



STAFF REPORT
Committee of Adjustment
Application

1, 1a-b

Date:	April 11, 2016
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Ward:	Ward 15 (Eglinton-Lawrence)
Reference:	File No: B0001/16NY; A0028/16NY; A0029/16NY Address: 720 MARLEE BOULEVARD Application to be heard: Wednesday, April 20, 2016

RECOMMENDATION

Planning recommends that the Committee of Adjustment **refuse** Applications B0001/16NY, A0028/16NY, and A0029/16NY.

APPLICATION

CONSENT APPLICATIONS

Application No. B0001/16NY

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

Retained - Part 1

Address to be assigned

The frontage is 7.62m and the lot area is 348.07m². The property will be redeveloped as the site of a new detached three-storey dwelling requiring variances to the applicable zoning By-law(s) as outlined in Application A0028/16NY.

Conveyed - Part 2

Address to be assigned

The frontage is 7.62m and the lot area is 348.07m². The property will be redeveloped as the site of a new detached three-storey dwelling requiring variances to the applicable zoning By-law(s) as outlined in Application A0029/16NY.

MINOR VARIANCE APPLICATIONS

Application No. A0028/16NY

To construct a new detached three-storey dwelling with an integral garage. The existing dwelling would be demolished. File Numbers B0001/16NY, A0028/16NY and A0029/16NY will be considered jointly.

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

1. **Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013**
The required minimum lot area is 550m².
The proposed lot area is 348.07m².
2. **Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013**
The required minimum lot frontage is 15m.
The proposed lot frontage is 7.62m.
3. **Chapter 10.20.40.10.(1), Zoning By-law No. 569-2013**
The permitted maximum height of a building is 10m.
The proposed height of the building is 10.28m.
4. **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.
The proposed height of the side exterior main walls facing a side lot line is 8.75m.
5. **Chapter 10.20.40.10.(3), Zoning By-law No. 569-2013**
The permitted maximum number of storeys is 2.
The proposed number of storeys is 3.
6. **Chapter 10.20.40.20(1), Zoning By-law No. 569-2013**
The permitted maximum building length for a detached house is 17.0m.
The proposed building length is 17.09m.
7. **Chapter 10.20.40.70.(4), Zoning By-law No. 569-2013**
The required minimum side yard setback is 1.8m.
The proposed north side yard setback is 1.2m.
8. **Chapter 10.20.40.70.(4), Zoning By-law No. 569-2013**
The required minimum side yard setback is 1.8m.
The proposed south side yard setback is 0.53m.
9. **Section 14.2.2, Zoning By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 348.07m².

10. **Section 14.2.1, Zoning By-law No. 7625**
The minimum required lot frontage is 15m.
The proposed lot frontage is 7.62m.
11. **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. **Section 14.2.3(b), Zoning By-law No. 7625**
The minimum required south side yard setback is 1.5m.
The proposed south side yard setback is 0.53m.
13. **Section 14.2.3(b), Zoning By-law No. 7625**
The minimum required north side yard setback is 1.5m.
The proposed north side yard setback is 1.2m.
14. **Section 14.2.5A, Zoning By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 17.06m.
15. **Section 14.2.6, Zoning By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.56m.
16. **Section 14.2.6, Zoning By-law No. 7625**
The maximum permitted number of storeys is 2.
The proposed number of storeys is 3.

Application No. A0029/16NY

To construct a new detached three-storey dwelling with an integral garage. The existing dwelling would be demolished. File Numbers B0001/16NY, A0028/16NY and A0029/16NY will be considered jointly.

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

1. **Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013**
The required minimum lot area is 550m².
The proposed lot area is 348.07m².
2. **Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013**
The required minimum lot frontage is 15m.
The proposed lot frontage is 7.62m.
3. **Chapter 10.20.40.10.(1), Zoning By-law No. 569-2013**
The permitted maximum height of a building is 10m.

The proposed height of the building is 10.28m.

4. **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.
The proposed height of the side exterior main walls facing a side lot line is 8.75m.
5. **Chapter 10.20.40.10.(3), Zoning By-law No. 569-2013**
The permitted maximum number of storeys is 2.
The proposed number of storeys is 3.
6. **Chapter 10.20.40.20(1), Zoning By-law No. 569-2013**
The permitted maximum building length for a detached house is 17.0m.
The proposed building length is 17.06m.
7. **Chapter 10.20.40.70.(4), Zoning By-law No. 569-2013**
The required minimum side yard setback is 1.8m.
The proposed north side yard setback is 0.53m.
8. **Chapter 10.20.40.70.(4), Zoning By-law No. 569-2013**
The required minimum side yard setback is 1.8m.
The proposed south side yard setback is 1.2m.
9. **Section 14.2.2, Zoning By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 348.07m².
10. **Section 14.2.1, Zoning By-law No. 7625**
The minimum required lot frontage is 15m.
The proposed lot frontage is 7.62m.
11. **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. **Section 14.2.3(b), Zoning By-law No. 7625**
The minimum required south side yard setback is 1.5m.
The proposed south side yard setback is 1.2m.
13. **Section 14.2.3(b), Zoning By-law No. 7625**
The minimum required north side yard setback is 1.5m.
The proposed north side yard setback is 0.53m.
14. **Section 14.2.5A, Zoning By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 18.97m.

15. **Section 14.2.6, Zoning By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.56m.
16. **Section 14.2.6, Zoning By-law No. 7625**
The maximum permitted number of storeys is 2.
The proposed number of storeys is 3.

COMMENTS

The subject property is located on the west side of Marlee Avenue, south of Lawrence Avenue West. The property is zoned *R5* under North York Zoning By-law No. 7625, and *RD (f15.0, a550)(x5)* in the City of Toronto Zoning By-law No. 569-2013.

The property is designated *Neighbourhoods* in the 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:

- b) size and configuration of lots.

Policy 4.1.8 further states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood. This includes in particular: Zoning By-laws, which contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, building setbacks from lot lines, and any other performance standards to ensure that new development will be compatible with the physical character of established residential *Neighbourhoods*.

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 *R5* under North York Zoning By-law No. 7625 and *RD(f15.0, a550)(x5)* under City of Toronto Zoning By-law No. 569-2013. Under these zoning categories, a minimum lot frontage and width of 15 metres and a lot area of 550 square metres are required. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. Minimum requirements for lot frontage and area are devised to achieve more uniform and consistent streetscapes and to maintain a standard pattern of development.

Staff conducted analyses of the frontages, depths and areas of lots found in the surrounding neighbourhood. Planning staff are concerned with the creation of two lots from an existing parcel and the impact on the character of the neighbourhood. This application is proposing to create two

undersized lots from one parcel with 15.24 metre frontage. The lot in its current form is consistent with the character of the area and complies with the requirements of the Zoning By-law. Approval of a consent involving the redevelopment of an individual lot into two undersized parcels could lead to other applications of similar scope and considerably weaken the established character of the neighbourhood.

It is the opinion of Planning staff that the subject lot in its current form maintains and reinforces the stability and character of the neighbourhood, and approval of a severance on a lot this size could risk weakening the established character of the neighbourhood. Therefore, staff recommend that the applications be refused in order to respect and reinforce the existing lot pattern and frontages in the neighbourhood.

CONTACT

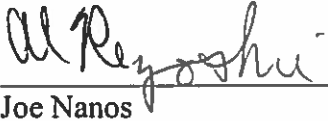
Sarah Ovens, Assistant Planner

Tel: 416 395-7129

Fax: 416-395-7155

E-mail: sovens@toronto.ca

SIGNATURE

for 

Joe Nanos

Director, Community Planning, North York District

B0001/16NY; A0028/16NY; A0029/16NY