

<b>Date:</b>	August 21, 2008
<b>To:</b>	Chairman and Members of the Committee of Adjustment Toronto and East York Panel
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19, Trinity-Spadina
<b>Reference:</b>	A0660/08TEY/B0091/08TEY-28 and 36 Halton Street Owner: Alan Wesley Bowman To be heard: August 27, 2008, Item No.26 and 26 B

## **APPLICATION**

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The application proposes to sever the property into two lots and to permit the semi-detached dwelling to be maintained on a reduced sized lot. Variances are requested with regard to minimum rear yard setback, lot frontage, and parking.

## **BACKGROUND**

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An application for this property was before the Committee of Adjustment in 1994 to allow the construction of an L-shaped addition on the northwest corner of a nursing home at 28 Halton Street. A portion of this addition was to be located on the rear portion of the adjacent property known as 36 Halton Street which contains a semi-detached house, essentially creating a campus. The Committee refused this application on the grounds that the proposal was essentially a house behind house, would result in an adverse impact upon the occupant of the semi-detached dwelling, and was generally not considered to be a desirable development. The decision was appealed at the Ontario Municipal Board on April 29, 1996, where the minor variances were granted.

## **COMMENTS**

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Planning staff have reviewed this application and visited the site and are of the opinion that the proposed applications do not meet the intent of the Zoning By-law or the Official Plan. The proposed severance of the property into two lots results in the creation of a lot with a semi-detached dwelling which is substantially smaller than the lots in the surrounding neighbourhood. While the general lot depth in this area is approximately 45

metres with a rear yard setback ranging from 15-17 metres, the proposed lot has an approximate depth of 28 metres with a rear yard setback of 0.9 metres (where 7.5 metres are required).

The Official Plan aims to protect the stability of neighbourhoods by respecting and reinforcing the existing physical character of the neighbourhood including a) size and configuration of lots; and b) prevailing patterns of rear and side yard setbacks and landscaped open space. As a result, this proposal is not in keeping with the general character of the surrounding neighbourhood. Furthermore, permitting a severance of a lot which does not respect the general lot pattern of the neighbourhood could result in future instability for the area.

## **RECOMMENDATION**

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Staff respectfully recommend that the Committee refuse applications A0660/08TEY & B0091/08TEY.

## **CONTACT**

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## **SIGNATURE**

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

Cc: Alan Wesley Bowman, Agent (by facsimile)  
Councillor Joe Pantalone, Ward 19 (hand delivered)