



STAFF REPORT
Committee of Adjustment
Application

37

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: A0976/16NY Address: 28 MOORE PARK AVE Application to be heard: Thursday, January 12, 2017 at 3:30 p.m.

RECOMMENDATION

Planning staff recommend that Application No. A0976/16NY be **refused**.

APPLICATION

To legalize and to maintain the existing three-storey dwelling.

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

- 1. Chapter 10.20.40.10.(3), By-law No. 569-2013**
The maximum permitted number of storeys is 2.
The proposed number of storeys is 3.
- 2. Section 13.2.6, 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 north side of Moore Park Avenue, west of Yonge Street and is designated *Neighbourhoods* in the City of Toronto Official Plan. The Official Plan acknowledges that *Neighbourhoods*, while stable, will be subject to physical change. A key *Neighbourhoods* 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 Official Plan outlines the development policies for *Neighbourhoods*. The development criteria states

that, *physical changes to our established Neighbourhoods must be sensitive, gradual, and generally "fit" the existing physical character of the neighbourhood.*

Policy 4.1.5 affirms that, *development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:*

c) Heights, massing, scale and dwelling type of nearby residential properties

The Plan sets out 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.

The subject property is zoned *R4* under former City of North York Zoning By-law No. 7625 and zoned *RD (f15.0;a550)(x5)* in the new City of Toronto Zoning By-law No. 569-2013. Zoning by-law provisions enforce appropriate development standards, and ensure development is compatible with the surrounding context. The applicant proposes to legalize and maintain the existing three-storey dwelling.

Planning staff have concerns with Variance Nos. 1 and 2 for the proposed number of storeys. The applicant is proposing to legalize and maintain the existing three-storey dwelling, whereas both Zoning By-law Nos. 7625 and 569-2013 permit a maximum of two-storeys. Moore Park Avenue is a street characterized by one and two-storey dwellings. The proposed number of storeys is not in keeping with the intent of the Official Plan and Zoning By-laws and does not respect and reinforce the existing physical character of the neighbourhood.

Staff are of the opinion that the variances, as currently proposed, are contrary to the intent of the Official Plan and Zoning By-laws. As such, Planning staff recommend that Application No. A0976/16NY be **refused**.

CONTACT

Victoria Fusz, Assistant Planner
Tel: 416-395-7172
Fax: 416-395-7155
E-mail: victoria.fusz@toronto.ca

SIGNATURE


pr
Joe Nanos

Director, Community Planning, North York District

A0976/16NY- 28 MOORE PARK AVE

Staff Report Committee of Adjustment Application



City Planning Division

City Planning

North York Civic Centre
5100 Yonge Street
North York, Ontario
Canada, M2N 5V7
Tel.: (416) 395-7000
Fax: (416) 395-7200

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 3:30 p.m.

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

File Number:	A0976/16NY	Zoning	R4/RD(f15;a550)(x5)[ZONING]
Owner(s):	THI MINH TAM NGUYEN	Ward:	Willowdale (23)
Agent:	EDDIE PARES	Heritage:	Not Applicable
Property Address:	28 MOORE PARK AVE	Community:	North York
Legal Description:	PLAN 3788 LOT 4		

PURPOSE OF THE APPLICATION:

To legalize and to maintain the existing three-storey dwelling.

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

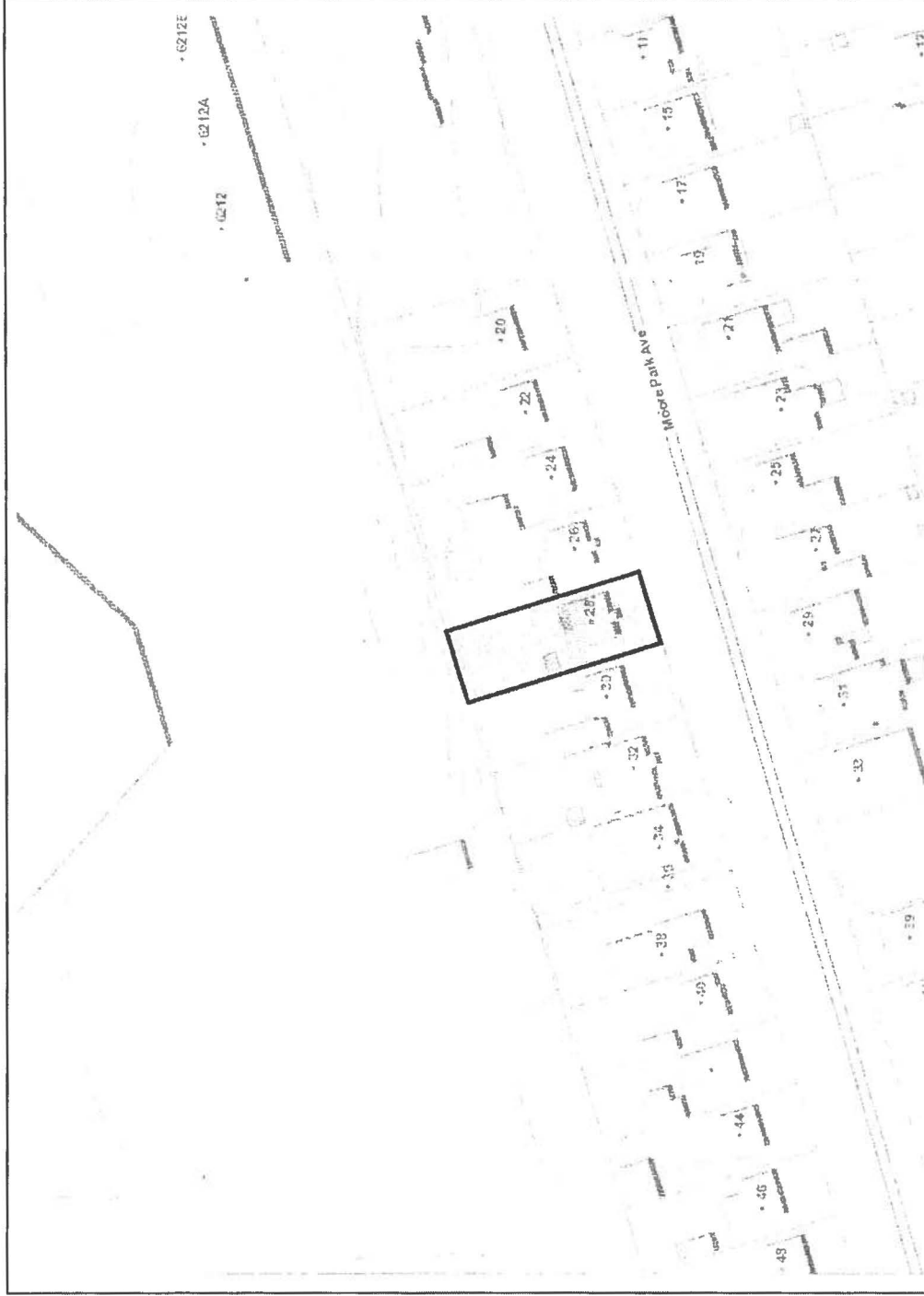
- Chapter 10.20.40.10.(3), By-law No. 569-2013**
The maximum permitted number of storeys is 2.
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- Section 13.2.6, By-law No. 7625**
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The proposed number of storeys is 3.

:sh

28 MOORE PARK AVE.

A0976/16NY

City of Toronto



NOTE
 1) THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED JULY 10TH, 2015
 2) THIS PLAN AND REPORT WERE PREPARED FOR 1/2 GENERAL CONSTRUCTION AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1936129

THIS PLAN IS NOT VALID UNLESS IT IS AN UNDOUBTED ORIGINAL COPY ISSUED BY THE SURVEYOR
 In accordance with Regulation 1029, Section 29(3)

PART OF LOT 25, CONCESSION 1, WEST OF YONGE STREET

PART 4, PLAN 66R - 1841
 P.L.N. 2039-0234
 (N 72° 42' 30" E 0.00m)
 (S 72° 42' 30" E 0.00m)

SURVEYOR'S REAL PROPERTY REPORT
 AND TOPOGRAPHY PLAN OF
LOT 4
REGISTERED PLAN 3788
 CITY OF TORONTO
 (FORMERLY CITY OF NORTH YORK)
 SCALE = 1 : 150

METRIC
 DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

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 NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION FROM LAND SURVEY GROUP INC., ONTARIO LAND SURVEYORS.

BEARING NOTE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF MOORE PARK AVENUE HAVING A BEARING OF N 72° 52' 40" E AS SHOWN ON PLAN BA-1917.

ELEVATION NOTE
 ELEVATIONS SHOWN HEREON ARE GEODETIC AND IN METRES AND ARE RELATED TO CITY OF TORONTO BENCH MARK N° N43060 HAVING A PUBLISHED ELEVATION OF 192.080 METRES.

LOT 1

LOT 2

LOT 3
 REGISTERED
 P.L.N. 2039-0236

LOT 4
 PLAN
 P.L.N. 2039-0234.7

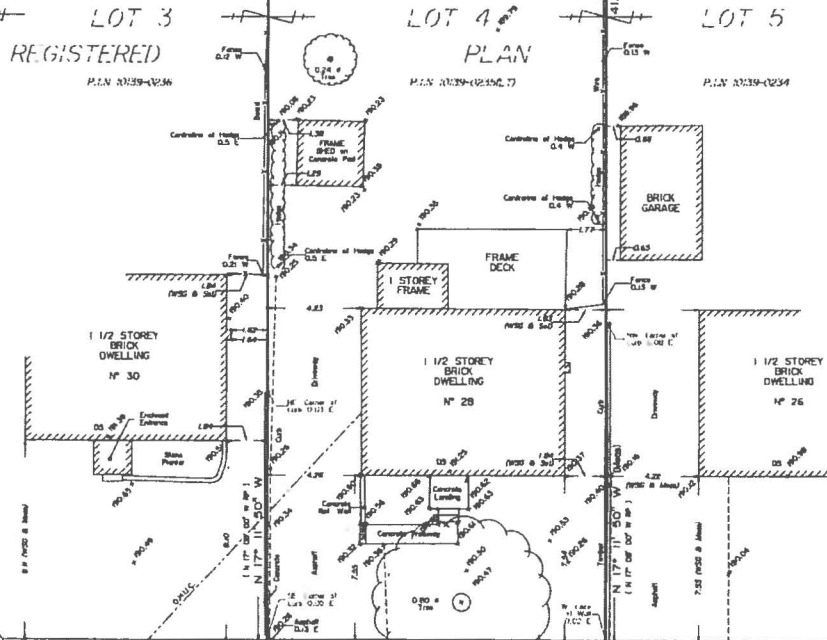
LOT 5
 P.L.N. 2039-0234

3788

LOT 6

LOT 7
 LOT 8

LARIVIERE ROAD (L. 05371)



MOORE PARK AVENUE
 (by Registered Plan 3788)
 P.L.N. 2039-0268

LEGEND

□	DENOTES	MONUMENT PLANTED
■	MONUMENT FOUND	
WIT	WITNESS	
CC	CUT CROSS	
IB	IRON BAR	
SIB	STANDARD IRON BAR	
RP	REGISTERED PLAN 3788	
BA	PLAN BA-1917	
PI	PLAN 66R-1841	
MM	MARSHALL, MACLURE & MONAGHAN, O.L.S.	
WSG	PLAN OF SURVEY BY W. S. GIBSON & SONS, O.L.S., DATED MAY 3RD, 1950	
P.I.N.	PROPERTY IDENTIFIER NUMBER	
O.H.U.C.	OVERHEAD UTILITY CABLES	
PH	FIRE HYDRANT	
UB	UTILITY BOX	
WV	WATER VALVE	
TC/BC	TOP/BOTTOM OF CURB	
TW	TOP OF WALL	
DS	DOOR SILL ELEVATION	
Ø	DIAMETER	

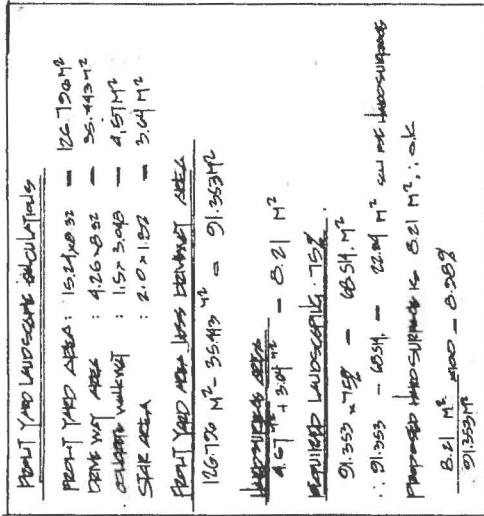
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON JUNE 18TH, 2015.

DATE: July 10th, 2015
 DAVID J. HAWLEY
 Ontario Land Surveyor

LSG LAND SURVEY GROUP
 ONTARIO LAND SURVEYORS

77 THE QUEENSWAY, UNIT 1, TORONTO, ONTARIO, M4Z 1N4
 Tel: 416-252-2511 416-467-8023 Fax: 416-252-1501 www.landsurveygroup.com
 DRAWN BY: R. M. RILLERA CHECKED BY: MM PLAN N°: L50 3105



Chlorinated hydrocarbons

1. all persistent organic pollutants are chlorinated hydrocarbons
2. all have high water bioaccumulation
small fish eat up plankton
strong poisons

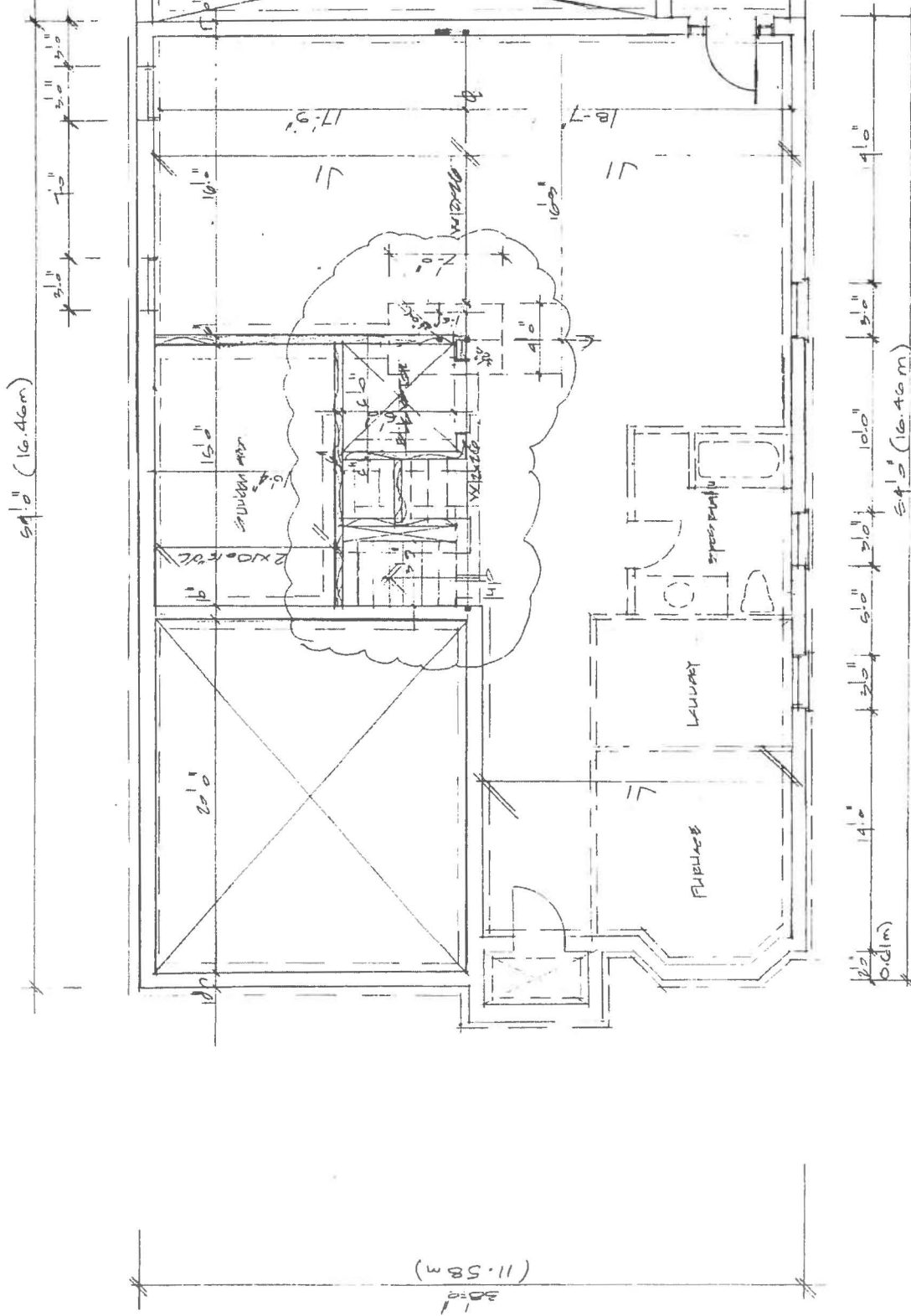
OBC Div C 1.2.1.2(f) and 1.2.1.4)
Where the foundations of a building are to be constructed below the level of the footing of an adjacent building and within the angle of repose of the soil, as drawn from the bottom of the footing, the foundations shall be designed by a professional engineer, and the construction of the foundations shall be reviewed by a professional engineer.

Chapman

coming media in which we'll be able to
 do a lot of things that we can't do
 today. We'll be able to do a lot of things
 that we can't do today. We'll be able to
 do a lot of things that we can't do today.

[illegible][illegible]

MOORE PARK AVE.
CLARK ST. CHICAGO



20.9.2018
 1. The subject of the study is the role of the state in the development of the economy of the Republic of Kazakhstan.

2011-11-11

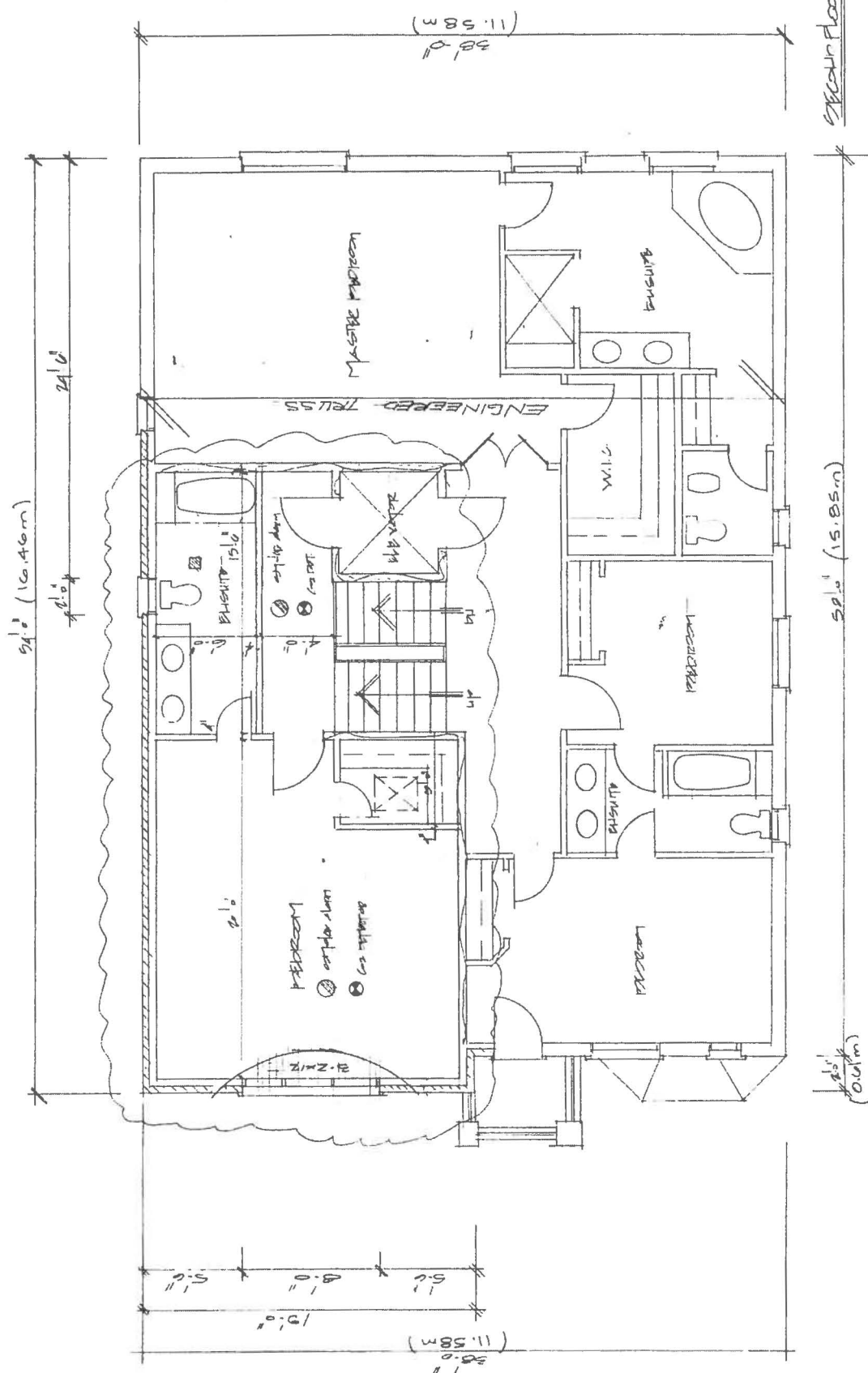
08/07/2019
JHATZ
#5-22-5
C622-51
APR 2019

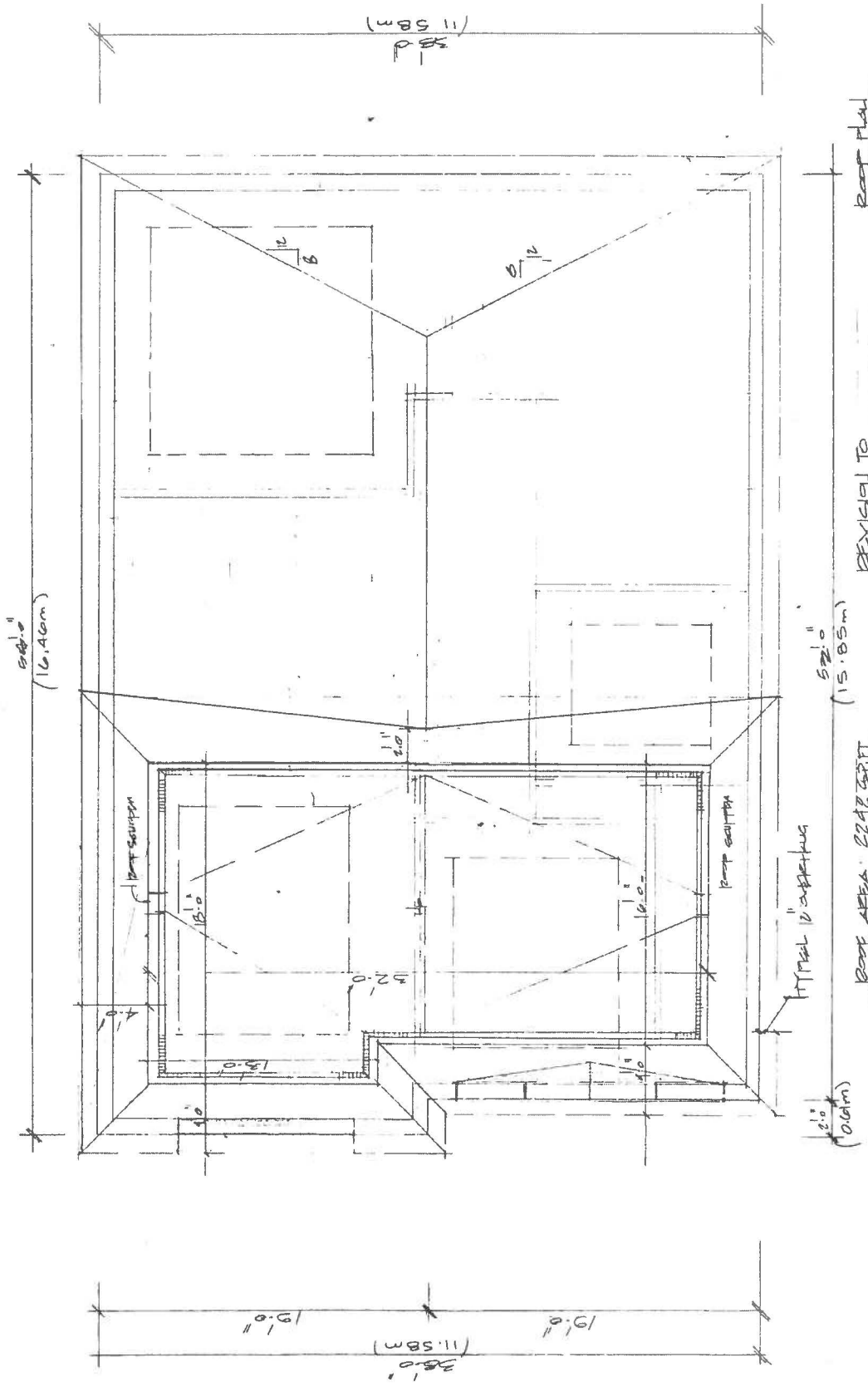
22/5/20

22-51 JUNE

#284001

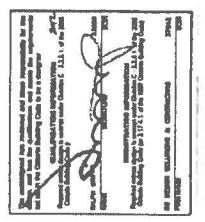
PERMIT # 15-229654
23 MOORE PARK RD
PERX 1512U TO

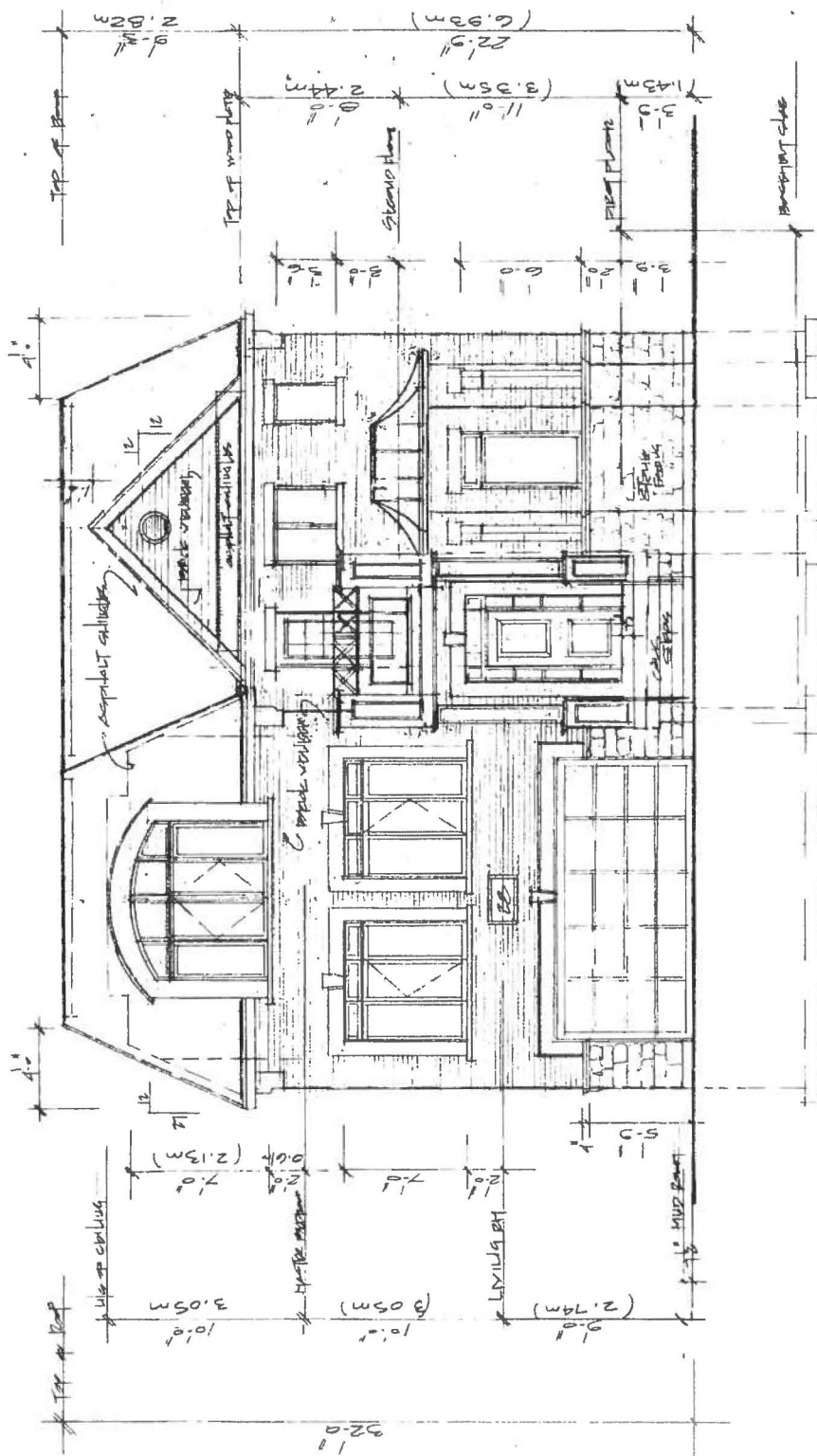




REVISION TO
 PERIT # 15-220634 RUD 03
 #23 MOORE PART

Roof Area: 2242 sq ft
 Proposed Flat Roof Area: 5320 sq ft
 $\frac{5320}{2242} \times 100 = 23.7\%$

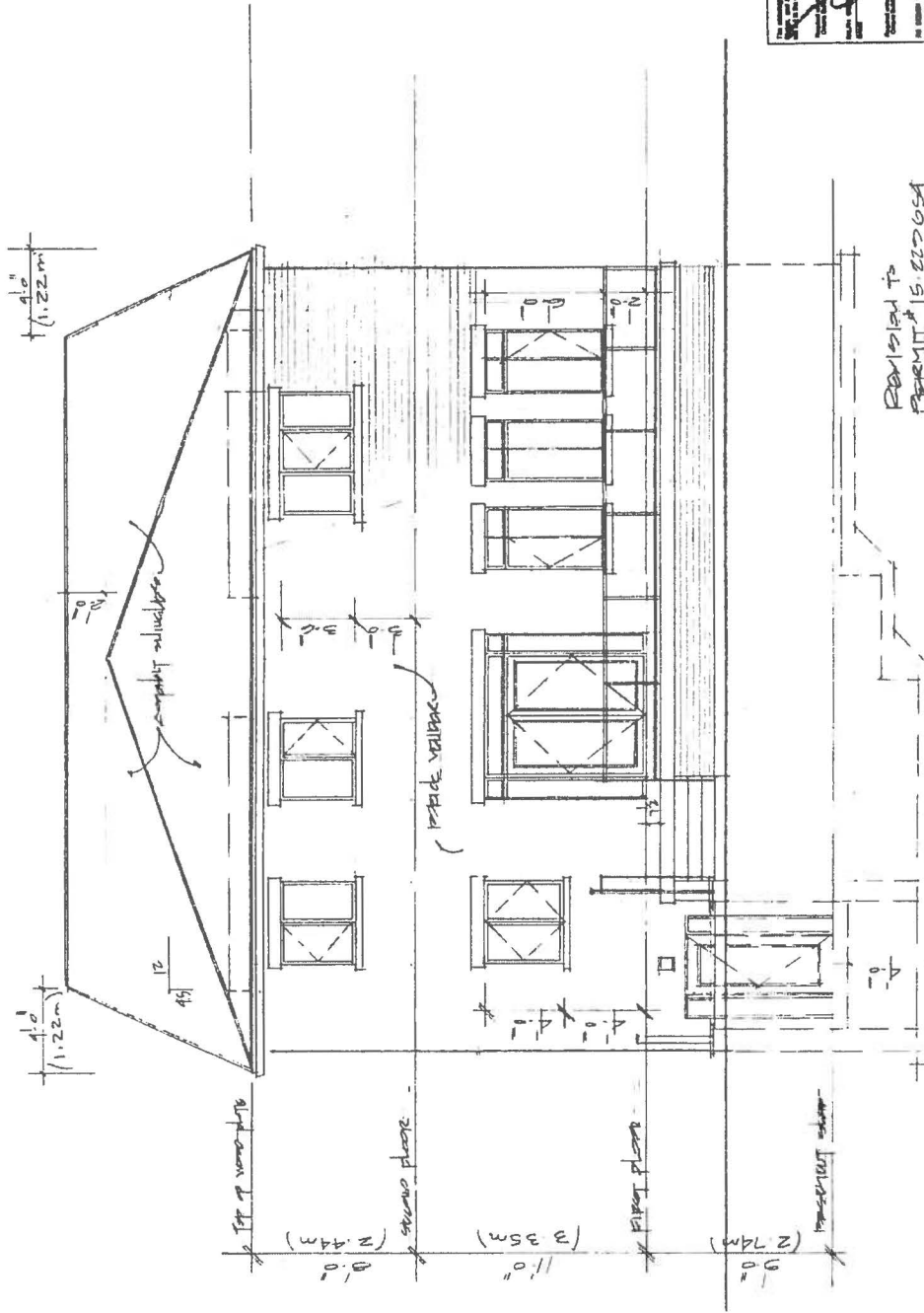




REVISED TO
PERMIT # 15-2006 SA
23 NICKER PERK

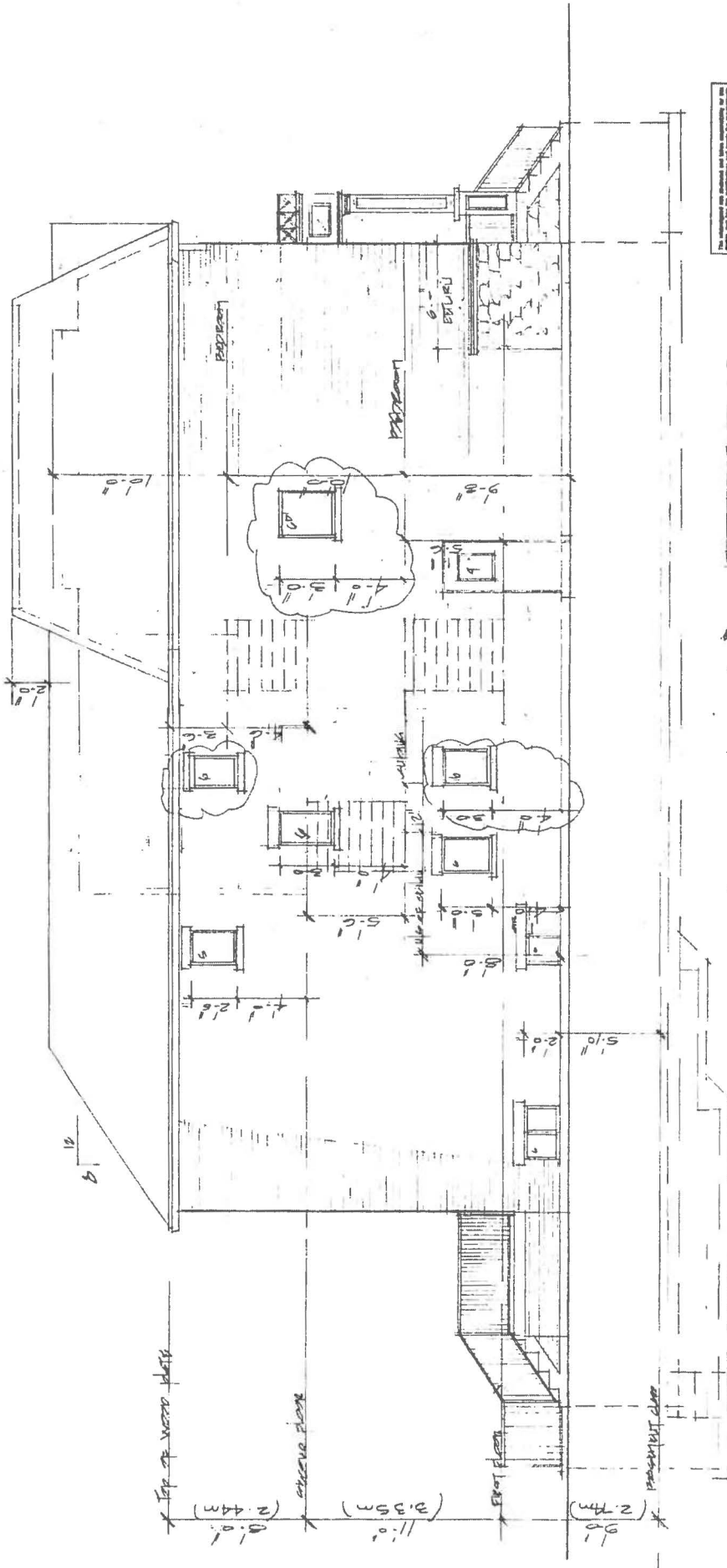
Front Elevation

[illegible]



I, the undersigned, being a duly qualified Architect, do hereby certify that the above is a true and correct copy of the original drawing as submitted to the Board of Health for their consideration.	
Date: _____	Signature: _____
Architect's Name: _____	
Address: _____	
City: _____	
State: _____	

REAR ELEVATION



I, the undersigned, being a duly Licensed Professional Engineer in the State of California, do hereby certify that the above is a true and correct copy of the plans as submitted to me for record.

Date: 10/10/15
 Engineer: [Signature]
 License No.: 44444

REVISION TO
 PERMIT # 15-220657
 225 MODERATE

LEFT SIDE ELEVATION
 11'0"

WALL AREA: 22 x 5.5 = 121.00'
 121.00' - 51.10' = 69.90'
 69.90' x 11'0" = 768.90'

