



STAFF REPORT
Committee of Adjustment
Application

Date:	January 30, 2013
To:	Chair and Committee Members of the Committee of Adjustment Toronto and East York District
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 31 Beaches-East York
Reference:	File No. A0881/12TEY Address: 28 Maryland Boulevard Application to be heard: February 6, 2013 at 1:00 pm

RECOMMENDATION

Planning Staff respectfully recommends that, should the Committee approve Application No A0881/12TEY, that:

1. Variance # 5 regarding floor space index be reduced.
2. Variance # 6 regarding height be refused.

APPLICATION

The applicant is seeking relief from the provisions of the Zoning By-law to construct a three-storey detached house.

Variances are requested with respect to front yard setback, side yard setbacks, lot coverage, floor space index, height, parking spaces and front yard soft landscaping.

COMMENTS

The subject property is located on the west side of Maryland Boulevard just south of Dentonia Park Avenue. The property is designated "Neighbourhoods" in the Official Plan, which requires new development in the established residential areas to have regard for existing physical character of the surrounding neighbourhood, including scale and massing of the buildings. The property is zoned R1C Residential in Zoning By-law 6752 of the former Borough of East York. 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.

Planning staff have reviewed the plans, and have concerns with the proposed 10.06 metre building height and the 0.95 times the area of the lot floor space index.

The Zoning By-law permits a maximum building height of 8.5 metres and a maximum floor space index of 0.75 times the area of the lot on the subject site. The boundary between the former Borough of East York and the former City of Toronto runs along the south lot line of the subject property. Properties immediately south of the subject site are subject to R2 Z0.6 Residential zone in the former City of Toronto Zoning By-law 438-86 and are permitted a maximum building height of 10.0 metres and a maximum floor space index of 0.60 times the area of the lot.

The subject property is located within an established residential neighbourhood, where the prevailing built form consists mainly of two- and three-storey dwellings with some two-storey dwellings that comply with the maximum permitted height.

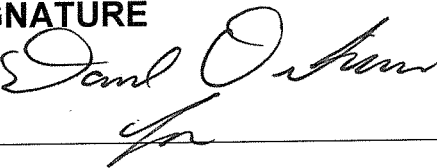
A search of recent Committee of Adjustment decisions in the immediate area indicate that there have only been two applications for either floor space index or height variances. These two applications are located at 1 Rosevear Avenue at 0.79 times the area of the lot and 9.8 metres in height, and 3 Rosevear Avenue at 0.83 times the area of the lot. 1 Rosevear Avenue was refused by the Committee of Adjustment. 3 Rosevear Avenue was approved by the Committee of Adjustment. Both of these applications are located in the former Borough of East York.

In order to ensure that the proposal is in keeping with the prevailing building heights of the dwellings in the surrounding neighbourhood, staff are of the opinion that the proposed building height should be refused and the proposed floor space index variance be reduced to be more in keeping with the By-law.

CONTACT

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SIGNATURE



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Dan Hutchinson, Applicant