



STAFF MEMORANDUM
Committee of Adjustment
Application

Date: February 13, 2019

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

From: Neil Cresswell, Director, Community Planning, Etobicoke York District

Ward: 3 (Etobicoke – Lakeshore) (formerly Ward 5)

File No: B0037/18EYK, A0310/18EYK & A0311/18EYK

Address: 889 Royal York Rd.

Applications to be heard: TBD

RECOMMENDATION

Community Planning staff recommend that the consent and associated minor variance applications be refused.

APPLICATION

The applicant proposes to sever the subject property, which has a frontage of 15.24 metres, into two undersized residential lots. The proposed lots would each have frontages of 7.62 metres and lot areas of 263.7 square metres. The consent application B0037/18EYK is accompanied by two minor variance applications (A0310/18EYK and A0311/18EYK) to enable the construction of two detached dwellings on the proposed lots Part 1 and Part 3. As noted on the Draft Reference Plan, the proposed Part 2 and Part 4 will be conveyed to the City for future road widening purposes.

COMMENTS

Authority to grant severances is contained in Section 53 of the *Planning Act*. The criteria the Committee must have regard to in hearing severance applications is found in Subsection 51(24) of the Act. Matters of relevance under Section 51(24) for the proposed severance include but are not limited to:

- 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.

Official Plan

The subject 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. Physical changes to our established neighbourhoods must be sensitive, gradual, and generally 'fit' the existing physical character. A key objective 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*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites; and
- b) size and configuration of lots

Policy 4.1.8 of the Official Plan states that Zoning By-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure new development will be compatible with the physical character of established residential *Neighbourhoods*.

The Official Plan further 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”.

Zoning By-law

The property is zoned Residential Detached (RD) under the City of Toronto Zoning By-law No. 569-2013, and Second Density Residential (R2), under the former Etobicoke Zoning Code, as amended. Under these zoning categories, the minimum required lot frontage is 13.5 metres, and the minimum required lot area is 510 square metres for a single-detached house. The objective of the Zoning By-law is to establish specific standards as to how land is developed. Minimum requirements for lot frontage and area are devised, in part to achieve consistent streetscapes and maintain a standard pattern of development.

Comments

The application proposes to sever the subject lands, which has a frontage of 15.24 metres, into two undersized residential lots that would each have frontages of 7.62 metres and lot areas of 263.7 square metres. The two proposed lots would be developed with new detached dwellings with an integral garage.

Planning Staff have reviewed the applications and supporting materials, researched previous Committee of Adjustment decisions and have conducted analyses of the lotting pattern on Royal York Road and the surrounding area. In review of the applications, staff have identified concerns with the proposal. A review of the existing lot pattern via lot study of the area shows that the majority of properties in the subject *Neighbourhood* have lot frontages between 9.1 and 12.2 metres.

Generally, the pattern of blocks and streets within the immediate surrounding area are large lots, with an average frontage of 11.2 m. Staff are of the opinion that the application to create two lots with frontages of 7.62 m is not in keeping with the

surrounding context, and that the applications, if approved, would create increased pressure for future severances on lots with similar frontages as the subject property.

Based on this review, Planning Staff are of the opinion that the subject lot in its current form maintains and reinforces the general physical character of the neighbourhood and that the proposed consent would create two undersized residential lots not consistent with the established character and lot pattern of the *Neighbourhood*. Approval of the Consent and Minor Variance applications would result in development that does not conform to the provisions of Section 51(24) of the *Planning Act*, does not conform to the Official Plan, nor meets the general intent and purpose of the Zoning By-law. As such, Planning Staff recommend that the Consent and Minor Variance applications be refused.

CONTACT

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SIGNATURE



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