



STAFF REPORT
Committee of Adjustment
Application

Date:	October 30, 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. A0756/15TEY Address: 351 Sammon Avenue Application to be heard: November 4, 2015 at 4:00 pm

RECOMMENDATION

Planning staff respectfully recommend that the Committee of Adjustment refuse this application.

APPLICATION

The applicant is seeking relief from the provisions of the Zoning By-law to legalize and maintain the second floor addition, side two-storey addition, rear two-storey addition, and rear ground floor deck to the existing detached building.

Variations are requested with respect to lot coverage, building height, front and rear exterior main wall height, height of the first floor above established grade, density, area of platform at or above the second story, and platform encroachment into the front yard setback.

COMMENTS

The subject property is located on the south side of Sammon Avenue. The property is designated "Neighbourhoods" in the Official Plan, which requires new development in established residential areas to respect and reinforce the existing physical character of the surrounding neighbourhood, including scale and massing of the buildings. The property is zoned R2A Residential in Zoning By-law 6752 of the former Borough of East York and RS (f10.5; a325; d0.75) (x312) in Zoning By-law 569-2013 of the City of Toronto. The purpose of the Zoning By-law is to respect and reinforce a stable built form and to limit the impact of new development on adjacent residential properties.

Planning staff note that a Committee of Adjustment application on the subject site was approved on December 10, 2014. The approved application reflected changes that had been made to satisfy Planning staff concerns. As such, Planning staff did not comment on the December 10, 2014

application. Since then, it appears that the frame of the house was not built according to issued permits and a Stop Work Order was issued in May 2015.

This application was considered at the October 7, 2015 meeting of the Committee of Adjustment and deferred to November 4, 2015. There have been changes in the following variances for this hearing to height, front and rear exterior main wall height, first floor above established grade height, size of the second storey platform, platform encroachment into the front yard setback variances. Variances related to front stair location, roof eaves projection and rear platform side yard setback encroachment have been removed.

Planning staff note that the house is 0.65 metres higher than what was approved by the Committee of Adjustment on December 10, 2014. In comparison to previous approved plans, the floor to ceiling heights for each floor, including the basement have been increased. The additional height in the basement has also caused the first floor elevation above established grade height to be out of compliance with the Zoning By-law. Additionally, the front and rear exterior main wall heights have also increased accordingly.

Planning staff note that the requested height of 9.65 metres would not be in keeping with the physical character of the neighbourhood predominantly consisting of one or two storey-detached dwellings that generally comply with the zoning by-law.

Planning staff have generally recommended that the height of the dwellings in this area be not higher than 9.0 metres unless there are site-specific conditions that merit further consideration. Planning staff also note that in the December 10, 2014 application, the height was revised down to 9.0 metres from 9.19 metres when Notice to the Public was given, to address staff concerns.

As such, Planning staff respectfully recommend that the Committee of Adjustment refuse this application.

CONTACT

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SIGNATURE



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Director, Community Planning, Toronto and East York District

Copy: Councillor Mary Fragedakis, Ward 29 Toronto-Danforth
Leo Mastrandrea, Agent for the Applicant