

Ashraf Hanna, P.Eng.
Manager, Development Engineering
Etobicoke York District

Engineering and Construction Services
2 Civic Centre Court, 4th Floor
Etobicoke, Ontario M9C 5A3

Tel: 416-394-8383
Fax: 416-696-3776
E-mail: ahanna@toronto.ca

Reply to: Ashley Walker, M.Sc., P. Eng.
Tel: 416-394-8445
Fax: 416-696-3776
E-mail: awalker7@toronto.ca

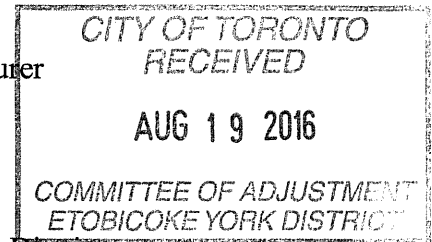
MEMORANDUM

To: Susanne Pringle, Manager & Deputy Secretary Treasurer
Committee of Adjustment, Etobicoke York Panel
Attention: Annalisa Morra

From: Ashraf Hanna, P.Eng.
Manager, Development Engineering, Etobicoke York District

Date: August 19, 2016

Subject: **Committee of Adjustment File: B0053/16EYK, A0598/16EYK, A0599/16EYK**
Legal Description: Lot 134 RP 101, CITY OF TORONTO
Address: 5 Thirty First St
Applicant: Ambient Designs Ltd.



APPLICATION DESCRIPTION

Engineering and Construction Services Division and Transportation Services Division have reviewed the above-noted consent and minor variance applications made by Ambient Designs Ltd on behalf of Yousef Al Qshat.

The subject site is located on the east side of Thirty First Street, north of Lake Promenade, in the former City of Etobicoke (Ward 6). The site is zoned 'Residential Detached Zone' RD(f12.0, a370, d0.35) and 'Residential Single Zone' (RS) according to Citywide Zoning By-law 569-2013 and the Long Branch Zoning Code, respectively. The site is currently occupied by an existing one-and-a-half-storey dwelling.

In the current submission, the applicant proposes to demolish the existing dwelling, sever the land into two residential lots (conveyed Part 1 and retained Part 2), and construct a new two-storey detached dwelling with an integral single-car garage on each of the two new lots.

RECOMMENDATION

Engineering and Construction Services Division wish to advise that we have no objections to the subject consent and minor variance applications, subject to the following conditions being satisfied:

1. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City;
 - a) Site plan drawing should illustrate a minimum 2% driveway slope from the garage to the property line.
 - b) Add the existing structures to the legend and make it clear what is an existing structure and what is the tree protection zone.

ADVISORY COMMENTS

Should this application be approved the applicant is to be advised of the following requirements in writing:

1. Site Servicing Connections

There is a 150mm \varnothing municipal watermain and a 375mm \varnothing sanitary sewer available on Thirst First Street to serve the subject lands.

It is the responsibility of the applicant to ensure that the elevations of the sewers are compatible with the intended use of the property. Separate water and sanitary sewer connections will be required for each dwelling or parcel of land.

The owner will be required to make an application to Toronto Water Division, North York Civic Centre, 5100 Yonge Street, 2nd Floor, for the installation of any proposed services within the City right-of-way. For further information, please contact Toronto Water at 416-395-6082.

2. Road Allowance Permits

The applicant must obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. Chapter 743-4 of the Toronto Municipal Code requires that any person who requests a building permit, (except Fasttrack applications) pay a Municipal Road Damage Deposit. The applicant is advised to contact Joanne Vecchiarelli at 416-338-1045 of our Right-of-Way Management Unit regarding site-specific permit requirements.

3. Storm Sewer Connections

The City Sewer Use By-Law prohibits connections to a storm sewer from single family residential dwellings. Foundation drains for new dwellings are to be pumped to grade and roof drains are to discharge onto a landscaped area.

4. Site Grading

In conjunction with a building permit application, to ensure that the development of the subject land does not create a drainage problem to this or abutting lands, the applicant must submit a lot grading plan to the Buildings Division in accordance with the Building Division's Policy on Building and Drainage for Infill Housing.

5. Driveways

Toronto Water and Engineering and Construction oppose reverse slope driveways. The proposed driveways should be designed and constructed with a positive slope from the roadway to the garage and the portion of the driveway within the public road allowance must maintain a minimum 2% slope.

6. Utilities

The applicant will be financially responsible for all work proposed within the road allowance including any costs arising from the relocation or removal of existing services and utilities which may become necessary through the development or use of this land.

7. Municipal Numbering

The applicant is advised to contact Mr. John House, Property Records Supervisor, at 416-392-8338 to obtain or verify new municipal addresses prior to submitting a building permit application. It should be noted that all addressed parcels and structures must have the correct municipal addresses posted. For details please see:

<http://www.toronto.ca/mapping/numbers/index.htm>

BACKGROUND

The basement floor plan for each of the proposed dwellings illustrates internal parking space dimensions of 3.3 metres in width by 6.1 metres in length for the integral garage. These internal dimensions satisfy the applicable by-law requirements.

The site plan illustrates that the driveway for each proposed dwelling provides a width of 2.6 metres, with a 3.0-metre curb cut, which is acceptable. A minimum 6.0-metre setback is provided between the front door of the garage and the municipal right-of-way for each new dwelling, allowing sufficient space for a passenger vehicle to park within the lead-in driveway in front of the garage without encroaching onto the municipal boulevard.

The site plan (Drawing No. SK-1) provides acceptable notations regarding submission of a Municipal Road Damage Deposit (MRDD), obligations to obtain the necessary permits from Right-of-Way Management, and restoration of redundant curbs/driveways.

Based upon the foregoing, we have no objections to the subject consent and minor variance applications from a Traffic Planning perspective.

If you have any questions regarding these comments, please contact Ashley Walker at 416-394-8445.



Ashraf Hanna, P.Eng.

Manager, Development Engineering

Engineering and Construction Services, Etobicoke York District

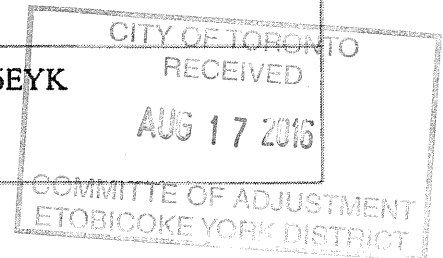
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copy: 5 Thirty First St, B0053/16EYK, A598/16EYK, A599/16EYK
Transportation Services (Attn: Luigi Nicolucci)
Right-of-way Management (Attn: Joanne Vecchiarelli)



STAFF REPORT
 Committee of Adjustment
 Application

Date:	Thursday, August 18, 2016
To:	Chair and Committee Members of the Committee of Adjustment Etobicoke York Panel
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6
Reference:	File No. B0053/16EYK, A0598/16EYK, A0599/16EYK Address: 5 Thirty First Street Application to be heard: In Circulation



RECOMMENDATION

Planning Staff recommend that the consent and related minor variance applications be deferred in order for Planning staff to schedule a community consultation meeting, together with the Ward Councillor, to provide the applicant an opportunity to develop a revised proposal that is more in keeping with the existing physical character of the neighbourhood. Should the Committee choose not to defer the applications and proceed in hearing the depositions, Planning staff recommend that the consent and related minor variance applications be refused.

APPLICATION

The applicant is proposing to create two new undersized residential lots from an existing 15.29 m lot and to construct two new detached dwellings, each with an integral garage.

The following variances are being sought:

Development Standard	Permitted (ZBL 569-2013)	Permitted (Etobicoke Zoning Code)	Proposed Lots	
			Part 1	Part 2
Minimum Lot Area	370 m ²	371 m ²	352 m ²	348 m ²
Minimum Lot Frontage	12 m	12 m	7.66 m	7.63 m
Maximum Height of First Floor Above Established Grade	1.2 m	N/A	2.35 m	2.35 m
Maximum Height of All Front Exterior Main Walls	7 m	N/A	7.59 m	7.59 m

Permitted Maximum Floor Space Index	0.35	0.35	0.59	0.6
Minimum Front Yard Setback	8.04 m	8.04 m	6 m	6 m
Minimum Side Yard Setback	1.2 m	0.9 m (2.1 aggregate)	0.9 m (north side), 0.57 m (south side)	0.58 m (north side), 0.9 m (south side)
Maximum Roof Eave Projection	0.9 m if located 0.3 m or more from lot line	0.5 m from lot line	Eaves located 0.1 m from lot line	Eaves located 0.1 m from lot line

COMMENTS

Under Section 53 of the *Planning Act*, the Committee has authority to grant severances. The matters a Committee must have regard to, in hearing severance applications, is found in Subsection 51(24) and include, but are not limited to:

- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any; and
- (f) the dimensions and shapes of the proposed lots.

The subject site is located in the Village of Long Branch and is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas. The stability of our *Neighbourhoods*' physical character is one of the keys to Toronto's success. Physical changes to our established *Neighbourhoods* must be sensitive, gradual, and generally 'fit' the existing physical character.

Policy 4.1.5 of the Official Plan establishes that development will respect and reinforce the existing physical character of the neighbourhood, including in particular, the size and configuration of lots, massing and scale of nearby residential properties. Further, Policy 4.1.5 states 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."

In addition, Policy 4.1.8 of the Official Plan states that Zoning By-laws will contain numerical site standards for matters such as density, lot sizes, lot depths, lot frontages, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential *Neighbourhoods*.

The subject site is zoned Residential Single-Family (RS) under the former Etobicoke Zoning Code and Residential Detached (RD) under-City-wide Zoning By-law 569-2013.

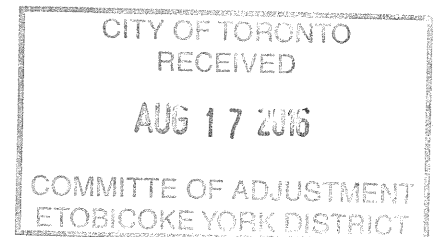
City Planning staff have reviewed the application and supporting materials (submitted for each of the proposed new dwellings); researched previous Committee of Adjustment decisions; and conducted a site visit. Based on this review, staff identified concerns with the proposed lot frontages, as well as variances for height, gross floor area, and overall massing. Planning staff are concerned that the proposed severance would result in a development that would not conform to the provisions of Section 51(24) of the *Planning Act*, would not meet the general intent and purpose of the Official Plan and Zoning By-laws, and would not respect and reinforce the existing physical character of the neighbourhood.

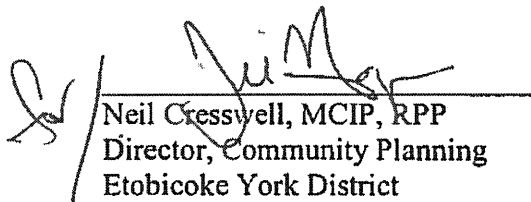
Planning staff are aware of a strong community concern in the Village of Long Branch with respect to lot severances and associated minor variances resulting in lot sizes and new dwellings that do not 'fit' the established physical character of the neighbourhood.

It is recommended that the consent and related minor variance applications be deferred, to provide an opportunity for the applicant to consult with Planning staff and the local community in order to submit a revised proposal that is more in keeping with the established physical character of the surrounding area and is more in accordance with the general intent and purpose of the Official Plan and Zoning By-laws. Should the Committee decide not to defer the application and to proceed in hearing the deputations, Planning staff recommend refusal.

CONTACT

Derek Brunelle, Assistant Planner
Tel: 416-394-8878
Fax: 416-394-6063
E-mail: dbrunel@toronto.ca




Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District



Memorandum

Parks, Forestry & Recreation
Max Dida, Supervisor

Urban Forestry
Etobicoke Civic Centre
399 The West Mall, Main Floor
Toronto, Ontario M9C 2Y2

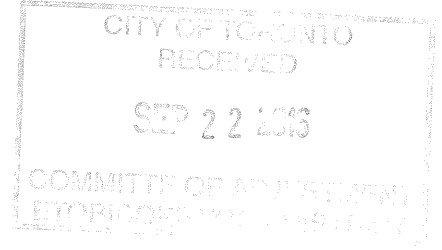
Tel: 416-338-6596
Fax: 416-394-8935
mdida@toronto.ca
www.toronto.ca/parks

DATE: September 20, 2016

TO: Susanne Pringle, Manager & Deputy Secretary-Treasurer
City Planning, Community Planning - West District
2 Civic Centre Court
Tel: 416 394-8064

FROM: Max Dida, Supervisor, Tree Protection and Plan Review - West District

RE: **5 Thirty First St (File No.: B0053/A0598/A0599/16EYK**
Consent/Minor Variance/Permission Application



I acknowledge receipt of the public hearing notice regarding the application to obtain consent to sever the property into two undersized residential lots and to construct two new detached dwellings with attached garages.

Urban Forestry has inspected the site and provides the following comments regarding the requested variances:

Approval of the requested variances will result in construction that will require the removal or injury of one healthy city owned tulip tree measuring 4 cm in diameter fronting the subject site. This healthy tree is a valuable part of the Urban Forest and should be retained.

Urban Forestry's understanding is that one criteria that the C of A considers in its deliberations is adherence to the Official Plan. The following from the Official Plan pertains to tree protection:

Section 3.4: The Natural Environment - Policies

1. To support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly, based on:

- d) preserving and enhancing the urban forest by:*
 - i) providing suitable growing environments for trees*
 - ii) increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and*
 - iii) regulating the injury and destruction of trees*

Should the CofA approve this application in the knowledge that tree removal will be required, Urban Forestry would issue permit to remove the tree subject to the provisions of the City Tree By-law.

Recommendations:

Urban Forestry objects to requested variances as listed in the Notice, however;

If the Committee approves the requested variances, Urban Forestry requests the variances be subject to the following conditions:

- 1) The applicant shall submit an application for permit to injure or remove trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article II.

Applicants requiring additional information please forward inquiries to tpprwest@toronto.ca or call **(416) 338-6596**.

Regards,

Max Dida

Supervisor, Tree Protection and Plan Review - West District

cc: Forestry File
Committee of Adjustment