



STAFF REPORT
Committee of Adjustment
Application

Date:	November 15, 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 25 (Don Valley West)
Reference:	File No: A0881/16NY Address: 366 BROADWAY AVENUE Application to be heard: Thursday, November 24, 2016

RECOMMENDATION

Should the Committee choose to approve this application, staff recommend that the following variances first be modified to be more in keeping with the intent of the Zoning By-law:

1. Variance Nos. 1 and 2 with respect to the maximum lot coverage for a deck and proposed rear deck projection.

APPLICATION

This application proposes to construct a new rear deck to the existing two-storey dwelling.

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

1. **Section 6(24), By-law No. 7625**
All unexcavated porches or decks, attached to or detached from the main building, and located in the side and rear yard, shall not occupy more than 5% of the lot area.
The proposed deck is 5.7% of the lot area.
2. **Section 6(24), By-law No. 7625**
The maximum permitted rear deck projection is 2.1 metres above a height of 1.0m and a width no greater than half the width of the dwelling.
The proposed deck is 1.76m above adjacent ground, projects 4.27m from the rear wall and is 57.4% of the width of the dwelling.

COMMENTS

The subject property is located on the south side of Broadway Avenue, northwest of Bayview Avenue and Eglinton Avenue West. The property is zoned R7 under former North York Zoning

By-law No. 7625 and zoned *RD (f9.0; a275)* in the new City of Toronto Zoning By-law No. 569-2013. The application proposes to construct a new rear deck to the existing dwelling.

The application requests a variance to permit a rear deck with a proposed 5.7% of lot area coverage, a projection of 4.27 metres from the rear wall, a height of 1.76 metres and width of 4.72 metres. Zoning By-law 7625 permits a rear deck with a maximum 5.0% lot area coverage, a projection of 2.1 metres with a height of 1.0 metres and a width no greater than half the width of the dwelling (4.27 metres). Rear deck provisions are devised, in part, to limit the number of people able to use a rear deck at one time, and to mitigate the potential for noise, privacy and overlook issues for adjacent properties. Staff are of the opinion that the size and projection of the rear deck should be modified to be more keeping with the intent of the Zoning By-law.

Should the Committee choose to approve this application, staff recommend that the proposed lot coverage and projection of the rear deck be reduced to be more in keeping with the intent of the Zoning By-law.

CONTACT

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SIGNATURE



for

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A0881/16NY