



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. B070/14NY, A912/14NY, A913/14NY
Address: 153 PARKVIEW 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.

Should the Committee approve the Applications for Minor Variance, staff recommend that the approval be subject to the following conditions:

A912/14NY- 153 PARKVIEW AVENUE (PART 1)

1. The subject property to be developed in accordance with the revised variances outlined in the report.

A913/14NY- 153 PARKVIEW AVENUE (PART 2)

1. The subject property to be developed in accordance with the revised variances outlined in the report.

APPLICATION

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lots.

Retained - Part 1 - Address to be assigned

The frontage is 9.91m and the lot area is 368.4m². 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 A912/14NY.

Conveyed - Part 2 - Address to be assigned

The frontage is 9.91m and the lot area is 368.4m². 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 A913/14NY.

Committee of Adjustment application files B070/14NY, A912/14NY, and A913/14NY will be considered jointly.

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

A912/14NY- 153 PARKVIEW AVENUE (PART 1)

1. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
The required minimum lot area is 370m².
The proposed lot area is 368.4m².
2. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013
The required minimum lot frontage is 12.0m.
The proposed lot frontage is 9.91m.
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: 110.52m².
The proposed lot coverage is 31.9% of the lot area: 117.54m².

4. Chapter 10.20.40.10.(1), Zoning By-law No. 569-2013
The permitted maximum height of a building or structure is 10.0m.
The proposed height of the building is 10.17m.
5. 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 7.64m for 68.0% of the width of the wall and the proposed height of the east side exterior main wall is 7.64m for 100% of the width of the wall.
6. Chapter 10.20.40.70(3), Zoning By-law No. 569-2013
The required minimum side yard setback is 1.2m where the required minimum lot frontage is 12.0 metres to less than 15.0m.
The proposed east side yard setback is 0.91m.
7. Section 14-A(3), Zoning By-law No. 7625
The minimum required lot area is 371m².
The proposed lot area is 368.4m².
8. Section 14-A(4), Zoning By-law No. 7625
The minimum required lot frontage is 12.0m.
The proposed lot frontage is 9.91m.
9. Section 14-A(5)c, Zoning By-law No. 7625
The minimum required side yard setback is 1.2m.
The proposed east side yard setback is 0.91m.
10. Section 14-A(6), Zoning By-law No. 7625
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 31.9% of the lot area.
11. Section 14-A(8), Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.44m.
12. 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: 12.0m.
The proposed lot width is 9.91m.

A913/14NY – 153 PARKVIEW AVENUE (PART 2)

1. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
The required minimum lot area is 370m².
The proposed lot area is 368.4m².
2. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013
The required minimum lot frontage is 12.0m.
The proposed lot frontage is 9.91m.
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: 110.52m².
The proposed lot coverage is 31.9% of the lot area: 117.54m².
4. Chapter 10.20.40.10.(1), Zoning By-law No. 569-2013
The permitted maximum height of a building or structure is 10.0m.
The proposed height of the building is 10.33m.
5. 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 7.8m for 100% of the width of the wall and the proposed height of the east side exterior main wall is 7.8m for 68% of the width of the wall.
6. Chapter 10.20.40.70(3), Zoning By-law No. 569-2013
The required minimum side yard setback is 1.2m where the required minimum lot frontage is 12.0m to less than 15.0m.
The proposed west side yard setback is 0.91m.
7. Section 14-A(3), Zoning By-law No. 7625
The minimum required lot area is 371m².
The proposed lot area is 368.4m².
8. Section 14-A(4), Zoning By-law No. 7625
The minimum required lot frontage is 12.0m.
The proposed lot frontage is 9.91m.
9. Section 14-A(5)c, Zoning By-law No. 7625
The minimum required side yard setback is 1.2m.
The proposed west side yard setback is 0.91m.
10. Section 14-A(6), Zoning By-law No. 7625
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 31.9% of the lot area.
11. Section 14-A(8), Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is 9.45m.

12. 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: 12.0m.

The proposed lot width is 9.91m.

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 19.82 metres, into two lots of 9.91 metres frontage. The proposed lots would each have lot areas of 368.4 m².

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 R6 in the former City of North York By-Law No. 7625, as amended, and RD (f12.0; a370) in the City of Toronto By-law No. 569-2013, as amended. Under these zoning designations, a minimum lot frontage and width of 12 metres and minimum lot areas of 371 and 370 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 the chosen study area are zoned R4 and R6 under North York Zoning By-law 7625. Two lot studies were conducted for properties contained within the study area. The first reflects all zoning types and the other specifically considers R6 lots, similar to the subject property. The studies indicate that there are a variety of lot frontages and sizes in the area, and many lots contain detached dwellings with similar frontages to the lots proposed in this application.

Minor Variance Applications Nos. A912/14NY and A913/14NY

Applications Nos. A912/14NY and A913/14NY outline the variances requested to facilitate the new two-storey detached dwellings proposed for each of the severed lots. In discussions with Planning staff, the applicant has made the following revisions:

A912/14NY – 153 Parkview Avenue (Part 1)

Variance No. 4 for a building height of 10.17 metres has been removed.

Variance No. 5 has been revised to propose a height of 7.5 metres for 75% of the width of the west side exterior main wall and 7.5 metres for 100% of the east side exterior main wall.

A913/14NY 153 Parkview Avenue (Part 2)

Variance No. 4 for a building height of 10.33 metres has been removed.

Variance No. 5 has been revised to propose a height of 7.5 metres for 75% of the width of the east side exterior main wall and 7.5 metres for 100% of the west side exterior main wall.

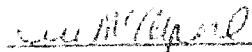
The proposed lots would not be out of keeping with the size and configuration of lots in the area. Planning staff have no concerns with the associated minor variance applications, and the proposed dwellings represent an acceptable form of infill development in this area. It is recommended that approval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

Respectfully submitted,

CONTACT

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SIGNATURE



for
Allen Appleby
Director, Community Planning, North York District

B070/14NY, A912/14NY and A913/14NY – 153 PARKVIEW AVENUE