

712 Eglinton Avenue East Committee of Adjustment Application

Date: October 16, 2025

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

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

Ward: Don Valley West

File No: A0310/25NY

Hearing Date: October 23, 2025

RECOMMENDATIONS

City Planning staff recommend that the following modifications be made to the application, as agreed upon by the applicant:

1. Modify Variance No. 1 regarding the minimum rear yard soft landscaping area under City of Toronto Zoning By-law No. 569-2013 from 24.49% to 45.28%.
2. Eliminate Variance No. 2 regarding the minimum rear yard setback for an ancillary building under City of Toronto Zoning By-law No. 569-2013.
3. Modify Variance No. 3 regarding the minimum west side yard setback under City of Toronto Zoning By-law No. 569-2013 from 0 metres to 0.76 metres.
4. Modify Variance No. 4 regarding the minimum separation distance between a garden suite and a residential building under City of Toronto Zoning By-law No. 569-2013 from 6 metres to 7 metres.
5. Eliminate Variance No. 5 regarding the 45-degree angular plane penetration for the north and east sides only under City of Toronto Zoning By-law No. 569-2013.
6. Modify Variance No. 6 regarding the maximum height of the ancillary building containing a garden suite under City of Toronto Zoning By-law No. 569-2013 from 6.3 metres to 6 metres.
7. Eliminate Variance No. 7 regarding the minimum lot coverage by an ancillary building under City of Toronto Zoning By-law No. 569-2013.

COMMENTS

The applicant is proposing a new Garden Suite in the rear yard. The applicant is proposing a revised rear yard soft landscaping area of 45.28%, whereas the City of Toronto Zoning By-law No.

569-2013 requires a minimum 50% of the rear yard area as soft landscaping. The reduction in soft landscaping is minor from a planning perspective and meets the intent of the Zoning By-law. Additionally, the applicant has also revised the rear yard setback of the garden suite from 0.76 metres to 1.5 metres to comply with the minimum requirement under the Zoning By-law, so the variance is eliminated.

City of Toronto Zoning By-law No. 569-2013 requires a minimum west side yard setback of 1.5 metres, and the applicant has revised the west side yard setback of the garden suite from 0 metres to 0.76 metres. The intent of regulating side yard setbacks in this case, is to ensure that new dwellings and structures have sufficient separation from side lot lines and the street, and to maintain a consistent built form character in the neighbourhood. Staff have no objection to the revised west side yard setback as it maintains the intent of the By-law and is considered minor and is consistent within the existing character of the neighbourhood.

Furthermore, the applicant has revised the minimum separation distance of the garden suite from the residential dwelling from 6 metres to 7 metres and has revised the height of the garden suite from a maximum of 6.3 metres to 6 metres, whereas City of Toronto Zoning By-law No. 569-2013 requires a minimum separation distance of 7.5 metres between a garden suite and a residential building if the height of the garden suite is greater than 4 metres. If the garden suite had an additional 0.5 metres of separation from the residential dwelling, then a garden suite with a height of 6.3 metres would be permitted as-of-right. The intent of regulating separation distance and building height is to mitigate the massing impacts of the ancillary building containing a garden suite on the residential dwelling and surrounding area. Staff are satisfied with the revised separation distance and height of the garden suite, as the revised variances do not result in a significant massing impact and are considered minor.

The applicant has also agreed to eliminate the angular plane penetration measured from a height of 4 metres from the required side yard setback towards opposite lot lines, for the north and east sides, whereas the angular plane projection still remains on the south side which is significantly less and considered minor with no massing issues. Staff have no objection to the south side angular plane projection. The proposed maximum lot coverage of 20.64% has also been eliminated to comply with the maximum permission of 20% lot coverage for a garden suite under the By-law.

Planning staff are of the opinion that the proposal as revised, maintains the intent of the Official Plan and Zoning By-law, is minor in nature, and is considered desirable for the appropriate development of the land.

Should the Committee choose to approve the application, Staff recommend that the approval be made subject to the agreed upon revisions to variance Nos. 1, 3, 4, and 6, and elimination of variance numbers 2, 5, and 7 as outlined in the Recommendations section of this report.

Staff note that a three-storey fourplex was previously approved by the Committee of Adjustment on March 6, 2025. Forestry staff and Community Planning staff worked with the applicant to revise the proposal with a reduced front yard setback in order to ensure that the existing tree in the rear yard would be preserved. Site and Area Specific Policy

670 "Garden Suites in Neighbourhoods" speaks to the location, massing and design of Garden Suites which will preserve existing trees protected under Municipal Code Chapters 608, 658, and 813 on the subject and adjacent properties. Since that decision was issued the tree has been removed from the property. The removal of the tree is being addressed independently of the minor variance application that is currently in front of staff for consideration and have not commented on the appropriateness, timing or any compensation matters that are associated with the tree removal.

CONTACT

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SIGNATURE



Signed by John Andreevski, Manager for
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