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Thursday, August 27, 2020

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

**File Number:** A0132/20EYK  
**Property Address:** 18 HERNE HILL  
Legal Description: PLAN 3936 LOT 15  
Agent: FRANCO ROMANO  
Owner(s): LIZ YUE CHENG  
Zoning: RD  
Ward: Etobicoke Centre (02)  
Community:  
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, August 27, 2020, 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:**

- 1. Section 900.3.10.(28)(C), By-law 569-2013**  
The maximum permitted gross floor area, including an attached or detached garage, is 165 m<sup>2</sup> plus 25% of the lot area (407.38 m<sup>2</sup>).  
The new dwelling including the attached garage, will have a gross floor area equal to 165 m<sup>2</sup> plus 26% of the lot area (414.69 m<sup>2</sup>).
- 2. Section 10.5.40.70.(1)(B), By-law 569-2013**  
The minimum required front yard setback is 7.02 m.  
The new dwelling will be located 6.78 m from the front lot line.
- 3. Section 900.3.10.(28)(D), By-law 569-2013**  
The minimum required side yard setback is 1.2 m and the minimum required aggregate width of the side yards is 20% of the lot frontage (3.3 m).  
The new dwelling will be located 0.91 m from the south side lot line and will have a total aggregate side yard width of 2.12 m.

**4. Section 900.3.10.(28)(A), By-law 569-2013**

The maximum permitted height for a flat roof dwelling is 6.5 m.  
The new dwelling will have a flat roof height of 9.18 m.

**5. Section 10.5.40.60.(3)(A)(ii), By-law 569-2013**

Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2 m.  
The proposed front yard stairs will be 3.54 m wide.

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 remove a privately owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article III Private Tree Protection.
2. The proposal shall be constructed substantially in accordance with the Roof Plan and Front Elevation submitted and held on file by the Committee of Adjustment office and date stamped as received on April 6, 2020, to the satisfaction of the Director, Community Planning, Etobicoke York District. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

## SIGNATURE PAGE

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Laura Alderson (signed)



Michael Clark (signed)



Neil Palmer (signed)



Stan Kumorek (signed)

DATE DECISION MAILED ON: Friday, September 4, 2020

LAST DATE OF APPEAL: Wednesday, September 16, 2020

CERTIFIED TRUE COPY

**Barbara Bartosik**

Manager and Deputy Secretary-Treasurer

### Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to [coa.ey@toronto.ca](mailto:coa.ey@toronto.ca) and [Barbara.Bartosik@toronto.ca](mailto:Barbara.Bartosik@toronto.ca) 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).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at [www.toronto.ca/tlab](http://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 digital format on a USB stick and in paper format.
- \$400 with an additional reduced fee of \$25 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).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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.