



STAFF REPORT
Committee of Adjustment
Application

Date:	September 16, 2009
To:	Chair and Committee Members of the Committee of Adjustment Toronto and East York District
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 32, Beaches – East York
Reference:	File Nos. B0064/09TEY, A0455/09TEY, A0456/09TEY and A0457/09TEY Address: 2170 Gerrard Street East Application to be heard: September 23, 2009, 3:30 p.m.

RECOMMENDATION

Planning staff respectfully recommends that the Committee refuse Application Nos. B0064/09TEY, A0455/09TEY, A0456/09TEY and A0457/09TEY.

APPLICATION

The applicant seeks to sever the lot into three residential lots. The existing 2 ½ storey 8-unit residential building would be maintained on the retained lot fronting on Gerrard Street East. The applicant proposes to demolish the existing detached garage and to construct a pair of 2 ½ storey semi-detached dwellings with integral garages on the conveyed lots that would front onto Norwood Road.

The following variance has been requested for the existing 8-unit building:

1. Four parking spaces are required to be provided, whereas, two parking spaces would be provided.

The following variances have been requested for the proposed semi-detached dwellings:

1. The minimum required rear yard setback is 7.5 m, whereas, the proposed semi-detached dwellings would have a rear yard setback of 4.0 m.
2. The minimum required front yard setback is 6.0 m, whereas, the proposed semi-detached dwellings would have a front yard setback of 1.0 m.
3. The maximum permitted gross floor area is 1.0 times the area of the lot (92.9 m²), whereas, the proposed semi-detached dwellings would have a gross floor area equal to 1.68 times the area of the lot (155.79 m²).

BACKGROUND

The existing 2 ½ storey 8-unit building is located on a corner lot that has a frontage of 12.19 m along Gerrard Street East and 45.72 m along Norwood Road. A three-car detached garage is located at the rear of the property and has access via Norwood Road. In addition, three surface parking spaces are located adjacent to the garage.

On January 28, 2009, Planning Staff had a pre-consultation meeting with the applicant to discuss a proposal to sever the lot into four lots and to construct three new townhouses with integral garages at the rear of the property (fronting onto Norwood Road). The proposal required variances for density, front and rear yard setbacks, parking, integral garages on narrow lots, and landscaped open space.

Planning staff had concerns with the size of the lots, the scale and massing of the new dwellings, the integral garages, and limited outdoor amenity space. Staff advised the applicant that the proposal would be inconsistent with the prevailing lot pattern and building footprints in the surrounding neighbourhood. New development should reinforce the neighbourhood character. The proposed lots on Norwood Road would be too shallow to accommodate new dwellings that comply with the Zoning By-law. Staff indicated that they would not support a proposal to sever the rear of the property as it was considered inappropriate for the site

On May 28, 2009, the applicant submitted revised plans to the Committee of Adjustment that reduced the number of lots/dwellings proposed, but the revisions did not address staff concerns. The revised proposal is what is currently before the Committee.

COMMENTS

Planning Staff have reviewed the proposal, conducted a site visit, and discussed concerns with the applicant.

The subject property is designated “Neighbourhoods” in the Official Plan, which requires new development to have regard for the existing physical conditions within the surrounding area. The “Neighbourhoods” designation contains provisions for massing, scale, as well as the prevailing front yard setback and patterns of open space in the surrounding area. The purpose of the Zoning By-law is to reinforce a stable built form in existing residential neighbourhoods, and to mitigate the impact of new development on adjacent properties.

Zoning By-law 438-86 regulates front and rear yard setbacks in order to maintain a consistent streetscape and to provide adequate outdoor amenity space. The By-law requires new development to comply with the minimum 6.0 m front yard and 7.5 m rear yard setbacks. As a result of the 12.19 m depth of the proposed lots on Norwood Road, no residential building is capable of being constructed on the lots without requiring variances for front and rear yard setbacks. Further, the proposed 1.0 m front yard setback for the new dwellings is inconsistent with the average front yard setback of 5.5 m along the west side of Norwood Road.

The properties in this area that have a frontage on Gerrard Street East are permitted to have a maximum residential density of 1.0 times the area of the lot. The properties north of the site along Norwood Road have a maximum permitted density of 0.6 times the area of the lot. The proposed dwellings would have a density of 1.68 times the area of the lot. Planning staff do not

consider this to be a minor variation from the By-law, nor consistent with the overall density of the surrounding neighbourhood.

Although there are a few examples of shallow lots on Norwood Road and Woodlee Road, the lots and buildings do not comply with the zoning requirements because they pre-date the passing of Zoning By-law 438-86.

Planning staff are of the opinion that the proposed development, including the proposed lots and dwellings, does not meet the intent of the Official Plan, nor the Zoning By-law. The development is considered inappropriate for the site as it is inconsistent with the prevailing lot patterns and building footprints in the neighbourhood. Staff recommend the consent and variance applications be refused.

CONTACT

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SIGNATURE

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