

Date:	October 8, 2008
To:	Chairman and Members of the Committee of Adjustment Toronto and East York Panel
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 32, Beaches – East York
Reference:	B0121/08TEY, A0927/08TEY, A0928/08TEY, A0929/08TEY and A0930/08TEY 14 and 16 Wineva Avenue Agent: Jaegap Chung To be heard: October 22, 2008, 2:30 p.m.

APPLICATION

The applicant seeks to consolidate two lots municipally known as 14 and 16 Wineva Avenue and subsequently sever the merged lot into four conveyable residential lots. The four new lots would front onto Alfresco Lawn and the applicant proposes to construct a three-storey detached house on each lot. Each house would have a parking space in the rear and the applicant also seeks to create right-of-way easements at the rear of the property for a mutual driveway to be shared by the four properties. The existing pair of semi-detached houses would be demolished.

The following variances have been requested for the four new houses:

1. The maximum permitted gross floor area is 0.60 times the area of the lot (61.32 m²), whereas, the new dwellings on lots A, B and C will have a gross floor area equal to 1.89 times the area of the lot (192.77 m²). Lot D is slightly larger and the maximum permitted gross floor area is 94.8 m², but the proposed dwelling will have a gross floor area of 194.63 m² (1.23 times the area of the lot).
2. The minimum required front yard setback is 6.0 m, whereas, each of the proposed houses will have a front yard setback of 1.12 m.
3. The minimum required rear yard setback is 7.5 m, whereas, each of the proposed houses will have a rear yard setback of 2.26 m.
4. The minimum required lot frontage is 7.5 m, whereas, lots A, B and C will have a lot frontage of 6.71 m.

5. The minimum required landscaped open space is 0.30 times the area of the lot (14.56 m²), whereas, lots A, B and C will have a landscaped open space that equals to 0.29 times the area of the lot (14.30 m²).
6. A building is required to have a minimum setback of 0.45 m from the side lot line, whereas, the buildings on lots A and C will be located 0.0 m from the east side lot line and the buildings on lots B and D will be located 0.0 m from the west side lot line.
7. A building is required to have a minimum setback of 0.90 m from the sidewall of the adjacent building where there are no windows, whereas, in this case:
 - the building on lot A will be located 0.0 m from the building on lot B
 - the building on lot B will be located 0.0 m from the building on lot A
 - the buildings on lot C will be located 0.0 m from the building on lot D
 - the buildings on lot D will be located 0.0 m from the building on lot C
8. A building is required to have a minimum setback of 6.0 m from the flanking street, whereas, the building on lot D will be located 1.62 m from Wineva Avenue.

COMMENTS

Planning Staff have reviewed the proposal and discussed concerns with the applicant.

The property is designated "Neighbourhoods" in the Official Plan. The proposed development is inconsistent with the policies of the Official Plan that require new development to have regard for: the physical character of the neighbourhood including size and configuration of lots; heights, massing and scale of nearby residential properties; and, prevailing patterns of rear, front and side yard setbacks as well as landscaped open space.

The size and configuration of the proposed lots will not meet the intent and purpose of the Official Plan because they are much smaller in size in relation to the surrounding properties. The existing lots municipally known as 14 and 16 Wineva Avenue are oriented in an east-west direction which is consistent with the rest of the lots on the street. The applicant proposes to re-orient the lots in a north-south direction with a frontage on Alfesco Lawn. This orientation is inconsistent with the prevailing lot pattern of the surrounding neighbourhood.

The reduced size of the lots also means that the proposed houses are unable to meet the zoning requirements in regard to front, rear and side yard set backs, have inadequate landscaped open space and also have densities that not only exceed the permitted density of 0.60 times the area of the lot, but are also higher than the densities of surrounding properties.

Staff are concerned with the potential disruption of the existing urban fabric should such a development be proposed on this and possibly on similar corner lots along this portion of the waterfront.

The proposed development does not meet the four tests of the Planning Act. It does not respect or reinforce the existing character of the surrounding neighbourhood and therefore does not meet the intent and purpose of the official plan. It requires numerous variances from the zoning by-law and

therefore does not meet the intent and purpose of the by-law. The proposed development is not appropriate development of the site as it will result in an overdevelopment of the site, and the variances requested are not minor

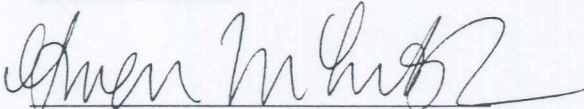
RECOMMENDATION

Planning staff respectfully recommends that Committee refuse Application Nos. B0121/08TEY, A0927/08TEY, A0928/08TEY, A0929/08TEY and A0930/08TEY.

CONTACT

Joanna Kimont, Assistant Planner, East Section
Tel: 416-392-7216
Fax: 416-392-1330
E-mail: jkimont@toronto.ca

SIGNATURE



RD
Raymond David,
Acting Director, Community Planning, Toronto and East York District

Copy:
Councillor, Sandra Bussin, Ward 32, Beaches – East York (by hand)
Jaegap Chung, Agent (by fax 416-256-2894)