



STAFF REPORT
Committee of Adjustment
Application

20

Date:	January 3, 2017
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Ward:	Ward 23 - Willowdale
Reference:	File No: A0953/16NY Address: 248 BYNG AVENUE Application to be heard: Thursday, January 12, 2017 at 11:00 am.

RECOMMENDATION

Should the Committee choose to approve this application, planning staff recommend that the following variances be modified to be more in keeping with the intent of the Zoning By-laws:

1. Variances Nos. 3 and 6 with respect to the East Side Yard Setback.

Further, should the Committee choose to approve this application, planning staff recommend that the following condition be attached:

1. The proposal be developed in accordance with the Side Elevation (west) drawing submitted to the Committee of Adjustment, date stamped received by the City of Toronto Planning Division, January 3, 2017; and
2. The proposed driveway be constructed of permeable pavers.

APPLICATION

To construct a new detached two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

1. **Chapter 10.5.40.10(5), Zoning By-law No. 569-2013**

A minimum of 10m² of the first floor must be within 4m of the main front wall.
A proposed 6.45m² of the first floor is within 4m of the main front wall.

2. **Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013**
B)(i) The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the west side exterior main walls facing a side lot line is 7.9m.
3. **Chapter 10.20.40.70.(3), Zoning By-law No. 569-2013**
C) The required minimum side yard setback is 1.2m where the required minimum lot frontage is 12.0m to less than 15.0m.
The proposed east side yard setback is 0.61m.
4. **Section 14-A(4), Zoning By-law No. 7625**
The minimum required lot frontage is 12m.
The (existing) proposed lot frontage is 10.34m.
5. **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.
6. **Section 14-A(5)c, Zoning By-law No. 7625**
The minimum required east side yard setback is 1.2m.
The proposed east side yard setback is 0.61m.
7. **Section 14-A(8), Zoning By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.2m.
8. **Section 14-A(9), Zoning By-law No. 7625**
The maximum permitted building length is 15.3m.
The proposed building length is 16.99m.
9. **Section 6(30)a, Zoning By-law No. 7625**
The maximum finished first floor height is 1.5m.
The proposed finished first floor height is 1.59m.
10. **Section 7.4A, Zoning By-law No. 7625**
The minimum required landscaping is 50 % of the front yard: 38.49m².
The proposed landscaping is 46.19 % of the front yard: 35.56m².

COMMENTS

The subject property is located on the north side of Byng Avenue, east of Willowdale Avenue and south of Finch Avenue East. The property is zoned *R6* in the former North York Staff Report Committee of Adjustment Application

Zoning By-law No. 7625 and zoned *RD (f12.0;a370)* in the new City of Toronto Zoning By-law No. 569-2013. The proposal is for the construction of a new two-storey detached dwelling with an integral garage.

Further, the applicant is requesting a variance to permit an east side yard setback of 0.61 metres as measured under both Zoning By-law Nos. 7625 and 569-2013, whereas a maximum of 1.2 metres is permitted. Side yard setback provisions both maintain and provide an adequate separation distance from adjacent dwellings. They also ensure a stable built form is being maintained with respect to the neighbourhood context. Planning staff is of the opinion that the proposed east side yard setback should be modified to be in more keeping with the intent of the Zoning By-laws.

The applicant is requesting an increased exterior main wall height of 7.9 metres as measured under Zoning By-law No. 569-2013, whereas a maximum side exterior main wall height of 7.5 metres is permitted. The increased exterior main wall height is due to the design of the roof line to accommodate two windows on the west side.

The applicant is requesting a relief from Zoning By-law No. 7625 by reducing the required soft landscaping from 50% to 46.19%. The soft landscaping provisions are secure, in part, to ensure proper stormwater management on the property. It is staff recommendation that the proposed driveway be constructed of permeable pavers to ensure that rainwater and snowmelt are properly managed on site.

Should the Committee choose to approve the following application, planning staff recommend the proposal be made subject to the conditions outlined in the *Recommendation* section of this report.

CONTACT

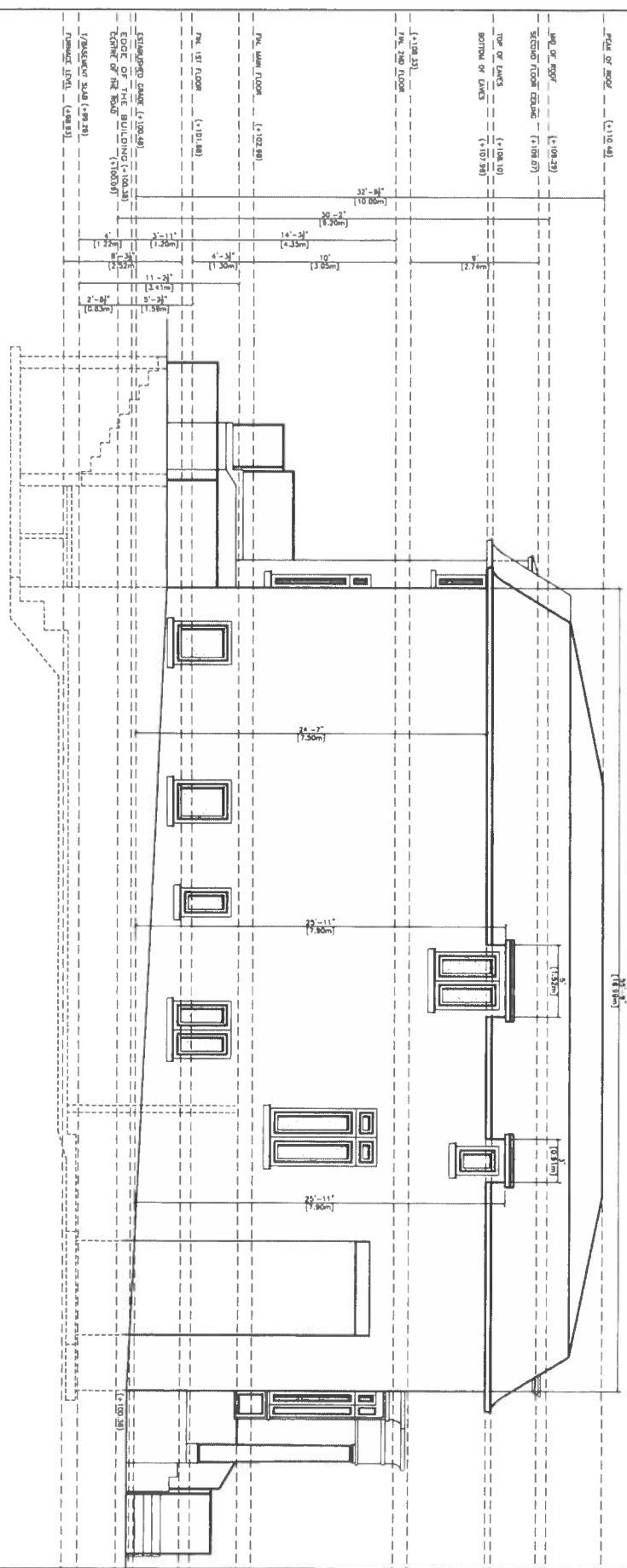
Pegah Tootoonchian, Assistant Planner
Tel: 416-395-7044
E-mail: pegah.tootoonchian@toronto.ca

SIGNATURE



Per: Joe Nanos
Director, Community Planning, North York District

A0953/16NY- 248 BYNG AVENUE



RECEIVED
 JAN 0 2018
 Toronto City Planning
 North York District

NO.	DATE	DESCRIPTION
1	2018.08.17	FOR SUBMISSION

PMP Design Group
 Exclusive Residential Design

Drawing Title
SIDE ELEVATION (WEST)

PROJECT Title:
 248 BYNG AVENUE,
 TORONTO
 ONTARIO

Scale: 1/8"=1'-0"
 Drawn by: S.N.
 Checked by: M.H.
 Project No.: 532
 Date: 2018, AUGUST, 17

A8

Mailed on/before: Monday, January 2, 2017

PUBLIC HEARING NOTICE
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

MEETING DATE AND TIME: Thursday, January 12, 2017 at 11:00 a.m.

LOCATION: Council Chamber, North York Civic Centre, 5100 Yonge St., M2N 5V7

File Number:	A0953/16NY	Zoning:	R6/RD (f12.0; a370)(ZR)
Owner(s):	SOHEIL AKHAVAN BING HIM LO	Ward:	Willowdale (23)
Agent:	PMP DESIGN GROUP	Heritage:	Not Applicable
Property Address:	248 BYNG AVE	Community:	North York
Legal Description:	PLAN 2399 PT LOT 141		

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

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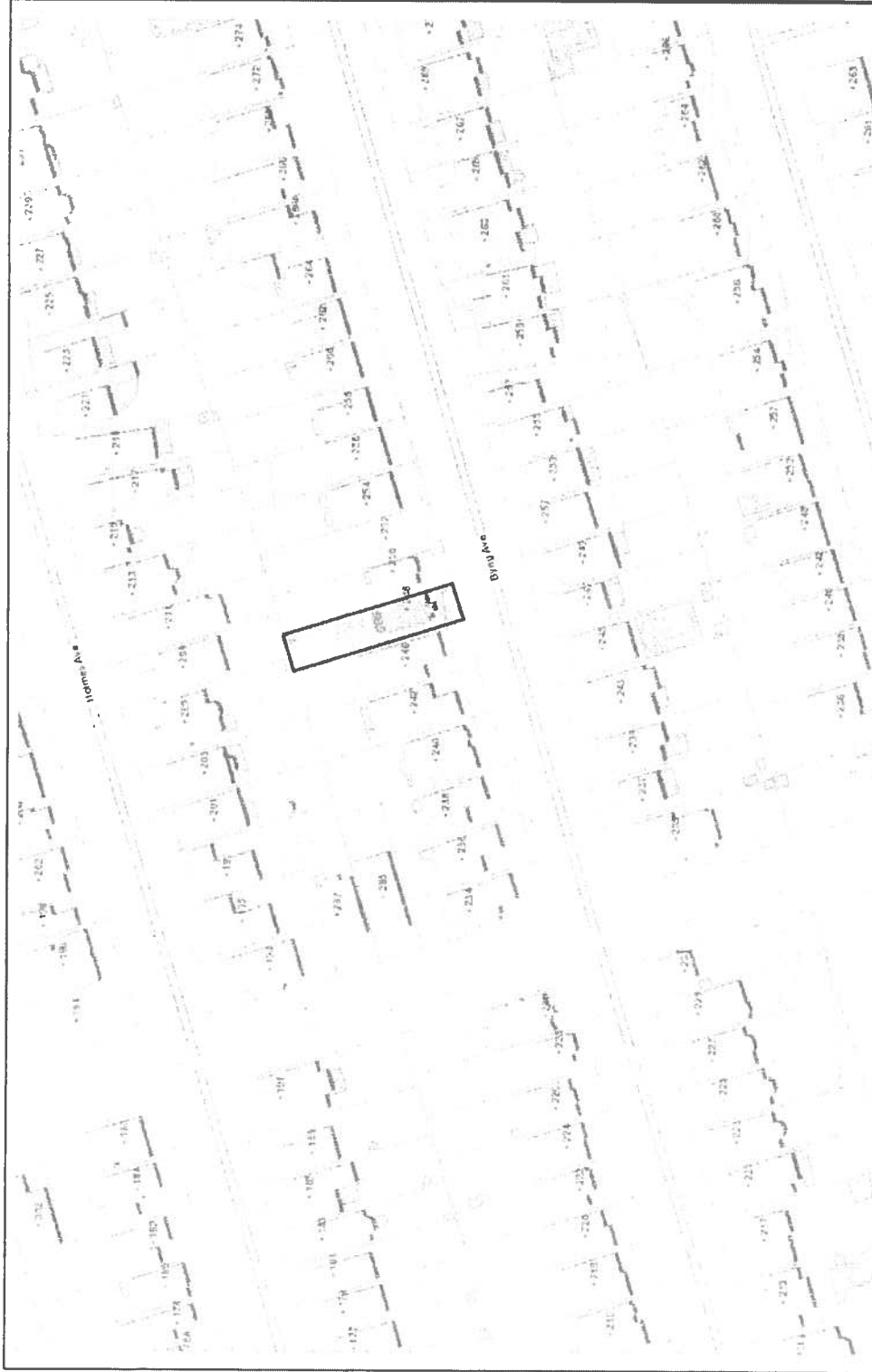
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248 BYNG AVE

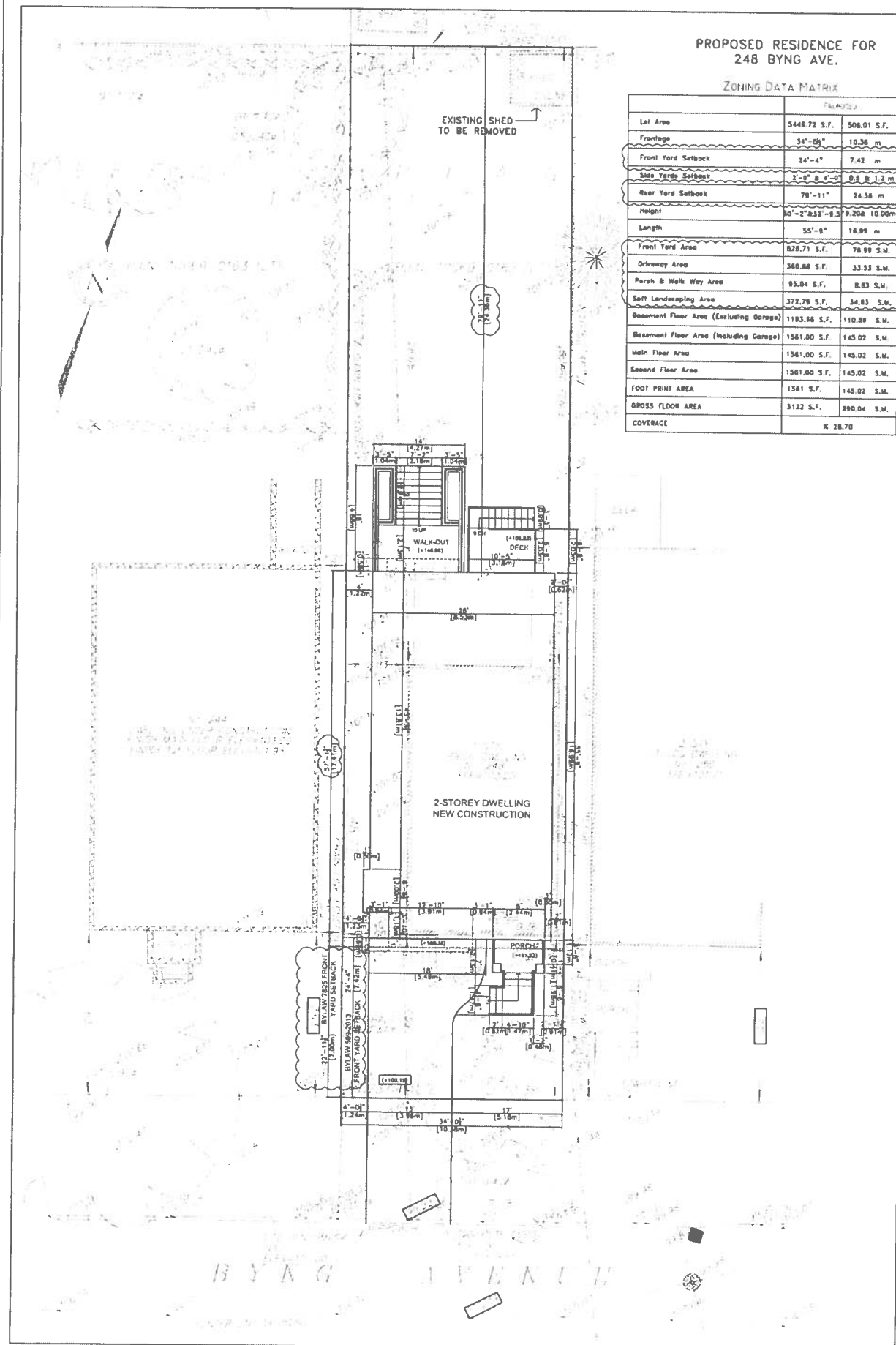
A0953/16NY



PROPOSED RESIDENCE FOR
248 BYNG AVE.

ZONING DATA MATRIX

	Feet/Meters	
Lot Area	5446.72 S.F.	506.01 S.F.
Frontage	34'-09"	10.38 m
Front Yard Setback	24'-4"	7.42 m
Side Yard Setback	2'-0" @ 4'-0"	0.8 @ 1.2 m
Rear Yard Setback	78'-11"	24.36 m
Height	30'-2" @ 32'-6.5"	9.20 @ 10.00m
Length	55'-9"	18.99 m
Front Yard Area	820.71 S.F.	76.89 S.M.
Driveway Area	340.88 S.F.	33.53 S.M.
Porch & Walk Way Area	85.04 S.F.	8.83 S.M.
Soft Landscaping Area	372.78 S.F.	34.83 S.M.
Basement Floor Area (Excluding Garage)	1183.66 S.F.	110.89 S.M.
Basement Floor Area (Including Garage)	1561.00 S.F.	143.02 S.M.
Main Floor Area	1561.00 S.F.	143.02 S.M.
Second Floor Area	1561.00 S.F.	143.02 S.M.
FOOT PRINT AREA	1561 S.F.	143.02 S.M.
GROSS FLOOR AREA	3122 S.F.	289.04 S.M.
COVERAGE	X 28.70	



7	TO ZONING & COA	28.10.2016
1	TO ZONING	17.08.2016
NC	SUBMISSION	CO MM YMY

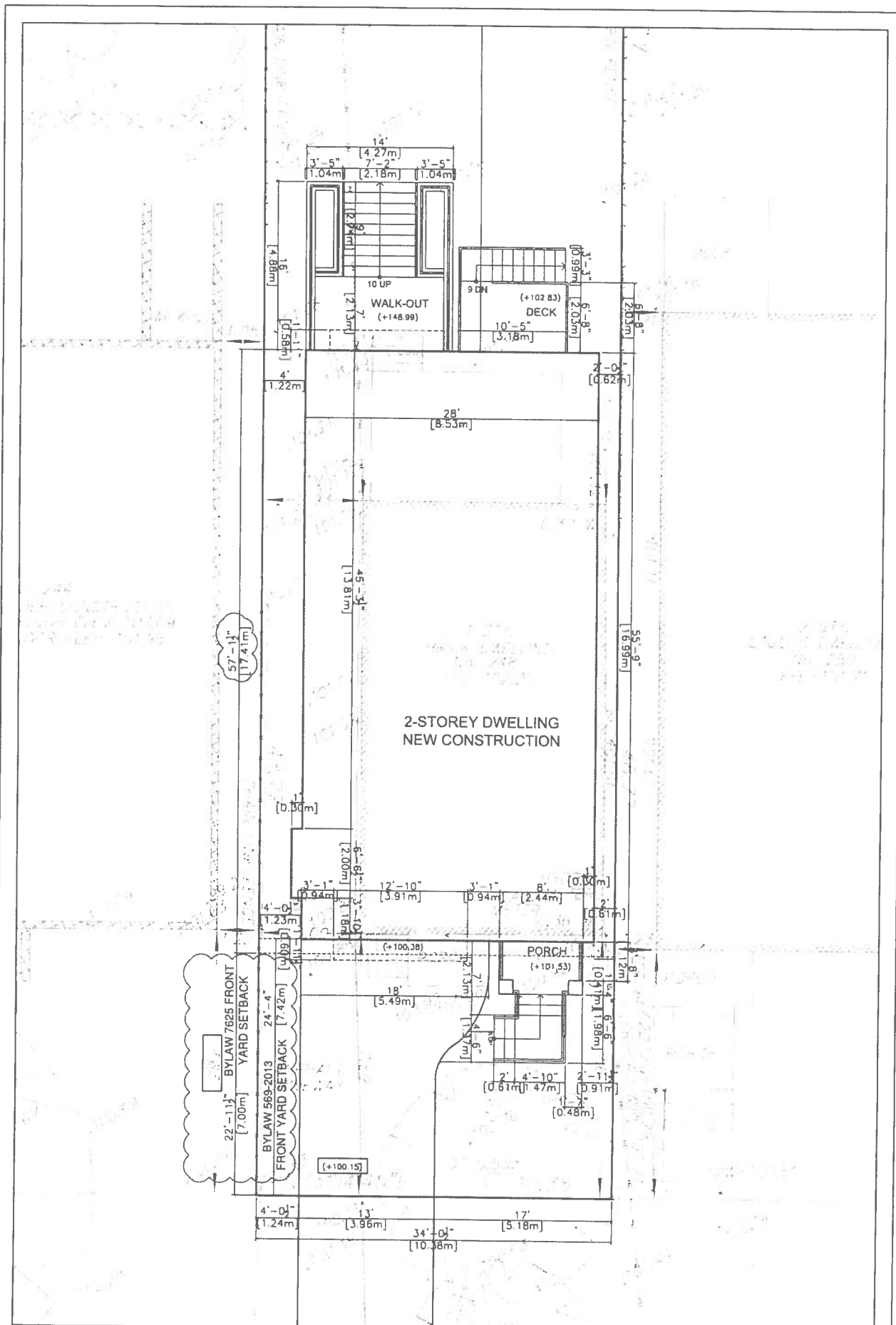
PMP Design Group
Exclusive Residential Design

Drawing Title
COVER

PROJECT Title
248 BYNG AVENUE,
TORONTO
ONTARIO

Scale: N.T.S.
Drawn by: S.N.
Checked by: M.H.
Project No.: 532
Date: 2016, AUGUST 17

A0



7	TO ZONING & CGA	26.10.2011
1	TO ZONING	17.06.2011
NO	SUBMISSION	00 MM YYYY

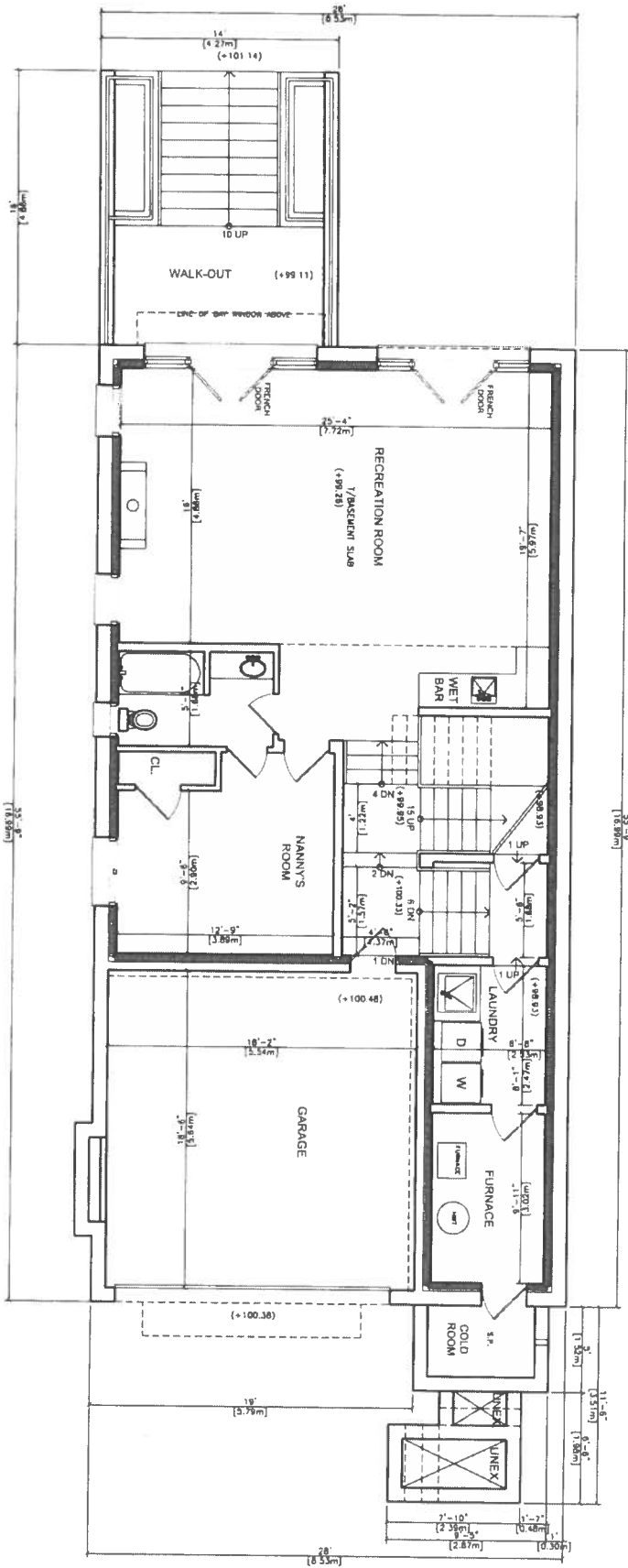
PMP Design Group
Exclusive Residential Design

Drawing Title
SITE PLAN

PROJECT Title
 248 BYNG AVENUE,
 TORONTO
 ONTARIO

Scale: 1/8"=1'-0"
 Drawn by: S.N.
 Checked by: M.H.
 Project No.: 532
 Date: 2016, AUGUST 17

A1



NO.	DATE	DESCRIPTION
1.	25.04.2016	FOR SUBMISSION

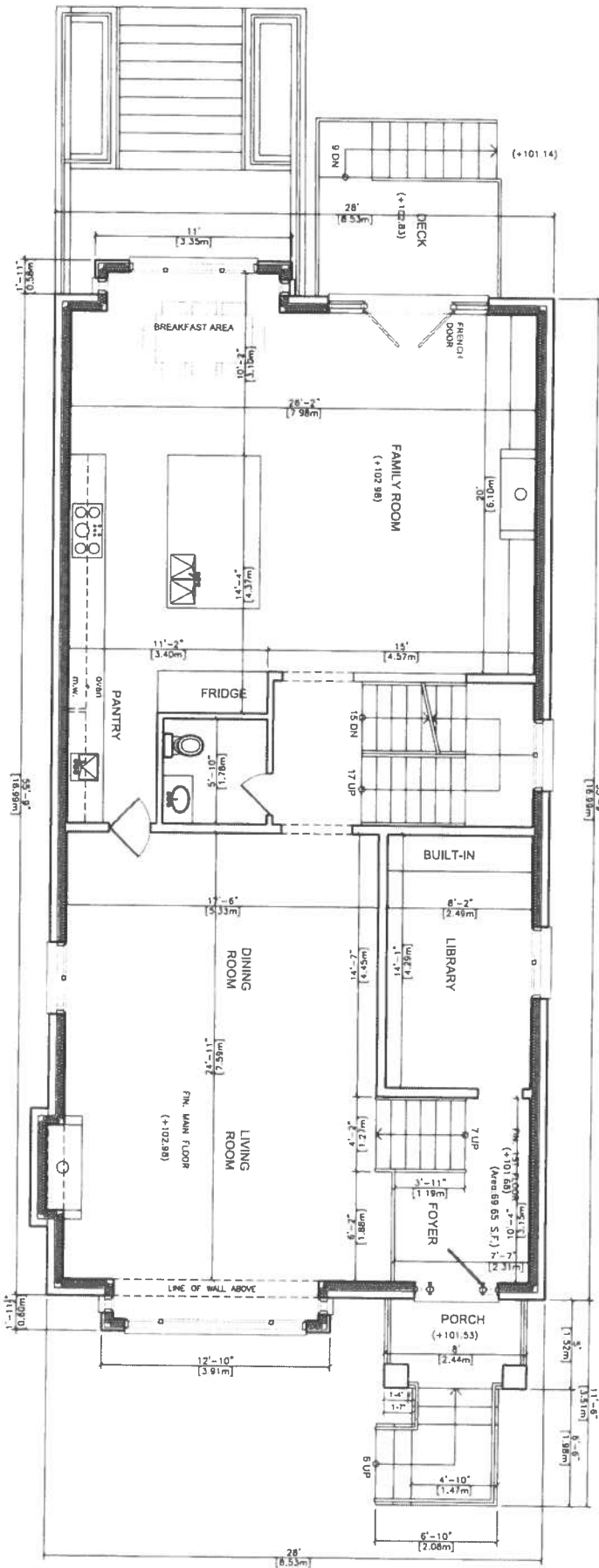


Drawing Title
BASEMENT PLAN

PROJECT Title
 248 BYNG AVENUE,
 TORONTO
 ONTARIO

Scale:	1/16" = 1'-0"
Drawn by:	S.H.
Checked by:	M.H.
Project No.:	532
Date:	2016, AUGUST 17

A2



NO.	DESCRIPTION	DATE
1	COULD ZONING	25.08.2016
NO.	SUBMISSION	00 MM YYYY

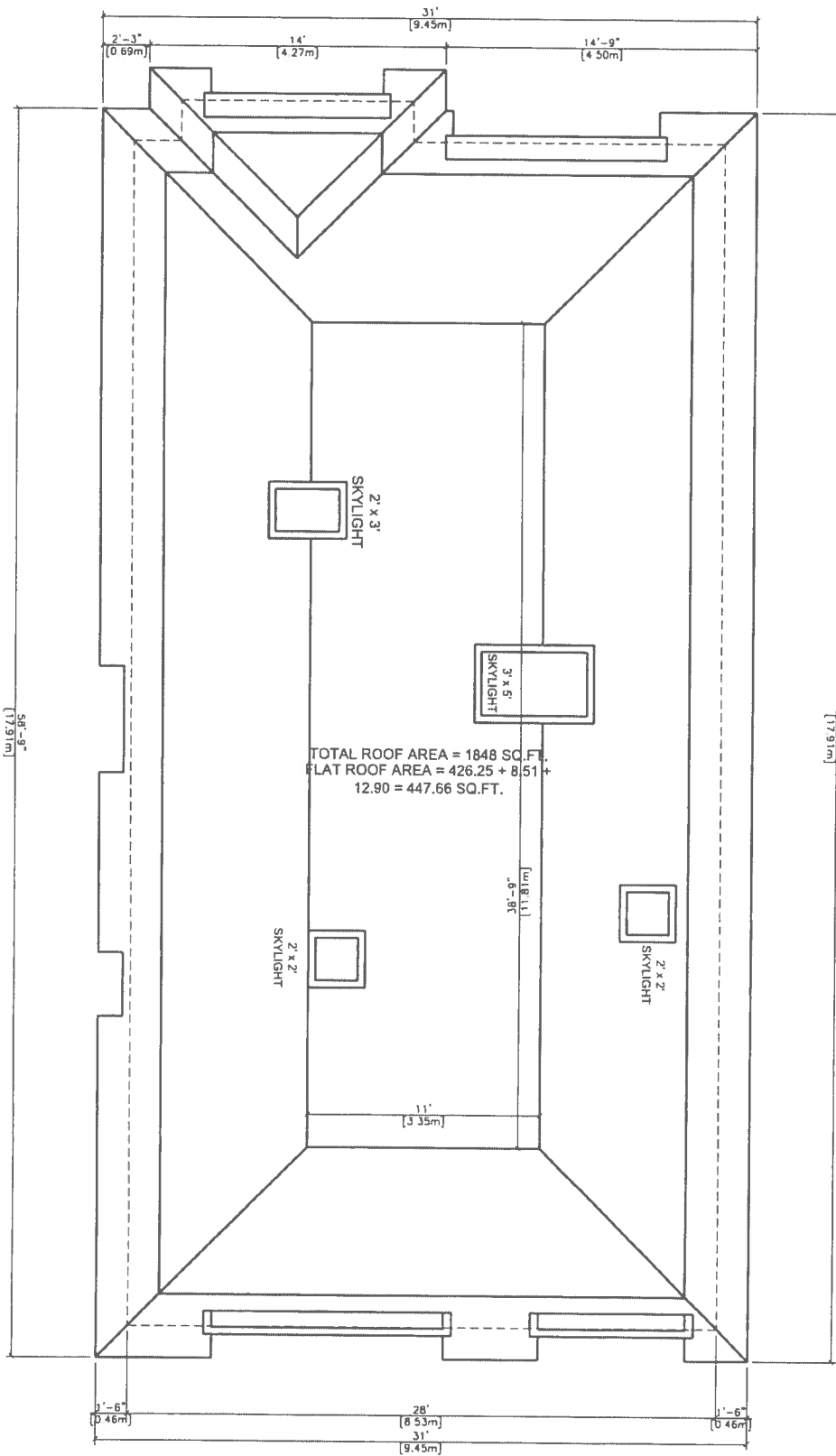
PMP Design Group
Exclusive Residential Design

Drawing Title
MAIN FLOOR PLAN

PROJECT Title
248 BYNG AVENUE
TORONTO
ONTARIO

Scale: 3/16" = 1'-0"
Drawn by: S.N.
Checked by: M.H.
Project No.: 532
Date: 2016, AUGUST 17

A3



NO.	DATE	DESCRIPTION
1	2016.08.17	FOR PERMITTING
2	2016.08.17	FOR SUBMISSION

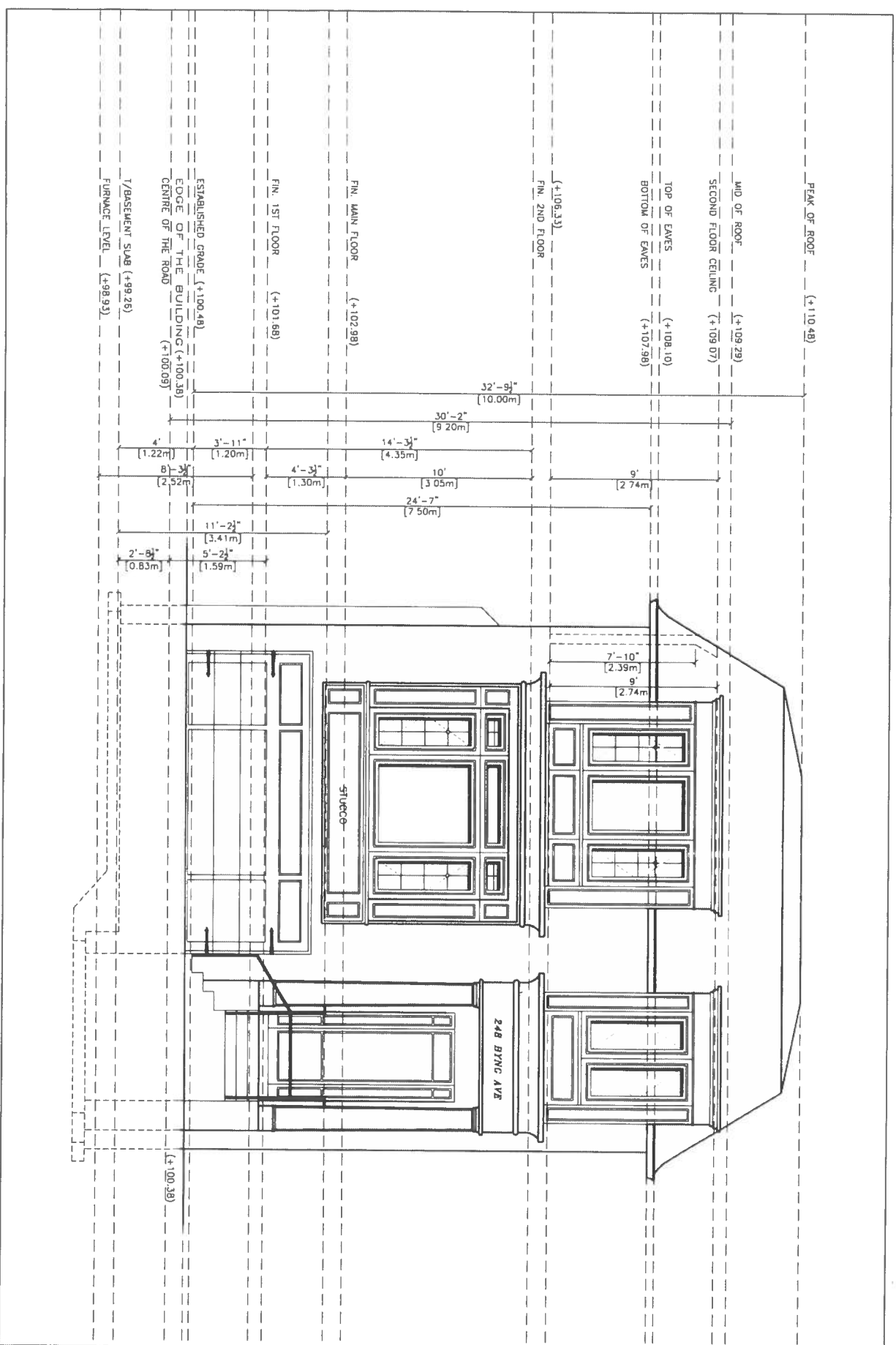
PMP Design Group
 Exclusive Residential Design

Drawing Title
ROOF PLAN

PROJECT Title:
 248 BYNG AVENUE,
 TORONTO
 ONTARIO

Scale: 3/16"=1'-0"
 Drawn by: S.N.
 Checked by: M.H.
 Project No.: 532
 Date: 2016 AUGUST, 17

A5



NO	DESCRIPTION	DATE
1	CS&E ZIPPING	25.08.2016
NO	SUBMISSION	DC MM YYYY

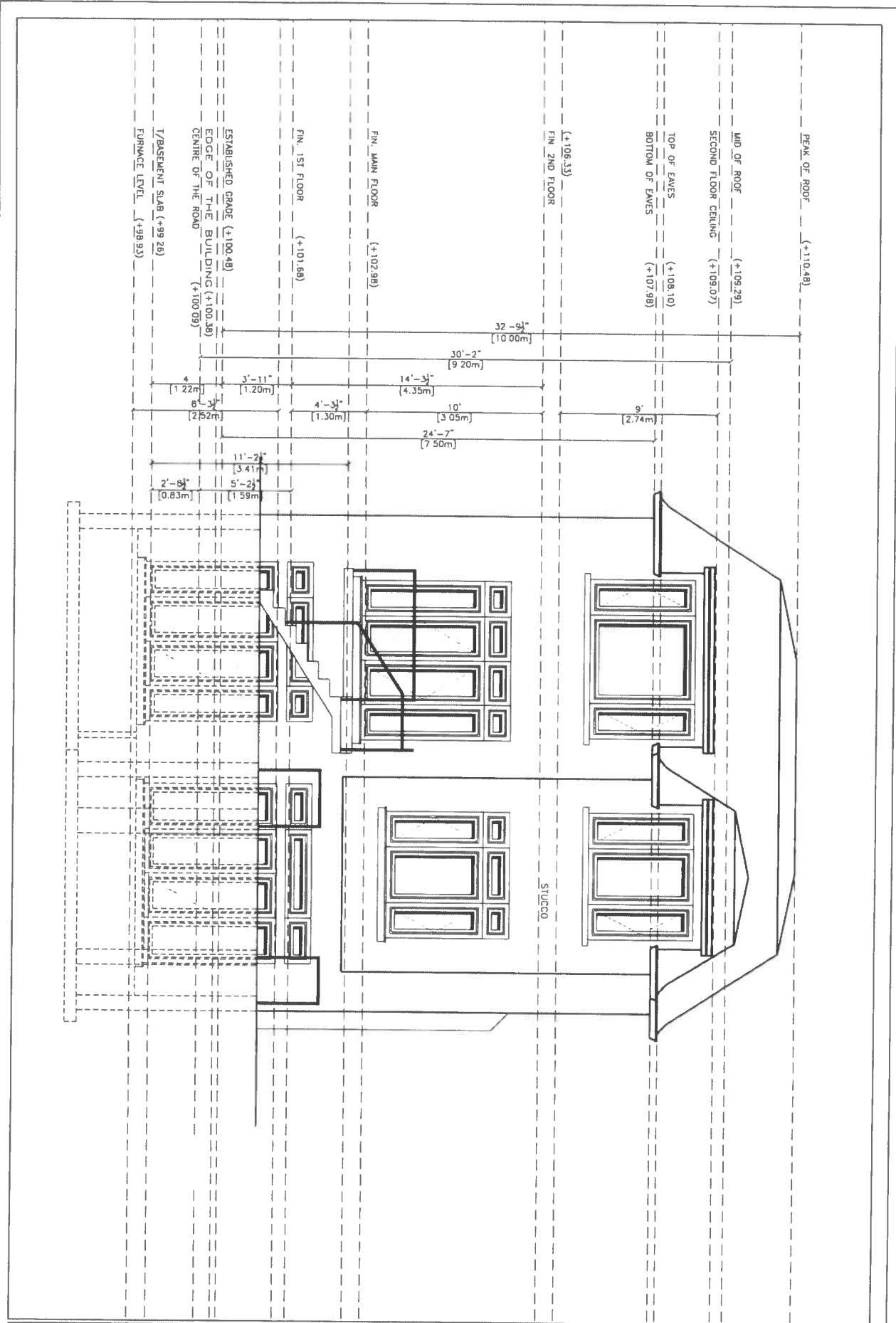
PMP Design Group
Exclusive Residential Design

Drawing Title
FRONT ELEVATION (SOUTH)

PROJECT Title
248 BYNG AVENUE,
TORONTO
ONTARIO

Scale: 3/4"=1'-0"
Drawn by: SW
Checked by: M.H.
Project No.: 537
Date: 2016 AUGUST 17

A6



NO.	DATE	DESCRIPTION
1	25.08.2016	CD & L. ZHANG
2	02.09.2016	NO. SUBMISSION

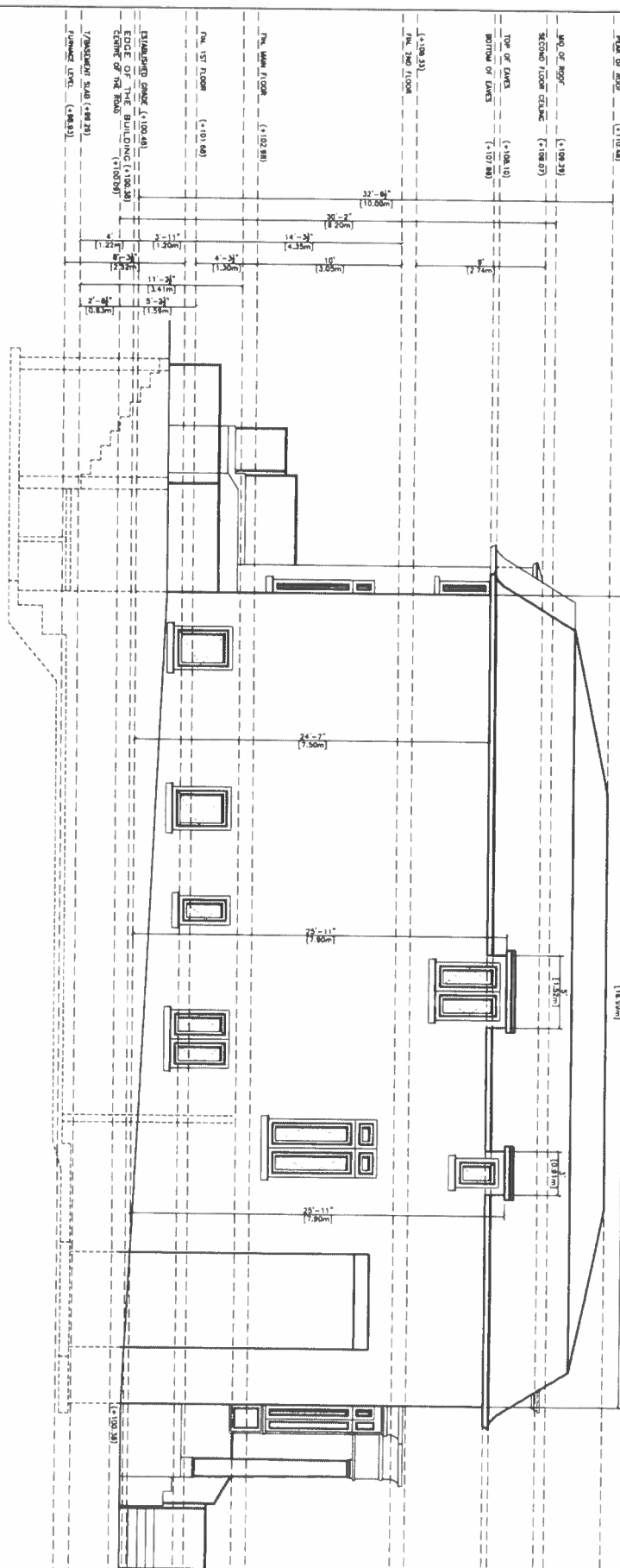
PMP Design Group
Exclusive Residential Design

Drawing Title
REAR ELEVATION (NORTH)

PROJECT Title
248 BYNG AVENUE,
TORONTO
ONTARIO

Scale:	3/8" = 1'-0"
Drawn by:	S.H.
Checked by:	M.H.
Project No.:	532
Date:	2016 AUGUST 17

A7



NO.	DESCRIPTION	DATE
1	CONSTRUCTION	25.08.2016
2	SUBMISSION	20.08.2016

PMP Design Group
Exclusive Residential Design

Drawing Title
SIDE ELEVATION (WEST)

PROJECT Title
248 BYNG AVENUE,
TORONTO
ONTARIO

Scale:	1/8"=1'-0"
Drawn by:	S.N.
Checked by:	M.H.
Project No.:	532
Date:	2016 AUGUST 17

A8

