



STAFF REPORT
Committee of Adjustment
Application

Date:	May 19, 2015
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Allen Appleby, Director, Community Planning, North York District
Ward:	Ward 23 (Willowdale)
Reference:	File No. A385/15NY Address: 97 ELMWOOD AVENUE Application to be heard: Wednesday, May 27, 2015 at 1:00 p.m.

RECOMMENDATION

Planning recommends that the following variances be reduced:

1. Variances Nos. 6 and 10 for proposed lot coverage of 34.90% of the lot area;
2. Variance No. 1 for proposed building height of 10.38 metres; and
3. Variance No. 12 for proposed building height of 10.41 metres.

APPLICATION

To construct a two-storey addition to the south portion and a new second storey addition over the existing dwelling, in conjunction with a new front porch and driveway.

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

1. **Chapter 10.20.40.10.(4), By-law No. 569-2013**
The maximum permitted building height is 7.20m for a flat or shallow roof.
The proposed building height is 10.38m.
2. **Chapter 10.5.40.70.(4), By-law No. 569-2013**
The minimum required side yard setback for an addition or extension to the rear of a dwelling is 0.90m
The proposed east side yard setback is 0.859m.
3. **Chapter 10.5.80.10(3), By-law No. 569-2013**
A parking space may not be located in a front yard or a side yard abutting a street.
The proposed parking space is located in the front yard.
4. **Chapter 10.50.80.10.(6), By-law No. 569-2013**

On a corner lot, a parking space must be in a building, in a rear yard, or in a side yard that does not abut a street.

The proposed parking space is located in the front yard.

5. **Chapter 10.5.80.40.(3), By-law No. 569-2013**
Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.
The proposed vehicle access to a parking space is from the front street.
6. **Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 30.00% of the lot area.
The proposed lot coverage is 34.90% of the lot area.
7. **Chapter 10.20.40.10.(4), By-law No. 569-2013**
The maximum permitted number of storeys is two (2).
The proposed number of storeys for the rear addition is three (3).
8. **Chapter 13.2.3(a), By-law No. 7625**
The minimum required front yard setback is 5.85m.
The proposed front yard setback is 5.38m.
9. **Chapter 13.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.50m.
The proposed east side yard setback is 0.859m.
10. **Chapter 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30.00% of the lot area.
The proposed lot coverage is 34.90% of the lot area.
11. **Chapter 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.80m.
The proposed building length is 16.99m.
12. **Chapter 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.80m.
The proposed building height is 10.41m.

COMMENTS

The subject property is located north of Sheppard Avenue East and east 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 R4 in the former City of North York By-Law No. 7625, as amended and RD (f15.0; a550)(x5) in City of Toronto Zoning By-law No. 569-2013, as amended. The objective of the Zoning By-Law is to establish specific standards as to how land is developed.

The applicant is proposing to construct a new two-storey detached dwelling with integral garage. Planning staff have concerns with the proposed lot coverage and building height, as these variances do not reflect the physical character of the neighbourhood. Under the City of Toronto Zoning By-law 569-2013, the proposal is identified as a flat roof dwelling, with a maximum height permission of 7.2 metres. The south elevation drawing submitted by the applicant shows a 10.25 metre front wall for the new façade of dwelling. With this proposed façade, the dwelling would appear as a flat roof dwelling due to the fact that the pitch of the roof is not visible from the street. It is the opinion of staff that the overall height and design of the façade would neither "fit" in the immediate context of the Elmwood Avenue streetscape, nor respect and reinforce the physical character of the broader neighbourhood.

As such, should the Committee approve Application No. A385/15NY, Planning staff recommend that the variances for proposed lot coverage and building height be **reduced** to ensure that the dwelling be more in keeping with the existing character of the neighbourhood.

Respectfully submitted,

CONTACT

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SIGNATURE



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