

94 Danforth Road, Committee of Adjustment Application

Date: March 23, 2022

To: Chair and Committee Members of the Committee of Adjustment, Scarborough Panel

From: Director, Community Planning, Scarborough District

Wards: Scarborough Southwest

File Number: A0396/21SC

Hearing Date: April 5, 2022

RECOMMENDATIONS

1. Community Planning recommends that the Committee refuse requested Variance Nos.1, 2 and 3 relating to proposed increases in the number of storeys, associated exterior main wall and building heights.

SUMMARY

Proposal to construct a new three-storey, detached dwelling in a newly severed lot (90 Danforth Road). NOTE: Refer to Minor Variance Application A0114/19SC which was approved by the Committee of Adjustment on September 23, 2020.

Requested variance(s) to the Zoning By-law:

1. CHAPTER 10.20.40.1.(3), By-law 569-2013
The permitted maximum storeys is 2.
The proposed maximum storeys is 3.
2. CHAPTER 10.20.40.10 (2), By-law 569-2013
The permitted maximum main wall height is 7.0 metres,
The proposed height of the exterior main wall is 8.1 metres.
3. CHAPTER 10.20.40.10 (1), By-law 569-2013

The permitted maximum building height is 9.0 m.
The proposed building height is 9.3 m.

4. Exception 349. (B), By-law 569-2013
The required minimum building setback from a front line that abuts Danforth Rd. is 19.0 metres, measured from the original centreline of the street.
The proposed building setback from the centreline of the street is 14.41 metres.
5. CHAPTER 10.20.30.10 (1), RD (f9.0,a287), By-law 569-2013
The required minimum lot area is 287 square metres.
The proposed lot area is 189 square metres.
6. CHAPTER 10.20.30.20.(1), By-law 569-2013
The required minimum lot frontage is 9.0 metres.
The proposed lot frontage is 8.28 metres.
7. CHAPTER 10.5.40.60.(7), By-law 569-2013
The permitted eaves is 0.9 m maximum and is no closer than 0.3 m than to a lot line.
The proposed eaves project 0.25 metres and are 0.05 metres from the side lot line.
8. CHAPTER 10.20.40.70.(2), By-law 569-2013
The required minimum rear yard setback is 7.5 metres.
The proposed rear yard setback is 5.24 metres.
9. CHAPTER 10.5.50.10(1)(D) Landscaping, By-law 569-2013
The required soft landscaping in front yard is minimum 75%.
The proposed soft landscaping in front yard is 65%.

COMMENTS

The subject property is located west of Warden Avenue and north of Danforth Road in the Oakridge Community. The property is zoned Residential Detached zone RD (x349) in the City of Toronto Zoning By-law No. 569-2013.

In lieu of submitting a Zoning Review with this application to confirm all required variances, the applicant elected instead to submit a Zoning Waiver which included requested Variance Nos. 4, 5, 6, 7, 8 and 9 as well. Variances 4, 5, 7, and 8 were previously granted for this parcel under application A0114/19SC approved by the Committee of Adjustment on September 23, 2020, without conditions and which decision was not appealed. Community Planning has no concerns with the added new variances Nos. 6 and 9 relating to required minimum lot frontage and front yard soft landscaping which are minor in nature.

In addition to the above variances, the current application now also requests a variance to permit a third storey in conjunction with related variances to exterior main wall and

overall building height limits, together with variances to required lot frontage and front yard landscaping.

This application was previously before the Committee for consideration on February 10, 2022 and was deferred at the request of the applicant. The applicant has subsequently contacted Community Planning a number of times to suggest examples of presumably comparable minor variance height approvals and to request reconsideration of our planning position. Should these same materials be provided by the applicant directly to the Committee, Planning staff would advise such examples primarily involved either approval of three storeys where the basement had to be included as a storey (with the proposed dwellings otherwise presenting from the street as two floors above the garage) or were located in quite separate, somewhat distant neighbourhoods unrelated to this site.

Community Planning believes the current proposal, incorporating three storeys above the garage and main entrances, clearly presents as a four-storey dwelling when viewed from Danforth Road. Such a particular new built form is not currently present in, or a common characteristic of, this established neighbourhood. Planning staff are of the opinion that the various height increases proposed under this variance application, as well as concurrent applications on the two companion newly-severed residential lots, will not maintain the general purpose and intent of provisions in both the Official Plan and zoning by-law that are intended to ensure a generally consistent and comparable pattern and scale of new residential development which will reinforce the built form character and stability of this established neighbourhood.

Accordingly the three height variances are not minor or desirable for the appropriate development of the subject lands, and should therefore be refused.

CONTACT

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SIGNATURE



Original signed by Rod Hines, Principal Planner, Community Planning on behalf of Paul Zuliani, Director, Community Planning, Scarborough District.