



STAFF REPORT
Committee of Adjustment
Application

Date:	Friday, February 13, 2015
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Allen Appleby, Director, Community Planning, North York District
Wards:	Ward 23 (Willowdale)
Reference:	File No. B069/14NY, A906/14NY, A907/14NY Address: 110 KINGSDALE AVENUE Application to be heard: Thursday, February 19, 2015 at 9:30 a.m.

RECOMMENDATION

Should the Committee approve this Application for Consent, staff recommend that the approval be subject to the following conditions:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division.
2. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4 and in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the consent, shall be submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of this decision.
3. Copies of a deposited Reference Plan of Survey, integrated with the Ontario Co-ordinate System, and clearly delineating the parcels of land approved by the Committee of Adjustment. A listing of the PARTS and their respective areas is required.
4. A copy of a letter from the Executive Director of Technical Services advising that the applicant has obtained the necessary adjustment to the municipal addressing of the land. Contact Survey and Mapping Services, Technical Services at (416) 392-7755. The application for municipal addressing must be accompanied by a copy of the deposited Reference Plan of Survey, integrated with the Ontario Co-ordinate System, and specify the PART numbers that will comprise each of the new parcels.
5. This Decision shall become null and void within 12 months unless the Certificate of the Committee of Adjustment is affixed to the relevant documents.
6. Applications for Minor Variance should be tied to the approval of the application for Consent.

APPLICATION

THE CONSENT REQUESTED:

Retained - Parts 1 and 2

The frontage is 13.72m and the lot area is 509.87m². 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 A906/14NY.

Conveyed - Parts 3 and 4

The frontage is 13.72m and the lot area is 510.28m². 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 A907/14NY.

File Numbers B069/14NY, A906/14NY, and A907/14NY will be considered jointly.

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

A906/14NY- 110 KINGSDALE AVENUE (PARTS 1 AND 2)

1. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
 - A) The required minimum lot area is 550m².
The proposed lot area is 509.87m².
2. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013
 - A) The required minimum lot frontage is 15m.
The proposed lot frontage is 13.72m.
3. Chapter 10.20.30.40(1), Zoning By-law No. 569-2013
 - A) The permitted maximum lot coverage is 30% of the lot area: 152.96m².
The proposed lot coverage is 32.1% of the lot area: 163.83m².
4. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013

The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m for 100% of the width of the wall.
The proposed height of the west side exterior main wall is 7.5m for 79.7% of the width of the wall and the proposed height of the east side exterior main wall is 7.5m for 77.3% of the width of the wall.
5. Chapter 10.20.40.70.(3) Minimum Side Yard Setback, 900.3.10(5) - Exceptions for RD Zone, Zoning By-law No. 569-2013

The required minimum side yard setbacks are 1.8 metres each side.
The proposed east side yard setback is 1.22m.
6. Chapter 10.20.40.70.(3) Minimum Side Yard Setback, 900.3.10(5) - Exceptions for RD Zone, Zoning By-law No. 569-2013

The required minimum side yard setbacks are 1.8m each side.

- The proposed west side yard setback is 1.21m.
7. Section 13.2.1, Zoning By-law No. 7625
The minimum required lot frontage is 15m.
The proposed lot frontage is 13.72m.
 8. Section 13.2.2, Zoning By-law No. 7625
The minimum required lot area is 550m².
The proposed lot area is 509.87m².
 9. Section 13.2.3(b), Zoning By-law No. 7625
The required minimum side yard setbacks are 1.8m each side.
The proposed east side yard setback is 1.22m.
 10. Section 13.2.3(b), Zoning By-law No. 7625
The required minimum side yard setbacks are 1.8m each side.
The proposed west side yard setback is 1.21m.
 11. Section 13.2.4, Zoning By-law No. 7625
The permitted maximum lot coverage is 30% of the lot area: 152.96m².
The proposed lot coverage is 32.1% of the lot area: 163.83m².
 12. Section 13.2.6, Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.10m.
 13. Section 6(8), Zoning 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: 15m.
The proposed lot width is 13.72m.

A907/14NY – 114 KINGSDALE AVENUE (PARTS 3 AND 4)

1. Chapter 10.5.100.1.(1), Zoning By-law No. 569-2013
(C) For a detached house, semi-detached house, or duplex, and for an individual townhouse dwelling unit if an individual private driveway leads directly to the dwelling unit, a driveway that is located in or passes through the front yard may be for lots with a lot frontage of 6.0 metres to 23.0 metres inclusive, or a townhouse dwelling unit at least 6.0 metres wide, a maximum of 5.49m wide.
The proposed driveway is 5.95m wide.
2. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
A) The required minimum lot area is 550m².
The proposed lot area is 510.28m².
3. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013
A) The required minimum lot frontage is 15m.
The proposed lot frontage is 13.72m.
4. Chapter 10.20.30.40(1), Zoning By-law No. 569-2013
A) The permitted maximum lot coverage is 30% of the lot area: 153.08m². The proposed lot coverage is 31.97% of the lot area: 163.14m².
5. Chapter 10.20.40.70.(3) Minimum Side Yard Setback, 900.3.10(5) - Exceptions for RD Zone, Zoning By-law No. 569-2013
The required minimum side yard setbacks are 1.8m each side.
The proposed east side yard setback is 1.22m.
6. Chapter 10.20.40.70.(3) Minimum Side Yard Setback, 900.3.10(5) - Exceptions for RD Zone, Zoning By-law No. 569-2013
The required minimum side yard setbacks are 1.8 metres each side.
The proposed west side yard setback is 1.22m.
7. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m for 100% of the width of the wall.
The proposed height of the west side exterior main wall is 7.5m for 77.3% of the width of the wall and the proposed height of the east side exterior main wall is 7.5m for 79.7% of the width of the wall.
8. Section 13.2.1, Zoning By-law No. 7625
The minimum required lot frontage is 15m.
The proposed lot frontage is 13.72m.
9. Section 13.2.2, Zoning By-law No. 7625
The minimum required lot area is 550m².
The proposed lot area is 510.28m².
10. Section 13.2.3(b), Zoning By-law No. 7625

The required minimum side yard setbacks are 1.8m each side.
The proposed east side yard setback is 1.22m.

11. Section 13.2.3(b), Zoning By-law No. 7625
The required minimum side yard setbacks are 1.8m each side.
The proposed west side yard setback is 1.22m.
12. Section 13.2.4, Zoning By-law No. 7625
The permitted maximum lot coverage is 30% of the lot area: 153.08m².
The proposed lot coverage is 31.97% of the lot area: 163.14m².
13. Section 13.2.6, Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.07m.
14. Section 6(8), Zoning 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: 15m.
The proposed lot width is 13.72m.

COMMENTS

The subject property is located east of Yonge Street and north of Sheppard Avenue East. The applicant proposes to sever the subject property, with a frontage of 27.42 metres, into two lots of 13.72 metres frontage. The proposed lots would have lot areas of 509.87m² and 510.28m².

The subject property is designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered to be stable areas. However, the Official Plan recognizes that *Neighbourhoods* are not static, meaning there will be change in these areas. Physical changes are expected to occur within these areas, in the form of enhancements, additions, and infill housing. Development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, lot sizes, streetscapes and open space patterns in these areas.

Policy 4.1.5 of the Official Plan outlines development criteria for established *Neighbourhoods*. Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the area with regard to:

b) Size and configuration of lots

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 (R15.0; a550)(x5) in the City of Toronto By-law No. 569-2013. Under these zoning designations, a minimum lot frontage and width of 15 metres and a lot area of 550 square metres are required. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. Requirements for lot frontage and area are devised to achieve a more consistent lot pattern and built form streetscapes.

Staff conducted analyses of the frontages, depths and areas of lots found in the neighbourhood. The 540 properties contained within this study area are zoned R4 and R6 under North York Zoning By-law 7625. The study indicates that 145 properties (or 27%) fall within the range of 12.2 to 15.2 metres frontage, similar to the lots proposed.

The proposed lots would not be out of keeping with the size and configuration of lots in the area. Planning staff have no concerns with the associated minor variance applications, and the proposed dwellings represent an acceptable form of infill development in this area. It is recommended that approval be subject to the above noted conditions.

Respectfully submitted,

CONTACT

Carla Tsang, Assistant Planner
Tel: 416-395-7137
Fax: 416-395-7155
E-mail: ctsang@toronto.ca

SIGNATURE



Allen Appleby
Director, Community Planning, North York District

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