



STAFF REPORT
Committee of Adjustment
Application

Date: May 28, 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: A0254/19NY

Address: 34 GREEN VALLEY ROAD

Hearing Date: Wednesday, June 5, 2019

RECOMMENDATIONS

City Planning staff recommend that the application be refused.

APPLICATION

To construct a new dwelling.

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

1. **Section 12.5A, By-law No. 7625**
The maximum permitted building length is 16.8 m.
The proposed building length is 33.27 m.
2. **Section 12.6, By-law No. 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 30.7% of the lot area.
3. **Section 12.7, By-law No. 7625**
The maximum permitted building height is 8 m.
The proposed building height is 11.59 m.
4. **Section 6(9), By-law No. 7625**
The maximum permitted projection for eaves into a yard setback is 0.5 m.
The proposed eaves project 0.61 m to the south.
5. **Section 6(9), By-law No. 7625**
The maximum permitted projection for eaves into a yard setback is 0.5 m.
The proposed eaves project 0.91 m to the north.
6. **Section 12.4(b), By-law No. 7625**
The minimum required side yard setback is 1.8 m.
The proposed north side yard setback is 1.5 m.

7. **Section 12.4(b), By-law No. 7625**
The minimum required side yard setback is 1.8 m.
The proposed south side yard setback is 1.52 m.
8. **Section 12.7, By-law No. 7625**
The maximum permitted number of storeys is 2.
The proposed number of storeys is 3.
9. **Section 12.7A, By-law No. 7625**
The maximum permitted balcony area is 3.8 m²
The proposed rear balcony area on the third floor is 17.45 m²
10. **Section 12.7A, By-law No. 7625**
The maximum permitted balcony area is 3.8 m²
The proposed rear balcony area on the second floor is 92.1 m²
11. **Section 12.7A, By-law No. 7625**
No more than one balcony is permitted on each elevation of the building.
Two balconies are proposed on the rear elevation.
12. **Section 12.4(a), By-law No. 7625**
The minimum required front yard setback is 23 m.
The proposed front yard setback is 8.63 m.
13. **Section 6(9)(b), By-law No. 7625**
The maximum projection of a stair in the front and rear yard is 2.1 m.
The proposed front stair projects 16.27 m into the required minimum front yard.

COMMENTS

The subject property is located on the east side of Green Valley Road, southwest of Bayview Avenue and York Mills Road. The property is zoned *R3* under the former North York Zoning By-law No. 7625 and is not subject to City of Toronto Zoning By-law No. 569-213.

The applicant is proposing a building length of 33.27 m, whereas Zoning By-law No. 7625 permits a maximum of 16.8 m. The general intent of the building length provision is to ensure a general consistency among dwelling length and location, and minimize overlook and privacy impacts created from dwellings that extend beyond the rear main wall of adjacent properties. Building length under Zoning By-law No. 7625 is defined as the distance between the required front yard setback and the rear main wall of the dwelling. There is a difference of 14.37 m between the required front yard setback of 23

m and the proposed front yard setback of 8.63 m, and this amount is incorporated into the overall building length calculation for the first storey.

Although lengths greater than permitted in the Zoning By-law have been approved by the Committee in the immediate neighbourhood, up to a maximum of approximately 26 m, the proposed dwelling length of 33.27 m would significantly exceed these approvals. Staff are also concerned about potential overlook and privacy impacts on the adjacent property to the north (i.e. 32 Green Valley Road) on account of the significantly longer dwelling length in comparison to the existing neighbouring dwelling. City Planning staff are of the opinion that the proposed length, in conjunction with the proposed front yard setback, would not meet the intent of the Zoning By-law.

The applicant is also proposing a building height of 11.59 m, whereas Zoning By-law No. 7625 permits a maximum of 8 m for a flat roof. The subject property is designated *Neighbourhoods* in the Official Plan. Policy 4.1.5 of the Official Plan states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the geographic neighbourhood including, in particular:


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

The term "prevailing" is defined as most frequently occurring. Staff are of the opinion that the proposed building height is not the prevailing building height in the neighbourhood and therefore the proposed variance does not meet the intent and purpose of the Official Plan as it does not conform to Policy 4.1.5. As the above-noted variances cannot be easily addressed without a substantial redesign of the dwelling, City Planning staff recommend that the application be refused.

CONTACT

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SIGNATURE



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