



**STAFF REPORT**  
**Committee of Adjustment**  
**Application**

<b>Date:</b>	November 4, 2015
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment Toronto and East York District</b> c/o Anita MacLeod, Manager & Deputy Secretary-Treasurer, Toronto and East York District
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 30 Toronto-Danforth
<b>Reference:</b>	File No. A0876/15TEY Address: 9 Kintyre Avenue Application to be heard: November 4, 2015 at 2:30 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 construct a new three-storey triplex.

Variations are requested with respect to front and rear exterior main wall height, building depth, density, front yard setback, rear yard setback, side yard setback, rear yard landscaping, and setback from a flanking street.

**COMMENTS**

The subject property is located on the southeast corner of Kintyre Avenue and Hamilton Street. The property is zoned R3 Z1.0 Residential in Zoning By-law 438-86 of the former City of Toronto and R(d1.0)(x808) in Zoning By-law 569-2013 of the City of Toronto.

Immediately to the west of this site is Don Mount Court/Rivertowne, a Toronto Community Housing Corporation development consisting of 232 rental units and 187 condominium units in the form of rental townhomes and a four-storey apartment building. This development is in an area designated "Apartment Neighbourhoods" in the Official Plan, and is subject to Site-Specific Zoning By-law 886-2004. This development is not subject to Zoning By-law 569-2013 of the City of Toronto.

East of the subject property, at the southwest corner of Broadview Avenue and Kintyre Avenue at an address municipally known as 140-162 Broadview Avenue, is a 63-unit residential walk-up

apartment building in two blocks. This development is in an area designated "Neighbourhoods" and subject to Site and Area Specific Policy Number 354 of the Official Plan. It is subject to Site Specific Zoning By-law 2011-0522. This development is not subject to Zoning By-law 569-2013 of the City of Toronto.

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. Section 4.1 of the Official Plan outlines the criteria for development in "Neighbourhoods". Among others, the following policies are of relevance to this application:

- Policy 4.1.5(c) stating that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood regarding heights, massing, scale and dwelling type of nearby residential properties; and,
- Policy 4.1.5(f) stating that development in established neighbourhoods will respect and reinforce the prevailing patterns of rear and side yard setbacks and landscaped open space.

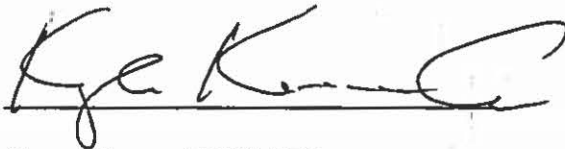
The purpose of the Zoning By-law is to respect and reinforce a stable built form and to limit the impact of new development on adjacent residential properties. The variances sought will cumulatively result in overdevelopment, reduced separation from adjacent properties and limited landscape open space. The proposal is inconsistent with the existing physical character of the Neighbourhood area in terms of massing, scale, prevailing patterns of rear setback and landscaped open space. In this regard, the requested variances are not minor in nature, and do not meet the intent of the Official Plan and the Zoning By-laws.

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

## CONTACT

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## SIGNATURE



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

Copy: Councillor Paula Fletcher, Ward 30 Toronto-Danforth  
Bodega Developments Inc, Agent for the Applicant