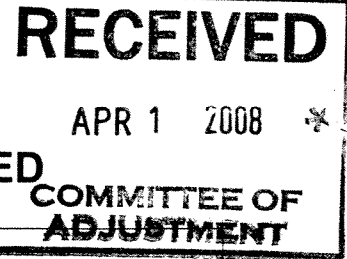




## STAFF REPORT ACTION REQUIRED



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| <b>Date:</b>      | March 31, 2008  |
| <b>To:</b>        | Chairman and Members of the Committee of Adjustment<br>Toronto and East York Panel                                    |
| <b>From:</b>      | Director, Community Planning, Toronto and East York District  |
| <b>Wards:</b>     | Ward 30, Toronto-Danforth   |
| <b>Reference:</b> | B0014/08TEY, A0213/08TEY-A0215/08TEY – 216 Hamilton St<br>Agent: Trevor Gain<br>To be heard: April 2, 2008, 2:00 p.m. |

### APPLICATION

The applicant is seeking to demolish the existing dwelling and to sever the lot into three lots identified as Parts 1, 2 and 3 on the draft R-plan. A three storey row house with a front integral garage is proposed to be constructed on each of the new lots.

The following variances have been requested for Parts 1, 2 and 3:

1. The minimum lot frontage is 6.0 m., whereas, the proposed lot frontage is 4.94, 4.41, and 4.96 for Parts 1, 2 and 3 respectively.
2. The maximum permitted gross floor area is 1.0 times the area of the lot (136.31 m<sup>2</sup>), whereas, Part 1 will have a gross floor area equal to 1.44 times the area of the lot (196.96 m<sup>2</sup>), Part 2 will be equal to 1.57 times the area of the lot (189.77 m<sup>2</sup>) and Part 3 will be equal to 1.45 times the area of the lot (196.49 m<sup>2</sup>).
3. The maximum permitted depth of a dwelling is 14.0 m, whereas, Parts 1, 2 and 3 will have a depth of 16.3 m.
4. A building is required to be located no closer than 0.9 m to the portion of the side wall of an adjacent building where the side wall does not contain any openings, whereas, the row house on Part 3 will be located 0.48 m from the adjacent building to the north.
5. An uncovered platform which projects into the required setbacks is permitted to have a maximum height of 1.2 m above grade, whereas, the rear first floor deck on Parts 1, 2 and 3 will project into the rear yard setback and will have a height of 2.72 m above grade.
6. It is prohibited to construct a driveway that leads directly to a dwelling unit in a manner so that less than 75% of the area of the portion of the lot between the front lot line and the line of the main front wall of the dwelling as produced to the side lot line not covered by the driveway is

provided and maintained as soft landscaping. Whereas, in this case, 51% of the front yard will be provided as soft landscaping on Part 2 and 62% of the front yard will be provided as soft landscaping on Parts 1 and 3.

7. An integral garage on a lot having a frontage of less than 7.62 m where access to the garage is located in a wall facing the front lot line is not permitted, whereas, the integral garage proposed for Parts 1, 2 and 3 is on a lot that has a frontage of less than 7.62 m and is located in a wall that faces the front lot line.

8. Proposed lots are required to be capable of being conveyed in accordance with the provisions of the Planning Act, whereas, the proposed severance requires consent from the Committee of Adjustment prior to the issuance of a building permit.

## **COMMENTS**

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Planning Staff have reviewed the applications, conducted a site visit and have discussed Planning's concerns with the Applicant.

Planning Staff have concern with the proposed integral garages as: these can produce a houseform that is out of scale with the existing houses in the surrounding neighbourhood; the garage door replaces the function of the front entrance as the most prominent feature of the house; the paved driveway reduces the amount of soft landscaping that can be provided; and, additional curb cuts are created that reduce the supply of on-street parking spaces.

Planning Staff recommend that the integral garages be eliminated as these are not a common feature within the neighbourhood and do not fit with the existing streetscape. Therefore, variances Nos. 6 and 7 should not be approved. The removal of the integral garage will allow the first floor to be closer to grade, therefore, Variance No. 5 also should not be approved.

In addition, Variance No. 4 regarding the proposed side yard setback of 0.48 m instead of 0.9 m for the dwelling unit on Part 3 is not necessary as this will be a newly constructed unit and adequate space should be provided between the wall and the property line.

## **RECOMMENDATION**

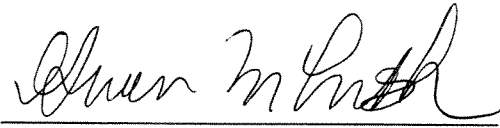
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Planning Staff respectfully recommends that Variances Nos. 4, 5, 6 and 7 be refused for Application Nos.: A0213/08TEY-A0215/08TEY.

## CONTACT

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## SIGNATURE



Gary Wright  
Director, Community Planning, Toronto and East York District

### Copy:

Councillor Paula Fletcher, Ward 30, Toronto-Danforth (by hand)  
Trevor Gain, Agent (by fax: (416) 522-2638)