



STAFF REPORT

Committee of Adjustment Application

Date: April 9, 2021

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

From: Giulio Cescato, Director (Acting), Community Planning, North York District

Ward: Eglinton-Lawrence

File No: A0153/21NY

Address: 335 Lytton Boulevard

Application to be heard: Wednesday, April 28, 2021

RECOMMENDATIONS

Staff recommend that the following variance should be modified:

- 1) Variance No. 5 with respect to the proposed floor space index to a maximum of 0.65 times the area of the lot.

Should the Committee choose to approve this application, staff recommend the following conditions be attached:

- 1) The property be developed substantially in accordance with the site plan and east side elevation drawings submitted to the Committee of Adjustment, attached as Attachments 1 and 2 to this report.

APPLICATION

The application proposes to construct a new dwelling.

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

1. **Chapter 10.20.40.10.(1)(A), By-law No. 569-2013**
The permitted maximum height of a building or structure is 10m.
The proposed height of the building or structure is 10.67m.
2. **Chapter 10.20.40.10.(2)(B)(i), By-law No. 569-2013**
The permitted maximum 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 the side lot lines is 7.76m.

3. **Chapter 10.20.40.20.(1), By-law No. 569-2013**
In the RD zone with a minimum required lot frontage of 18.0m or less, the permitted maximum building length for a detached house is 17.0m.
The proposed building length is 20.45m.
4. **Chapter 10.20.40.30.(1), By-law No. 569-2013**
The permitted maximum building depth for a detached house is 19.0m.
The proposed building depth is 20.45m.
5. **Chapter 10.20.40.40.(1)(A), By-law No. 569-2013**
The permitted maximum floor space index is 0.35 times the area of the lot.
The proposed floor space index is 0.712 times the area of the lot.
6. **Chapter 10.20.40.70.(3)(D)(i), By-law No. 569-2013**
The required minimum side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.
The proposed side yard setback of the building is 0.92m to the east side lot line.
7. **Chapter 10.20.40.70.(3)(D)(ii), By-law No. 569-2013**
The required minimum side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.
The proposed side yard setback of the building is 1.21m to the west side lot line.
8. **Chapter 10.20.40.70.(3)(D)(iii), By-law No. 569-2013**
The required minimum side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.
The proposed side yard setback of the rear platform/deck is 1.24m to the east side lot line.
9. **Chapter 10.20.40.70.(3)(D)(iv), By-law No. 569-2013**
The required minimum side yard setback is 1.5m where the required minimum lot frontage is 15.0m to less than 18.0m.
The proposed side yard setback of the rear canopy over the rear platform/deck is 1.24m to the east side lot line.
10. **Chapter 10.5.40.60.(3)(A)(ii), By-law No. 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2.0m.
The proposed stairs are 4.37m wide.
11. **Section 4.2, By-law No. 438-86**
The permitted maximum height of a building or structure is 10m.
The proposed height of the building or structure is 10.54m.

COMMENTS

The subject property is located east of Bathurst Street, and north of Eglinton Avenue West. The property is zoned *RD (f15.0; d0.35) (x961)* under City of Toronto Zoning By-law No. 569-2013 and *R1* under the former City of Toronto Zoning By-law No. 438-86.

The application proposes a Floor Space Index (FSI) of 0.712 times the area of the lot whereas By-law No. 569-2013 permits a maximum FSI of 0.35 times the area of the lot. Approvals by the Committee of Adjustment for residential detached dwellings in the immediate area have generally not exceeded an FSI of 0.65 times the area of the lot. FSI provisions are devised, in part, to regulate the size of structures to ensure consistent patterns of development. Staff are of the opinion that the proposed FSI is contrary to the intent of the Zoning By-law and should be reduced to a maximum of 0.65 times the area of the lot to be more in keeping with the character of the neighborhood.

The application requests variances to permit building length and depth of 20.45 metres as measured under Zoning By-law No. 569-2013, whereas the maximum permitted building length and depth are 17 metres and 19 metres, respectively. The 20.45 metre length applies to the first floor and includes the excavated covered terrace. The length of the second floor complies with the By-law requirements. In order to ensure the increased building length and depth remain as proposed in the drawings submitted, staff recommend that any approval by the Committee include a condition that the property be developed substantially in accordance with the site plan and east side elevation drawings submitted to the Committee of Adjustment, and attached as Attachments 1 and 2 to this report.

The application also requests variances to permit an east side yard setback of 0.92 metre, and a west side yard setback of 1.21 metres whereas a minimum side yard setback of 1.5 metres is required under By-law No. 569-2013. The 0.92 metre east side yard setback applies only to a small portion of the proposed building. The east side yard setback for the rest of the dwelling would be 1.24 metres. In order to ensure the property is constructed as shown, staff recommend that any approval by the Committee include a condition that the application be developed substantially in accordance with the site plan submitted to the Committee of Adjustment, attached as Attachment 1 to this report.

CONTACT

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SIGNATURE



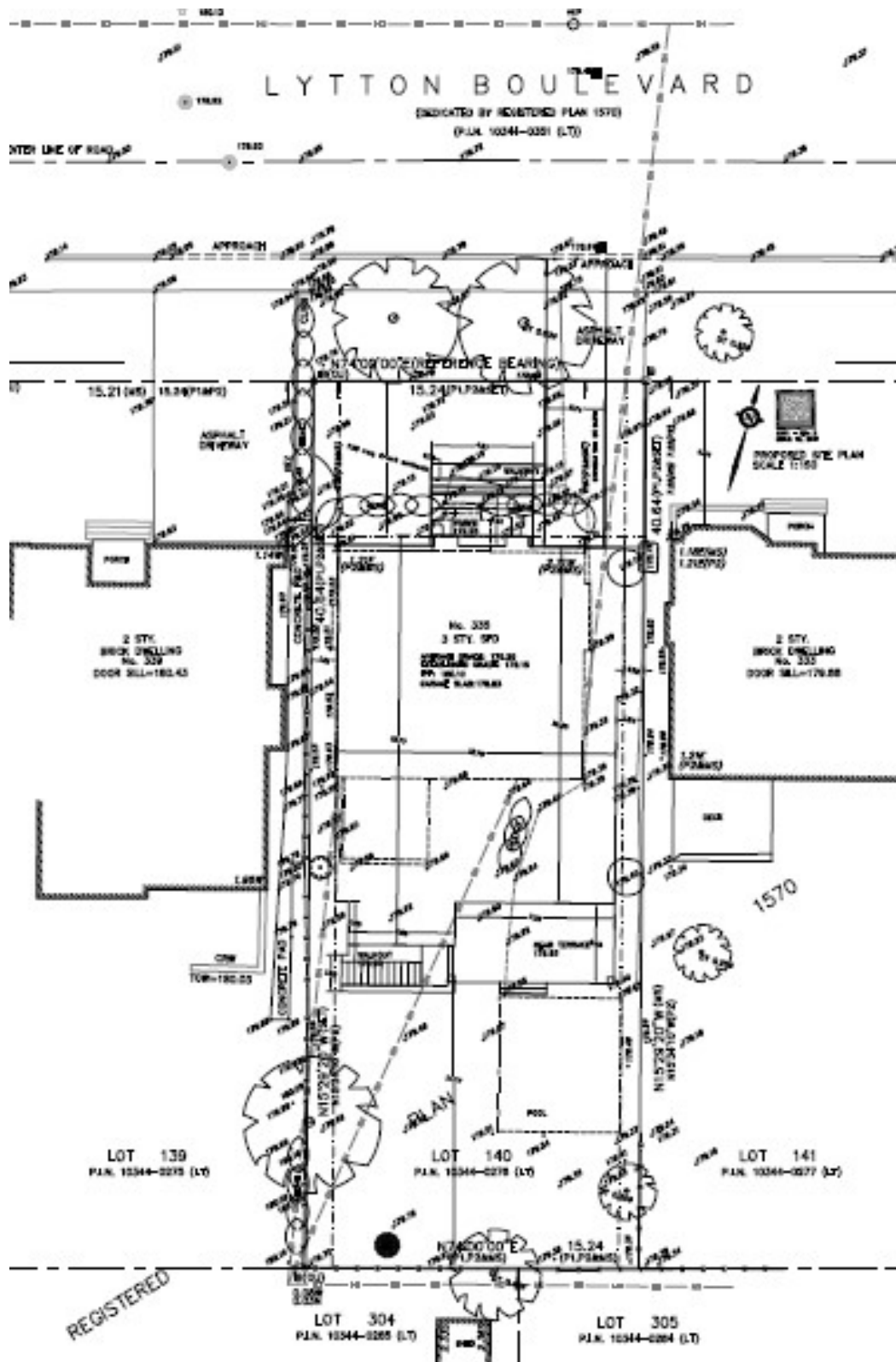
Signed by Al Rezoski, Manager, Community Planning, North York District on behalf of
Giulio Cescato, Director (Acting), Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East Side Elevation

Attachment 1: Site Plan



335 LYTTON BLVD.
Toronto, Ontario
Project # 20-41

