

Date: March 1, 2022

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

From: David Sit, Director, Community Planning, North York District

Ward: Don Valley West

File No.: A0898/21NY

Address: 9 Donwoods Drive

Hearing Date: March 8, 2022

RECOMMENDATIONS

City Planning staff recommend this application be refused.

APPLICATION

To construct a new dwelling.

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

- 1. Chapter 10.20.30.40.(1), By-law No. 569-2013**
The permitted maximum lot coverage is 30% of the lot area.
The proposed lot coverage is 44.3% of the lot area.
- 2. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The permitted maximum building length for a detached house is 17.0 m.
The proposed building length is 17.92 m.
- 3. Chapter 10.20.40.70.(2), By-law No. 569-2013**
The required minimum rear yard setback is 7.5 m.
The proposed rear yard setback is 3.43 m.
- 4. Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 1.8 m.
The proposed east side yard setback is 1.45 m.
- 5. Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 1.8 m.
The proposed west side yard setback is 1.51 m.
- 6. Chapter 10.5.40.60.(1)(A)(i), By-law No. 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 m if it is no closer to a side

lot line than the required side yard setback of 1.8 m.

The proposed platform encroaches 1.485 m into the required front yard setback and has a west side yard setback of 0.58 m.

7. Chapter 10.5.40.60.(1)(C), By-law No. 569-2013

A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required rear yard setback 2.5 m.

The proposed platform encroaches 3.71 m into the required rear yard setback.

8. Chapter 10.5.40.60.(1)(D), By-law No. 569-2013

A platform without main walls, attached to or less than 0.3 m from a building, with a floor higher than the first floor of the building above established grade may encroach into the required rear yard setback 1.5 m.

The proposed platform encroaches 4.37 m into the required rear yard setback.

9. Chapter 10.5.40.60.(3), 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 closer to a lot line than 0.6 m.

The proposed stairs are 0 m from the front lot line and encroach 0.87 m into the public right of way.

10. Chapter 10.20.40.10.(1), By-law No. 569-2013

The permitted maximum height of all side exterior main walls facing a side lot line is 7.5 m.

The proposed height of the side exterior main walls facing a side lot line is 10.26 m.

11. Chapter 10.20.40.10.(3), By-law No. 569-2013

The permitted maximum number of storeys is 2.

The proposed number of storeys is 3.

12. Chapter 10.20.40.10.(1), By-law No. 569-2013

The permitted maximum height of a dwelling is 10 m.

The proposed height of the dwelling is 10.54 m.

13. Section 12.7, By-law No. 7625

The maximum permitted building height is 8 m.

The proposed building height is 14.66 m.

COMMENTS

The subject property is located on the south side of Donwoods Drive, southeast of York Mills Road and Yonge Street. The property is zoned *RD (f18.0; a690)* under City of

Toronto Zoning By-law No. 569-2013 and R3 under former City of North York Zoning By-law No. 7625.

The applicant is requesting a lot coverage of 44.3%, whereas City of Toronto Zoning By-law 569-2013 permits a maximum coverage of 30%. The intent of regulating lot coverage is to ensure a level of consistency in built form on a lot and to also allow for appropriate landscaping and open space. The subject property is also designated *Neighbourhoods* in the Official Plan. Policy 4.1.5 of the Plan requires that all new development in established *Neighbourhoods* respect and reinforce the existing physical character of each geographic neighbourhood, including prevailing patterns of landscaped open space. The prevailing physical character is determined by the most frequently occurring form of development in that neighbourhood. City Planning staff have studied the neighbourhood and determined that the proposed lot coverage of 44.3% is excessive and does not reflect the prevailing lot coverages found in this neighbourhood.

Side exterior main wall heights of 10.26 metres are being requested, whereas the Zoning By-law permits maximum main wall heights of 7.5 metres. The intent of regulating main wall height is to help maintain a consistent scale of development within a given neighbourhood and to also help mitigate massing impacts resulting from higher main wall heights. As seen on the east and west side elevation drawings, the additional main wall height is to accommodate raised parapet walls that cover the majority of roof. As such, the dwelling presents as a flat or shallow roof dwelling with a height over 10.26 metres, whereas this dwelling type is restricted to a maximum height of 7.2 metres. City Planning staff are of the opinion that the additional height being requested does not meet the intent of the Zoning By-law that requires exterior main wall height to be a minimum of 2.5 metres lower than building height to minimize massing impacts and fit within the scale of the existing neighbourhood.

In addition to the requested lot coverage and side exterior main wall height variances, the applicant is also proposing a building envelope that requires a number of variances related to building setback, stair and platform encroachments. The intent of regulating side yard, rear yard and platform setbacks is to provide ample open space on a lot and separation between buildings/structures, and to maintain a consistent pattern of development within a neighbourhood. The proposed setbacks and encroachments into those setbacks do not provide appropriate open space and separation between dwellings/structures.

Official Plan Policy 4.1.8 states that the building performance standards contained within the Zoning By-laws for Neighbourhoods, such as building setbacks, coverage and height, are in place to ensure that new development will be compatible with the physical character of established neighbourhoods. City Planning staff are of the opinion that the requested variances, taken together, do not meet the intent of the Official Plan or the Zoning By-law, are not minor or appropriate, do not fit within the established character

of the neighbourhood, are excessive and result in an overdevelopment of the property. It is recommended this application be refused.

CONTACT

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SIGNATURE



Signed by John Andreevski, Manager, Community Planning, North York District on behalf of David Sit, MCIP, RPP, Director, Community Planning, North York District