

**Date:** September 29, 2020

**To:** Chair and Committee Members of the Committee of Adjustment, North York District

**From:** Giulio Cescato, Director (Acting), Community Planning, North York District

**Ward:** 18 – Willowdale

**File No:** A0364/20NY

**Address:** 57 Florence Avenue

**Hearing Date:** October 15, 2020

## **RECOMMENDATIONS**

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Should the Committee choose to approve this application, Staff recommend that the following variances first be refused:

1. Variances No. 2 and 5 for the proposed building height, as measured under Zoning By-law Nos. 569-2013, and 7625.

## **APPLICATION**

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To construct a new dwelling.

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

1. **Chapter 10.20.40.10.(1), By-law No. 569-2013**  
Platforms attached to or within 0.3 m of a rear main wall, which are greater than 1.2 m above the ground at any point below the platform, are limited to projecting 2.5 m from the rear wall and may be no higher than the level of the floor from which it gains.  
The proposed rear deck projects 3.12 m from the rear wall.
2. **Chapter 10.20.40.10.(1)(A), By-law No. 569-2013**  
The permitted maximum height of the building is 7.2 m.  
The proposed height of the building is 8.92 m.
3. **Chapter 10.20.40.20.(1), By-law No. 569-2013**  
The permitted maximum building length is 17.0 m.  
The proposed building length is 18.14 m.
4. **Chapter 10.20.30.40.(1)(A), By-law No. 569-2013**  
The permitted maximum lot coverage is 30% of the lot area.  
The proposed lot coverage is 31.8% of the lot area.

5. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.0 m.  
The proposed building height is 8.94 m.

## COMMENTS

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The subject property is located on the south side of Florence Avenue, southwest of Yonge Street and Sheppard Avenue West. The property is zoned *RD(f7.5; a300)(x559)* under City of Toronto Zoning By-law No. 569-2013 and *R7(21)* under the former City of North York Zoning By-law No. 7625. The application proposes a new dwelling.

The application is proposing a maximum building height of 8.92 metres, as measured under Zoning By-law No. 569-2013, whereas a maximum building height of 7.2 metres is permitted for a building with a flat roof. The application also proposes a building height of 8.94 metres, as measured under Zoning By-law No. 7625, whereas a maximum height of 8.0 metres is permitted for a building with a flat roof. The Zoning By-laws have lower height provisions for flat roof buildings than those with a pitched-roof, due, in part, to the massing and scale associated with a flat roof building. Although limited, Staff found that Committee approvals for flat roof building height has generally ranged from 8.04 metres to 8.86 metres, as measured under Zoning By-law No. 569-2013. Due to the mass and scale associated with a flat roof building and the lower height provision of Zoning By-law No. 569-2013, Staff are of the opinion that a flat roof building height that is closer to 8.0 metres, such as a recent approval of 8.2 metres for 72 Johnston Avenue (A0471/17NY), is more in keeping with the intent of the zoning by-law. As such, Staff are of the opinion that Variance No. 2 and its corresponding variance under Zoning By-law No. 7625 (Variance No. 5) should be refused.

Should the Committee choose to approve the application, Staff recommend the application be made subject to the condition outlined in the Recommendations section of this report.

## CONTACT

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## SIGNATURE

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Signed by Guy Matthew, Manager (Acting), Community Planning, North York District on behalf of Giulio Cescato, Director (Acting), Community Planning, North York District