



STAFF REPORT
Committee of Adjustment
Application

Date: October 30, 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 10, York Centre

File No: A0431/18NY

Address: 777 Wilson Heights Boulevard

Application to be heard: Thursday, November 8, 2018 at 9:30 a.m.

RECOMMENDATIONS

Staff recommend that the Committee of Adjustment:

1. Defer Application No. A0431/18NY; however
2. Should a deferral not be granted, Staff recommend the application be refused.

APPLICATION

To maintain the existing dwelling, covered patio, existing one-storey walk out enclosure, and structures as constructed.

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

1. **Chapter 10.80.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 35.00% of the lot area.
The lot coverage is 47.1% of the lot area (including the covered platform).
2. **Chapter 10.80.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The building length is 20.24m.
3. **Chapter 10.80.40.70.(2), By-law No. 569-2013**
The minimum required rear yard setback is 8.46m (25% of the lot depth).
The rear yard setback is 7.1m.
4. **Chapter 10.5.40.60.(2), By-law No. 569-2013**
A canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 10.5.40.60(1), are subject to the following: (A) a roof, canopy, awning or similar structure above a platform meeting the requirements of regulation 10.5.40.60(1) may encroach into a required minimum building setback to the same extent as the platform it is

covering which is 2.5m, and no closer to side lot line than the required minimum side yard setback; 1.5m.

The canopy is permitted to encroach (existing encroachment of 1.139m) but is setback 0.46m from the north lot line.

5. Chapter 10.5.40.60.(5), By-law No. 569-2013

An architectural feature (columns) on a building may encroach into a required building setback a maximum of 0.6m, if it is no closer to a lot line than 0.3m.

The architectural feature(s) (columns) encroach 1.139m into the rear yard setback, and is 0.46m from the north side lot line.

COMMENTS

The subject property is located on the east side of Wilson Heights Boulevard, east of Dufferin Street and south of Finch Avenue West. The property is zoned *RM (f21.0;a835)(x474)* under the City of Toronto Zoning By-law No. 569-2013 and *RM5* under the former City of North York Zoning By-law No. 7625. The application proposes to maintain the existing dwelling, covered patio, existing one-storey walk out enclosure, and structures as constructed.

A revised zoning notice was issued by Toronto Building on October 23, 2018 to include variances that were previously missed. As a result, Staff have concerns that the public hearing notice that was previously mailed fails to correctly identify all variances. Staff are of the opinion that this application should be deferred until all variances have been correctly identified.

Staff recommend that the Committee defer the application, however, should a deferral not be granted, staff recommend the application be refused.

CONTACT

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SIGNATURE



for

Joe Nanos, Director, Community Planning, North York District