TORONTO

STAFF REPORT
Committee of Adjustment Application

Date:	October 19, 2017
To:	**Chair and 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:	Acting Director, Community Planning, Toronto and East York District
Ward:	Ward 22, St. Paul's
Reference:	File No.: A0752/17TEY Address: 401 Balliol Street Applicant: Dan Kligman and Svetlana Kligman Agent: Glenn Rubinoff Application to be heard: October 25, 2017 at 4:30 p.m.

RECOMMENDATION

Planning staff respectfully recommend that Application No. A0752/17TEY be **deferred**.

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 construct a new two-storey detached dwelling with an integral garage, a rear basement walkout, and a rear stair and platform structure.

The variances requested are with respect to: minimum size of the first floor within 4.0 metres of the front main wall; maximum permitted driveway width; maximum permitted building height; maximum permitted height of the front and rear exterior main walls; maximum permitted height of the side exterior main walls; maximum permitted height of the first floor; maximum permitted dwelling depth; minimum required side yard setback; minimum required side lot line setback for the portion of the building not exceeding a depth of 17 metres; minimum required side lot line setback for the portion of the building exceeding a depth of 17 metres; maximum permitted eave projection; and maximum permitted projection of a roof over a platform/terrace into required setbacks.

CONTEXT

The subject property is located on the south side of Balliol Street, west of Mount Pleasant Road. The property is designated *Neighbourhoods* in the Official Plan, which requires

new development to respect and reinforce the existing physical character of the neighbourhood, including: heights, massing, scale and dwelling type of nearby residential properties. The property is zoned Residential ((R (d0.6)(x930)) under City of Toronto Zoning By-law 569-2013 and Residential (R2 Z0.6) under former City of Toronto Zoning By-law 438-86. 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.

COMMENTS

Planning staff have concerns with the proposed front, rear and side exterior main wall heights. In particular, staff have concerns with the proposed front main wall height of 9.1 metres. Staff are of the opinion that a new dwelling with a front façade of that height does not maintain the general intent or purpose of the Zoning By-law or Official Plan. The design and height of the front wall results in a built form that has a high cornice line, which generally is not reflective of the existing character of the street or neighbourhood.

In evaluating this application, staff reviewed previous Committee of Adjustment approvals for Balliol Street, and within the broader neighbourhood. Within the immediate context of Balliol Street, staff found one approval for a front and rear exterior main wall height variance of 8.5 metres for the property at 579 Balliol Street, which was issued in March of 2015 (A0031/15TEY). The height approved in this application is still closer to the Zoning By-law requirement than what is being requested in the current proposal.

Planning staff are of the opinion that a more appropriate design solution can be reached, and will continue working with the applicant's agent to achieve this. Staff therefore respectfully recommend that Application No. A0752/17TEY be **deferred** to provide an opportunity to revise the proposal and address the comments detailed in this report.

CONTACT

Catherine Jung
Assistant Planner
Tel: 416-338-3735
E-mail: Catherine.Jung@toronto.ca

SIGNATURE

Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

Copy: Councillor Josh Matlow, Ward 22 – St. Paul's
        Glenn Rubinoff, Agent