

Notice of Motion

Ontario Municipal Board Hearing for 558 Woburn Avenue re. Consent and Variance Applications (B0014/10NY, A0058/10NY & A0112/10NY) (Ward 16)

Moved by: **Councillor Stintz**

SUMMARY:

On May 26, 2010 the Committee of Adjustment heard the following files relating to 558 Woburn Avenue - **B0014/10NY, A0058/10NY and A0112/10NY**. The purpose of the application is to sever 558 Woburn (a 40 foot lot) into two residential properties (20 foot lots) fronting on Woburn Avenue and construct a three-storey dwelling on each property. North District planning staff wrote a report supporting the severance application and all requested variances. Despite opposition from local residents the Committee of Adjust approved the application and variances.

This is the first severance application for a residential property along the second block of Woburn Avenue. Successful severance applications have been submitted for 437 & 470 Woburn Avenue but these homes are located along the first block of Woburn, just west of Avenue Road, where there are a larger number of homes on 20 foot lots. Also, the closer proximity to an arterial road makes the severances more appropriate. The approval of this application will make these properties the two smallest on the area. Finally, there is a mature tree that lies in the middle of the property that will likely have to be removed.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application (B0014/10NY) is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee approved the following variances.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Proposed lot area of 222.9m² (240.3m² including half of the rear lane)
 WHEREAS a minimum of 371m² is required;
2. Proposed lot frontage and width of 6.10m
 WHEREAS a minimum of 12m is required.
3. Proposed east side setback of 0.45m
 WHEREAS a minimum of 1.2m is required;
4. Proposed west side yard setback of 0.61m
 WHEREAS a minimum of 1.2m is required;

5. Proposed lot coverage of 33.2% (79.7m² or 858.7sq.ft.)
WHEREAS a maximum of 30% (72.1m² or 776sq.ft.) is permitted;
6. Proposed three storey dwelling
WHEREAS a maximum of two storey dwelling is permitted;
7. Proposed building length of 15.85m
WHEREAS a maximum of 15.3m is permitted; and
8. Proposed building height of 10m
WHEREAS a maximum of 8.8m is permitted.

The Minor Variance Application (A0058/10NY) is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article III, with respect to privately owned trees, to the satisfaction of the Urban Forestry Division.
3. The owner shall submit a Tree Security Deposit (in the form of a certified cheque or letter of credit only) and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.
4. Where no street tree exists, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting the site to the satisfaction of the General Manager of Parks, Forestry and Recreation.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Proposed lot area of 222.9m² (240.3m² including half of the rear lane)
WHEREAS a minimum of 371m² is required;
2. Proposed lot frontage and width of 6.10m
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WHEREAS a maximum of 30% (72.1m² or 776sq.ft.) is permitted;
6. Proposed three storey dwelling
WHEREAS a maximum of two storey dwelling is permitted;
7. Proposed building length of 15.85m
WHEREAS a maximum of 15.3m is permitted; and
8. Proposed building height of 10m
WHEREAS a maximum of 8.8m is permitted.

The Minor Variance Application (A0112/10NY) is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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Local residents have appealed the Committee of Adjustment Decision to the Ontario Municipal Board.

RECOMMENDATIONS:

1. That City Council direct the City Solicitor to arrange for an external planner to oppose this severance application and all associated variances at the Ontario Municipal Board.

Date: June 22, 2010