



STAFF REPORT

Committee of Adjustment Application

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| Date: | October 12, 2017 | RECEIVED <i>By CofA TEY at 11:21 am, Oct 13, 2017</i> |
| 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. B0038/17TEY, A0481/17TEY, A0482/17TEY Address: 666 Greenwood Avenue Application to be heard: October 18, 2017 | |

RECOMMENDATION

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

APPLICATION

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

Variances are requested on both the conveyed and retained lots with respect to first floor area within the house, side exterior main wall height, floor space index, front yard setback, side yard setback, garage entry location, rear deck projection and rear deck height above grade.

COMMENTS

The subject property is located on the west side of Greenwood Avenue, north of Danforth 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 R2 Z0.6 in Zoning By-law 438-86 of the former City of Toronto and R (d0.6) (x322) 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 had been pre-circulated initial drawings for this application, and had communicated concerns with the application on May 15, 2017. These concerns were with respect to the size of the building, particularly with the depth of the building beyond 17.0 metres, the rear yard setback, rear platform height, and entrance to the garage of a building on a narrow lot. For the purposes of this By-law provision, this is defined as lots with a frontage of less than 7.62 metres of frontage under By-law 438-86 or less than 7.6 metres of frontage under By-law 569-2013. Planning staff note that the severance meets the minimum lot frontage and area provisions of the Zoning By-law.

The Committee of Adjustment considered this application at its July 26, 2017 meeting. Planning staff commented on this application in a letter dated July 20, 2017 and recommended refusal of the applications. The Committee of Adjustment deferred the application so that the applicant would have an opportunity to revise the proposal to address concerns raised by Planning staff.

The plans were further revised to remove the building depth variances and to reduce the floor space index of the proposed dwellings. While this change addressed concerns raised with the building depth variances, the remainder of the concerns raised in the letter were not addressed.

The integral garages on the two proposed buildings are out of character with the area. No dwellings on Greenwood Avenue have integral garages on narrow lots. Only one dwelling on Greenwood Avenue north of Danforth Avenue to the former municipal boundary of the City of Toronto has an integral garage; however, that lot is not a narrow lot. The intent of the Zoning By-law is clear. If the lot is too narrow as defined in the By-law provision, no garage facing the front lot line is permitted to ensure that the garage door does not become a prominent feature on the front façade of a dwelling on a narrow lot. Since the lot frontages proposed on both lots is 6.1 metres, the proposed garages are not permitted.

Planning staff reviewed the example photographs provided by the applicant to the Committee at the previous hearing date. With the exception of one example at 38 Eaton Avenue, the remainder of the examples with garages on narrow lots are located in the Borough of East York, where there is no Zoning By-law restriction on a garage entrance on a narrow lot. Planning staff do not consider the provided examples to be within the general vicinity of the subject property, nor are they comparable due to the different Zoning By-law provisions that govern most of those sites.

Failing the general intent and purpose of the Official Plan and Zoning By-law, the variances to allow a garage door entrance at the front of the dwelling on a narrow lot.

Planning staff also have concerns with the height of the rear deck. Due to the garage being on the main floor, the deck is accessed from the floor above the garage. This results in the deck being located 2.44 metres above grade. The height of the deck is not appropriate.

Planning staff also have concerns with the massing of the proposed dwellings. The side exterior main wall height variance applies between the front main wall of the dwelling to the rear main wall of the proposed dwellings. This creates a large mass on the third floor that is out of character with this area.

Planning staff note that Official Plan Amendment 320 (OPA 320) was adopted by City Council and approved as modified by the Minister of the Ministry of Municipal Affairs and Housing. OPA 320 has been appealed in its entirety to the Ontario Municipal Board. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the

Official Plan policy framework. OPA 320 contains policy direction that specifies that consideration of existing physical character take into consideration the prevailing physical character of properties on both sides of the street of the development site, with prevailing to mean most frequently occurring. The concerns raised above with regards to the garage location, deck height and side exterior main wall height continue to apply when evaluated against OPA 320.

Individually and cumulatively, the variances required to facilitate the proposed dwellings are indicative of overdevelopment of the site. As such, Planning staff recommend refusal of these applications in its current form.

CONTACT

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SIGNATURE

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