

Thursday, November 3, 2016

NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

File Number:	A0712/16EYK	Zoning	RD & RS
Owner(s):	EDMUND CHRISTOPHER HO	Ward:	Etobicoke-Lakeshore (06)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	34 TWENTY SEVENTH ST	Community:	
Legal Description:	PLAN 1545 PT LOT 260		

Notice was given and a Public Hearing was held on Thursday, November 3, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.(A)(9)**
The maximum permitted floor space index is 0.35 times the area of the lot (145.4 m²).
Section 10.20.40.40.(1)(A), By-law 569-2013
The new dwelling will have a floor space index of 0.74 times the area of the lot (307.5 m²).
Section 330-23.(A)(9)
The new dwelling will have a floor space index of 0.77 times the area of the lot (322 m²).
- Section 10.20.40.70.(1), By-law 569-2013 and Section 330-23.(A)(6)**
The minimum required front yard setback is 5.08 m.
The new dwelling will be located 2.72 m from the front lot line.
- Section 10.20.40.70.(2)(A), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 2.34 m from the rear lot line, measured to the porch.
- Section 330-13.(B)(1)**
Where the lot is triangular in shape, no portion of the main building shall be located less than 7.5 m from the rear angle of the lot, and the rear yard shall have a minimum of 93 square metres for any lot upon which is erected a one-family detached dwelling.
The new dwelling (measured to the rear porch) will be located 2.34 m from the rear angle of the lot and the rear yard area is 5.14 m².

5. Section 10.20.40.10.(4)(A), By-law 569-2013

The maximum permitted dwelling height is 7.2 m.
The new dwelling will have a height of 9.5 m.

6. Section 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of each platform at or above the second storey is 4 m².
The proposed third storey platform will have an area of 30.9 m².

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

1. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A Contractor's Agreement to Perform Work on City-owned Trees will be required prior to the removal/injure of the subject tree(s). Form located at www.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf.

Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the Tree Protection Policy and Specifications for Construction Near Trees or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the Treasurer of the City of Toronto, or Letter of Credit.

2. The following conditions shall be fulfilled to the satisfaction of Traffic Planning / Right of Way Management:
 - 2.1 Remove the proposed curve lines for both sides of the proposed driveway within the Twenty Seventh Street municipal boulevard;
 - 2.2 Provide straight lines by projecting both sides of the proposed 4.83m wide driveway from the right-of-way limit perpendicular to the curb line of Twenty Seventh Street;
 - 2.3 Illustrate the proposed driveway will provide the positive slope of a minimum 2% to 4% between the proposed garage to the curb line of the Twenty Seventh Street road allowance.
 - 2.4 Insert a notation on the site plan stating that, "The applicant is required to restore the redundant portion of the existing driveway and depressed curb cut that are being closed and removed, with sod and poured raised concrete curb according to City of Toronto Design Standard Drawing No. T-600.11-1";

- 2.5 Insert an advisory notation on the site plan stating that, "The applicant shall obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant shall also submit a Municipal Road Damage Deposit (MRDD) prior to obtaining a Building Permit." The applicant shall contact Ms. Joanne Vecchiarelli of Right-of-Way Management Section at (416) 338-1045 regarding municipal road damage deposit requirements; and,
- 2.6 The applicant shall submit a revised site plan (1:200 or 1:250 in metric scale) illustrating the above-noted Condition No.'s 1 through 5, to the satisfaction of Transportation Services Division and at no cost to the City, no later than September 30, 2018.
3. The dwelling shall be constructed substantially in accordance with the revised plans date stamped November 3, 2016 and held on file by the Committee of Adjustment office. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

SIGNATURE PAGE

File Number:	A0712/16EYK	Zoning	RD & RS
Owner:	EDMUND CHRISTOPHER HO	Ward:	Etobicoke-Lakeshore (06)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	34 TWENTY SEVENTH ST	Community:	
Legal Description:	PLAN 1545 PT LOT 260		

Michael Clark (signed)

Edwin (Ted) Shepherd
(signed)

Dominic Gulli (signed)

DATE DECISION MAILED ON: Thursday, November 10, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, November 23, 2016

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.