



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

<b>Date:</b>	November 29, 2011
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment North York District</b>
<b>From:</b>	Allen Appleby, Director, Community Planning, North York District
<b>Wards:</b>	Ward 16 (Eglinton-Lawrence)
<b>Reference:</b>	File Nos. B056/11NY, A696/11NY & A697/11NY Address: <b>50 BANNOCKBURN AVE</b> Application to be heard: Wednesday December 14, 2011 at 10:00 a.m.

**RECOMMENDATIONS**

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Staff recommend that, should the Committee approve these applications, the approval be subject to the following conditions:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division.
2. The requirements of the Technical Services Division shall be satisfied.
3. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4, in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the consent, shall be submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of this decision.
4. Two copies of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with City Surveyor, Survey & Mapping, Technical Services.
5. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services.
6. Three copies of the registered reference plan of survey satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.
7. The associated minor variance decisions, A696/11NY & A697/11NY, be declared Final and Binding prior the issuance of a Certificate.

8. Within ONE YEAR of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96.

## **APPLICATION**

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This is an application for the division of a residential property into two parts for the creation of two new building lots.

The lands concerned have a total of 17.98m fronting the north side of Bannockburn Avenue, a depth of 39.66m and an area of 705.3m<sup>2</sup>. The lands presently contain the dwelling known municipally as 50 Bannockburn Avenue. The existing dwelling would be demolished and a new dwelling would be constructed on each of the proposed lots.

Lot 1, being Part 1 on the draft reference plan, would have 8.98m fronting the north side of Bannockburn Avenue, a depth of 39.66m and an area of 348.8m<sup>2</sup>.

Lot 2, being Part 2 on the draft reference plan, would have 8.99m fronting the north side of Bannockburn Avenue, a depth of 39.66m and an area of 356.5m<sup>2</sup>.

### **REQUESTED VARIANCES TO THE ZONING BY-LAW:**

#### **A696/11NY - WEST 8.99M OF 50 BANNOCKBURN AVE (PART 2)**

##### **North York By-law 7625**

1. Proposed lot frontage and width of 8.99m  
WHEREAS a minimum lot frontage and width of 12m is required;
2. Proposed lot area of 356.5m<sup>2</sup>  
WHEREAS a minimum lot area 371m<sup>2</sup>;
3. Proposed lot coverage of 31.92% (113.81m<sup>2</sup>)  
WHEREAS a maximum lot coverage of 30% (106.96m<sup>2</sup>) is permitted;
4. East side yard setback of 0.61m to the proposed dwelling  
WHEREAS a minimum setback of 1.2m is required;
5. Proposed building height of 9.29m  
WHEREAS a maximum building height of 8.8m is permitted;
6. Proposed building length of 16.15m  
WHEREAS a maximum building length of 15.3m is permitted; and
7. Proposed rear deck projection of 3.6m  
WHEREAS a maximum deck projection of 2.1m is permitted.

#### **A697/11NY - EAST 8.99M OF 50 BANNOCKBURN AVE (PART 1)**

##### **North York By-law 7625**

1. Proposed lot frontage and width of 8.98m  
WHEREAS a minimum lot frontage and width of 12m is required;
2. Proposed lot area of 348.8m<sup>2</sup>  
WHEREAS a minimum lot area 371m<sup>2</sup>;
3. Proposed lot coverage of 32.7% (114.06m<sup>2</sup>)  
WHEREAS a maximum lot coverage of 30% (104.64m<sup>2</sup>) is permitted;
4. West side yard setback of 0.61m to the proposed dwelling  
WHEREAS a minimum setback of 1.2m is required;
5. Proposed building height of 9.34m  
WHEREAS a maximum building height of 8.8m is permitted;
6. Proposed building length of 16.15m  
WHEREAS a maximum building length of 15.3m is permitted;
7. Proposed finished first floor elevation of 2.97m  
WHEREAS a maximum finished first floor elevation of 1.5m is permitted;
8. Proposed balcony area (rear deck) of 12.26m<sup>2</sup>  
WHEREAS a maximum balcony area of 3.8m<sup>2</sup> is permitted;
9. The proposed number of storey is three (3)  
WHEREAS the maximum permitted number of storeys is two (2); and
10. Proposed east side yard setback of 0.15m to the exterior staircase and canopy  
WHEREAS a minimum setback of 0.6m is required.

## **COMMENTS**

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The subject property is rectangular in shape and has existed in its current form since the 1950s on the northwest corner of Bannockburn Avenue and Clyde Avenue. The subject lands are designated *Neighbourhoods* in the Toronto Official Plan. *Neighbourhoods* are considered to be stable areas, however the Official Plan recognizes that *Neighbourhoods* are not static, meaning there will be change in these areas. It is expected that some physical change will occur in the form of enhancements, additions and infill housing. Development within *Neighbourhoods* will respect and reinforce the existing physical character of buildings, lot sizes, streetscapes and open space patterns in these areas.

Policy 4.1.5 outlines the criteria for development within *Neighbourhoods*. Development will respect and reinforce the existing physical character of the neighbourhood, with particular regard to:

- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing patterns of rear and side yard setbacks and landscaped open space;

The Plan goes on to assert that no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The subject property is zoned R6 in the North York Zoning By-law 7625, as amended. The intent of the Zoning By-law is to establish precise standards as to how land is developed. Restrictions on lot frontage and area, lot coverage, side yard setbacks, number of storeys and finished first floor elevation are used, in part, to achieve more uniform and consistent built form streetscapes, thereby contributing to a more predictable pattern of development.

There have been recent OMB approvals for similar lot severances at 106 and 177 & 179 Dunblaine Avenue, 265 Haddington Avenue and older severance approvals resulting in the similarly-sized lots at 92 & 94 Dunblaine Avenue, and 392, 400 and 402 Brooke Avenue Avenue, all of which are located within a few streets of the subject property. There are also several lots of similar size that were part of the original plans of subdivision.

Planning staff have had discussions with the applicant outlining our concerns with the proposed east elevation of the easternmost dwelling, specifically with regard to the height of the front door and the size and orientation of the stairway leading to the front door. Since all new detached dwellings on lots created by consent are subject to Site Plan approval, staff are of the opinion that these design issues can be resolved through that process, should the Committee approve these applications.

Respectfully submitted,

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**SIGNATURE**

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Allen Appleby  
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