

**STAFF REPORT****133 SUMMERHILL AVENUE
Committee of Adjustment Application****Date:** July 10th, 2024**To:** Chair and Committee Members, Committee of Adjustment, Toronto and East York District**From:** Director, Community Planning**Ward:** 11 – University-Rosedale**File No:** A0132/24TEY**Hearing Date:** July 17th, 2024**RECOMMENDATIONS**

Planning staff recommend that the Committee of Adjustment refuse variance #1 related to rear yard soft landscaping.

COMMENTS

The subject property is located on the south side of Summerhill Avenue and northwest of Shaftesbury Avenue. The property is designated Neighbourhoods in the Official Plan and is subject to the Yonge-St Clair Secondary Plan.

The applicant is proposing to alter the existing two-and-one-half-storey townhouse dwelling by constructing a rear three-storey addition with rear ground-level stairs, and to legalize and maintain the rear stone patio that reduced the amount of rear yard soft landscaping without the required zoning permissions.

Variances are requested with respect to the rear yard soft landscaping, distance between main walls of a townhouse as well as floor space index.

Chapter 4 of the Official Plan describes land use policies, including for Neighbourhoods. Policy 4.1.5 of the Official Plan provides criteria to evaluate new development relative to the character of its immediate context, including prevailing patterns of landscaped open space. Policy 4.1.8 of the Official Plan further states that Zoning By-laws will contain standards, including landscaped open space, and other performance standards, to ensure that new development is compatible with the physical neighbourhood character.

Planning staff have concerns regarding the rear stone patio resulting in the removal of the rear yard soft landscaping. The surrounding context, south of Summerhill Avenue and north of the lane leading to Shaftesbury Avenue, consists of rear yards with soft landscaping. City Planning has spoken with the applicant about these concerns. City Planning is recommending refusal of the variance related to the reduced rear yard soft landscaping as it fails to maintain the intent of the Zoning By-law and the Official Plan, is not minor in nature, and is not desirable for the appropriate development or use of the land. Should the applicant choose to request a deferral, City Planning staff would be pleased to continue this discussion.

CONTACT

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SIGNATURE

A handwritten signature in black ink, appearing to be 'DD' with a flourish.

Signed by David Driedger, Manager, Community Planning for
Oren Tamir
Director, Community Planning
Toronto and East York District