



**STAFF REPORT
Committee of Adjustment
Application**

Date:	April 10, 2018
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: B0066/17NY, A0974/17NY, A0975/17NY Address: 319 HORSHAM AVENUE Application to be heard: Wednesday, April 18, 2019

RECOMMENDATION

1. Planning recommends that the Committee of Adjustment **refuse** applications B0066/17NY, A0974/17NY and A0975/17NY.

APPLICATION

THE CONSENT REQUESTED:

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

RETAINED - PART 2

The proposed lot frontage is 9.755m and the proposed lot area is 396.8m². A new detached residential dwelling is proposed requiring variances to the applicable zoning by-laws as outlined in application A0974/17NY.

CONVEYED - PART 1

The proposed lot frontage is 9.755m and the proposed lot area is 396.8m². A new detached residential dwelling is proposed requiring variances to the applicable zoning by-laws as outlined in application A0975/17NY.

Minor Variance Application No. A0974/17NY - 319A HORSHAM AVE (PART 2)

To construct a new detached two-storey dwelling.

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

1. **Chapter 10.20.30.40, By-Law No. 569-2013**
The maximum permitted coverage is 30% of the lot area.
The proposed coverage is 31.3% of the lot area.

2. **Chapter 10.20.40.70 & Exception RD5, By-Law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 0.9m.
3. **Chapter 10.20.40.70 & Exception RD5, By-Law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.2m.
4. **Chapter 10.5.40.10 (5), By-Law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the main front wall.
The proposed first floor within 4m of the main front wall is 3.3m².
5. **Chapter 10.5.40.60 (1), By-Law No. 569-2013**
The minimum required distance to the west side lot line is 1.8m.
The proposed front porch is 1.2m from the west side lot line.
6. **Chapter 10.20.30.20, By-Law No. 569-2013**
The minimum required lot frontage is 15m.
The proposed lot frontage is 9.75m.
7. **Chapter 10.20.30.10, By-Law No. 569-2013**
The minimum required lot area is 550m².
The proposed lot area is 396.8m².
8. **Section 13.2.1/6(8), By-Law No. 7625**
The minimum required lot frontage and width is 15m.
The proposed lot frontage and width is 9.75m.
9. **Section 13.2.2, By-Law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 396.8m².
10. **Section 13.2.4, By-Law No. 7625**
The maximum permitted coverage is 30% of the lot area.
The proposed coverage is 31.3% of the lot area.
11. **Section 13.2.3 & 13.2.3A, By-Law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed east side yard setback is 0.9m.
12. **Section 13.2.3 & 13.2.3A, By-Law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 1.2m.

Minor Variance Application No. A0975/17NY – 319B HORSHAM AVE (PART 1)

To construct a new detached two-storey dwelling.

1. **Chapter 10.20.30.40, By-Law No. 569-2013**
The maximum permitted coverage is 30% of the lot area.
The proposed coverage is 31.3% of the lot area.
2. **Chapter 10.20.40.70 & Exception RD5, By-Law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 0.9m.
3. **Chapter 10.20.40.70 & Exception RD5, By-Law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.2m.
4. **Chapter 10.5.40.10 (5), By-Law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the main front wall.
The proposed first floor within 4m of the main front wall is 3.3m².
5. **Chapter 10.5.40.60 (1), By-Law No. 569-2013**
The minimum required distance to the east side lot line is 1.8m.
The proposed front porch is 1.2m from the east side lot line.
6. **Chapter 10.20.30.20, By-Law No. 569-2013**
The minimum required lot frontage is 15m.
The proposed lot frontage is 9.75m.
7. **Chapter 10.20.30.10, By-Law No. 569-2013**
The minimum required lot area is 550m².
The proposed lot area is 396.8m².
8. **Section 13.2.1/6(8), By-Law No. 7625**
The minimum required lot frontage and width is 15m.
The proposed lot frontage and width is 9.75m.
9. **Section 13.2.2, By-Law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 396.8m².
10. **Section 13.2.4, By-Law No. 7625**
The maximum permitted coverage is 30% of the lot area.
The proposed coverage is 31.3% of the lot area.
11. **Section 13.2.3 & 13.2.3A, By-Law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 0.9m.

12. Section 13.2.3 & 13.2.3A, By-Law No. 7625

The minimum required side yard setback is 1.5m.

The proposed east side yard setback is 1.2m.

COMMENTS

The subject property is located on the south side of Horsham Avenue, east of Bathurst Street. The property is zoned *R4* under former 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. The application proposes to sever the existing lot and construct a new single detached dwelling on each proposed lot.

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 *R4* 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 under By-law 7625 and By-law 569-2013. The objective of the Zoning By-Laws is to establish specific standards as to how land is developed. Minimum requirements for lot frontage and area are devised to achieve 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. It is the opinion of planning staff that 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 into two undersized parcels would be incompatible with the established character of the neighbourhood and lead to other similarly configured severances. As such, it is the opinion of

planning staff that the applications should be refused in order to respect and reinforce the existing lot pattern and frontages in the neighbourhood.

CONTACT

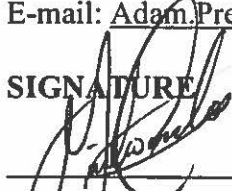
Adam Pressick, Assistant Planner


Tel: 416-395-7116

Fax: 416-395-7155

E-mail: Adam.Pressick@toronto.ca

SIGNATURE



 Joe Nanos
Director, Community Planning, North York District
B0066/17NY, A0974/17NY, and A0975/17NY

LOT STUDY RESULTS		
(Study Area For Lots Surrounding 319 Horsham Ave)		
Number of Lots In Study		889
Lot Frontage Sizes	# of Lots	% of Lots
Less than 32 ft(9.8m)	7	0.8%
32ft(9.8m) - 34.9ft(10.6m)	23	2.6%
35ft(9.1m) - 39.9ft(12.2m)	79	8.9%
40ft(12.2m) - 49.9ft(15.2m)	169	19.0%
50ft(15.2m) - 59.9ft(18.3m)	483	54.3%
60ft(18.3m) and Greater	128	14.4%
Total Lots in Study Area	889	100.0%
	ft	m
Minimum Frontage	22.9	7.0
Maximum Frontage	122.0	37.2
Average Frontage	50.9	15.5
	sq. ft.	sq. m
Minimum Area	1,928.1	179.1
Maximum Area	20,661.6	1,919.5
Average Area	7,262.1	674.7
	acres	hectares
Total Lot Study Area	148.2	60.0
Units Per Acre/Hectare	6.0	14.8

Various Lot Frontage Sizes for Lots Surrounding 319 Horsham Ave

