

Toronto Local Appeal Body

Party Witness Statement Form 12

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By Toronto Local Appeal Body

TLAB Case File Number

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Information, including completed forms, disclosure documents and statements, you disclose to the Toronto Local Appeal Body (TLAB) in relation to a TLAB appeal is an adjudicative record that is a public record available to parties, participants and the general public. The legal authority to make the information public is section 1.0.1. of the Planning Act. As stated in Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, the provisions protecting individual privacy in Part 2 of that Act do not apply to any information collected in the TLAB's prescribed forms and associated filings for appeals.

Questions of this collection can be directed to the Manager of Planning and Liaison, Court Services, 137 Edward Street, 2nd Floor, Toronto, Ontario M5G 2P1 or by telephone at 416-338-7320.

Part 1: Location Information

Address and/or Legal Description of property subject to appeal

Street Number
49

Street Name
Glenholme Ave

Postal Code
M6H 3A8

Part 2: Hearing Information

Hearing Date (yyyy-mm-dd)
2020-03-06

Hearing Time
9:30 am

Hearing Location
40 Orchard View Blvd, Suite 253

Part 3: Party Witness Statement filed by

First Name
Judy

Last Name
Adler

Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.

Single Name

Corporation Name or Association Name (Association must be incorporated), if applicable

Position Title (if applicable)

Email
judyadler@bell.net

Street Number
49

Street Name
Glenholme Ave

Suite/Unit Number

City/Town
Toronto

Province
Ontario

Postal Code
M6H 3A8

Party Witness Statement Form 12

Part 3: Party Witness Statement filed by (Continued)

If the request is filed by an Authorized Representative, please identify the Party:

Party First Name

Party Last Name

☐ Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.

Party Single Name

Part 4: Witness Information

First Name
Cecilia

Last Name
Wong

☐ Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.

Single Name

Position Title (if applicable)
Assistant Planner, Community Planning
Toronto

Email
cecilia.wong@toronto.ca

Street Number
100

Street Name
Queen St W

Suite/Unit Number

City/Town
Toronto

Province

Postal Code

Part 5: List of Witness' intended evidence and relevant issues under Appeal

Provide a statement in accordance with Rule 16.4, using numbered paragraphs. Include in your statement, the Witness' background, experience and interest in the Appeal; a list of the issues and outline the intended evidence. The Applicant may have filed revisions to the original application. Where applicable, relate your evidence to any revisions identified in the Applicant's Disclosure (Form 3); the Party Witness Statement(s) (Form 12) or Participant Witness Statement(s) (Form 13) filed and any reports or documents disclosed under Rule 16.2 and previously filed.

The purpose of this application is to convert the detached garage, the rear of a 2 storey detached dwelling, into an ancillary dwelling, by constructing a one storey side addition to the existing garage. The dwelling unit is not considered a laneway suite as it has access from Springmount Avenue, which is not a lane. The lot at 49 Glenholme Ave is a through lot.

On October 23, 2019 this application was before the Committee of Adjustment. Unfortunately the Committee did not give us a chance to present our case, the attached Staff Report from Community Planning was not read by the members, nor the letters from my local councillor or my neighbours. A decision was reached without a hearing.

It is my intent to show TLAB that the proposed garden suite meets the 4 criteria listed by the Committee of Adjustment as grounds for refusal, mainly:

1. It meets the general intent and purpose of the Official Plan
2. The general intent and purpose of the Zoning By-law is maintained.
3. The variance is desirable and appropriate development of the land.
4. That the variances are minor

Party Witness Statement Form 12

Part 5: List of Witness' intended evidence and relevant issues under Appeal (Continued)

Provide a statement in accordance with Rule 16.4, using numbered paragraphs. Include in your statement, the Witness' background, experience and interest in the Appeal; a list of the issues and outline the intended evidence. The Applicant may have filed revisions to the original application. Where applicable, relate your evidence to any revisions identified in the Applicant's Disclosure (Form 3); the Party Witness Statement(s) (Form 12) or Participant Witness Statement(s) (Form 13) filed and any reports or documents disclosed under Rule 16.2 and previously filed. **(Continued from page 2)**

Cecilia Wong is an assistant planner, Community Planning, Toronto and East York District. She will be the expert witness

Requested Variances

1. Chapter 10.5.50.10.(3)(A), By-law 569-2013

A minimum of 50% (8.3 sq m) of the rear yard is to be maintained as soft landscaping. In this case, 4% will be maintained as soft landscaping.

The requested variance for rear yard soft landscaping of 4% is measured from the rear wall of the ancillary dwelling unit to rear lot line. However, the separation distance between the main house and the ancillary dwelling is approximately 10m and the proposed rear yard soft landscaping between the two buildings is 85%”

2. Chapter 10.10.40.1.(2)(2), By-law 569-2013

The maximum permitted number of residential buildings on a lot in a residential zone is one. In this case, there will be two residential buildings on the lot

“Although not a laneway suite, the proposed ancillary dwelling is generally designed to be in keeping with the Laneway Suites By-law in terms of height, separation distances and setbacks”

3. Chapter 10.10.40.30(1)(A), By-law 569-2013

The maximum permitted building depth for a detached house is 17.0m. The altered detached house is 31.7m.

“The requested variance for building depth of 31.7m is measured from the front yard setback to the rear wall of the ancillary dwelling unit. Community Planning notes that the existing detached dwelling fronting on to Glenholme Ave is approximately 12m in length, measured from front wall to rear wall. The proposed ancillary dwelling unit is approximately 10 m in length, measured from wall to rear wall.

4. Chapter 10.10.40.70(2), By-law 569-2013

The minimum required rear yard setback is 7.5m. The altered rear detached garage will be located 0.4m from the rear lot line.

The adjacent lots are also through lots with garages fronting Springmount with the same setback. The existing garage is to be renovated on the same footprint. An addition to the garage will have an additional setback of 2.3 m

5. Chapter 200.5.10.1.(1), By-law 569-2013

A minimum of two parking spaces are required to be provided on the lot. In this case, zero parking spaces will be provided on the lot.

The current owner of the house has lived there for 27 years. The house was purchased with a driveway fronting the house on Glenholme Ave as well as a driveway in front of the garage on Springmount. Sidewalk and road renovations over the years have maintained these curb cuts. The intent with the renovation is to retain both driveways.

1. Section 4(4), By-law 438-86

A minimum two parking spaces are required to be provided on the lot. In this case, zero parking spaces will be provided on the lot.

The current owner of the house has lived there for 27 years. The house was purchased with a driveway fronting the house on Glenholme Ave as well as a driveway in front of the garage on Springmount. Sidewalk and road renovations over the years have maintained these curb cuts. The intent with the renovation is to retain both driveways.

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Part 6: Party Witness Statement and Supporting Materials served at the time of filing on:

[illegible]

NOTE: A Party Witness Statement is required from every Party intending to provide oral or written evidence on the matters in issue in this TLAB Case File.

Part 7: Submission Date

Date (yyyy-mm-dd)
2020-01-20