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STAFF REPORT

Committee of Adjustment Application

Date:	April 19, 2017
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. B0094/16TEY, A1295/16TEY, A1296/16TEY Address: 263 Gamble Avenue Application to be heard: April 26, 2017

RECOMMENDATION

Planning staff respectfully recommend that the Committee of Adjustment refuse these applications.

APPLICATION

The applicant is seeking consent to sever the property into two undersized residential lots and seeking relief from the provisions of the Zoning By-law to construct a new three-storey semi-detached dwelling on each lot.

Variations are requested on the retained and conveyed lots with respect to building type, dwelling unit within a semi-detached house, lot frontage, coverage, floor space index, side yard setbacks, front yard landscaping, front exterior main wall height, rear exterior main wall height, side exterior main wall height, and first floor above established grade.

COMMENTS

The subject property is located on the south side Gamble Avenue, west of Donlands 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 R1C in Zoning By-law 6752 of the former Borough of East York and RD (f6.0; a185; d0.75) 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 the proposed severance does not meet the provisions of Section 51(24) of the Planning Act, particularly Sections 51(24) (c), (f) and (g) addressing conformity to the Official Plan, the dimensions and shapes of the proposed lots and restrictions on the lands proposed to be subdivided or the buildings proposed to be erected on it, respectively.

Planning staff note that 263 Gamble Avenue is a shallow lot compared to other properties on both the north and south side of the street between Pape Avenue and Donlands Avenue. Furthermore, lots on both sides on this portion of Gamble Avenue are generally at or above the Zoning By-law requirement of a 6.0 metre lot frontage. The requested severance would create lots of insufficient width (4.87 metres) and insufficient area (148.65 square metres where 185 square metres is required). The lots created by severance do not fit the character of Gamble Avenue as required in the City's Official Plan, do not have regard for the dimension and shapes of the lots in the existing Plan of Subdivision and also do not have regard for restrictions on the land proposed to be subdivided. As such, the provisions of Section 51(24) (c), (f) and (g) of the Planning Act are not met.

Furthermore, the variances requested do not meet the general intent of the Official Plan and the Zoning By-law. Planning staff note that while the Zoning By-law only permits detached dwellings in this zone, semi-detached dwellings are common on this stretch of Gamble Avenue. However, the lots created through the severance are undersized, resulting in semi-detached dwellings that require lot coverage variances of 48% times the area of the lot where 35% is permitted. The undersized lots also result in semi-detached dwellings with a floor space index of 1.04 times the area of the lot where 0.75 is permitted. There have been no lot coverage variances or floor space index variances granted for detached or semi-detached dwellings on Gamble Avenue between Pape Avenue and Donlands Avenue. The granting of these variances would create dwellings that are not in character with other dwellings on this portion of Gamble Avenue.

The permitted height of the first floor variance of 2.65 metres above established grade is more than double the permitted height of 1.2 metres. This is primarily to facilitate integral garages, which are not found in any of the semi-detached dwellings on Gamble Avenue. The front, rear and side wall height variances also result in dwellings that has a more box-like massing which is not in character with other dwellings on Gamble Avenue.

The cumulative impact of all these requested variances on the newly created undersized lots would not respect and reinforce the existing physical character on Gamble Avenue.

Neither the consent applications nor the minor variance applications meet the requirements of the Section 51(24) or Section 45(1) of the Planning Act respectively, Planning staff recommend refusal of these applications.

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SIGNATURE



for
Gregg Lintern, MCIP, RPP

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