



STAFF REPORT

Committee of Adjustment Application

Date:	August 17, 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:	Director, Community Planning, Toronto and East York District
Ward:	Ward 21, St. Paul's
Reference:	File No.: A0487/17TEY Address: 569 Arlington Ave. Applicant: 1513316 Ontario Inc. & Jonathan Kudlats Agent: Drew Laszlo Architects Inc. Application to be heard: August 23, 2017 at 1:30 p.m.

RECOMMENDATION

Planning staff respectfully recommend the Committee refuse Application No. A0487/17TEY in its current form.

APPLICATION

The applicant is seeking relief from the provisions of Zoning By-law 569-2013 and Zoning By-law 1-83, as amended, to construct a new three-storey detached dwelling with an integral garage.

The variances requested are with respect to: the side exterior main wall height; the floor space index; the side yard setback; the projection of the eaves; the driveway width; and the setback from the stable top-of-bank.

CONTEXT

The subject property is located on the north side of Arlington Avenue, north of Vaughan Road. The property is designated *Neighbourhoods* in the Official Plan, which are "considered physically stable areas made up of residential uses in lower scale buildings". Policy 4.1.5 states that "development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular: heights, massing, scale and dwelling type of nearby residential properties" and that "no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood."

The property is located in a *Natural Heritage System* as identified on Map 9 of the Official Plan.

The property is zoned Residential Multiple Dwelling (RM) under City of Toronto Zoning By-law 569-2013 and Residential (R2) under former York Zoning By-law 1-83.

COMMENTS

Planning staff have concerns with the location of the main entrance of the dwelling. The location of the main entrance is out of character with the surrounding area. The main entrance to the proposed dwelling is located on the side wall, facing the west adjacent property, 571 Arlington Avenue, and opens directly onto the shared driveway which runs between the two dwellings at 569 and 571 Arlington Avenue. The main entrances to the dwellings along Arlington Avenue are located on the front main wall, facing the street and open onto a front yard.

An entrance to an integral garage is on the front main wall of the proposed dwelling. The location of the parking space within that integral garage triggers Variance No. 5 of Zoning By-law 569-2013 to permit a driveway width of 4.6 metres, instead of the as-of-right 3.3 metres. The additional driveway width is required to accommodate the 1.37 metre existing shared driveway.

Zoning By-law 569-2013 restricts a driveway's width to the width of the parking space to which it leads. The intent of this provision is to limit the amount of hard surface and to maximize the amount of soft surface on the property. As the existing driveway does not lead to the parking space for the property, the proposal fails to maintain the intent of the provision.

The proposed dwelling prioritizes the garage entrance over the front door of the dwelling in a way that is out of keeping with the local area. The variances individually and cumulatively facilitate development that is out of character and inappropriate for the area.

Planning staff contacted the agent for the applicant to discuss staff's concern. As of August 17, 2017, revised plans have not been received.

Planning staff recommend the application be refused in its current form. The application before the Committee does not meet the general intent and purpose of the Official Plan or the Zoning By-laws, is not minor in nature, and is not desirable for the development or use of the land.

CONTACT

Catherine Jung

Assistant Planner

Tel: 416-338-3735

E-mail: Catherine.Jung@toronto.ca

SIGNATURE

A handwritten signature in blue ink, appearing to read "Gregg Lintern", is written over a horizontal line.

Gregg Lintern, MCIP RPP

Director, Community Planning

Toronto and East York District

Copy: Councillor Joe Mihevc, Ward 21

Drew Laszlo Architects Inc., Agent for the Applicant