

Thursday, May 10, 2018

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

File Number:	A0675/17EYK	Zoning	RD & RS
Owner(s):	CHARLES DRAGUTIN KAMBER	Ward:	Etobicoke-Lakeshore (06)
Agent:	CUNHA DESIGN CONSULTANTS LTD	Heritage:	Not Applicable
Property Address:	<b>38 THIRTY FIRST ST – PART 2</b>	Community:	
Legal Description:	PLAN 1545 LOT 348		

Notice was given and a Public Hearing was held on Thursday, May 10, 2018, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an integral garage.

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

- Section 10.20.30.20.(1).(A), By-law 569-2013**  
The minimum required lot frontage is 12 m.  
The new lot frontage will be 7.61 m.
- Section 10.20.40.40.(1).(A), By-law 569-2013**  
The maximum permitted floor space index is 0.35 times the area of the lot (130.93 m<sup>2</sup>).  
The proposed dwelling will have a floor space index equal to 0.62 times the area of the lot (230 m<sup>2</sup>).
- Section 10.20.40.70.(3).(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
**Section 320-23.A.(7)**  
The minimum required side yard setback is 0.9 m.  
**Section 10.20.40.70.(3).(C), By-law 569-2013 and Section 320-23.A.(7)**  
The altered dwelling will be located 0.61 m from the south side lot line and 0.91 m from the north side lot line.
- Section 10.20.40.10.(2).(A), By-law 569-2013**  
The maximum permitted front exterior main wall height is 7 m.  
The altered dwelling will have a front and rear exterior main wall height of 8.15 m.
- Section 10.20.40.20.(1), By-law 569-2013**  
The maximum permitted dwelling length is 17 m.  
The proposed dwelling will have a length of 17.38 m.

**6. Section 10.5.40.60.(7).(B), By-law 569-2013**

The minimum required side yard setback for eaves is 0.3 m.

The eaves of the proposed dwelling encroach 0.99 m from the required side yard setback, project 0.41 m and will be located 0.19 m from the south side lot line.

**File numbers B0071/17EYK, A0675/17EYK & A0676/17EYK are considered jointly.**

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 Refused**

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

**SIGNATURE PAGE**

File Number:	A0675/17EYK	Zoning	RD & RS
Owner:	CHARLES DRAGUTIN KAMBER	Ward:	Etobicoke-Lakeshore (06)
Agent:	CUNHA DESIGN CONSULTANTS LTD	Heritage:	Not Applicable
Property Address:	<b>38 THIRTY FIRST ST – PART 2</b>	Community:	
Legal Description:	PLAN 1545 LOT 348		

\_\_\_\_\_  
Allan Smithies (signed)

\_\_\_\_\_  
Douglas Colbourne (signed)

\_\_\_\_\_  
Edwin (Ted) Shepherd  
(signed)

DATE DECISION MAILED ON: Friday, May 18, 2018

LAST DATE OF APPEAL: Wednesday, May 30, 2018

CERTIFIED TRUE COPY

Barbara Bartosik  
Manager & Deputy Secretary Treasurer  
Etobicoke York Panel

**Appeal Information**

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal\* to the Ontario Municipal Board (OMB) for the same matter.

**TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- \$300 for each appeal filed regardless if related and submitted by the same appellant
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at [www.toronto.ca/tlab](http://www.toronto.ca/tlab).

**ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS**

To appeal this decision to the OMB you need the following:

- a completed OMB Appellant Form (A1) in **paper format**
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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](http://www.omb.gov.on.ca).

\*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.