



STAFF REPORT
Committee of Adjustment
Application

Date:	June 8, 2015
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Ward:	Ward 16 (Eglinton-Lawrence)
Reference:	File No: A0048/15NY Address: 271 GLENGROVE AVE W Application to be heard: Thursday, June 11, 2015

RECOMMENDATION

Should the Committee choose to approve this application, staff recommend that variance No. 1 for building height be **reduced**. Moreover, staff also recommend that variance No. 8 to permit a three storey dwelling be **refused**, as currently proposed.

APPLICATION

To construct a new three-storey dwelling with an integral garage. The existing dwelling would be demolished. Please note this application was previously deferred Thursday, March 5, 2015 at the request of the applicant in order to meet with the neighbours to discuss their concerns.

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 with a flat or shallow roof is 7.20m.
The proposed building height is 9.68m.
- 2. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The proposed building length is 20.77m.
- 3. Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.00m.
The proposed building depth is 20.77m.

4. **Chapter 10.20.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.35 times the lot area.
The proposed floor space index is 0.5946 times the lot area.
5. **Chapter 10.20.40.50.(1), By-law No. 569-2013**
The maximum permitted balcony area at or above the second storey is 4.00m².
The proposed rear balcony area at or above the second storey is 18.81m².
6. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.50m.
The proposed east side yard setback is 0.98m.
7. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.50m.
The proposed west side yard setback is 0.92m.
8. **Chapter 10.20.40.10.(4), By-law No. 569-2013**
The maximum number of storeys permitted is two (2).
The proposed number of storeys is three (3).
9. **Chapter 6(3) Part I 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.35 times the lot area.
The proposed gross floor area is 0.5946 times the lot area.
10. **Chapter 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 7.50m for the portion of a dwelling exceeding 17.00m in depth.
The proposed east side yard setback is 0.98m.
11. **Chapter 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 7.50m for the portion of a dwelling exceeding 17.00m in depth.
The proposed west side yard setback is 0.92m.

COMMENTS

The subject property is located on the south side of Glengrove Avenue West, west of Avenue Road. The property is zoned *R1 Z0.35* under the Toronto Zoning By-law No. 438-86 and zoned *RD(f15.0; d0.35)(x961)* in the City of Toronto Zoning By-law No. 569-2013.

The subject property is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* are considered stable areas where new development will maintain the existing physical character of the area. Section 4.1 outlines the development policies for *Neighbourhoods*. The preamble to the development criteria states that, *physical changes*

to our established Neighbourhoods must be sensitive, gradual, and generally "fit" the existing physical character of the neighbourhood, including in particular:

c) height, massing, scale and dwelling type of nearby residential properties.

Zoning by-law provisions ensure that development is appropriate on a given site, and compatible with the surrounding context. The Official Plan states that no changes will be made to the zoning by-law through re-zoning, minor variance, consent, or other public actions that are not in keeping with the character of the neighbourhood.

Building height for flat roof houses is devised, in part, to maintain a consistent pattern of development. An analysis of nearby residential properties reveals that proposals for new dwellings have generally maintained the height requirement of the by-law of less than 10 metres for pitched roofs. In addition, a three storey flat roof dwelling would create greater overlook issues, result in more shadowing and would generally feel more imposing than a three storey pitched-roof building. Staff believe that the proposed building height for the flat roof for the subject property is contrary to the intent of the zoning by-law and the Official Plan.

The proposal also includes a third storey, which a variance is requested for, as the new City of Toronto Zoning By-law limits flat roof dwellings to two storeys. A three storey building is thought to be inappropriate if the area is mainly characterized by two storey buildings with pitched roofs. Glengrove Avenue West is a street characterized by two and three storey pitched roof dwellings. The proposed number of storeys for the proposed flat roof dwelling is contrary to the intent of the zoning by-law.

Therefore, staff recommend that the variance for the building height be **reduced** and that the variance to permit a 3-storey dwelling be **refused** to ensure the dwelling be more in keeping with the existing neighbourhood character.

CONTACT

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SIGNATURE

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