



STAFF REPORT
Committee of Adjustment
Application

Date:	May 14, 2013
To:	Chair and Committee Members of the Committee of Adjustment Toronto and East York District C/O Anita MacLeod, Manager & Deputy Secretary-Treasurer, Toronto and East York District
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22, Toronto – St. Paul’s
Reference:	File No. A0568/12TEY, A0567/12TEY and B0058/12TEY Address: 48 Oriole Gardens Application to be heard: May 22, 2013

RECOMMENDATION

Planning staff respectfully recommends that the Committee refuse Applications No. A0568/12TEY, A0567/12TEY and B0058/12TEY.

APPLICATION

The applications propose to sever the property at 48 Oriole Gardens into two lots and construct a new three-storey semi-detached dwelling with an integral garage.

Variances for: minimum required lot frontage; maximum permitted dwelling depth; permission for integral garages; minimum required front lot line setback; and minimum required front yard soft landscaped open space are requested in this application.

COMMENTS

Planning staff have reviewed the application, and cannot support the proposal in its current form.

The subject property is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are physically stable areas providing for a variety of lower scale residential uses. The stability of the physical character of the *Neighbourhoods* is one of the keys to Toronto's success. Policies and development criteria aim to ensure that physical changes to the established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Development criteria in Section 4.1.5 of the Official Plan states that development in established *Neighbourhoods* will

respect and reinforce the existing physical character of the neighbourhood, including in particular:

- b) Size and configuration of lots

The intent of the Zoning By-law is to establish precise standards as to how land is developed, which is an instrument for translating the Official Plan policies into practice, and is also used, in part, to achieve more uniform and consistent built form streetscapes, thereby contributing to a more predictable pattern of development. By-law 438-86 requires a lot frontage of 9 metres, and the applicant is proposing 7.01 metres. It should also be noted, that in respect to the consent the resulting lots will not comply with Section 51(24)(c) of the Planning Act, because the lots do not conform to the Official Plan and adjacent plans of subdivision. Analysis of lot frontages along Oriole Gardens indicate that frontages range from 9.45-24.9 metres, all of which comply with the by-law requirement. Although there are similar lot frontages on surrounding streets within the context of this site, the proposed lots do not conform to the existing character and lot pattern along Oriole Gardens.

Planning staff are of the opinion that the proposed new lots do not meet the intent of the Official Plan, nor the Zoning By-law. The consent is considered inappropriate for the site, as it is inconsistent with the prevailing lot patterns along Oriole Gardens.

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SIGNATURE

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