

99 Patricia Avenue Committee of Adjustment Application

Date: March 3, 2026

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

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

Ward: Willowdale

File No: A0046/26NY

Hearing Date: March 5, 2026

RECOMMENDATIONS

Community Planning Staff recommend that the following variances be refused:

1. Variance Request No. 3 regarding the height of the detached houseplex.
2. Variance Request No. 6 regarding the height of the main walls.

Should the Committee approve the application, Community Planning Staff recommend that the following modifications be made to the application, as proposed by the applicant:

1. Eliminate Variance Request No. 1 regarding the front yard platform setback and encroachment.
2. Eliminate Variance Request No. 2 regarding the rear yard landscaping.
3. Eliminate Variance Request No. 4 regarding the front yard setback.
4. Eliminate Variance Request No. 7 regarding the lot coverage.
5. Eliminate Variance Request No. 9 regarding the tandem parking spaces.
6. Eliminate Variance Request No. 10 regarding the east side yard setback.
7. Eliminate Variance Request No. 11 regarding the rear yard soft landscaping.
8. Reduce Variance Request No. 12 regarding the garden suite gross floor area to 130.11 square metres.

APPLICATION

The applicant is seeking 12 variances to construct a new three-storey detached fourplex dwelling with a rear exterior stairwell. Also, to construct a new two-storey garden suite.

COMMENTS

The subject property is located on the south-west corner of Patricia Avenue and Fargo Avenue, located north-west of Yonge Street and Drewry Avenue. The property is designated *Neighbourhoods* on Map 16 of the Official Plan and is zoned RD (f15.0; a610) (x5) in Zoning By-law 569-2013.

Community Planning Staff initially flagged concerns to the applicant regarding the proposed overall building height of 11 metres (Variance No. 3), whereas the Zoning By-law permits a maximum building height of 10 metres, and the proposed height of main walls of 10.93 metres (No. 6) whereas a maximum of 7.5 metres is permitted. One of the intents in regulating building heights and heights of main walls is to ensure that new dwellings within a neighbourhood are relatively

consistent in scale, height, eaves alignment and massing. Staff are recommending refusal of these two variances as the requested height are not in keeping with the existing neighbourhood character and fails to meet the intent of Policy 4.1.5 of the Official Plan.

Policy 4.1.5 of the development criteria within *Neighbourhoods* requires new developments to respect and reinforce the existing physical characteristics of established neighbourhoods including: prevailing heights, massing, scale, densities, setbacks, and landscaped open space of nearby residential properties. Relatedly, the purpose of the Zoning By-law is to set performance standards that are consistent to the Official Plan, and to ensure a consistent built form.

Lastly, Staff acknowledge that the applicant has brought forward revisions that seek to eliminate Variance Requests Nos. 1, 2, 4, 7, 9, 10, and 11, and a reduction of the proposed gross floor area of the garden suite from 159.08 square metres to 130.11 square metres. Staff are supportive of the removal of these variances.

Staff are of the opinion that Variance Requests Nos. 3 and 6 fail to meet the general intent of the Zoning By-law, the Official Plan, are not minor in nature, and are not desirable for the appropriate development or use of the land.

CONTACT

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SIGNATURE



Signed by Guy Matthew, MCIP, RPP, Manager for
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