
City Council

Notice of Motion

MM45.5	ACTION			Ward:13
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Request for Attendance at an Ontario Municipal Board Hearing - Support of Committee of Adjustment Decision - 8 Deforest Road (B30/13EYK, A229/13EYK, A230/13EYK) - by Councillor Sarah Doucette, seconded by Councillor Peter Milczyn

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

** This Motion relates to an Ontario Municipal Board Hearing and has been deemed urgent.*

Recommendations

Councillor Sarah Doucette, seconded by Councillor Joe Milczyn, recommends that:

1. City Council authorize the City Solicitor and City staff to appear at the Ontario Municipal Board to support the decision of the Committee of Adjustment in refusing Minor Variance Application B30/13EYK, A229/13EYK, A230/13EYK with respect to 8 Deforest Road.

Summary

The application from the owners of 8 Deforest Road is to sever the lot into two and build a house on each lot. This development will set a precedent that will encourage continued overdevelopment altering this neighbourhood contrary to the general intent and purpose of the Official Plan and Zoning Bylaw. These variances are not considered desirable or appropriate development of the land and these changes will have a major, not minor, impact on the residents and future of the community.

Community Planning staff does not comment on minor variances frivolously and they submitted a decisive Planning opposition report, with compelling reasons to refuse this development.

Frontage and Built Form

The frontage of the conveyed lot will be 6.18 m, only slightly above half the permitted amount in the by-law, which is 12 m. This is a major difference, not a minor one. The Planning Report comments cite Policies 4.1.5 and 4.1.8 in the Official Plan about physical character and lot frontage standards in their opposition to this variance: in addition to creating an undersized lot, the conveyed property will have an integral garage facing a lot line with a frontage less than

7.62 m, creating a starkly different built form on the conveyed property. The package sent to the committee and my office from the residents of 6 Deforest Road contains a mock-up of a house built on the conveyed land, demonstrating how out of place a house on that small lot would look, especially in this neighbourhood.

On-Street and Off-Street Parking and Soft-Landscaping/Flooding

As a result of this severance, the owner of the retained property (now 8 Deforest Road) needs a variance for a lost parking spot, which is now on what would become the conveyed portion of the property. It is not stated explicitly but it is clear in their plans that the retained portion will be requesting a front yard parking pad. There are currently two parking spots for 8 Deforest Road on the property as it is. With the severance, 8 Deforest Road would lose both of those, which is why they're asking for a front yard parking pad. But that is only one parking spot so they would still require an on street parking permit for one of the two vehicles that is seen parked on their driveway.

Deforest Road is a street with permit parking that is full, and has a waiting list. There are 44 parking spots available and 44 parking permits issued, with two residents on a waiting list. The proposed front yard parking spot, whether on the east or west side of the front yard of 8 Deforest Road would require altering a curb cut in some way. Doing so even slightly will result in the loss of a permitted parking space on the street. I have spoken with Transportation staff and they inform me that should that happen, the last resident to have received a parking permit will have it rescinded and be placed at the bottom of the waiting list.

I also want to point out that the conveyed lot has practically no room for soft landscaping and we would lose close to half of the soft landscaping at 8 Deforest Road that already exists if they are permitted to build a parking spot in their front yard. The loss of soft landscaping contributes to the problem of storm water run-off and flooding across the City. Storm-related flooding is becoming a very serious problem for more and more of us here in Toronto, as this summer has shown us so clearly. Front-yard parking pads contribute to this serious problem.

Finally, I agree with the neighbours' concerns about privacy as a result of proximity of the proposed new dwelling, and the unnecessary loss of sunlight. Privacy is a matter of concern and importance for every single one of us and it should be a point of consideration in your deliberations, in addition to all the other relevant points of contention.

(Submitted to City Council on December 16 and 17, 2013 as MM45.5)

Background Information (City Council)

Member Motion MM45.5

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64593.pdf>)

(October 9, 2013) Report from the Director, Community Planning, Etobicoke York District

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64594.pdf>)

Committee of Adjustment, Etobicoke York Panel - Notice of Decision on Consent for 8 Deforest Road

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64646.pdf>)

Committee of Adjustment, Etobicoke York Panel - Notice of Decision on Minor Variance/Permission for 8 Deforest Road - Parts 1, 2 and 3

(<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64648.pdf>)

Committee of Adjustment, Etobicoke York Panel - Notice of Decision on Minor Variance/Permission for 8 Deforest Road - Parts 4 and 5

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-64647.pdf>