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By Committee Of Adjustment at 10:17 am, Nov 27, 2019



Anita MacLeod

Manager and Deputy Secretary-Treasurer

Michael Mizzi

Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Toronto and East York
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A0790/19TEY
Property Address: 32 TRILLER AVE
Legal Description: PLAN 784 PT BLK B
Agent: KAMAL MATTAR
Owner(s): CANAN AKDEMIR
KAMAL MATTAR
Zoning: R(d1.0)(x313 & R2 Z1.0 (ZZC)
Ward: Parkdale-High Park (04)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, November 6, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a 2½-storey detached dwelling by constructing a rear one and two-storey addition; rear second and third storey decks; a rear basement walk-out; and a front yard parking pad.

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

1. Chapter 200.5.10.1, By-law 569-2013

A parking space on the lot is required to have a width of 2.6 m and a length of 5.6 m.

The parking space on the lot will have a width of 2.6 m and a length of 4.9 m.

2. Chapter 10.5.40.50.(3), By-law 569-2013

A platform located above the second storey is required to be located a minimum of 0.9 m from a lot line.

In this case, the rear second storey deck will be located 0.22 m from the south lot line and the rear third storey deck will be located 0.76 m from the north side lot line.

3. Chapter 10.5.80.10(1), By-law 569-2013

A parking space must be on the same lot as the use for which the parking space is required.

In this case, the front yard parking pad will not be located wholly on the lot (portion will overhang on the municipal right-of-way).

4. Chapter 10.5.80.10(3), By-law 569-2013

A parking space may not be in a front yard.

In this case, the parking space will be located in the front yard.

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:**

1. Variance Request 1, 3 and 4 be **REFUSED**; and
2. Variance Request 2 be **APPROVED**.

It is the opinion of the Committee of Adjustment that the **approved** request:

- maintains the general intent and purpose of the Official Plan;
- maintains the general intent and purpose of the Zoning By-law;
- represents desirable and appropriate development of the land; and,
- is minor.

It is the opinion of the Committee of Adjustment that the requests that were **refused**:

- do not maintain the general intent and purpose of the Official Plan;
- do not maintain the general intent and purpose of the Zoning By-law;
- do not represent desirable and appropriate development of the land; and,
- are not minor.

SIGNATURE PAGE

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Zaheer Bhyat



Carl Knipfel



Kathleen Larsen



Nancy Oomen



Lisa Valentini

DATE DECISION MAILED ON: **Wednesday, November 13, 2019**

LAST DATE OF APPEAL: **Tuesday, November 26, 2019**

CERTIFIED TRUE COPY



Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

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

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 Local Planning Appeal Tribunal (LPAT) 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 or USB;
- \$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.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

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

- a completed LPAT 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 Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*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 **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.