

Date: June 13, 2023

To: Chair and Committee Members of the Committee of Adjustment, Etobicoke York Panel

From: Michael Mizzi, Director, Community Planning, Etobicoke York District

Ward: 2 (Etobicoke-Centre)

File No: A0195/23EYK

Address: 17 Courtsfield Crescent

Application to be heard: June 22, 2023

RECOMMENDATIONS

City Planning staff recommend that the Minor Variance application be refused.

APPLICATION

To construct a new detached dwelling with an integral garage.

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

1. Section 10.20.30.40.(1)(A), By-law 569-2013

The maximum permitted lot coverage is 33% of the lot area (210.87 m²).

The proposed dwelling will cover 33.78% of the lot area (215.83 m²).

2. Section 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.45 times the lot area (287.55 m²).

The proposed dwelling will have a floor space index of 0.89 times the lot area (570.15 m²).

3. Section 10.20.40.10.(1)(A), By-law 569-2013

The maximum permitted dwelling height is 9.5 m.

The proposed dwelling will have a height of 10.27 m.

4. Section 10.20.40.10.(2)(A)(i), By-law 569-2013

The maximum permitted height of all front exterior main wall height of 7 m.

The proposed dwelling will have a front exterior main wall height of 8.53 m.

5. Section 10.20.40.50.(1)(A), By-law 569-2013

The maximum permitted number of platforms at or above the second storey located on the rear wall of a detached dwelling is 1.

The proposed number of platforms located along the rear wall will be 2.

6. Section 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of a platform at or above the second storey is 4 m².
The proposed second storey front balcony will have an area of 4.25 m².
The proposed second storey rear platform will have an area of 10.16 m².
The proposed third storey rear platform will have an area of 5.59 m².

7. Section 200.5.1.10.(2)(A)(ii), By-law 569-2013

The minimum required parking space width for 2 parking spaces is 5.8 m.
The proposed 2 parking space will have a width of 5.48 m.

COMMENTS

Official Plan

The subject property is designated *Neighbourhoods* on Map 14 in the City of Toronto Official Plan. Section 4.1 of the Official Plan outlines the development policies for *Neighbourhoods*. The preamble to the development criteria states that "physical changes to our established *Neighbourhoods* must be sensitive, gradual, and 'fit' the existing physical character."

Policy 4.1.5 of the development criteria for *Neighbourhoods* requires that development in established *Neighbourhoods* respect and reinforce the existing physical character of the neighbourhood, including in particular:

- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties; and

The Official Plan further states that "no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the overall physical character of the entire *Neighbourhood*."

Policy 4.1.8 of the Official Plan states that, "Zoning By-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential *Neighbourhoods*."

Zoning

The subject property is zoned Residential Detached (RD) under city-wide Zoning By-law 569-2013. The objective of the Zoning By-law is to establish specific standards as to how land is developed.

Application Review

The subject site is located south-east of Royal York Road and Eglinton Avenue West. The applicant proposes to construct a new two-storey detached dwelling with an integral garage.

City Planning staff have reviewed the application, supporting materials, and previous Committee of Adjustment decisions in the neighbourhood. Based on this review, City Planning staff identified concerns regarding the proposed floor space index (FSI), maximum height and maximum height of pairs of main walls variances.

The purpose of the maximum height provision is to ensure an appropriate height relationship amongst buildings, which results in a low-rise compatible form of development. Further, the maximum height of specified pairs of main walls provision is intended to minimize the extent to which main walls, or portions of them, may rise to create inappropriate third-storey upper levels, particularly in neighbourhood areas comprised of single-storey and two-storey dwellings. City Planning Staff note that no variances for maximum height or pairs of main walls have been granted by the Committee of Adjustment on Courtsfield Crescent.

The purpose of the FSI regulation is to ensure that the mass of a building does not appear too large for its lot and such that it is out of keeping with the size or massing of other buildings in the neighbourhood. The applicant's proposed dwelling would have an FSI that is significantly larger than any other house in the immediate stable and mature neighbourhood, including newer builds at 24, 26, 28 and 50 Courtsfield Crescent which did not require FSI variances. No variances for FSI above the permitted 0.45 times requirement have been granted by the Committee of Adjustment on Courtsfield Crescent, making the prevailing density 0.45 times the lot area or less. Additionally, the proposal presents as a three-storey dwelling from the street level (i.e., an integral garage on the ground floor with two levels of living space above the garage), which is not consistent with the prevailing physical character of this immediate area, consisting of single-storey and two-storey dwellings. The integral garage, while not included in the FSI calculation also adds to the perceived massing of the dwelling when viewed from the street.

City Planning staff have provided opportunities for the applicant to revise their plans to be more in keeping with the physical character of the neighbourhood. The applicant submitted a waiver and revised architectural plans dated June 12, 2023, eliminating variances for maximum height and maximum height of pairs of main walls. The applicant also numerically reduced the FSI to 0.65 times the area of the lot by excavating the basement below the established grade to create 15 feet floor-to-ceiling heights without making any reductions to the above grade floor area or envelope.

City Planning staff are not satisfied with the revised proposal and consider the proposed dwelling, with an integral garage and three-storey appearance, to be inappropriate as the massing and scale fail to respect the character of the neighbourhood. The proposed FSI is not minor in nature, not only based on the number itself, but also on how the number manifests itself on the lot and how it presents itself on the street. Moreover, the proposed FSI is not frequently occurring in the neighbourhood.

As such, City Planning staff have determined that the revised proposal does not maintain the general intent and purpose of the Official Plan nor the Zoning By-law and is not in keeping with the existing physical character of the neighbourhood. City Planning staff recommend that the Minor Variance application be refused.

CONTACT

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SIGNATURE



Signed by Ohi Izirein, MURP, MCIP, RPP, Manager, Community Planning, on behalf of
Michael Mizzi, MCIP, RPP
Director of Community Planning
Etobicoke York District