

40. 1780 AVENUE RD

File Number:	A0186/16NY	Zoning	CR3.0(c2.0;r2.8) SS2 (x1543) / C4(12) [WAIVER]
Owner(s):	1780 AVENUE ROAD LIMITED	Ward:	Eglinton-Lawrence (16)
Agent:	RYAN MILLAR	Heritage:	Not Applicable
Property Address:	1780 AVENUE RD	Community:	North York
Legal Description:	PLAN 1706 PT LOTS 113 AND 114 EXPROP PLAN 7613 PART 1		

PURPOSE OF THE APPLICATION:

To construct a new three-storey mixed-use commercial building. The proposal is to maintain 50% of the existing walls of the existing one-storey building. Please be advised this property is currently the subject of Site Plan Application No. 16 123787 NNY 16 SA. The application went before the Committee of Adjustment on April 21, 2015, DEFERRED SINE DIE, at the request of the applicant in order to meet with Rate Payers and neighbours to clarify the application.

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

- 1. Section 64.26(12)(e)(i), By-law No. 7625**
Where no laneway exists on the rear portion of the lot, no part of any building or structure may be located within a setback of 7.5m from the rear property line.
The proposed rear yard setback is 7.28m.
- 2. Chapter Exception 900.11.10.(1543)(I), By-law No. 569-2013**
If no laneway exists on the rear portion of the lot, no part of any building or structure may be located within a setback of 7.5m from the rear lot line.
The proposed rear yard setback is 7.28m.
- 3. Section 64.26(12)(d)(i), By-law No. 7625**
The maximum permitted commercial gross floor area is 200% of the lot area (2150.82m²).
The proposed gross floor area is 237.2% of the lot area (2,550.58m²).
- 4. Chapter 220.5.10.1.(3), By-law No. 569-2013**
The required minimum number of loading spaces for the eating establishment use is 1 Type B and for the office use is 1 Type B and 1 Type C.
1 Type G and 1 Type C loading space is proposed.
- 5. Chapter 220.5.10.(8)(C), By-law No. 569-2013**
A Type C loading space must have a minimum length of 6.0m, a minimum width of 3.5m and a minimum vertical clearance of 3.0m.
The proposed Type C loading space will have a minimum length of 6.0m a minimum width of 3.5m and a minimum height of 2.2m.
- 6. Section 6(A)(16)(b) and 6(A)(16)(d)(iv), By-law No. 7625**
The minimum required loading space size is 11.0m by 3.6m by 4.2m vertical clearance and an area of the same minimum length and width as a loading space shall be provided in front of the loading space which it serves.

- 7. Section 26(7), By-law No. 7625**
The minimum required number of parking spaces for the restaurant uses is 147 spaces and the office use is 30 spaces.
6 existing parking spaces will continue to be provided.
- 8. Chapter 200.5.10.1.(1), By-law No. 569-2013**
The minimum required number of parking spaces for an office use is 13 spaces.
6 existing parking spaces will continue to be provided.
- 9. Chapter 200.15.10(1), By-law No. 569-2013**
The minimum required number of accessible parking spaces is 1.
The proposed number of accessible parking spaces is 0.
- 10. Chapter 900.11.10(1543)(N), By-law No. 569-2013**
Any building or structure abutting Avenue Road must be built to a minimum height of two storeys at the lot line or the front yard setback provided for in paragraph (K) above and occupying at least 80 per cent of the length of the portion of the lot abutting Avenue Road.
The proposed building façade along the lot line abutting Avenue Road occupies 44% of Avenue Road.
- 11. Section 64.26(12)(g), By-law No. 7625**
Any building or structure abutting Avenue Rd. shall be built to a minimum height of two storeys at the property line or the front yard setback provided for in paragraph (e)(iii) above and occupying at least 80 per cent of the length of the portion of the lot abutting Avenue Road.
The proposed building façade along the lot line abutting Avenue Road occupies 44% of Avenue Road.
- 12. Section 900.11.10(1543)(M), By-law No. 569-2013**
Any building or structure 3 storeys or greater in height must have a minimum 2.0m step-back at the top of the second storey from all main walls facing a lot line which abuts a street, measured from the exterior of the main wall.
The proposed setback to the 'brise soleil' is 0m on both Avenue Road and Melrose Avenue.
- 13. Chapter 40.10.20.100.(21)(D), By-law No. 569-2013**
An outdoor patio must be set back at least 30m from a lot in a Residential Zone category.
The outdoor patio is set back 22.5m from a lot in a Residential Zone category.
- 14. Chapter 40.10.20.100(21)(E), By-law No. 569-2013**
An outdoor patio located above the first storey of the building, must be at least 40m, measured horizontally, from a lot in the Residential Zone category.
The outdoor patio located above the first storey is set back 22.5m from a lot in a Residential Zone Category.