



STAFF REPORT
Committee of Adjustment
Application

Date:	May 2, 2016
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Wards:	Ward 23 (Willowdale)
Reference:	File No. B0064/15NY, A1060/15NY, A1061/15NY Address: 171 BURNDALE AVENUE Application to be heard: Thursday, May 12, 2016 at 9:30 a.m.

RECOMMENDATION

Planning recommends that Applications Nos. B0064/15NY, A1060/15NY and A1061/15NY be refused.

APPLICATION

THE CONSENT REQUESTED:

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

Retained - Part 1 (Address to be assigned)

The lot frontage is 7.62 meters and has a lot area of 273.56 m². The property will be redeveloped as the site of the new two-storey dwelling, requiring variances to the Zoning By-law(s), as outlined in Application No. A1061/15NY.

Conveyed - Part 2 (Address to be assigned)

The lot frontage is 7.62m and has a lot area of 273.56m². The property will be redeveloped as the site of a new two-storey dwelling, requiring variances to the Zoning By-law(s), as outlined in Application No. A1060/15NY.

Application Nos. B0064/15NY, A1060/15NY and A1061/15NY will be considered jointly.

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

A1060/15NY – 171 BURNDALE AVENUE (PART 2)

- Chapter 10.5.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front main wall.

The proposed first floor area is 5.2m² that is within 4m of the front main wall.

2. **Chapter 10.5.100.1, By-law No. 569-2013**
The maximum permitted driveway width is 2.9m.
The proposed driveway width is 3.2m.
3. **Chapter 10.20.30.10.(1), By-law No. 569-2013**
The minimum required lot frontage is 15m.
The proposed lot frontage is 7.62m.
4. **Chapter 10.20.30.10.(1), By-law No. 569-2013**
The minimum required lot area is 550m².
The proposed lot area is 273.2m².
5. **Chapter 10.20.30.40, By-law No. 569-2013**
The maximum permitted lot coverage is 30%.
The proposed lot coverage is 36.75%
6. **Chapter 10.5.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.0m.
7. **Chapter 10.5.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 0.6m.
8. **Chapter 100.5.1.10.(2), By-law N. 569-2013**
The minimum required parking space dimensions is 3.2m x 5.6m.
The proposed parking space dimensions is 2.9m x 6.1m.
9. **Section 13.2.1 and 6(8), By-law No. 7625**
The minimum required lot frontage and lot width is 15m.
The proposed lot frontage and lot width is 7.62m.
10. **Section 13.2.2, By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 273.2m².
11. **Section 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30%.
The proposed lot coverage is 36.75%
12. **Section 12.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 1.0m.
13. **Section 12.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed east side yard setback is 0.6m.

14. **Section 6A(3), By-law No. 7625**
The minimum required parking space dimensions is 3.2m x 5.6m.
The proposed parking space dimensions is 2.9m x 6.1m.

A1061/15NY - 171 BURNDALE AVENUE (PART 1)

1. **Chapter 10.5.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front main wall.
The proposed first floor area is 5.2m² that is within 4m of the front main wall.
2. **Chapter 10.5.100.1, By-law No. 569-2013**
The maximum permitted driveway width is 2.9m.
The proposed driveway width is 3.2m.
3. **Chapter 10.5.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 0.6m.
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The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.0m.
5. **Chapter 10.20.30.10, By-law No. 569-2013**
The minimum required lot area is 550m².
The proposed lot area is 273.2m².
6. **Chapter 10.20.30.10.(1), By-law No. 569-2013**
The minimum required lot frontage is 15m.
The proposed lot frontage is 7.62m.
7. **Chapter 10.20.30.40, By-law No. 569-2013**
The maximum permitted lot coverage is 30%.
The proposed lot coverage is 36.75%
8. **Chapter 100.5.1.10.(2), By-law N. 569-2013**
The minimum required parking space dimensions is 3.2m x 5.6m.
The proposed parking space dimensions is 2.9m x 6.1m.
9. **Section 13.2.1 and 6(8), By-law No. 7625**
The minimum required lot frontage and lot width is 15m.
The proposed lot frontage and lot width is 7.62m.
10. **Section 13.2.2, By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 273.2m².
11. **Section 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30%.
The proposed lot coverage is 36.75%
12. **Section 12.2.3(b), By-law No. 7625**

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The proposed west side yard setback is 0.6m.

13. **Section 12.2.3(b), By-law No. 7625**
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The proposed east side yard setback is 1.0m.

14. **Section 6A(3), By-law No. 7625**
The minimum required parking space dimensions is 3.2m x 5.6m.
The proposed parking space dimensions is 2.9m x 6.1m.

COMMENTS

The subject property is located west of Yonge Street and north of Sheppard Avenue West. The applicant proposes to sever the subject property, with a frontage of 50 feet (15.24 metres) and lot area of 547.12 m² into two lots, each having a frontage of 25 feet (7.62 metres) and lot area of 273.56 m². The applicant further proposes to construct a two-storey detached dwelling on each of the proposed lots.

The 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;
- c) Heights, massing, scale and dwelling type of nearby residential properties.

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 City of Toronto Zoning By-law RD (f15.0; a550)(x5). Under these zoning designations, a minimum lot frontage and width of 15 metres and a lot area of 550 square metres is required. The objective of the Zoning By-law is to establish specific standards as to how land is developed. Requirements for minimum lot frontage and lot area are devised to achieve more consistent lot patterns and built form streetscapes.

Lot Study

Planning staff conducted analyses of the frontages, depths and areas of 390 lots in the area generally bounded by Burnett Avenue to the north, Harlandale Avenue to the south, Senlac Road

to the west, and Beecroft Road to the east. The properties within this study area are zoned R4 and R6 in North York Zoning By-law 7625.

The lot study indicates that 269 properties, or approximately 69% of lots, have frontages between 50 feet to 59.9 feet (15.2 metres to 18.3 metres), similar to the subject property. Only 8 lots, or approximately 2%, have frontages between 25 feet to 29.9 feet (7.62 metres to 9.1 metres), similar to the lots proposed in this application. The completed lot study is included as an attachment to this report.

Minor Variance Applications A1060/15NY and A1061/15NY

The applicant proposes to construct a new two-storey dwelling on each of the severed lots, facilitated by minor variance applications A1060/15NY and A1061/15NY. Each dwelling has a proposed lot coverage of 36.75%. Staff reviewed previous Committee of Adjustment decisions for properties located within the study area, and it was found that approvals for lot coverage variances were generally less than 35%. The proposed lot coverage variances of 36.75% are not in keeping with the character of the neighbourhood.

Recommendation

Planning staff are of the opinion that the subject lot in its current form maintains and reinforces the general physical character of the neighbourhood. The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated by the proposal. Approval of a severance on a lot this size could risk weakening the character of this neighbourhood. Planning staff therefore recommend that Applications B0064/15NY, A1060/15NY and A1061/15NY be refused.

Respectfully submitted,

CONTACT

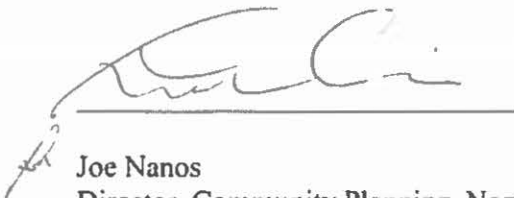
Carla Tsang, Assistant Planner

Tel: 416-395-7137

Fax: 416-395-7155

E-mail: ctsang@toronto.ca

SIGNATURE



A handwritten signature in black ink, appearing to read 'Joe Nanos', is written over a horizontal line. To the left of the line, there is a small handwritten mark that looks like 'H'.

Joe Nanos
Director, Community Planning, North York District

B0064/15NY, A1060/15NY & A1061/15NY – 171 BURNDALE AVENUE