

Date:	October 27, 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. A0712/16EYK Address: 34 Twenty Seventh Street Application to be heard: November 3, 2016

RECOMMENDATION

Planning Staff recommend that the minor variance application be deferred 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 deputations, Planning staff recommend that the minor variance application be refused.

APPLICATION

To construct a new detached dwelling with an attached garage.

1. **Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.(A)(9)**
 The maximum permitted floor space index is 0.35 times the area of the lot (145.4 m²).
 Section 10.20.40.40.(1)(A), By-law 569-2013
 The new dwelling will have a floor space index of 0.74 times the area of the lot (307.5 m²).
 Section 330-23.(A)(9)
 The new dwelling will have a floor space index of 0.77 times the area of the lot (322 m²).
2. **Section 10.20.40.70.(1), By-law 569-2013 and Section 330-23.(A)(6)**
 The minimum required front yard setback is 5.08 m.
 The new dwelling will be located 2.72 m from the front lot line.
3. **Section 10.20.40.70.(2)(A), By-law 569-2013**
 The minimum required rear yard setback is 7.5 m.
 The new dwelling will be located 2.34 m from the rear lot line, measured to the porch.
4. **Section 330-13.(B)(1)**

Where the lot is triangular in shape, no portion of the main building shall be located less than 7.5 m from the rear angle of the lot, and the rear yard shall have a minimum of 93 square metres for any lot upon which is erected a one-family detached dwelling. The new dwelling (measured to the rear porch) will be located 2.34 m from the rear angle of the lot and the rear yard area is 5.14 m².

5. Section 10.20.40.10.(4)(A), By-law 569-2013

The maximum permitted dwelling height is 7.2 m.

Section 330-23.(A)(10)(a)

The maximum permitted dwelling height is 9.5 m.

Section 10.20.40.10.(4)(A), By-law 569-2013 and Section 330-23.(A)(10)(a)

The new dwelling will have a height of 9.89 m.

6. Section 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of each platform at or above the second storey is 4 m².

The proposed third storey platform will have an area of 30.9 m².

7. Section 10.5.60.10.(1), By-law 569-2013

An ancillary building or structure may not be located in a front yard.

Section 330-13.(K)

No accessory use shall take place, nor shall accessory structure or buildings be constructed, in a required front yard, and in any event not closer than 7.5 m from the front lot line.

Section 10.5.60.10.(1), By-law 569-2013 and Section 330-13.(K)

The proposed ancillary building or structure (pool) will be located in the front yard and will be located 1.2 m from the front lot line.

8. Section 10.5.60.20.(9)(A)(ii), By-law 569-2013

The minimum required side yard setback for a swimming pool or other ancillary structure is 2.7 m.

Section 330-15.(M)

The minimum required side yard setback for a swimming pool is 1.5 m.

Section 10.5.60.20.(9)(A)(ii), By-law 569-2013 and Section 330-15.(M)

The proposed swimming pool will be located 1.36 m from the west side lot line.

9. Section 330-9.(A)(4)

A minimum of 6 m to be provided in front of a parking space.

A total of 4.5 m will be provided in front of the parking space.

COMMENTS

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.

Planning staff have reviewed the proposal and believe that the variances, particularly for floor space index, setbacks, and building height do not satisfy the purpose and intent of the Zoning By-law. Such increases would create a development with massing that is not in character with the neighbourhood, and would have negative impacts on neighbouring properties.

Staff recommend that the minor variance application be deferred 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 deputations, Planning staff recommend that the minor variance application be refused.

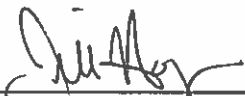
CONTACT

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