



STAFF REPORT
Committee of Adjustment
Application

Date:	November 24, 2015
To:	Chair and Committee Members of the Committee of Adjustment Toronto and East York District c/o Anita MacLeod, Manager & Deputy Secretary-Treasurer Toronto and East York
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 18, Davenport
Reference:	File No. A0752/15TEY Address: 30 Rusholme Road Applicant: Zhen He Agent: Angxuan Sun Application to be heard: December 2, 2015

RECOMMENDATION

City Planning Staff respectfully recommend the Committee of Adjustment refuse Application A0752/15TEY.

APPLICATION

The application proposes to construct a new three-storey detached dwelling with integral garage.

The purpose of this application is to request several variances to both City-wide Zoning By-law 569-2013, and City of Toronto Zoning By-law 438-86, as amended. The variances of concern to City Planning Staff are:

- 1) Variance #1 City-wide Zoning By-law 569-2013, and related variance #1 from City of Toronto Zoning By-law 438-86, as amended, both prescribing a maximum permitted floor space index/gross floor area of 0.6 times the area of the lot, whereas 1.34 metres is requested.

COMMENTS

The subject site is located on the west side of Rusholme Road, north of Dundas Street West, and east of Dufferin Street. The site is designated *Neighbourhoods* in the City of Toronto Official Plan. Section 4.1 of the City of Toronto Official Plan discusses criteria for development in *Neighbourhoods*. The following Official Plan *Neighbourhoods* Policies are of relevance to this application:

- Policy 4.1.5(c) states that development in established neighbourhoods will respect and reinforce the existing physical character of the neighbourhood regarding heights, massing, scale, and dwelling type of nearby residential properties.
- Policy 4.1.5(g) states that development in established neighbourhoods will respect and reinforce the continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood.

The site is zoned Residential (R) in City-Wide Zoning By-law 569-2013 and Residential (R2) in City of Toronto Zoning By-law 438-86, as amended. The purpose of the Residential zone category in these respective By-laws is generally to maintain a stable built form and to limit the impact of new development on adjacent residential properties.

City Planning Staff have been in negotiations with the applicant to address context and density concerns associated with the originally submitted plans date stamped July 21, 2015. In response to Planning Staff's concerns, the applicant has reduced the building height, which no longer requires a minor variance, as well as decreased the floor space index to 1.34 times the area of the lot.

City Planning Staff have reviewed the revised application, and still have concerns regarding the proposed density. Although the proposed floor space index is 0.07 lower than the initial application, it is still more than twice the floor space index/gross floor area permitted in both By-laws. Although many of the houses along Rusholme Road are 2 and 2.5-storey dwellings, most have pitched roofs. The pitching of the roof establishes a built form pattern and scale along Rusholme Road. The proposed 3 storey box without stepping being requested in this application is out of scale and inappropriate in this context. The resulting density variance sought in this application constitutes an overdevelopment of the site. This established built form could be replicated and reinforced by pitching the roof, or stepping back the front and rear of the third floor from the depth of the second floor main walls. The density variance sought in this application would also be reduced.

City Planning Staff spoke with the agent on November 23rd to discuss Planning concerns regarding the variances sought to the floor space index/gross floor area in this application. The applicant indicated that he will proceed to the Committee of Adjustment hearing with the originally submitted plans.

For these reasons, City Planning Staff respectfully recommend that the Committee of Adjustment refuse Application A0752/15TEY as the proposal does not meet the four tests

under the Planning Act, and represents an overdevelopment that is not acceptable or appropriate in this context.

CONTACT

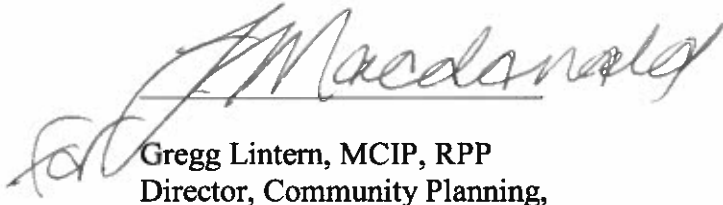
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SIGNATURE

A handwritten signature in cursive script, appearing to read "Gregg Lintern", written over a horizontal line.

Gregg Lintern, MCIP, RPP
Director, Community Planning,
Toronto and East York District

Copy: Councillor Bailao, Ward 18, Davenport
Angxuan Sun, Agent

