

**STAFF REPORT****16 Ferndale Avenue, Committee of Adjustment
Application**

Date: October 27, 2021

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

From: Director, Community Planning, Toronto and East York District

Ward: Toronto-St. Paul's

File: A0609/21TEY

Application Hearing Date: November 3, 2021

RECOMMENDATIONS

Should the Committee decide to approve Application A0609/21TEY, Community Planning staff recommend the following:

1. Variance 4 regarding the separation distance of the laneway suite and the existing detached dwelling on the lot be refused.

APPLICATION

The applicant is seeking relief from the provisions of Zoning By-law 569-2013 to construct a 2-storey laneway suite in the rear yard of an existing 2.5-storey detached dwelling.

The requested variances are with respect to: soft landscaping; rear yard setback of a laneway suite; separation distance of a laneway suite and a residential building on the same lot; penetration of the 45 degree angular plane projected towards the rear lot line from a height of 4 metres, at a distance of 7.5 metres from rear main wall of the residential building; and laneway suite building height.

CONTEXT

The subject property is located on the west side of Ferndale Avenue, north of St. Clair Avenue East, and east of Avenue Road.

The property is designated *Neighbourhoods* on Map 17 of the Official Plan. *Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas (Policy 2.3.1.1).

In 2018, City Council adopted an Official Plan Amendment and a Zoning By-law Amendment establishing a set of development standards for laneway suites.

In 2019, City Council adopted an Official Plan Amendment and a Zoning By-law Amendment to expand permissions for laneway suites City-wide to areas zoned for low-scale residential uses.

The subject property is within a Residential Zone (R (d0.6) (x922)) under City-wide Zoning By-law 569-2013.

COMMENTS

Community Planning staff have concerns with the distance proposed between the second storey of the laneway suite and the existing dwelling. The existing dwelling on the site, and the dwellings located on the adjacent sites, at 14 and 18 Ferndale Avenue, have windows located on the rear wall, at the second floor, into which a person could see from the second storey of the proposed laneway suite, which is unacceptable.

The Zoning By-law establishes an appropriate relationship between a laneway suite and the main dwelling on a site to limit overlook into the main dwelling on the site and the adjacent properties. The Zoning By-law requires that a laneway suite be separated from the rear of the existing dwelling by a minimum of 7.5 metres in the case of a two-storey laneway suite.

As currently proposed, the laneway suite does not maintain the purpose and intent of the Zoning By-law. The separation distance of the laneway suite at the second storey and the existing dwelling should be increased. The requested Variance 4 regarding the separation distance should be refused.

CONTACT

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SIGNATURE



Oren Tamir

Signed by Oren Tamir, Manager, Community Planning on behalf of
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