

<b>Date:</b>	January 21, 2015
<b>To:</b>	<b>Chair and Members of the Committee of Adjustment Toronto and East York District c/o Anita MacLeod, Manager &amp; Deputy Secretary-Treasurer Toronto and East York District</b>
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Ward:</b>	Ward 22, St. Paul's
<b>Reference:</b>	File No.: A1059/14TEY Address: 742 Avenue Road Applicant: Sylvia Bielak Agent: Victor Hipolito Application to be heard: January 28, 2015 at 1:30 p.m.

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## **RECOMMENDATION**

Planning staff respectfully recommend that the Committee refuse Application No. A1059/14TEY.

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## **APPLICATION**

The applicant is seeking relief from the provisions of both Zoning By-law 569-2013 and Zoning By-law 438-86, as amended, to alter the existing three-storey dwelling by constructing a rear two-storey addition and rear deck.

The variances requested are with respect to: roof eaves projection; maximum permitted roof slope; maximum permitted building depth; maximum permitted floor space index/gross floor area; and minimum required side yard setback for the portion of dwelling exceeding 17.0 metres in depth.

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## **COMMENTS**

Planning staff have reviewed the application and have identified concerns including the proposed massing, building depth and floor space index of 1.72 times the area of the lot.

The subject property is located on the west side of Avenue Road, south of Chaplin Crescent and the Kay Gardner Belt Line.

The property is in an area designated *Neighbourhoods* in the Official Plan which are "considered physically stable areas made up of residential uses in lower scale buildings".

Policy 4.1.5 states that "Development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- c) heights, massing, scale and dwelling type of nearby residential properties..."

and that "No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood."

The property is zoned Residential (R(d1.0)) under City of Toronto Zoning By-law 569-2013 and Residential (R2 Z1.0) under former City of Toronto Zoning By-law 438-86. By-law 569-2013 permits a maximum building depth of 17.0 metres while By-law 438-86 requires side yard setbacks to increase to 7.5 metres for the portion of dwelling beyond a depth of 7.5 metres. The purpose of the Zoning By-laws is to respect and reinforce a stable built form and to limit the impact of new development on adjacent residential properties.

The requested building depth of 26.17 metres includes a 1.8 metre rear deck with basement extension below. In this instance staff are not concerned with building depth that is located below grade. However, the proposed building depth excluding the rear deck of 24.37 metres far exceeds the zoning by-law permissions as well as above grade building depths of nearby buildings. Planning staff are of the opinion that the resulting massing does not respect and reinforce the existing physical character of the surrounding context, that the two-storey portion beyond 17.0 metres will have adverse impacts on the adjacent neighbours, and that a shorter building is possible and desirable.

As such, Planning staff respectfully recommend that the Committee refuse Application No. A1059/14TEY.

## CONTACT

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## SIGNATURE



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Victor Hipolito, Agent