

9 Hertford Avenue Committee of Adjustment Application

Date: April 15, 2026

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

From: Director, Community Planning, Etobicoke York District

Ward: 5 (York South-Weston)

File No.: B0008/26EYK, A0047/26EYK and A0048/26EYK

Hearing Date: April 23, 2026

RECOMMENDATIONS

Planning staff respectfully recommend that should the Committee of Adjustment approve the applications B0008/26EYK, A0047/26EYK and A0048/26EYK, the following condition be imposed:

1. The proposed development shall be constructed as illustrated in the Site Plan submitted on April 13, 2026, and held on file by Committee of Adjustment, as it relates to rear yard soft landscaping and permeable paving proposed in the rear yard.

APPLICATION

To obtain consent to sever the property into two undersized residential lots, and construct a semi-detached fourplex with a garden suite in the rear yard on each lot.

CONTEXT

The site is located on the south side of Hertford Avenue, to the southwest of the intersection of Eglinton Avenue West and Keele Street. The site is designated *Neighbourhoods* on Map 15 of the Official Plan and zoned as Residential Multiple (RM) under the city-wide Zoning by-law 569-2013. The site is also within the Keele Station Protected Major Transit Station Area and less than 300 metres of the station.

City Council adopted Official Plan Amendment (OPA) 649 on May 12, 2023, which permitted multiplexes (duplexes, triplexes, and fourplexes) *Neighbourhoods* city-wide through Site and Area Specific Policy (SASP) 826. At its same meeting, City Council adopted Zoning By-law 474-2023 to update permissions and performance standards for duplexes, triplexes, fourplexes and secondary suites.

On June 26, 2025, City Council adopted an amendment to the Zoning By-law through By-law 648-2025, to update permissions and performance standards for detached

houseplexes and semi-detached houseplexes, including duplexes, triplexes and fourplexes.

On February 2, 2022, City Council adopted OPA 554 and SASP 670, and ZBA 101-2022 to permit garden suites city-wide in *Neighbourhoods*.

On November 20, 2024, the Minister of Municipal Housing and Affairs passed Ontario Regulation 462/24 which amended a number of zoning regulations for garden suites related to lot coverage, density, separation distances, angular planes, and minimum lot area. On June 24, 2025, City Council adopted an amendment to the Official Plan and Zoning By-law through OPA 824 and ZBA 849-2025 to align with provincial regulation changes.

COMMENTS

Community Planning staff have reviewed the application, supporting materials, and previous Committee of Adjustment decisions in the neighbourhood.

The applicant proposes to sever the subject property, which has an existing lot frontage of 12.19 metres and a lot area of 427 square metres. The proposed severance would create two lots: Part A, located on the west side, would have a lot frontage of 5.66 metres and a lot area of 198.3 square metres, and Part B, on the east side, would have a lot frontage of 6.53 metres and a lot area of 228.7 square metres. Part B is proposed to be wider to accommodate a permeable walkway to access the garden suites on both lots. Staff conducted a lot study of the neighbourhood context to assess the proposed lot severance. Staff found the proposed lot frontages and lot areas of the proposed severance to be consistent with the prevailing lot fabric.

Staff expressed concern with the original application in regard to the variances sought for the western side yard setback (on Part A), rear yard soft landscaping, and separation distance between the garden suite and primary building. Through discussions with the applicant, revised plans were submitted for the application which show an increase to the separation distance between the main building and garden suite, an increase to the front yard setback, and an increased percentage of rear yard soft landscaping.

Rear yard soft landscaping has an important role to play in mitigating stormwater runoff and facilitating water infiltration and absorption. While a variance to rear yard soft landscaping is still being sought, the applicant increased the rear yard landscaping to 38.44% on Part A, and 27.55% on Part B, and is proposing permeable paving for the rear walkway as seen on the Site Plan submitted on April 13, 2026, to support the water infiltration and absorption.

While Community Planning staff accept that the proposal meets the four tests, Community Planning staff recommend the Committee apply the above noted condition to ensure the rear yard soft landscaping and permeable paving shown on the plans are secured in the rear yard to help facilitate water infiltration and absorption on site.

CONTACT

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SIGNATURE

Signed by



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