



**STAFF REPORT**  
**Committee of Adjustment**  
**Application**

<b>Date:</b>	April 24, 2018
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment North York District</b>
<b>From:</b>	Joe Nanos, Director, Community Planning, North York District
<b>Ward:</b>	Ward 26 (Don Valley West)
<b>Reference:</b>	File No: A0140/18NY Address: <b>75 RANDOLPH ROAD</b> Application to be heard: Thursday, May 3, 2018

**RECOMMENDATION**

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City Planning staff recommend that the following modifications be made to the application in accordance with the suggestions provided by the applicant:

1. Reduce Variance Nos. 2 and 9 respecting building height to 8.75 metres from 8.85 metres as measured under Zoning By-laws 569-2013, and to 8.8 metres from 8.9 metres as measured under By-law 1916;
2. Reduce Variance No. 3 respecting side exterior main wall height to 8.75 metres from 8.85 metres;
3. Increase Variance No. 4 respecting the rear yard setback to 7.8 metres from 6.81 metres as measured under By-law 569-2013, and eliminate Variance No. 12 respecting the rear yard setback under By-law 1916;
4. Eliminate Variance No. 6 respecting lot coverage;
5. Eliminate Variance Nos. 7 and 15 respecting the rear window encroachment into the rear yard setback; and
6. Reduce Variance Nos. 5 and 10 respecting floor space index to 0.7 from 0.75.

If the applicant fails to make the revisions as discussed herein, staff recommend that the application be refused.

Should the Committee choose to approve this application in accordance with the above-noted modifications, staff recommend that the following condition be attached:

- The proposal be constructed in accordance with the site plan submitted to the Committee of Adjustment, date stamped received by the City of Toronto Planning Division, April 23, 2018.

## APPLICATION

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The application proposes to construct a new two storey dwelling with integral garage.

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

1. **Chapter 10.5.40.10.(5), By-Law 569-2013**  
A minimum of 10.0m<sup>2</sup> of the first floor must be within 4.0m of the front main wall.  
8.92m<sup>2</sup> of the first floor proposed is within 4.0m of the front main wall.
2. **Chapter 10.20.40.10.(1)(a), By-Law 569-2013**  
The permitted maximum height of a building or structure is 8.5m.  
The proposed height of the building is 8.85m.
3. **Chapter 10.20.40.10.(2)(b)(ii), By-Law 569-2013**  
The permitted maximum height of all side exterior main walls facing a side lot line is 7.0m.  
The proposed height of the north and south side exterior main walls facing a side lot line is 8.85m.
4. **Chapter 10.20.40.70.(2)(b), By-Law 569-2013**  
The required minimum rear yard setback is 8.41m.  
The proposed rear yard setback is 6.81m.
5. **Chapter 10.20.40.40.(1)(a), By-Law 569-2013**  
The permitted maximum floor space index is 0.45 times the area of the lot.  
The proposed floor space index is 0.75 times the area of the lot.
6. **Chapter 10.20.30.40.(1)(a), By-Law 569-2013**  
The permitted maximum lot coverage is 35% of the lot area.  
The proposed lot coverage is 35.66% of the lot area.
7. **Chapter 10.5.40.60.(6)(a), By-Law 569-2013**  
A bay window, or other window projection from a main wall of a building, which increases floor area or enclosed space and does not touch the ground, may encroach a maximum 0.75m into the required rear yard setback, if the window projections in total do not occupy more than 65% of the width of the front main wall or rear main wall at each storey.  
The proposed rear window encroaches 1.78m into the required rear setback of 8.41m.
8. **Chapter 10.5.40.60.(2)(a), By-Law 569-2013**  
A canopy, awning or similar structure above a platform may encroach into a required building setback to the same extent as the platform it is covering.  
The proposed front canopy extends beyond the platform area it is covering.
9. **Section 6.2.3, By-Law 1916**  
The maximum permitted building height is 8.5m.  
The proposed building height is 8.9m.

10. **Section 6.2.3, By-Law 1916**  
The maximum permitted floor space index is 0.45 times the area of the lot.  
The proposed floor space index is 0.75 times the area of the lot.
11. **Section 6.2.3, By-Law 1916**  
The minimum required front yard setback is 6.0m.  
The proposed front yard setback is 5.37m.
12. **Section 6.2.3, By-Law 1916**  
The minimum required rear yard setback is 7.5m.  
The proposed rear yard setback is 6.81m.
13. **Section 6.1.2, By-Law 1916**  
In all R1 and R2 residential zones, garages located below finished grade are prohibited in a detached and semi-detached dwelling.  
The proposed garage is located below finished grade.
14. **Section 6.2.3, By-Law 1916**  
The minimum required side yard setback is 0.9m.  
The proposed south side yard setback to the canopy is 0.56m.
15. **Section 5.7 b), By-Law 1916**  
Bay windows which extend across less than two-thirds of the main rear wall may project the main rear wall a maximum of 0.61m and encroach a maximum of 0.61m into the required rear yard setback.  
The proposed bay window projects 0.61m and encroaches 0.87m into the required rear yard setback of 7.5m.

## **COMMENTS**

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The property is located on the east side of Randolph Road in South Leaside. The property is zoned *RD (f9.0; a275; d0.45)* under the harmonized City of Toronto Zoning By-law No. 569-2013 and *RIA* under former Leaside Zoning By-law No. 1916.

In consultation with staff, the applicant has agreed to make the following revisions to the application to be more in keeping with the character of the neighbourhood:

1. Reduce Variance Nos. 2 and 9 respecting building height to 8.75 metres from 8.85 metres as measured under Zoning By-laws 569-2013, and to 8.8 metres from 8.9 metres as measured under By-law 1916;
2. Reduce Variance No. 3 respecting side exterior main wall height to 8.75 metres from 8.85 metres;
3. Increase Variance No. 4 respecting the rear yard setback to 7.8 metres from 6.81 metres as measured under By-law 569-2013, and eliminate Variance No. 12 respecting the rear yard setback under By-law 1916;
4. Eliminate Variance No. 6 respecting lot coverage;
5. Eliminate Variance Nos. 7 and 15 respecting the rear window encroachment into the rear yard setback; and

6. Reduce Variance Nos. 5 and 10 respecting floor space index to 0.7 from 0.75.

If the applicant fails to make the revisions as discussed herein, staff recommend that the application be refused.

The applicant requests variances to permit a rear yard setback of 7.82 metres whereas under By-laws 569-2013, the minimum required rear yard setback is 8.41 metres. The rear yard setback is the distance between the rear lot line and the nearest rear main wall of a proposed building, measured along a right angle to the rear lot line. Due to the irregular rear lot line of the subject site, a rear yard setback variance has been triggered for the rear corner of the proposal only. If the rear yard setback was measured to the corner of the rear lot line, it would be more than 13 metres. Staff do not have concerns with the proposed rear yard setback, as long as the dwelling is constructed as depicted in the drawings submitted. As such, staff recommend that any approval by the Committee of Adjustment include a condition that the proposal be developed substantially in accordance with the site plan submitted to the Committee of Adjustment, date stamped received by the City Planning division on April 23, 2018.

#### **CONTACT**

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#### **SIGNATURE**

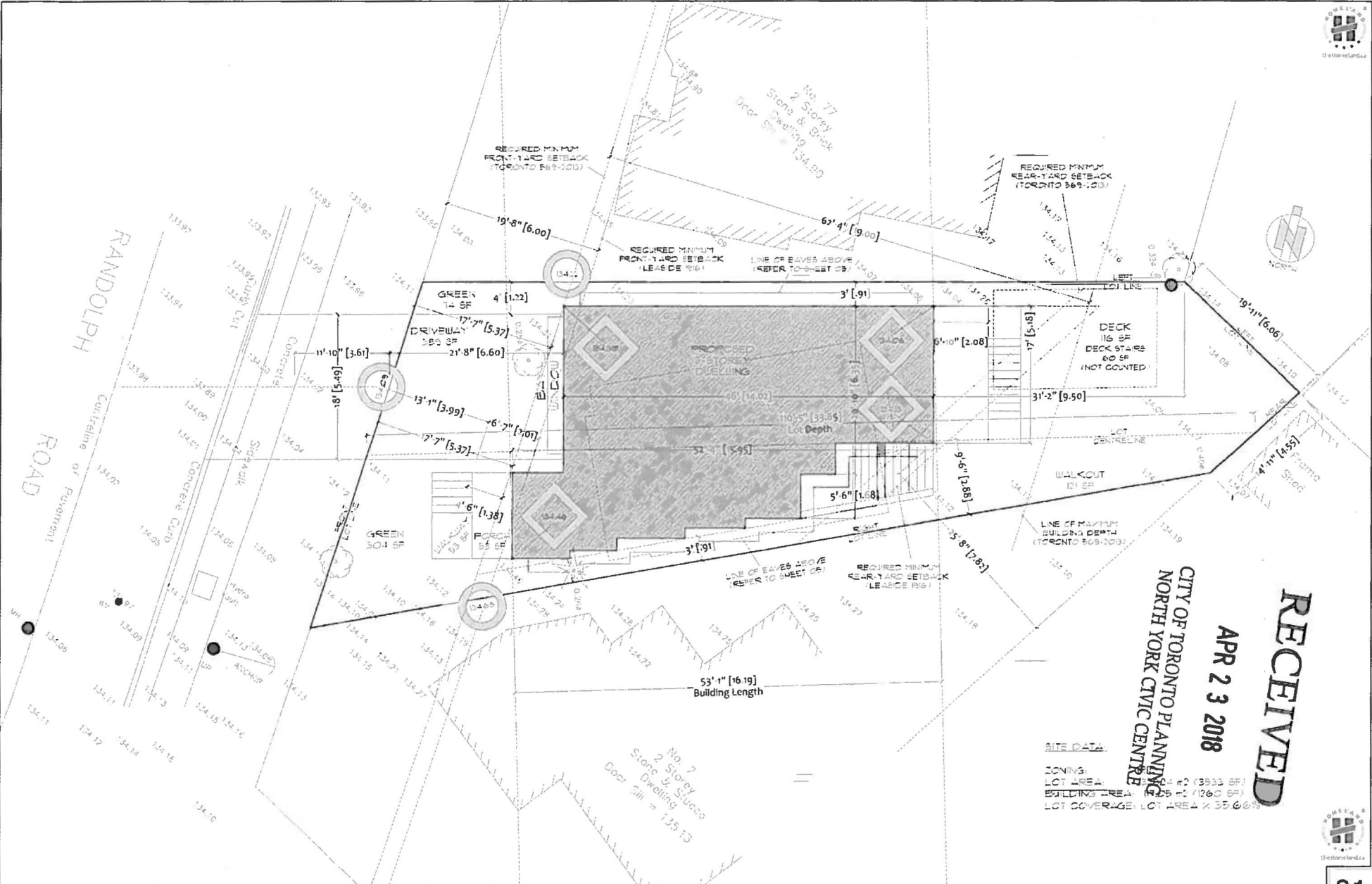


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*for*  
Joe Nanos  
Director, Community Planning, North York District



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**RECEIVED**

APR 23 2018

CITY OF TORONTO PLANNING  
NORTH YORK CIVIC CENTRE

**SITE DATA**

ZONING: R20  
 LOT AREA: 3,853 SF  
 BUILDING AREA: 1,260 SF  
 LOT COVERAGE: LOT AREA X 33.66%



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