

Date: June 2, 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 East

File No.: A0205/22NY

Address: 78 Tisdale Avenue

Hearing Date: June 9, 2022

RECOMMENDATIONS

City Planning recommend this application be refused.

APPLICATION

Proposal to change an approved townhouse development by changing the building type from street-facing to back-to-back townhouses, increasing the number of dwelling units from 35 to 52, increasing the height and number of storeys, reducing setbacks, and change the configuration of blocks and access.

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

1. **Section 64.16 (106) (b), By-law No. 261-2017**
Maximum number of dwelling units permitted is 35.
Proposed maximum number of dwelling units is 53.
2. **Section 64.16 (106) (d), By-law No. 261-2017**
Maximum permitted lot coverage is 45 %.
Proposed lot coverage is 48 %.
3. **To replace Schedule 2 (Outline of Blocks) with a new Schedule 2**
4. **To replace Schedule 3 (Outline of Blocks 5 and 6) with a new Schedule 3**
5. **To replace Schedule 4 (Outline of Blocks 2 and 3) with a new Schedule 4**
6. **Section 64.16 (106) (i), By-law No. 261-2017**
Required minimum front yard setback of Block 4 is 6 m.
Proposed minimum front yard setback of Block 4 is 1.5 m.
7. **Section 64.16 (106) (m), By-law No. 261-2017**
Maximum permitted height is 11.25 m and 3 storeys.
Proposed height is 12.55 m and 4 storeys.

COMMENTS

The subject property is located southwest of Eglinton Avenue East and Victoria Park Avenue. The property is designated *Neighbourhoods* in the Official Plan and zoned *RM1(106)* in the former City of North York Zoning By-law No. 7625.

Community Planning processed a Zoning By-law Amendment application and have open Plan of Subdivision and Site Plan Control applications to permit a 35-unit, three-storey townhouse development in six blocks on a new public street. The Zoning By-law was adopted by City Council in 2017 and the associated Plan of Subdivision received draft approval in 2017.

The proposed development seeks variances to increase the number of units from 35 street facing townhouses to 53 back-to-back townhouses, increase lot coverage from 45% to 48%, increase permitted height from 11.25 metres and three storeys to 12.55 metres and four storeys plus walk-up. The subject application also seeks to change the orientation of the blocks, reducing setbacks, change access and configuration of the driveways and the new public street. The requested variances for the increase in the number of units with the change in townhouse type, reduction in setbacks, and increase in height and storeys results in significant changes that do not maintain the general intent and purpose of the Zoning By-law and are not minor.

The proposed development is a substantial departure from what was approved by City Council in 2017 and has not been technically reviewed by City staff or commenting partners for its feasibility or appropriateness. The nature of the proposed changes to a multi-building/unit development with a new public street would require a comprehensive technical review more appropriately done through Zoning By-law Amendment and Plan of Subdivision applications. The reports and drawings previously reviewed with the Zoning By-law Amendment, Plan of Subdivision, and Site Plan Control applications are obsolete as they do not address the scale of development proposed through the current Committee of Adjustment application. Engineering and Construction Services requires a submission of updated reports and drawings to ensure that the new proposal for 53 back-to-back townhouse units comply with all City standards and regulations. Proper review ensures that systems such as the water and sewer systems operate within capacity, grading and stormwater are dealt with appropriately, environmental matters are dealt with appropriately, the Fire Department and Solid Waste Services can provide service to future residents, and any transportation impacts are properly addressed.

Staff are of the opinion that the requested variances do not meet the tests as prescribed in the Planning Act. As such, City Planning staff recommend this application be refused.

CONTACT

Derrick Wong, Senior Planner, Community Planning, North York District,
416-392-0776, Derrick.Wong@toronto.ca

SIGNATURE



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