



STAFF REPORT
Committee of Adjustment
Application

Date: August 23, 2019

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

From: Joe Nanos, Director, Community Planning, North York District

Ward: 15 - Don Valley West

File No: A0476/19NY

Address: 158 MCRAE DRIVE

Hearing Date: Thursday, August 29, 2019

RECOMMENDATIONS

City Planning staff recommend that the following modifications be made to the application, as agreed upon by the applicant:

1. Eliminate Variance No. 6 respecting the maximum building height under Zoning By-law No. 569-2013.
2. Eliminate Variance No. 8 respecting the number of storeys under Zoning By-law No. 569-2013.

Should the Committee choose to approve this application, City Planning staff recommend that it be made subject to the following conditions:

1. The proposed parking space has the same width as the driveway width.
2. The proposed driveway, inclusive of the proposed parking space in the front yard, be constructed with permeable pavers.

APPLICATION

To construct a new dwelling.

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

1. **Chapter 10.5.40.60.(8), By-law No. 569-2013**
Wall mounted utility equipment may encroach into a required setback 0.6m if it is no closer to a lot line than 0.3m.
The proposed utility equipment encroaches 1.06m into the required northern side yard setback and the proposed utility equipment is 0.14m from the northern side lot line.

2. **Chapter 10.5.80.10.(3), By-law No. 569-2013**
A parking space may not be located in a front yard or a side yard abutting a street.
The proposed parking spot is located in the front yard.
3. **Chapter 10.20.40.20.(1), By-law No. 569-2013**
In a minimum required lot frontage of 18.0m or less, the permitted maximum building length is 17.0m.
The proposed building length is 17.75m.
4. **Chapter 10.20.40.40.(1), By-law No. 569-2013**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.63 times the area of the lot.
5. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 1.2m where the required minimum lot frontage is 12.0m to less than 15.0m.
The proposed northern side yard setback is 0.44m.
6. **Chapter 10.20.40.10.(1), By-law No. 569-2013**
The permitted maximum height of a building is 7.2m.
The proposed height of the building is 8.61m.
7. **Chapter 10.5.40.60.(5), By-law No. 569-2013**
A chimney breast may encroach into a required building setback a maximum of 0.6m.
The proposed chimney is 0.9m into the required northern side yard setback.
8. **Chapter 10.10.40.10.(4), By-law No. 569-2013**
If a detached house has a roof with a slope of less than 1.0 vertical units for every 4.0 horizontal units, for more than 50% of the total horizontal roof area, the building may have no more than two storeys.
The proposed building has three storeys.
9. **Section 6.3.3, By-law No. 1916**
The minimum required number of parking spaces is 1 space behind the front main wall.
The proposed number of parking spaces is 1 space in front of the front main wall.

COMMENTS

The subject property is located on the west side of McRae Drive, southwest of Laird Drive and Eglinton Avenue East. The property is zoned *RD (f12.0; a370; d0.6)* under City of Toronto Zoning By-law No. 569-2013 and *R1B* under the former Leaside Zoning By-law No. 1916.

The applicant has indicated that the following changes will be made to the application to be more in keeping with the intent of the Zoning By-law and will be presented on the floor of the Committee hearing on August 29, 2019:

1. Eliminate Variance No. 6 respecting the maximum building height under Zoning By-law No. 569-2013.
2. Eliminate Variance No. 8 respecting the number of storeys under Zoning By-law No. 569-2013.

The applicant is proposing to eliminate the aforementioned variances by removing the initially proposed rooftop mechanical room.


The applicant is also proposing a north side yard setback of 0.44 m, whereas Zoning By-law No. require a minimum of 1.2. City Planning staff have no objections as the applicant's submitted survey indicates that this setback is existing and is not made worse by the subject application.

Finally, the applicant is proposing a parking space in the front yard, whereas both Zoning By-law No. 569-2013 and Zoning By-law No. 1916 prohibit this. To ensure the proposed parking space is located on private property, is no wider than the proposed driveway, and does not impede stormwater management on site, City Planning staff recommend that any approval of these variances be made subject to the conditions outlined in the Recommendations section of this report.

CONTACT

Simona Rasanu, Planner, Community Planning, North York District, 416-395-7687,
Simona.Rasanu@toronto.ca

SIGNATURE

for 

Signed by John Andreevski, Manager, Community Planning, North York District on behalf of Joe Nanos, Director, Community Planning, North York District