subject properties into four parts which would have the effect of creating
three residential lots, two having a frontage of 10.36 metres, and the third having a frontage of
9.76 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, building setbacks from lot lines, 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) 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. Minimum requirements for lot frontage and area
are devised to achieve more uniform and consistent streetscapes and to maintain a standard
pattern of development.

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Staff conducted analyses of the frontages, depths and areas of lots found in the surrounding neighbourhood. Two lot studies were conducted for the surrounding neighbourhood. The first reflects all residential zoning types in the neighbourhood and the other specifically considers like zoning designations to the subject property. Of the 392 properties contained within the selected study area, the majority of lot frontages in the study fall between 15.2 metres (50 feet) and 18.3 metres (59.9 feet). Of the lots which are zoned R4, there are only 23 properties with lot frontages between 9.1 m (30 ft) and 12.2 m (39.9 ft), similar to the lots proposed. This represents a minority of the lots that make up the character of the neighbourhood.

Planning staff are concerned with the creation of three lots from two existing parcels and the impact on the character of the neighbourhood. This application is proposing to create three undersized lots from two parcels with 15 metre 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.

It is the opinion of Planning staff 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 the neighbourhood. Therefore, staff recommend that the following applications be refused in order to respect and reinforce the existing lot pattern and frontages in the neighbourhood.

Respectfully submitted,

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SIGNATURE

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