



STAFF REPORT
Committee of Adjustment
Application

Date: March 11, 2019

To: Chair and Committee Members of the Committee of Adjustment, North York District

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

Ward: 15 – Don Valley West

File No: B0056/18NY, A0803/18NY, A0804/18NY, A0805/18NY, A0806/18NY, A0807/18NY, A0808/18NY, A0809/18NY, & A0810/18NY

Address: 49 & 51 LAWRENCE AVENUE EAST & 84 WEYBOURNE CRESCENT

Hearing Date: Thursday, March 21, 2019 at 9:30 a.m.

RECOMMENDATIONS

City Planning staff recommend that the Committee of Adjustment refuse the consent and minor variance applications.

APPLICATIONS

THE CONSENT REQUESTED:

To obtain consent to sever a portion of the land for the purpose of lot additions to create eight new lots.

File Numbers: B0056/18NY, A0803/18NY, A0804/18NY, A0805/18NY, A0806/18NY, A0807/18NY, A0808/18NY, A0809/18NY, & A0810/18NY will be considered jointly.

CONVEYED - PART 1

Part 1 will have a lot area of 232.87m² with a frontage of 7.66m. Part 1 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0808/18NY.

CONVEYED - PART 2

Part 2 will have a lot area of 230.89m² with a frontage of 7.58m. Part 2 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0807/18NY.

CONVEYED - PART 3

Part 3 will have a lot area of 232.49m² with a frontage of 7.62m. Part 3 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0806/18NY.

CONVEYED - PART 4

Part 4 will have a lot area of 232.04m² with a frontage of 7.62m. Part 4 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0805/18NY.

CONVEYED - PART 5

Part 5 will have a lot area of 231.04m² with a frontage of 7.57m. Part 5 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0804/18NY.

CONVEYED - PART 6

Part 6 will have a lot area of 233.39m² with a frontage of 7.66m. Part 6 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0803/18NY.

CONVEYED - PART 7

Part 7 will have a lot area of 115.77m² and will be added to Parts 8 & 9, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.98m² is proposed. Parts 7, 8 & 9 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0810/18NY.

CONVEYED - PART 8

Part 8 will have a lot area of 116.07m² and will be added to Parts 7 & 9, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.98m² is proposed. Parts 7, 8 & 9 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0810/18NY.

CONVEYED - PART 9

Part 9 will have a lot area of 116.14m² and will be added to Parts 7 & 8, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.98m² is proposed. Parts 7, 8 & 9 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0810/18NY.

CONVEYED - PART 10

Part 10 will have a lot area of 115.67m² and will be added to Parts 11 & 12, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.87m² is proposed. Parts 10, 11 & 12 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0809/18NY.

CONVEYED - PART 11

Part 11 will have a lot area of 116.03m² and will be added to Parts 10 & 12, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.87m² is proposed.

Parts 10, 11 & 12 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0809/18NY.

CONVEYED - PART 12

Part 12 will have a lot area of 116.17m² and will be added to Parts 10 & 11, to create a new building lot, with a frontage of 7.63m and a total lot area of 347.87m² is proposed. Parts 10, 11 & 12 will be redeveloped with a new semi-detached residential dwelling, requiring variances to the applicable Zoning By-law(s) as outlined in file #A0809/18NY.

MINOR VARIANCE APPLICATIONS

A0803/18NY – Part 6 (Unit 1)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.28m for Unit 1.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.74m for Unit 1.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.19 times the lot area, for Unit 1.

A0804/18NY – Part 5 (Unit 2)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.28m for Unit 2.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.74m for Unit 2.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.17 times the lot area, for Unit 2.

A0805/18NY – Part 4 (Unit 3)

To construct a new semi-detached dwelling.

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

To construct a new semi-detached dwelling.

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.12m for Unit 3.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.58m for Unit 3.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.19 times the lot area, for Unit 3.

A0806/18NY – Part 3 (Unit 4)

To construct a new semi-detached dwelling.

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.12m for Unit 4.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.58m for Unit 4.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.16 times the lot area, for Unit 4.

A0807/18NY – Part 2 (Unit 5)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.44m for Unit 5.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.89m for Unit 5.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.20 times the lot area, for Unit 5.

A0808/18NY – Part 1 (Unit 6)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 11.44m for Unit 6.

2. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.

The proposed height of the side exterior main walls facing a side lot line is 7.89m for Unit 6.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 1.16 times the lot area, for Unit 6.

4. Chapter 10.5.80.40.(3), By-law No. 569-2013

Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.

The proposed vehicle access to a parking space is from fronting street.

A0809/18NY – Parts 10, 11 & 12 (Unit 1 Building D)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 10.89m for Unit 1 Building D.

2. Chapter 10.10.40.30.(1), By-law No. 569-2013

The maximum permitted building depth for a detached house, or, semi-detached house is 17.0m.

The proposed building depth is 18.08m for Unit 1 Building D.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 0.79 times the lot area, for Unit 1 Building D.

4. Section 4(2), By-law No. 438-86

The permitted maximum building height is 10m.

The proposed building height is 10.85m for Unit 1 Building D.

A0810/18NY – Parts 7, 8 & 9 (Unit 2 Building D)

To construct a new semi-detached dwelling.

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

1. Chapter 10.10.40.10.(1)(A), By-law No. 569-2013

The maximum permitted height of a building or structure is 10.0m.

The proposed height of the building/structure is 10.89m for Unit 2 Building D.

2. Chapter 10.10.40.30.(1), By-law No. 569-2013

The maximum permitted building depth for a detached house, or, semidetached house is 17.0m.

The proposed building depth is 18.08m for Unit 2 Building D.

3. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area.

The proposed floor space index is 0.74 times the lot area, for Unit 2 Building D.

4. Chapter 10.5.80.10.(3), By-law No. 569-2013

A parking space may not be located in a front yard or a side yard abutting a street.
The proposed parking spot is located in a front yard for Unit 2 Building D.

5. Section 4(2), By-law No. 438-86

The permitted maximum building height is 10m.
The proposed building height is 10.85m for Unit 2 Building D.

COMMENTS

The subject property is located on the south side of Lawrence Avenue East, southeast of Yonge Street and Lawrence Avenue East. The property is zoned *R (f7.5; d0.6) (x933)* in the City of Toronto Zoning By-law No. 569-2013 and *R2 Z0.6* under the former City of Toronto Zoning By-law No. 438-86.

The applicant is proposing to create eight new semi-detached lots out of the three existing lots and construct new dwellings on each of the resulting lots. The site is designated *Neighbourhoods* in the 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. Policy 4.1.5 of the Official Plan, as amended by Official Plan Amendment (OPA) 320, which was approved by the Local Planning Appeal Tribunal on December 7, 2018, outlines development criteria for development in *Neighbourhoods*. It states that development will respect and reinforce the existing physical character of each geographic neighbourhood, including, in particular:

- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing location, design and elevations relative to the grade of driveways and garages;

Prevailing is defined as most frequently occurring. City Planning staff are particularly concerned that the proposed semi-detached units on Weybourne Crescent would not conform to the Official Plan policies outlined above, and therefore would not respect and reinforce the existing physical character of the geographic neighbourhood.

A lot study was undertaken to help understand the existing lot fabric, which is an important aspect of the physical character of a neighbourhood. The lot study included properties fronting Lawrence Avenue East on the north and south side and continued south until Glengowan Road between St. Edmund's Drive to the west and Mount

Pleasant Road to the east. The lot study revealed a distinction in physical character between properties fronting Lawrence Avenue East and properties further south into the interior of the Lawrence Park neighbourhood. The area that includes properties on the south side of Lawrence Avenue East and further to the south is characterized by detached dwellings on lots with larger frontages and areas. For example, the average frontage is approximately 17 m and the average area is approximately 731 m². Most of the lot study area south of Lawrence Avenue East is zoned Residential Detached (RD) with a minimum lot frontage of 15 m. The proposed semi-detached dwellings along Weybourne Crescent would have lot frontages of 7.63 m and lot areas of 347.98 m² and 347.87 m², respectively, and would be the smallest lots in the interior of the neighbourhood.

The different lot fabric is associated with different building typologies. There are currently no semi-detached dwellings on the south side of Lawrence Avenue East (although there is a detached multiplex just west of the subject site on Lawrence Avenue East), or further south into the interior of the neighbourhood, where the zone only permits detached dwellings. Therefore the prevailing building and dwelling type in the geographic neighbourhood in which the subject site is located are single detached dwellings.

Lawrence Avenue East is a major street on Map 3 of the Official Plan. The Official Plan, as amended by OPA 320, states that "(l)ots on a major street shown on Map 3 and designated *Neighbourhoods* are to be distinguished from lots in the interior of the block adjacent to that street in accordance with Policy 6 in order to recognize the potential for a more intense form of development along major streets to the extent permitted by this Plan." OPA 320 also states that the physical character of the geographic neighbourhood should include both the physical characteristics of properties in the same block as the proposed development as well as those on the block opposite the proposed development as both blocks form part of the immediate context. Both sides of Lawrence Avenue East have a variety of lot sizes and frontages, although the smallest frontages of 10 m or less are only found on the north side of Lawrence Avenue East. The north side of Lawrence Avenue East also features a more diverse building typology, including semi-detached dwellings. This diverse building typology continues further north of Lawrence Avenue East into the interior of the Bedford Park neighbourhood, which includes multiplexes.

As such, although semi-detached dwellings currently do not exist on the south side of Lawrence Avenue East within the boundaries outlined above, their existence on the north side of Lawrence Avenue East suggests that this building typology could respect and reinforce the existing physical character of the immediate neighbourhood if developed at an appropriate scale. However, there is concern about the proposed height and density of the proposed dwellings, which exceed the prevailing height and density of dwellings fronting on Lawrence Avenue East. Furthermore, the existing site is well vegetated and the applicant is proposing to remove several mature trees.

As previously noted, staff are particularly concerned about the proposed semi-detached dwellings on Weybourne Crescent. Staff are of the opinion that the proposed semi-detached properties would not respect and reinforce the existing physical character of the neighbourhood. The proposed lots would have frontages and areas that are substantially different than the prevailing frontages and areas along Weybourne Crescent. Also, the proposed semi-detached dwellings would not respect the prevailing single detached building type. The proposed front yard condition of the semi-detached dwellings which features two individual driveways (i.e. two curb cuts), with an integral garage for one dwelling and a proposed parking pad for the other dwelling, also does not reflect the character of the surrounding lots. Even if the proposed semi-detached dwellings on Weybourne Crescent are designed to look like a detached house - with a single front door - the two proposed driveways would reveal that the dwellings are in fact noticeably different than the prevailing driveway and garage conditions in the surrounding neighbourhood.

In summary, City Planning are of the opinion that the proposed applications do not meet the intent and purpose of the Official Plan and should be refused.

CONTACT

Simona Rasanu, Assistant Planner, Community Planning, North York District, 416-395-7687, Simona.Rasanu@toronto.ca

SIGNATURE



Signed by John Andreevski, Manager, Community Planning, North York District
on behalf of Joe Nanos, Director, Community Planning, North York District