



STAFF REPORT

Committee of Adjustment Application

Date: March 12, 2019

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

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

Ward: Ward 8, Eglinton-Lawrence

File No: A0053/19NY

Address: 139 Hillhurst Boulevard

Application to be heard: Thursday, March 21, 2019

RECOMMENDATIONS

Staff recommend that the Committee **refuse** the application.

APPLICATION

The application proposes to construct a new detached dwelling.

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

- 1. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The proposed building length is 18.51m.
- 2. Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.00m.
The proposed building depth is 19.26m.
- 3. Chapter 10.20.40.10.(4)(A), By-law No. 569-2013**
The maximum permitted building height is 7.20m for a flat or shallow roof.
The proposed building height is 10.30m.
- 4. Chapter 10.20.40.10.(4)(C), By-law No. 569-2013**
The maximum number of storeys permitted is two (2).
The proposed number of storeys is three (3).
- 5. Chapter 10.20.40.50.(1), By-law No. 569-2013**
The maximum permitted area of each platform at or above the second storey is 4.00m².
The proposed rear balcony at or above the second storey is 17.14m².

6. Chapter 10.20.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.35 times the lot area.
The proposed floor space index is 0.838 times the lot area.

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

The maximum permitted building height is 10.00m.
The proposed building height is 10.43m.

COMMENTS

The subject property is zoned *RD (f9.0; d0.35)(x961)* under the harmonized City of Toronto Zoning By-law No. 569-2013 and zoned *R1 Z0.35* under former City of Toronto Zoning By-law No. 438-86.

The subject property is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* are considered stable areas where new development will maintain the existing physical character of the area. Section 4.1 outlines the development policies for *Neighbourhoods*. The preamble to 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, including in particular:*

- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;

Zoning By-law provisions ensure that development is appropriate on a given site and compatible with the surrounding context. The Official Plan states that no changes will be made to the Zoning By-law through re-zoning, minor variance, consent, or other public actions that are not in keeping with the character of the neighbourhood.

Planning staff have concerns with a number of the variances proposed, particularly building height, number of storeys and floor space index. Staff are of the opinion that the number of variances required to facilitate the proposal are neither individually nor cumulatively minor in nature. As such, Planning staff recommend that the application be refused.

CONTACT

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SIGNATURE



Signed by Al Rezoski, Community Planning Manager on behalf of Joe Nanos, Director,
Community Planning, North York District