STAFF REPORT
Committee of Adjustment
Application

<table>
<thead>
<tr>
<th>Date:</th>
<th>Monday, May 20, 2014</th>
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<tbody>
<tr>
<td>To:</td>
<td>Chair and Committee Members of the Committee of Adjustment North York District</td>
</tr>
<tr>
<td>From:</td>
<td>Allen Appleby, Director, Community Planning, North York District</td>
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<td>Ward:</td>
<td>Ward 23 (Willowdale)</td>
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<td>Reference:</td>
<td>File No. A311/14NY Address: 137 FLORENCE AVENUE Application to be heard: Wednesday, May 28, 2014 at 1:30 p.m.</td>
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RECOMMENDATION

Planning recommends that Variance Nos. 4 and 8 for a proposed west side yard setback of 0.86 metres be increased.

APPLICATION

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

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

1. Section 10.20.30.40.(1), By-law No. 569-2013
   The maximum permitted lot coverage is 30.00% of the lot area.
   The proposed lot coverage is 32.00% of the lot area.

2. Section 10.20.40.10.(1), By-law No. 569-2013
   The maximum permitted building height is 10.00m.
   The proposed building height is 10.26m.

3. Section 10.20.40.10.(2), By-law No. 569-2013
   The maximum permitted exterior side main wall height is 7.50m.
   The proposed exterior side main wall height is 7.68m.

4. Section 10.20.40.70.(3), By-law No. 569-2013
   The minimum required side yard setback is 1.20m.
   The proposed west side yard setback is 0.86m.

5. Section 10.20.40.70.(3), By-law No. 569-2013
   The minimum required side yard setback is 1.20m.
The proposed east side yard setback is 0.61m.

6. Section 14-A(3), By-law No. 7625
   The minimum required lot area is 371.00m².
   The existing lot area is 297.26m².

7. Section 14-A(4), By-law No. 7625
   The minimum required lot frontage is 12.00m.
   The existing lot frontage is 7.62m.

8. Section 14-A(5)c, By-law No. 7625
   The minimum required side yard setback is 1.20m.
   The proposed west side yard setback is 0.86m.

9. Section 14-A(5)c, By-law No. 7625
   The minimum required side yard setback is 1.20m.
   The proposed east side yard setback is 0.61m.

10. Section 14-A(6), By-law No. 7625
    The maximum permitted lot coverage is 30.00% of the lot area.
    The proposed lot coverage is 32.00% of the lot area.

11. Section 14-A(8), By-law No. 7625
    The maximum permitted building height is 8.80m.
    The proposed building height is 9.03m.

12. Section 14-A(9), By-law No. 7625
    The maximum permitted building length is 15.30m.
    The proposed building length is 15.44m.

13. Section 6(8), By-law No. 7625
    The minimum lot width is not to be less than the lot frontage for the zone in which the
    building is to be constructed, in this case 12.00m.
    The existing lot width is 7.62m.

COMMENTS

The subject property is located south of Sheppard Avenue West and west of Yonge Street and is
designated Neighbourhoods in the City of Toronto Official Plan. The Official Plan acknowledges
that Neighbourhoods, while stable, will be subject to physical change in the form of
enhancements, additions, and infill housing. The key policy of the Plan is to ensure that new
development will respect and reinforce the existing physical character of the neighbourhood.
Section 4.1 of the Plan outlines the development policies for Neighbourhoods.

Policy 4.1.5 states that development in established Neighbourhoods will respect and reinforce the
existing physical character of the neighbourhood, including in particular:

   c) Heights, massing, scale and dwelling type of nearby residential properties;

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The Plan affirms that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The subject property is zoned R6 in the former City of North York By-Law No. 7625, as amended and RD (112.0; a370) in the new City of Toronto Zoning By-law 569-2013, as amended. The objective of the Zoning By-Law is to establish specific standards as to how land is developed. The intent of the provisions relating to side yard setbacks is to ensure more uniform and consistent built form streetscapes to maintain a standard pattern of development.

The applicant is proposing to construct a new two-storey dwelling with an integral garage. Variance No. 2 for a building height of 10.26 metres has been removed to comply with the 10 metre height limit under By-law No. 569-2013. However, Planning staff is concerned with the variances for the proposed west side yard setback of 0.86 metres. The subject property is a corner lot located at the intersection of Florence Avenue and Pewter Road. The proposed dwelling fronts onto Pewter Road, and the reduced side yard setback is not consistent with the setbacks of other corner lots found within the neighbourhood.

Planning recommends that Variance Nos. 4 and 8 for a proposed west side yard setback of 0.86 metres be increased to ensure the dwelling be more in keeping with the existing neighbourhood character.

Respectfully submitted,

CONTACT

Carla Tsang, Assistant Planner
Tel: 416-395-7137
Fax: 416-395-7200
E-mail: ctsang@toronto.ca

SIGNATURE

Allen Appleby
Director, Community Planning, North York District

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