

# **TORONTO** STAFF REPORT

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October 21, 2002

To: Midtown Community Council

From: Director, Community Planning, South District

Subject: Refusal Report  
Applications for Amendments to the Official Plan and Zoning By-law, and for Site Plan Approval  
544017 Ontario Inc. In Trust  
85 Oriole Road and 99 Lonsdale Road  
202016, TD CMB 2002 0010  
St. Paul's, Ward 22

Purpose:

This report recommends refusal of the applications to amend the Official Plan and the Zoning By-law and for Site Plan approval for a 7-unit, three storey row house development proposed on the south east corner of Lonsdale Road and Oriole Road.

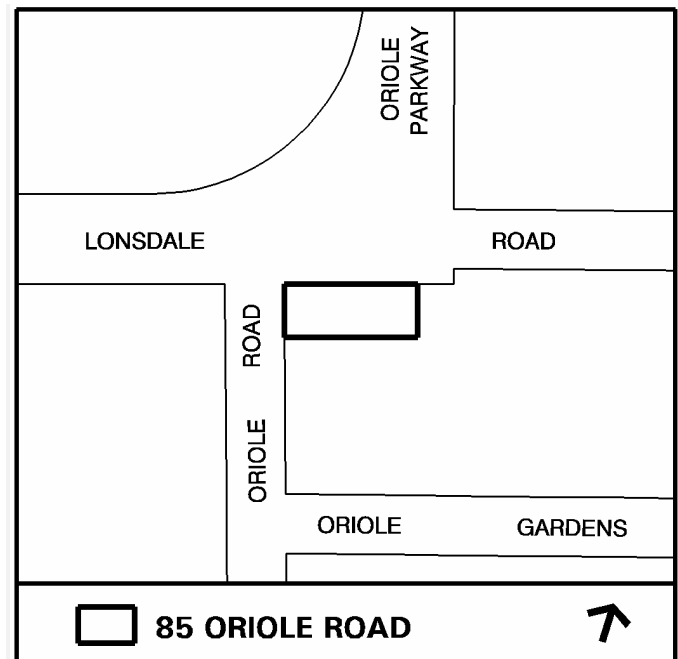
Financial Implications and Impact Statement :

There are no financial implications resulting from the adoption of this report.

Recommendations :

It is recommended that City Council:

- (1) Refuse Official Plan and Zoning By-law Amendments and Site Plan Approval Application No. 202016.
- (2) Request the City Solicitor, the Commissioner of Urban Development Services, and any other appropriate staff to oppose any Ontario Municipal Board appeal and referral made by the applicant on Application No. 202016



and the associated Consent applications.

- (3) Authorize and direct the appropriate City Officials to take the necessary actions to give effect thereto.

#### Background:

#### Proposal

The proposal is to amend the Official Plan and Zoning By-law for a 7-unit, three-storey row house development on the south east corner of Lonsdale Road and Oriole Road. The total proposed floor area would be approximately 1,716 square metres or 1.9 times the lot area. Six of the proposed dwellings would have their front doors along Lonsdale Road and the seventh dwelling would have its front door on Oriole Road. Typical dwelling unit sizes would be 245 square metres. Vehicular access to parking is proposed from Oriole Road by means of a common driveway situated underneath proposed outdoor rear amenity decks. Two parking spaces are proposed for each dwelling unit. The rear elevated decks would extend from behind the dwelling units to the south property line approximately 1.2 metres above grade. The applicant's proposal is illustrated by Attachments 1 and 2.

Minor Variance and Consent applications to permit the same proposal and sever the property into 7 lots were refused by the Committee of Adjustment on August 8, 2002. The applications were appealed to the Ontario Municipal Board by the applicant on August 19, 2002. In the applicant's letter of appeal, it was requested that a hearing for the matter 'not be scheduled until some time after December 1<sup>st</sup>, 2002, at which time the 90 day period will have lapsed which will enable the Board to consider the built form variances either under the currently appealed minor variances, or in the alternative, as an application for an amendment to the official plan and zoning by-law'.

#### Site Description and Surrounding Area

The 915 square metre lot located on the south east corner of Lonsdale Road and Oriole Road has an approximate frontage of 20 metres along Oriole Road and a lot depth of 45.7 metres along Lonsdale Road and currently contains a two and a half storey detached house with a total floor area of approximately 389 square metres or 0.43 times the lot area. There are mature oak and maple trees on the Lonsdale Road public boulevard which are proposed to be preserved by the applicant.

The site is located at the curve between Lonsdale Road and Oriole Parkway across from Upper Canada College to the north. Lonsdale Road to the immediate east of the site is characterized predominantly by detached and semi-detached houses. Oriole Road to the immediate south of the site has a mixture of detached, semi-detached, and row houses, as well as older multiplex and apartment buildings. To the west of the site is a 19-storey apartment building on a 1.03 hectare site which falls within the adjacent High Density Residence Area along Avenue Road. To the north and east is a Low Density Residence Area.

## Official Plan

The site is currently designated “Low Density Residence Area” by the Yonge-St. Clair Part II Plan. In general, Low Density Residence Areas are intended to be stable areas. The Official Plan stipulates that the residential built form of redevelopment projects shall maintain the essential elements of neighbourhood structure and character, and be compatible with adjacent residential developments. No changes will be made through zoning or other public action which are out of keeping with the physical character of such areas.

In Low Density Residence Areas, Council may pass by-laws to permit residential buildings having a gross floor area up to 1.0 times the area of the lot, provided that appropriate regard is had for the effect of such buildings upon the stability and general residential amenity and physical character of the Residence Area, and surrounding areas.

The new Official Plan designates the site Neighbourhoods and stipulates that development will respect and reinforce the general physical patterns and character of established Neighbourhoods, with particular regard to the general size and configuration of lots, setbacks of buildings from the street, and prevailing patterns of rear and side yard setbacks and landscaped open space.

## Zoning

The site is zoned R2 Z0.6 with a height limit of 11 metres. This zoning permits a variety of residential building types including detached, semi-detached, row housing, and apartments to a maximum of 0.6 times the area of the lot.

## Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has been submitted concurrently with the Official Plan and Zoning By-law Amendment application.

## Reasons for the Application

An Amendment to the Official Plan is required as the proposed density of 1.9 times the area of the lot exceeds the permitted Official Plan maximum of 1.0 times in the Low Density Residence Area.

An Amendment to the Zoning By-law is required because the proposed density of 1.9 times the area of the lot exceeds the permitted maximum of 0.6 times the area of the lot and the proposed seven row houses exceed the maximum of three row houses permitted in this area. Other variances to the Zoning By-law are required including front, rear, and flanking street yard setback reductions, and a reduction to minimum landscaped open space. There may be additional areas of non-compliance with the Zoning By-law.

### Comments:

The proposal represents an inappropriate approach to intensification for this site. The issues have been set out below, and when considered in their entirety, provide the basis for recommending refusal of this application.

### Lot Sizes

The proposed lot frontages would be 6.1 metres for the six lots along Lonsdale Road and 8.7 metres for the seventh corner lot proposed at Oriole Road. The proposed lot depths would be 20 metres. The proposed lot sizes would be between 122 to 132 square metres for the six lots along Lonsdale Road, and 173 square metres for the seventh corner lot proposed at Oriole Road.

Lonsdale Road to the immediate east of the site is characterized by detached and semi-detached houses with lot frontages ranging from 6.4 to over 18 metres, with most lot frontages ranging from 8 to 12 metres. Lot depths range from 33 to 53 metres, and lot areas range from 214 to over 650 square metres.

Oriole Road to the immediate south of the site has a mixture of detached, semi-detached, and row houses, as well as older multiplex and apartment buildings. Lot frontages for detached, semi-detached, and row houses range from 6 to over 15 metres. Lot depths range from 30 to over 52 metres, and lot areas range from 198 to over 740 square metres.

Because the proposed seven lots would be oriented with their frontages along Lonsdale Road, comparison with the neighbourhood character along Lonsdale Road should be given more weight. When compared to the predominant lot size, frontage and depth characteristics along Lonsdale Road, the proposal is not in keeping with the character of the area. Section 12.5(d)(i) of the in-force Official Plan stipulates that in order to fulfil its objective of achieving stability and to protect and enhance existing residential neighbourhoods, Council shall have regard for maintaining lot size, frontage and depth characteristics. Planning staff concur with the decision of the Committee of Adjustment to refuse the proposed lot divisions, because they do not conform to the policies of the Official Plan and are not consistent with the shape and size of lots in the area.

### Density

The Zoning By-law limits the residential floor area on this site to 0.6 times the lot area or a maximum of 550 square metres, whereas the proposed residential floor area would be 1.9 times the lot area or 1716 square metres. The Official Plan provides for a density of up to 1.0 times the area of the lot or 916 square metres.

Lonsdale Road to the immediate east of the site is characterized by densities ranging from 0.3 to 0.9 times the area of the lots. Oriole Road to the immediate south of the site is characterized by densities ranging from 0.31 to 1.33 times the area of the lots for detached, semi-detached, and row houses. The vintage apartments at Oriole Gardens have densities up to 1.71 times the lot

area, and the 19 storey apartment building to the west in the High Density Residence Area along Avenue Road has a density of 2.7 times the lot area.

The proposed bulk and density of the proposal is inconsistent with the density and scale of existing dwellings along Lonsdale Road and is more appropriately suited for a High Density Residence Area. Similar examples to the development configuration proposed can be found in the High Density Residence Area along St. Clair Avenue West.

#### Siting and Landscaped Open Space

The proposal requires several variances to the Zoning By-law to accommodate the siting and configuration of the proposed building. The proposed dwellings would have front yard setbacks of 0.61 metres from the Lonsdale Road property line, whereas the minimum front yard setback requirement would be 3.13 metres from Lonsdale Road (which is the existing front yard setback of the neighbouring dwelling to the east at 95 Lonsdale Road). The steps leading to the front doors of the proposed row houses along Lonsdale Road are proposed to encroach onto the public boulevard. The public boulevard along the Lonsdale Road frontage of the site has a generous width which would result in the proposed row houses being set back approximately 10 metres from the public sidewalk.

The proposed flanking street setback from Oriole Road would be 1.17 metres, whereas the by-law requires a building to have a minimum flanking street setback of 6 metres. The proposed building would project well beyond the existing building setback of the dwelling to the south at 83 Oriole Road which is set back approximately 9 metres from Oriole Road.

As noted above, vehicular access to parking is proposed from Oriole Road by means of a common private driveway situated underneath elevated outdoor rear amenity decks. The rear decks would extend from behind the dwelling units to the south property line approximately 1.2 metres above grade. Because they are well above grade the rear decks are considered part of the dwellings and therefore a 0 metre rear yard setback is the result. The by-law requires a building to have a minimum rear yard setback of 7.5 metres. When measured from the rear wall of the proposed row houses, the rear yard setbacks would be 5 to 5.5 metres. The elevated rear decks are proposed to be screened with a 1.8 metre high barrier along the rear of the decks. This would result in a 3 metre high decorative brick wall along the south property line.

The by-law requires a minimum landscaped open space equal to 30% of the area of the lot. Due to the reductions in building setbacks and the proposed elevated rear decks which are not considered landscaped open space, only 9% of the area of the lot would result in landscaped open space.

The proposal is inconsistent with the landscaped open space, rear yards, and setbacks normally associated with the surrounding stable residential neighbourhood. The proposal is not in keeping with the character of the area in respect to the siting of buildings.

Conclusions:

The proposal for seven row houses on the site is inconsistent with the in-force and new Official Plans' goal to protect the physical character of the City's stable, low density residential neighbourhoods. The proposed density, bulk, and siting of the proposal are inappropriate for this Low Density Residence Area. The proposed lot size, frontage and depth characteristics are not in keeping with the character of the area. Therefore, the proposal for this site is not appropriate or supportable. I am recommending that City Council refuse the application in its current form.

Contact:

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Beate Bowron  
Director, Community Planning, South District

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List of Attachments:

Application Data Sheet  
Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Official Plan

### APPLICATION DATA SHEET

#### **Combination**

Site Plan Approval:	Yes	File Number:	<b>202016</b>
Rezoning:	Yes	Application Number:	<b>TD CMB 2002 0010</b>
O.P.A.:	Yes	Application Date:	08/22/2002
Municipal Address:	85 Oriole Road and 99 Lonsdale Road		
Nearest Intersection:			
Project Description:	Sever property into 7 lots for 7 row houses.		

#### **Architect:**

William Holman  
1644 Bayview Ave.  
Toronto Ontario  
(416) 822-0318

#### **Owner:**

544017 Ontario Inc. In Trust  
5075 Yonge Street

#### **PLANNING CONTROLS (For verification refer to Chief Building Official)**

Official Plan Designation:		Site Specific Provision:	No
Zoning District:	R2 Z0.6	Historical Status:	No
Height Limit (m):	11	Site Plan Control Area:	Yes

#### **PROJECT INFORMATION**

Site Area:	915.74	<b>Height:</b> Storeys:	3	
Frontage:	19.98	Meters:	10	
Depth:	45.72			
		<b>Indoor</b>	<b>Outdoor</b>	
Ground Floor GFA:	578	Parking Spaces:	14	0
Residential GFA:	1715.8	Loading Docks:	0	0
Non-Residential GFA:	0		0	0
Total GFA:	1715.8		0	0

**DWELLING UNITS**

<b>Tenure Type:</b>	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3+ Bedroom:	7
Total Units:	7
Total Proposed Density:	1.87

**FLOOR AREA BREAKDOWN**

	<b>Above Grade</b>	<b>Below Grade</b>
Residential GFA:	1715.8	
Retail GFA:	0	
Office GFA:	0	
Industrial GFA:	0	
Industrial/Other GFA:	0	

**COMMENTS**

(Related CofA refusal has been appealed to OMB). OPA rezoning came in first (originally recorded as#102018). Site plan application rolled into the circulation under this file number.

Current Status:	Open	<u>Latest Event</u>	<u>Actual Date</u>
		Suppl. Submission	09/25/2002
		Suppl. Submission	09/17/2002
		Suppl. Submission	08/29/2002
		Received	08/22/2002

Data Valid: Oct 16, 2002      Planner: Nanos, Joe      Phone: 416 338-5747  
Area: District - C      Planning Office: Toronto - North (TD)