



STAFF REPORT
Committee of Adjustment
Application

Date:	April 11, 2016
To:	Chair and Committee Members of the Committee of Adjustment North York District
From:	Joe Nanos, Director, Community Planning, North York District
Ward:	Ward 16 (Eglinton-Lawrence)
Reference:	File No: A0261/16NY Address: 8 HILLHURST BOULEVARD Application to be heard: Thursday, April 21, 2016

RECOMMENDATION

Planning staff recommend that the application be **refused**.

APPLICATION

To construct a new two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

- 1. Chapter 10.20.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.35 times the lot area.
The proposed floor space index is 0.77 times the lot area.
- 2. Section 6(3) Part I 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.35 times the lot area.
The proposed gross floor area is 0.77 times the lot area.
- 3. Section 6(3), Part IV 3(II), By-law No. 438-86**
The by-law does not permit an integral garage in a building where the floor level of the garage is located below grade.
The proposed integral garage is below grade.

COMMENTS

The subject property is located on the north side of Hillhurst Boulevard, east of Avenue Road. The property is zoned *R1 Z0.35* under Toronto Zoning By-law No. 438-86 and *RD (f15.0; d0.35)(x1409)* in the City of Toronto Zoning By-law No. 569-2013. The subject property is designated *Neighbourhoods* in the City of Toronto Official Plan.

The application proposes to construct a new two-storey detached dwelling. The applicant has requested an FSI/GFA of 0.77, whereas an FSI of 0.35 is permitted under both By-laws. Floor space index/gross floor area are devised, in part, to regulate the size and massing of structures on a given lot. The majority of new dwellings nearby to the subject property have been approved at 0.58 or below. Staff are of the opinion that the proposed FSI and GFA is contrary to the intent of the Official Plan and Zoning By-law.

Variance No. 3 requests relief from Zoning By-law No. 438-86 to allow the proposed integral garage to be below grade. Although the proposed garage is technically below grade as measured under By-law No. 438-86, the property slopes upward from the street to the garage and the proposed garage floor is higher than the crown of the road in front of the property, resulting in a driveway with a positive slope rather than a reverse slope. Planning staff are of the opinion that the finished driveway should maintain a positive slope from the street line to the entry of the garage.

Staff are of the opinion that the proposed FSI and GFA is not in keeping with the intent and purpose of the Official Plan or Zoning By-law and therefore it is recommended that the application be refused.

CONTACT

Sarah Ovens, Assistant Planner
Tel: 416 395-7129
Fax: 416-395-7155
E-mail: sovens@toronto.ca

SIGNATURE

Joe Nanos
Director, Community Planning, North York District
A0261/16NY