



STAFF REPORT
Committee of Adjustment
Application

Date: Thursday, January 31, 2019

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

From: Neil Cresswell, Director, Community Planning, Etobicoke York District

Ward: 9 (Davenport)

File No: A0671/18EYK

Address: 1144 Davenport Road

Application to be heard: Thursday, February 7, 2018

RECOMMENDATIONS

Planning Staff recommend that the application be deferred in order to provide the applicant with additional time to submit revised plans.

APPLICATION

To construct a three-storey rear addition and to convert the existing commercial use on the ground floor into additional dwelling units, the building will have a total of six dwelling units.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Section 8(2)(1)(A), By-law 438-86

The 6 dwelling units are not a permitted use in a MCR zone.

2. Section 8(3) Part 13(a), By-law 438-86

The maximum permitted residential gross floor area is 1.5 times the lot area (307.4 m²).

The altered building will have a residential gross floor area of 2.07 times the lot area (424.9 m²).

COMMENTS

The subject property is located along Davenport Road at the intersection with Ossington Avenue. The application proposes to construct a three-storey rear addition and to convert the existing commercial use on the ground floor into additional dwelling units, the building will have a total of six dwelling units. Planning Staff note that the subject property forms part of a two-storey, mixed-use block, which fronts on Davenport Road and serves as a view terminus when looking north along Ossington Avenue. The block is generally characterized by at-grade commercial units and residential units above.

The property is designated *Neighbourhoods* in the Official Plan. According to Policy 4.1.8 of the Toronto Official Plan, Zoning By-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential *Neighbourhoods*.

The property is zoned MCR in the former municipality of Toronto Zoning By-law No. 438-86, as amended. The application requests relief from the Zoning By-law to permit 6 dwelling units, whereas the Zoning By-law only permits dwelling units provided the building contains uses permitted in the CR, MCR or Q district.

The application proposes to convert the existing ground floor commercial unit into a residential unit to create a building which will be entirely composed of residential uses. The Zoning By-law permits 1 or more dwelling units when the building also contains a use permitted in the MCR district, such as a commercial unit.

The application was initially scheduled to be heard at the October 11, 2018 Committee of Adjustment hearing. Planning Staff reviewed the application and supporting materials, and identified concerns relating to the proposed change in use, which would result in an entirely residential building within the MCR district. Staff recommended deferral of the application in order to provide the applicant an opportunity to consult further with Community Planning.

Community Planning met with the applicant on October 18, 2018 to discuss the concerns identified. Since the meeting, Community Planning has provided the applicant with design recommendations, in order to ensure the proposed altered building fits with the existing physical character of the block and to ensure the first storey maintains the appearance of a commercial unit. The applicant has agreed to revise the application, however has advised Community Planning Staff that they require additional time to revise the plans. Planning Staff recommend that the application be deferred in order to provide the applicant with additional time to submit revised plans.

CONTACT

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