

Filing Date: September 22, 2020

Hearing Date: October 20, 2020

File: A-2020-0097

**Owner/
Applicant:** GENE AND JOY COSTALES

Address: 31 RAINBROOK CLOSE

Ward: 10

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0097 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That the applicant shall obtain any required approvals or permits from the Toronto and Region Conservation Authority, to the satisfaction of said Authority;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void;

Background:

Existing Zoning:

The property is zoned "Residential Single Detached D – Special Section (R1D-1245)", according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed building addition to be located 8.72 metres (28.6 feet) from a Floodplain Zone (F) whereas the by-law requires a minimum setback of 10 metres (32 feet) from a Floodplain Zone (F).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Low Density Residential 1” in the Springdale Secondary Plan (Area 2”). The requested variance has no significant impacts within the context of the policies of the Official Plan. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned “Residential Single Detached D – Special Section (R1D-1245)”, according to By-law 270-2004, as amended.

Variance 1 is required to permit a proposed building addition to be located 8.72 metres (28.6 feet) from a Floodplain Zone (F) whereas the by-law requires a minimum setback of 10 metres (32 feet) from a Floodplain Zone (F).

The intent of the by-law in requiring a minimum setback from a floodplain zone is to ensure that no development takes place within an area that could be susceptible to flooding. This project proposes to locate an elevated deck in the rear yard. Given the height of the deck, it is not anticipated that the proposed reduced setback will negatively impact the deck. A condition of approval is recommended that any required approvals or permits be obtained from the Toronto and Region Conservation Authority to ensure that the construction of the deck will take place in an appropriate location as it relates to the floodplain.

Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to facilitate the development of a deck in the rear yard that will complement the outdoor amenity space for the property. It is not anticipated that the reduced setback will cause negative impacts from the construction of the deck, and a condition of approval is recommended that all appropriate permits and approvals shall be obtained from the TRCA to ensure compatibility with the adjacent floodplain. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a reduced setback of 8.72 metres (28.6 feet) to the floodplain is not anticipated to have any negative impacts on either the floodplain or the proposed deck. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development