TORONTO

STAFF REPORT
Committee of Adjustment
Application

Date:	March 13, 2018
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: A0683/17NY Address: **133 SHERWOOD AVENUE** Application to be heard: Wednesday, March 21, 2018

RECOMMENDATION

Should the Committee choose to approve this application, staff recommend that the following conditions be attached:

1. The applicant is to provide permanent opaque screening or fencing along the west edge of the proposed rear platform with a minimum height of 1.5 metres from the floor.

APPLICATION

To construct a new two-storey semi-detached dwelling with integral garage. Application was previously deferred in September and December, 2017.

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

1. **Chapter 10.5.40.10.(5), By-Law No. 569-13**
   A minimum of 10m² of the first floor must be within 4m of the front main wall.
   The proposed first floor is 2.61m².

2. **Chapter 10.5.40.50(2), By-Law No. 569-13**
   Platforms attached to or within 0.3m of a building must comply with the required minimum building setback; 0.9m.
   The proposed front porch has a setback of 0.53m from the side lot line.

3. **Chapter 10.5.40.50(2), By-Law No. 569-13**
   Platforms attached to or within 0.3m of a building must comply with the required minimum building setback; 0.9m.
   The proposed rear porch has a setback of 0.61m from the side lot line.

4. **Chapter 10.10.40.70.(3), By-Law No. 569-13**
The minimum required side yard setback is 0.9m.
The proposed side yard setback is 0.61m.

5. **Chapter 10.10.40.40.(1), By-Law No. 569-13**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.7039 times the area of the lot.

6. **Chapter 10.10.80.40.(1), By-Law No. 569-13**
Vehicle entrances through the front main wall of the building are permitted provided the lot has a minimum frontage of 7.6m.
The proposed/existing lot frontage is 6.1m.

7. **Chapter 10.10.40.10.(1), By-Law No.569-13**
The permitted maximum height of a building is 9m.
The proposed height of the building is 9.37m.

8. **Chapter 10.10.40.10.(2), By-Law No. 569-13**
The permitted maximum height of all side exterior main walls facing a side lot line is 7m.
The proposed height of the side exterior main wall facing a side lot line is 7.88m.

9. **Chapter 10.10.40.10.(6), By-Law No. 569-13**
The permitted maximum height of the first floor above established grade is 1.2m.
The proposed height of the first floor above established grade is 1.57m.

10. **Section 6(3) Part I 1, By-Law No. 438-86**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.7039 times the area of the lot.

11. **Section 6(3) Part IV 3(I), By-Law No. 438-86**
The by-law does not permit an integral garage in a building on a lot having a frontage of less than 7.62m where access to garage is located in a wall facing the front lot line.
The proposed integral garage is in a wall that faces the front lot line.

12. **Section 6(3) Part II 8 D(I), By-Law No.438-86**
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.27m above grade for the front porch.

13. **Section 6(3) Part II 8 D(I), By-Law No.438-86**
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.53m above grade for the rear deck.

14. **Section 4(2), By-Law No. 438-86**
The permitted maximum height is 9m.
The proposed height is 9.47m.

15. **Section 6(3) Part II 8 D, By-Law No. 438-86**
A deck or porch located in the front or rear of a building is not permitted to project beyond the side walls of the building.
The proposed front porch extends 0.08m beyond the side walls of the building.

COMMENTS

The subject property is located on the south side of Sherwood Avenue, northeast of Yonge Street and Eglinton Avenue East. The property is zoned *RD (f9.0; u2; d0.6) (x954)* in the harmonized City of Toronto By-law 569-2013 and *R1* under former Toronto Zoning By-law No. 438-86. The application proposes to construct half of a new two-storey semi-detached dwelling.

The application requests a variance to permit a rear platform that is 1.53 metres above grade whereas under By-law 438-86, the maximum height for a platform is 1.2 metres above grade. Rear deck, balcony, and platform provisions are devised, in part, to regulate the size of such structures to mitigate issues of noise, privacy, and overlook for neighbouring properties. In order to mitigate the impact of the rear deck, staff recommend that the applicant provide permanent opaque screening or fencing along the west edge of the proposed rear platform with a minimum height of 1.5 metres from the floor of the platform.

CONTACT

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SIGNATURE

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