STAFF REPORT
Committee of Adjustment Application

Date: May 31, 2018

To: Chair and Members of the Committee of Adjustment
   Toronto and East York District
   c/o Anita MacLeod, Manager & Deputy Secretary-Treasurer
   Toronto and East York District

From: Acting Director, Community Planning, Toronto and East York District

Ward: Ward 22, St. Paul's

Reference: File No.: A0005/18TEY
   Address: 46 Banff Rd.
   Applicant: Ehsan & Azita Vali
   Agent: Glenn Rubinoff
   Application to be heard: June 6, 2018 at 1:30 p.m.

RECOMMENDATION

Should the Committee choose to approve Application No. A0005/18TEY, City Planning staff recommends that:

1) Variance No. 6 under Zoning By-law 569-2013 regarding building depth be reduced from 20.12 metres to 18.6 metres; and

2) The new dwelling shall be built substantially in accordance with the attached plans by Rubinoff Design Group dated May 31, 2018 with regard to the building depth, and dated May 17, 2018 with regard to the front elevation.

APPLICATION

The applicant is seeking relief from the provisions of Zoning By-law 569-2013 and Zoning By-law 438-86, as amended, to construct a new two-storey detached dwelling with an integral garage.

The variances requested are with respect to: the prohibited vehicle entrance through the front main wall of the dwelling; the area of the first floor within 4.0 metres of the front main wall; the area, setback and encroachment into the rear yard setback of the rear deck with a height greater than 1.2 metres above established grade; the building height; the front and rear exterior main wall height; the building depth; the floor space index/gross
floor area; the distance of the roof eaves from the south lot line; and the side yard setback of the building for the portion exceeding a 17 metre building depth.

**CONTEXT**

The subject property is located on the west side of Banff Road, south of Eglinton Avenue East, in the Davisville Village.

The property is designated *Neighbourhoods* in the Official Plan, which are "considered physically stable areas made up of residential uses in lower scale buildings" including detached dwellings.

Policy 4.1.5 of the Official Plan states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular heights, massing, scale and dwelling type of nearby residential properties.

The property is zoned Residential (R) (d0.6) (x930) under the City-wide Zoning By-law 569-2013, and Residential (R2) (Z0.6) under former City of Toronto Zoning By-law 438-86.

**COMMENTS**

City Planning staff reviewed the requested variances and the plans for the proposed dwelling on file with the Committee of Adjustment by Rubinoff Design Group, dated February 21, 2018. Planning staff had concerns with the height of the cornice line and the building depth of the proposed dwelling.

The cornice line is the location where the eaves are located and the roof begins. The the cornice line or eaves line is the contributing feature of the dwelling to the street wall height of Banff Road. Zoning By-law 569-2013 limits the maximum permitted main wall height to 7 metres in order to limit the height of the cornice line and the street wall height. A cornice/eaves line with a height of 7.8 metres fails to maintain the intent of the provision.

The proposed building depth would fail to respect the massing of existing nearby properties and adversely impact the adjacent properties.

The applicant agreed to make revisions to the proposed dwelling to address staff's concerns by reducing the height of the cornice/eaves line from 7.8 metres to 7.5 metres above established grade, and by reducing the building depth from 20.12 metres to 18.6 metres.
It is recommended that should the Committee choose to approve the application, the approval of the requested variances be tied to the attached plans by Rubinoff Design Group, dated May 17, 2018 and May 31, 2018, and the building depth be reduced to 18.6 metres.

CONTACT

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SIGNATURE

Lynda H. Macdonald, Acting Director  
Community Planning, Toronto and East York District

Copy: Councillor Josh Matlow, Ward 22  
Glenn Rubinoff, Agent for the Applicant