

**SUBJECT:** **PRELIMINARY REPORT**  
Application by Gaetano Molinaro for Zoning By-law Amendment to facilitate severance of 9 Sabiston Drive to create one additional building lot

File No: ZA 14 117820

**PREPARED BY:** Daniel Brutto, Planner I, Central District

**REVIEWED BY:** Richard Kendall, M.C.I.P., R.P.P., Manager, Central District

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**RECOMMENDATION:**

- 1) THAT the report dated February 17, 2015 titled "PRELIMINARY REPORT, application by Gaetano Molinaro for Zoning By-law Amendment to facilitate severance of 9 Sabiston Drive to create one additional building lot (File No. ZA 14 117820)", be received;
- 2) AND THAT a Public Meeting be held to consider the application;
- 3) AND FURTHER THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**EXECUTIVE SUMMARY:**

Not applicable.

**PURPOSE:**

This report provides preliminary information on a Zoning By-law Amendment application to facilitate a severance of 9 Sabiston Drive to create one additional building lot. The report also seeks authorization for a statutory Public Meeting to consider this application. This report contains general information regarding applicable Official Plan and Zoning policies, as well as other issues. The report should not be taken as Staff's opinion or recommendation on the application.

**Application deemed complete**

The Zoning By-law Amendment application was deemed complete on December 23, 2014.

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**BACKGROUND:****Subject property and area context**

9 Sabiston Drive (the “subject property”) is located on the east side of Sabiston Drive, west of McCowan Road, south of Highway 7 East (see Figure 1 – Location Map). The subject property has an area of approximately 0.2 hectares (0.5 acres) and a frontage of approximately 30.6 metres (100 feet).

The subject property contains a one-storey single detached dwelling with an integrated garage constructed circa 1955. An asphalt driveway provides direct access from Sabiston Drive to the integrated garage along the northern portion of the subject property. Along the southern portion of the subject property a second gravel driveway exists from Sabiston Drive. Mature vegetation exists on the property parallel to the front and rear lot lines (see Figure 2 – Aerial Photo).

The subject property is located within the Oakcrest/Sabiston community which is undergoing a transition. The subject property is surrounded on all sides by single family residential dwellings. The abutting property to the south (35 Sabiston Drive) and on the opposite side of the street (34 Sabiston Drive) went through the re-zoning and severance process circa 2002 and 1999.

**Official Plans and Zoning**

The subject property is designated “Residential” in the in-force Official Plan (1987 Revised), as amended, which permits single detached dwellings.

The subject property is designated “Residential Low Rise” in the 2014 Official Plan (not yet in force), which permits single detached dwellings. The Official Plan 2014 (not yet in force), as amended, includes an area-specific policy for portions of Oakcrest Avenue, Sabiston Drive and River Bend Road, as follows:

**“9.19.2 Infill Development”**

For the “Residential Low Rise” lands shown on Figure 9.19.2, Council may consider a zoning by-law amendment to permit a consent (severance) to create one additional lot generally equal to one half of the area and frontage of lots from the original plans of subdivision for the lands. Where such consents (severances) are permitted, the lot frontage(s) and lot area(s) of the proposed new lot(s) shall be deemed consistent with the emerging lot sizes on the street where the property is located.

The intent of this Official Plan is to support infill development within this area, but ensuring the massing of new dwellings or additions to existing dwellings reflects the pattern and character of adjacent development, where appropriate. Site specific development standards established through individual zoning by-law amendments may address lot coverage, building depth, floor area ratios, height, number of storey’s, garage projections and garage widths.”

This policy came out of a land use study undertaken by the City for this community in 2010/11 in response to a number of development applications to create new lots.

The subject property is zoned “Single Family Rural Residential (RRH)” under By-law 122-72, as amended, which permits single-family detached dwellings on lots with a minimum lot frontage of 30.48 metres (100 feet) and a minimum lot area of 0.20 hectare (0.50 acres) (see Figure 3 – Area Context/Zoning).

**Proposal to facilitate severance into two lots**

The applicant has applied to re-zone the subject property from Single Family Rural Residential (RRH) to Single Family Residential (R3) under By-law 122-72, as amended with site specific development standards to facilitate a severance of 9 Sabiston Drive to create one additional building lot. The intent of the proposal is to demolish the existing dwelling, which is not of heritage value and construct a two-storey dwelling on each lot.

The concept plan submitted displays building footprints with integral garages which appear to comply with the development standards of the R3 zone, with the exception of lot frontage and two-storey side yard setback. The proposed minimum lot frontage for Parts 1 and 2 is approximately 50 feet, whereas the by-law requires a minimum lot frontage of 60 feet. The proposed minimum two-storey side yard setback is approximately 5 feet on the south side for Part 1 and approximately 5 feet on the north side for Part 2, whereas the by-law requires a minimum two-storey side yard setback of 6 feet (see Figure 4 – Concept Plan).

The requested zoning by-law amendment would need to incorporate site specific development standards to address the proposed lot frontage and minimum side yard setback adjustments. Following a decision

**Site plan and severance applications required**

All new dwellings and major additions to dwellings in the Oakcrest/Sabiston community are subject to site plan approval under the Site Plan Control By-law 262-94, as amended. During the site plan process staff will examine in more detail the siting of the dwellings, the relationship with the other dwellings on Sabiston Drive, and tree preservation. City staff will also ensure conformity with the “Site Development Guidelines for the Sabiston/Oakcrest Community” which provides guidelines for built form and building siting and, preservation of the natural heritage. To date, no site plan control application has been filed.

The applicant will also be required to submit a severance application to the Committee of Adjustment to create the proposed lot, should Council support this application. To date, no severance application has been filed.

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**OPTIONS/ DISCUSSION:**

The proposal is generally consistent with the emerging lot fabric in the Oakcrest/Sabiston community and with the area specific policies in the 2014 Official Plan (not yet in force). Staff will assess the proposed building siting and its relationship with adjacent homes (i.e. the appropriateness of the proposed setbacks) and the existing vegetation on the subject property (i.e. review of the tree inventory and preservation plan submitted), as part of a future site plan application.

These matters, and others identified at the Public Meeting and through the circulation and detailed review of the proposal, will be addressed, if necessary, in a final report to Committee.

**FINANCIAL CONSIDERATIONS:**

Not applicable.

**HUMAN RESOURCES CONSIDERATIONS**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposed applications will be reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The applications have been circulated to various City departments and external agencies and are currently under review.

**RECOMMENDED BY:**



Ron Blake, M.C.I.P., R.P.P.  
Acting Senior Development Manager



Jim Baird, M.C.I.P., R.P.P.  
Commissioner, Development Services

**ATTACHMENTS:**

Figure 1: Location Map

Figure 2: Aerial Photo

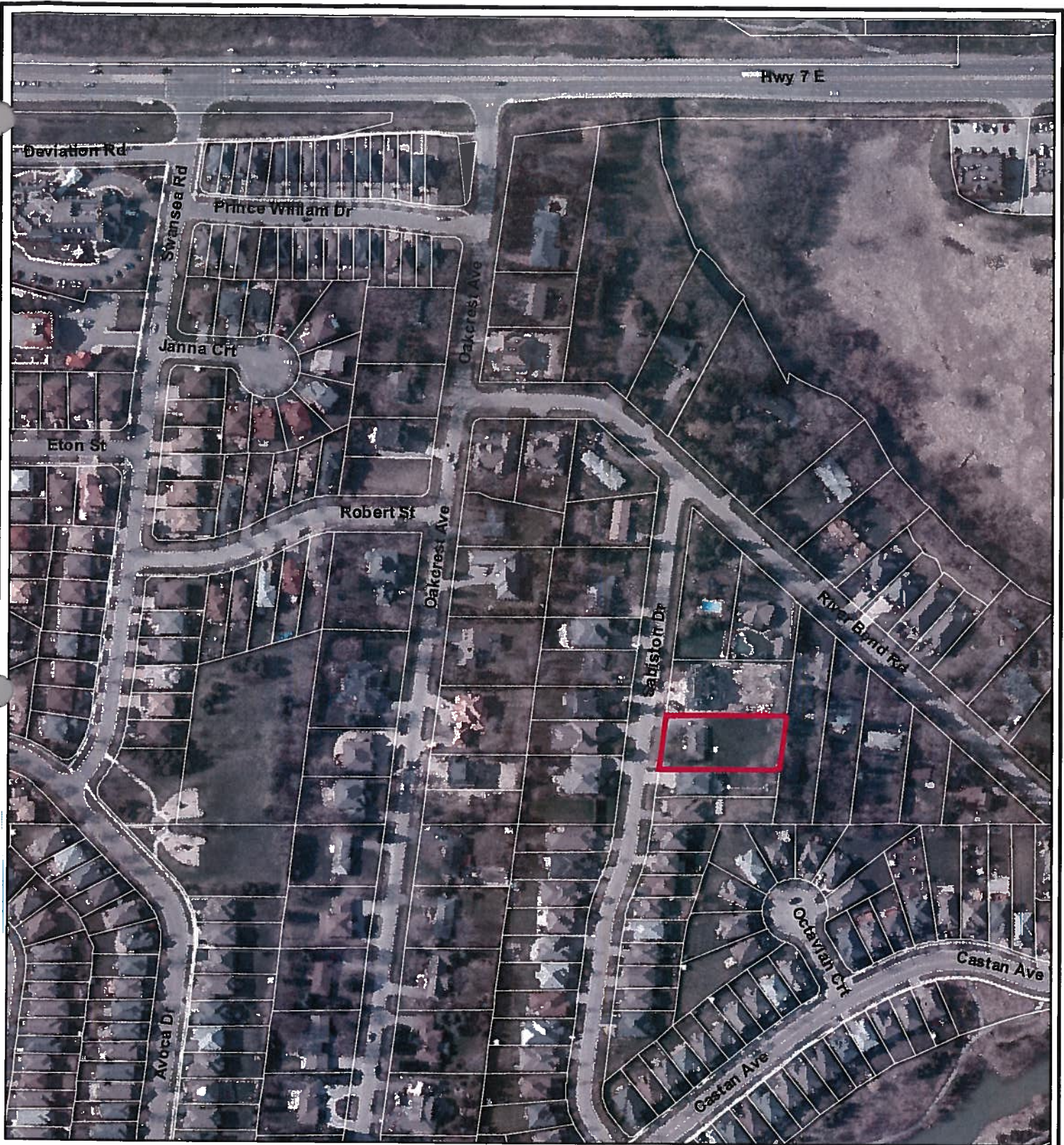
Figure 3: Area Context/Zoning

Figure 4: Concept Plan

**APPLICANT/AGENT:**

Aurelio Filice  
8787 Woodbine Avenue, Unit 236  
Markham, Ontario L3R 9S2  
Tel: (905) 470-5158





# AIR PHOTO

APPLICANT: GAETANO MOLINARO  
9 SABISTON DRIVE

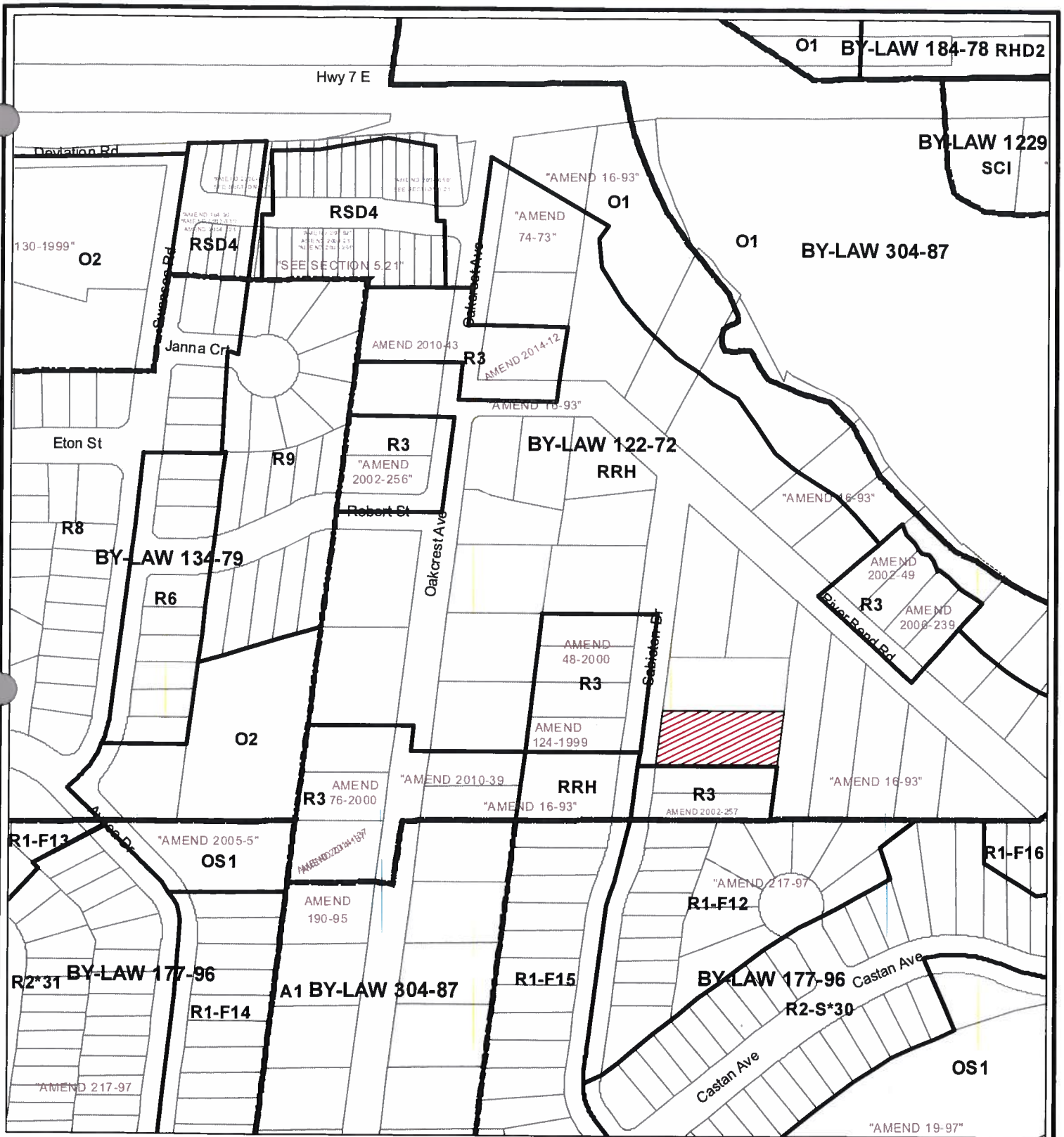
 SUBJECT LANDS

FILE No. ZA.14117820 (DB)

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DATE: 03/12/2014





# AREA CONTEXT / ZONING

APPLICANT: GAETANO MOLINARO  
9 SABISTON DRIVE

FILE No. ZA.14117820 (DB)

 SUBJECT LANDS

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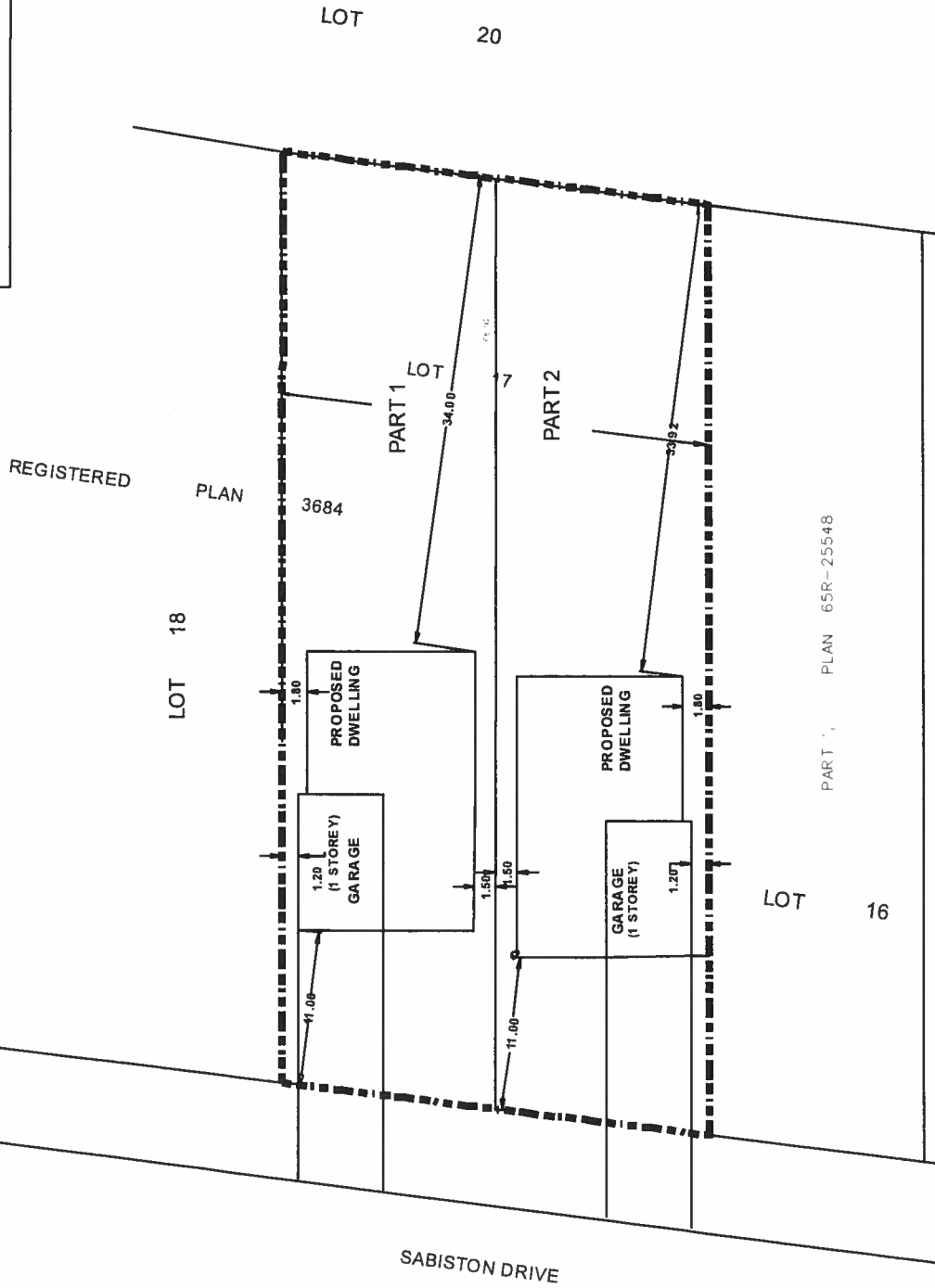
DATE: 03/12/2014

PART 1:

TOTAL LOT AREA = 1014.0 m<sup>2</sup>  
BUILDING ENVELOPE SHOWN = 244.2 m<sup>2</sup> BUILDING ENVELOPE SHOWN = 244.2 m<sup>2</sup>  
COVERAGE = 24.1% (MAXIMUM = 33%)

PART 2:

TOTAL LOT AREA = 1013.2 m<sup>2</sup>  
BUILDING ENVELOPE SHOWN = 244.2 m<sup>2</sup> BUILDING ENVELOPE SHOWN = 244.2 m<sup>2</sup>  
COVERAGE = 24.1% (MAXIMUM = 33%)



# CONCEPT PLAN

APPLICANT: GAETANO MOLINARO  
9 SABISTON DRIVE

FILE No. ZA. 14117820 (DB)

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 SUBJECT LANDS

Drawn By: CPW

Checked By: DB

DATE: 003/12/2014

FIGURE No. 4

