

Date: October 14, 2021

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

From: David Sit, Director, Community Planning, North York District

Ward: Don Valley West

File No.: A0600/21NY

Address: 122 Rochester Avenue

Hearing Date: October 21, 2021

RECOMMENDATIONS

City Planning Staff recommend this application be refused.

APPLICATION

To construct a new dwelling.

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

1. **Chapter 10.5.40.50.(2), By-law No. 569-2013**
A platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone; in this case 1.8m.
The proposed east side setback to the rear deck is 1.22m.
2. **Chapter 10.20.40.10.(4), By-law No. 569-2013**
The maximum permitted building height is 7.2m for a flat or shallow roof.
The proposed building height is 8.48m.
3. **Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The proposed building length is 21.3m.
4. **Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.00m.
The proposed building depth is 21.3m.
5. **Chapter 10.20.40.70.(3)(E), By-law No. 569-2013**
The minimum required side yard setback is 1.80m.
The proposed east side yard setback is 0.9m.
6. **Chapter 10.20.40.70.(3)(E), By-law No. 569-2013**

The minimum required side yard setback is 1.80m.
The proposed west side yard setback is 1.22m.

7. Chapter 10.20.40.50.(1), By-law No. 569-2013

The maximum permitted area of each platform at or above the second storey is 4.00m².

The proposed platform at or above the second storey is 8.8m².

8. Chapter 10.5.100.1.(1), By-law No. 569-2013

The maximum permitted driveway width is 5.79m.

The proposed driveway width is 5.99m.

9. Section 12.7, By-law No. 7625

The maximum permitted building height is 8.0m.

The proposed building height is 8.64m.

COMMENTS

The subject property is located on the north side of Rochester Avenue, southwest of Lawrence Avenue East and Bayview Avenue. The property is zoned *RD (f18.0; a690)* under City of Toronto Zoning By-law No. 569-2013 and *R3* under the former City of North York Zoning By-law No. 7625.

The applicant is requesting a building height of 8.48 metres, whereas City of Toronto Zoning By-law No. 569-2013 permits a maximum height of 7.2 metres. The building has been classified as a flat or shallow roof dwelling because greater than 50% of the total horizontal roof area has a slope below 25%. As seen on the roof plan drawing, a majority of the roof area has a slope below 25%. The Zoning By-law requires a lower maximum building height for flat or shallow roof dwellings, in part, to mitigate impacts that result from additional massing at the highest portion of the building.

The applicant is also requesting side yard setbacks of 0.9 metres and 1.22 metres to the east and west lot lines, and a rear platform setback of 1.22 metres to the east, whereas City of Toronto Zoning By-law No. 569-2013 requires minimum setbacks of 1.80 metres. In addition to the proposed flat roof building height, the proposed building length and depth also exceed the Zoning By-law and City Planning staff are of the opinion that the variances, as combined, create an inappropriate massing condition, do

not meet the intent of the Zoning By-law and are not minor. It is recommended that this application be refused.

CONTACT

Denise McMullin, Assistant Planner, Community Planning, North York District,
416-395-7133, Denise.McMullin2@toronto.ca

SIGNATURE



Signed by John Andreevski, Manager, Community Planning, North York District