



**STAFF REPORT**  
**Committee of Adjustment**  
**Application**

<b>Date:</b>	March 6, 2018
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment Etobicoke York Panel</b>
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 6 (Etobicoke-Lakeshore)
<b>Reference:</b>	File No. B0003/18EYK, A0011/18EYK, A0012/18EYK Address: 11 Shamrock Avenue Application to be heard: To be scheduled

**RECOMMENDATION**

It is recommended that the consent and related minor variance applications be refused.

**APPLICATION**

The applicant proposes to sever the subject property, which currently has a lot frontage of 15.24 metres and a lot area of 603.2 square metres into two undersized residential lots. The consent application (File No. B0003/18EYK) is accompanied by two minor variance applications (File Nos. A0011/18EYK and A0012/18EYK) in order to permit the construction of two new detached dwellings, each with an integral garage. Part 1 is identified as the west lot and Part 2 is identified as the east lot. The applicant is seeking the following variances for each of the proposed lots:

Development Standard	Permitted (ZBL 569-2013)	Permitted (Etobicoke Zoning Code)	Proposed Lots	
			Part 1 (West Lot)	Part 2 (East Lot)
Minimum Lot Area	370 m <sup>2</sup>	N/A	301.6 m <sup>2</sup>	301.6 m <sup>2</sup>
Minimum Lot Frontage	12 m	N/A	7.62 m	7.62 m
Maximum Floor Space Index	0.35 times the lot area (105.55 m <sup>2</sup> )	N/A	0.685 times the lot area (206.46 m <sup>2</sup> )	0.687 times the lot area (207.26 m <sup>2</sup> )
Minimum Side Yard Setback	1.2 m	0.9 m	0.6 m (east side); 0.9 m (west side)	0.6 m (west side); 0.9 m (east side)

Development Standard	Permitted (ZBL 569-2013)	Permitted (Etobicoke Zoning Code)	Proposed Lots	
			Part 1	Part 2
<b>Maximum Roof Eaves Projection</b>	Encroach 0.9 m provided they are no closer than 0.3 m to a lot line	N/A	Encroaches 1 m into east setback and located 0.2 m to the east lot line	Encroaches 1 m into west setback and located 0.2 m to the west lot line
<b>Maximum Height of First Floor Above Established Grade</b>	1.2 m	N/A	1.52 m	1.52 m
<b>Maximum Height of side Exterior Main Wall</b>	7 m	N/A	7.51 m	7.51 m
<b>First Floor Location Requirement</b>	10 m <sup>2</sup> of first floor must be within 4 m of the front main wall	N/A	3.8 m <sup>2</sup> within 4 m of the front main wall	3.8 m <sup>2</sup> within 4 m of the front main wall

## COMMENTS

Under Section 53 of the *Planning Act*, the Committee has authority to grant severances. The matters a Committee must have regard to, in hearing severance applications, are found in Subsection 51(24) of the Act and include, but are not limited to:

- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any; and
- (f) the dimensions and shapes of the proposed lots.

The subject site is located in the Village of Long Branch and is designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered physically stable areas. Physical changes to 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 the City-wide Zoning By-law 569-2013.

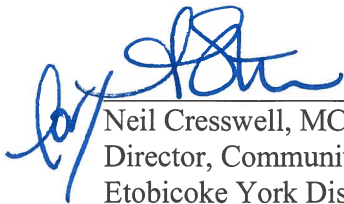
The applicant is proposing to sever the existing residential lot (measuring 15.24 meters wide) into two undersized residential lots (each measuring 7.62 metres wide). As part of the consent application, associated minor variance applications have been submitted in order to seek permission to construct two new detached dwellings, each with an integral garage. The variances being sought include reduced lot frontages, lot areas, side yard setbacks, eave setbacks and the requirements of the first floor location, as well as an increase in floor space index, height of first floor above established grade and main wall height.

Planning staff have reviewed the applications and supporting materials, conducted a site visit and considered the lotting pattern for Shamrock Avenue, including nearby streets, blocks and the surrounding area. Based on this review, staff are of the opinion that the proposed undersized lots and new dwellings do not respect and reinforce the physical character of the established neighbourhood, and are not in keeping with the general purpose and intent of the Official Plan and Zoning By-law(s). In addition, staff are of the opinion that the the proposed severance would intensify the impact on the rear abutting property, municipally known as 5 Atherton Crescent, whereby the rear yards of the proposed dwellings would be located directly onto this front yard.

Although there is an opportunity to redevelop this property, staff requests that this site is retained as a 15.24 metres wide lot with one detached dwelling. As such, Planning staff recommend that the applications for Consent and Minor Variances be refused.

## **CONTACT**

Trista James, Assistant Planner  
Tel: 416-394-5683  
Fax: 416-394-6063  
E-mail: [Trista.James@toronto.ca](mailto:Trista.James@toronto.ca)



---

Neil Cresswell, MCIP, RPP  
Director, Community Planning  
Etobicoke York District