



STAFF REPORT
Committee of Adjustment
Application

Date:	January 22, 2015
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 29 Toronto-Danforth
Reference:	File No. A0956/14TEY Address: 113 A Cosburn Avenue Application to be heard: January 28, 2015 at 4:30 pm

RECOMMENDATION

Planning staff recommend that should the Committee of Adjustment approve Application File No. A0956/14TEY, the following variances be refused:

1. Variance 1 to By-law 6752 relating to parking location; and,
2. Variance 7 and 8 to By-law 6752 relating to front yard landscaping and soft landscaping requirements.

APPLICATION

The applicant is seeking relief from the provisions of the Zoning By-law to alter the existing one-storey detached house by constructing a rear two-storey addition, a full second floor addition, a new front porch and rear patio basement walkout.

Variances are requested with respect to dwelling unit type, front yard setback, side yard setback, parking supply, parking space location, dwelling height, building length, rear patio projection, front yard landscaping and front yard soft landscaping.

COMMENTS

The subject property is located on the south side of Cosburn Avenue east of Pape Avenue. The property is designated "Apartment Neighbourhoods" in the Official Plan, which are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the needs of area residents. The property is zoned R3A High Density Residential in Zoning By-law 6752 of the former Borough of East York and RA (d2.0) Residential Apartment in Zoning By-law 569-2013 of the City of Toronto.

The Committee of Adjustment previously considered this application on December 10, 2014. Planning staff had commented on this application in a letter dated December 5, 2014 with regard to the parking supply variance that had been sought. In that letter, Planning staff also commented on its concern for a potential front yard parking pad at this location.

Planning staff note that the subject site has a lot frontage of 9.14 metres and has access to a mutual driveway to the rear of the property.

It is the intent of the Zoning By-law that legal parking space, when required, is provided on the same lot for which the parking space is required. A legal parking space accessed through the front yard is typically located behind the front main wall of the dwelling. Front yard parking pads are intended to be used only in cases where it is not feasible to provide a legal parking space due to site constraints.

In the former Borough of East York, front yard parking pads had previously been permitted as-of-right on lots with frontages of less than 7.5 metres in certain residential zones, including the R3A zone, subject to other zoning provisions. Zoning By-law 569-2013 does not prohibit parking in the front yard in Residential Apartment zones as it would in a Residential zone; however, it does have provisions on the design and location of parking spaces. A parking space would need to be set back at least 0.5 metres from a lot line. A surface parking space would also have to be at least 3.0 metres from any main wall of an apartment building.

As the intent of both Zoning by-laws is not maintained by this parking location, it fails this statutory test required in the consideration of a minor variance.

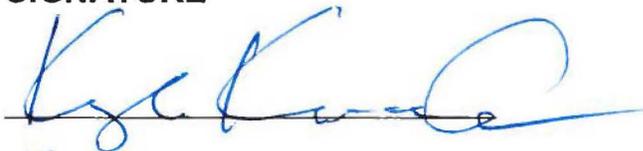
As such, Planning staff recommend that should the Committee of Adjustment approve Application File No. A0956/14TEY, the following variances be refused:

1. Variance 1 to By-law 6752 relating to parking location; and,
2. Variance 7 and 8 to By-law 6752 relating to front yard landscaping and soft landscaping requirements.

CONTACT

Jason Tsang, Assistant Planner
Tel: 416-392-4237
Fax: 416-392-1330
E-mail: jtsang2@toronto.ca

SIGNATURE



for
Gregg Lintern, MCIP, RPP
Director, Community Planning, Toronto and East York District

Copy: Councillor Mary Fragedakis, Ward 29 Toronto-Danforth
George Stavros, Agent for the Applicant