

34 ELLERBECK STREET

Committee of Adjustment Application

Date: April 25, 2019

To: Chair and Committee Members of the Committee of Adjustment, Toronto and East York District

From: Director, Community Planning, Toronto and East York District

Ward: 14, Toronto-Danforth

File No: A1035/18TEY

Application to be heard: May 1, 2019

RECOMMENDATIONS

Planning staff respectfully recommend that the Committee of Adjustment refuse Application Number A1035/18TEY.

APPLICATION

The applicant is seeking to propose a parking pad in the front yard of an existing single family detached dwelling.

Variances are requested with respect to exterior stair encroachment to side lot line, front yard soft landscaping and front yard parking abutting a street.

CONTEXT

The subject property is located on the east side of Ellerbeck Street, north of Danforth Avenue. The property is designated *Neighbourhoods* in the Official Plan, as recently amended by Official Plan Amendment 320 ("OPA 320"). OPA 320 was adopted as part of the Official Plan Five-Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. OPA 320 policies are in force for all lands in the City of Toronto, except for certain properties that remain subject to site-specific appeals to OPA 320 (which do not include the subject property).

The Official Plan, as amended by OPA 320, requires physical changes to established *Neighbourhoods* to be sensitive, gradual and "fit" the existing physical character. Specifically, new development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, with reference to characteristics including prevailing heights, massing, scale, densities and dwelling types of nearby residential properties.

The property is zoned R (d0.6)(x312) 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.

COMMENTS

Planning staff have concerns with the variances proposed in this application.

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- prohibit front yard parking where permit parking is authorized on the same side of the street and the installation of the permanent ramp results in the loss of an on-street permit parking space; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

As of January 26, 2018, there are two on-street parking permits registered to 34 Ellerbeck Street.

Planning staff note that permit parking is permitted on the same side of the street and the installation of a permanent ramp to service the proposed parking space will result in the loss of one on-street permit parking space.

On the portion of Ellerbeck Street where the subject property is located, between Browning Avenue and Pretoria Avenue, there are only nine properties licensed for front yard parking on the west side of Ellerbeck Street.

The proposed front yard angled parking pad will decrease the existing front yard soft landscaping by proposing only 19% of soft landscaping, whereas a minimum of 75% is required. The pavement to accommodate the driveway, sloped parking pits and retaining walls may damage or destroy trees, reduce opportunities for landscaping at the front of the house, and erode existing neighbourhood streetscapes.

The introduction of a front yard parking pad through a minor variance application would not respect and reinforce the existing physical character of the neighbourhood, particularly on this side of Ellerbeck Street.

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 and at the portion of the block on the same side of the street, with prevailing to mean most frequently occurring.

As the requested variances do not meet the general intent and purpose of the zoning by-law nor the Official Plan and are not minor, Planning staff respectfully request that the Committee refuse the application.

CONTACT

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SIGNATURE



Signed by Kyle Knoeck, Manager, Community Planning on behalf of
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Director, Community Planning, Toronto and East York District

copy: Councillor Paula Fletcher, Ward 14
Jim Dimakos, Agent