



STAFF REPORT
Committee of Adjustment
Application

Date: May 14, 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: B0055/18NY, A0796/18NY, A0797/18NY

Address: 16A KENRAE ROAD & 16B KENRAE ROAD

Hearing Date: Thursday, May 23, 2019 at 9:30 a.m.

RECOMMENDATIONS

City Planning staff recommend that File Nos. B0055/18NY, A0796/18NY, A0797/18NY be refused.

APPLICATIONS

THE CONSENT REQUESTED:

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

Conveyed - PART 1: 16B Kenrae

Address to be assigned

The proposed lot frontage is 6.09 m. The proposed lot area is 170.08 m².

The property will be redeveloped as one-half of a new semi-detached residential dwelling requiring variances to the applicable zoning by-law(s) as outlined in application A0797/18NY.

Retained - PART 2: 16A Kenrae

Address to be assigned

The proposed lot frontage is 6.09 m. The proposed lot area is 161.32 m².

The property will be redeveloped as one-half of a new semi-detached residential dwelling requiring variances to the applicable zoning by-law(s) as outlined in application A0796/18NY.

File Numbers B0055/18NY, A0796/18NY, A0797/18NY will be considered jointly.

MINOR VARIANCE APPLICATIONS

A0796/18NY - 16A KENRAE RD – PART 2

To construct a new semi-detached dwelling. File Numbers B0055/18NY, A0796/18NY, A0797/18NY will be considered jointly.

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

1. **Section 10.5.40.50(2), Zoning By-law No. 569-2013**
In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 m of a building, must comply with the required minimum building setbacks for the zone. The required west side yard setback is 0.9 m.
The proposed west side yard setback to the deck is 0 m and 0 m to the lot line.
2. **Section 10.20.20.10.(1), Zoning By-law No. 569-2013**
A dwelling unit in a semi-detached residential building is not a permitted use in the Residential Zone.
A semi-detached residential building is proposed.
3. **Section 10.20.30.10.(1), Zoning By-law No. 569-2013**
(A) The required minimum lot area is 275 m².
The proposed lot area is 161.32 m².
4. **Section 10.20.40.70.(1), Zoning By-law No. 569-2013**
The required minimum front yard setback is 6.56 m.
The proposed front yard setback is 6.44 m.
5. **Section 10.20.30.20.(1), Zoning By-law No. 569-2013**
A) The required minimum lot frontage is 9 m.
The proposed lot frontage is 6.09 m.
6. **Section 10.20.30.40.(1), Zoning By-law No. 569-2013**
A) The permitted maximum lot coverage is 35% of the lot area.
The proposed lot coverage is 50 % of the lot area.
(Note that the deck is included in coverage).
7. **Section 10.20.40.10.(2), Zoning By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7 m.
The proposed height of the side exterior main walls facing a side lot line is 7.2 m.
8. **Section 10.20.40.40.(1), Zoning By-law No. 569-2013**
A) The permitted maximum floor space index is 0.45 times the area of the lot.
The proposed floor space index is 0.9 times the area of the lot.
9. **Section 10.20.40.70.(3), Zoning By-law No. 569-2013**
The required minimum west side yard setback is 0.9 m where the required minimum lot frontage is 6.0 m to less than 12.0 m.
The proposed west side yard setback is 0 m.

10. **Section 10.5.80.10.(3), Zoning 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.
11. **Chapter 6.9, Zoning By-law No. 1916**
A parking space may not be located in a front yard and must be behind the main front wall.
The proposed parking spot is located in a front yard.

A0797/18NY - 16B KENRAE RD – PART 1

To construct a new semi-detached dwelling. File Numbers B0055/18NY, A0796/18NY, A0797/18NY will be considered jointly.

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

1. **Section 10.5.40.50(2), Zoning By-law No. 569-2013**
In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 m of a building, must comply with the required minimum building setbacks for the zone. The required east side yard setback is 0.9 m.
The proposed east side yard setback to the deck is 0 m and 0 m to the lot line.
2. **Section 10.20.20.10.(1) , Zoning By-law No. 569-2013**
A dwelling unit in a semi-detached residential building is not a permitted use in the Residential Zone.
A semi-detached residential building is proposed.
3. **Section 10.20.30.10.(1), Zoning By-law No. 569-2013**
A) The required minimum lot area is 275 m².
The proposed lot area is 170.08 m².
4. **Section 10.20.30.20.(1), Zoning By-law No. 569-2013**
A) The required minimum lot frontage is 9 m.
The proposed lot frontage is 6.09 m.
5. **Section 10.20.30.40.(1), Zoning By-law No. 569-2013**
A) The permitted maximum lot coverage is 35 % of the lot area.
The proposed lot coverage is 48.32 % of the lot area.
(Note that the deck is included in coverage).
6. **Section 10.20.40.10.(2), Zoning By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7 m.

The proposed height of the side exterior main walls facing a side lot line is 7.2 m.

7. **Section 10.20.40.40.(1), Zoning By-law No. 569-2013**
The permitted maximum floor space index is 0.45 times the area of the lot.
The proposed floor space index is 0.85 times the area of the lot.
8. **Section 10.20.40.70.(1), Zoning By-law No. 569-2013**
The required minimum front yard setback is 6.56 m.
The proposed front yard setback is 7 m.
9. **Section 10.20.40.70.(3), Zoning By-law No. 569-2013**
The required minimum side yard setback is 0.9 m where the required minimum lot frontage is 6.0 m to less than 12.0 m.
The proposed east side yard setback is 0 m.
10. **Section 10.5.80.10.(3), Zoning 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.
11. **Chapter 6.9, Zoning By-law No. 1916**
A parking space may not be located in a front yard and must be behind the main front wall.
The proposed parking spot is located in a front yard.

COMMENTS

The subject property is located on the east side of Kenrae Road, southwest of Laird Drive and Eglinton Avenue East. The property is zoned *RD (f9.0; a275; d0.45)* under City of Toronto Zoning By-law No. 569-2013 and *R1A* under the former Leaside Zoning By-law No. 1916.

The applicant is proposing to sever the existing lot to create two separate lots and construct semi-detached dwellings on each of the newly created lots. The subject property 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. Section 4.1 of the Official Plan, as modified by Official Plan Amendment 320, states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the geographic neighbourhood. The following Policy 4.1.5 criteria are particularly relevant for the subject applications:

- b) prevailing size and configuration of lots; and
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties.

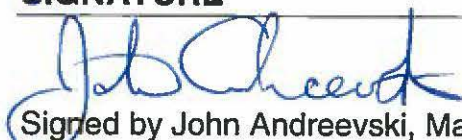
The term "prevailing" is defined as most frequently occurring. City Planning staff have undertaken a lot study of the neighbouring properties to better understand the physical character of the geographic neighbourhood. The applicant is proposing lot frontages of 6.09 m on each lot, whereas Zoning By-law No. 569-2013 requires a minimum of 9 m. The applicant is also proposing lot areas of 161.32 m² and 170.08 m², respectively, whereas Zoning By-law No. 569-2013 requires a minimum of 275 m². Of the 384 properties in the study area, 45 properties (12%) have frontages equal to or less than the proposed frontage of 6.1 m. Furthermore, the proposed lot areas would be the smallest in the neighbourhood as the smallest existing lot area was found to be 211 m². In summary, the proposed lot frontages and lot areas do not reflect the prevailing lot frontages and areas in the neighbourhood.

The applicant is also proposing a density (i.e. floor space index) of 0.85 and 0.9 times the lot area, respectively, whereas Zoning By-law No. 569-2013 permits a maximum of 0.45 times the lot area. The proposed densities do not reflect the prevailing density in the existing neighbourhood, which is generally under 0.7. The applicant is also proposing a lot coverage of 48.32% and 50%, respectively, whereas Zoning By-law No. 569-2013 permits a maximum of 35%. The prevailing lot coverage in the immediate area is under 42%. The proposed lot coverage and density, which do not reflect the prevailing density, scale and massing in the neighbourhood, suggest that the proposed semi-detached dwellings represent an overdevelopment of the site on account of the significantly smaller lot sizes. As such, City Planning staff recommend that the applications 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