

# John Fillion

Toronto City Councillor – Ward 23, Willowdale

**Date:** June 13<sup>th</sup>, 2017

**To:** North York Community Council –City Clerk's Office-Secretariat

**From:** Councillor John Fillion

**Subject:** Representation at a Toronto Local Appeal Body hearing for 223 Florence Avenue

## SUMMARY:

On Thursday, April 20<sup>th</sup>, 2017, the North York Panel of the Committee of Adjustment (the "Committee") approved an application (A0125/17NY) for minor variances related to the property municipally known as 223 Florence Avenue (the "Application"). The Application sought to permit the construction of a new two-storey dwelling and detached garage. The existing dwelling would be demolished.

In a report from the Planning Department, staff were of the opinion that approval of this variance will create a below-grade garage, which could increase the potential for basement flooding.

On December 4, 2009, City Council enacted a Zoning By-law Amendment intended to stop the development of below-grade garages. Specifically, Zoning By-law No. 1196-2009 requires the elevation of the lowest point of an opening to an area that may be used for parking or storage of a vehicle located inside or abutting a dwelling, to be higher than the elevation of the street, measured at its centreline across from the driveway leading to the parking space. The intent of this amendment to the Zoning By-law was to address issues relating to grade-related basement flooding.

Staff are of the opinion that the variance for the proposed elevation of the garage entrance is contrary to the intent of the Zoning By-law. As such, staff recommend that Variance No. 5 be refused.

The application has been appealed and a hearing date is set for September 6, 2017.

## RECOMMENDATIONS:

1. City Council authorize the City Solicitor, along with appropriate City staff, to attend the Toronto Local Appeal Body and to retain outside consultants, as necessary, to oppose any variances not approved by the Committee including those sought for a below grade garage in application A0125/17NY respecting 223 Florence Avenue.



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