



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	A0334/14TEY	Zoning	R (d1.0) (x848) & R3 Z1.0 (ZZC)
Owner(s):	EUDOGLENA HOLDINGS INC	Ward:	Trinity-Spadina (20)
Agent:	SUE JEAN CHUNG		
Property Address:	562 SPADINA CRES	Community:	Toronto
Legal Description:	PLAN D10 PT LOT 11 RP 63R3614 PARTS 1 & 2		

Notice was given and a Public Hearing was held on **Wednesday, June 11, 2014**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey converted row/townhouse by constructing: a third floor addition, a rear three-storey addition with an exterior stair case to grade and by converting the dwellings from two units to three units.

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

- Chapter 10.10.40.10.(7), By-law 569-2013**
Floor levels within an addition, extension or enlargement to the rear of a residential building may not be higher than the uppermost floor level in the existing building.
The third floor addition will be higher than the existing uppermost floor level.
- Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The permitted maximum building depth for a townhouse is 14.0 m.
The altered converted townhouse will have a depth of 28.14 m.
- Chapter 10.10.40.40.(1), By-law 569-2013**
The permitted maximum floor space index is 1.0 times the area of the lot (313.56 m²).
The altered converted townhouse will have a floor space index equal to 1.07 times the area of the lot (335.83 m²).
- Chapter 10.10.40.70.(3)(A)(iii), By-law 569-2013**
The required minimum side yard setback for a townhouse is 0.9 m if there are windows or doors in the side of the building.
The altered converted townhouse will have windows in the south side wall and a setback of 0.59 m to the south side lot line.
- Chapter 150.10.20.1.3, By-law 569-2013**
A secondary suite is a permitted use provided that in the R zone, a dwelling unit in a townhouse may have a maximum of one secondary suite.
The altered converted townhouse will have two secondary suites.

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

File Number:	A0335/14TEY	Zoning	R (d1.0) (x848) & R3 Z1.0 (ZZC)
Owner(s):	MARLENE ANNE KATZMAN	Ward:	Trinity-Spadina (20)
	ESTATE		
Agent:	SUE JEAN CHUNG		
Property Address:	564 SPADINA CRES	Community:	Toronto
Legal Description:	PLAN D10 PT LOT 11 RP 63R3614 PARTS 3 AND 4		

Notice was given and a Public Hearing was held on **Wednesday, June 11, 2014**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey converted row/townhouse by constructing a third floor addition, a rear three-storey addition with an exterior stair case to grade and by converting the dwelling from two units to three units.

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

1. **Chapter 10.10.40.10.(7), By-law 569-2013**
Floor levels within an addition, extension or enlargement to the rear of a residential building may not be higher than the uppermost floor level in the existing building.
The third floor addition will be higher than the existing uppermost floor level.
2. **Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The permitted maximum building depth for a townhouse is 14.0 m.
The altered converted townhouse will have a depth of 28.14 m.
3. **Chapter 10.10.40.40.(1), By-law 569-2013**
The permitted maximum floor space index is 1.0 times the area of the lot (258.78 m²).
The altered converted townhouse will have a floor space index equal to 1.28 times the area of the lot (331.2 m²).
4. **Chapter 10.10.40.80.(1)(C), By-law 569-2013**
The required minimum distance between main walls for a townhouse is 11.0 m where there are openings to dwelling units in each main wall.
The altered converted townhouse will be separated 1.53 m from the main wall at 566 Spadina Crescent.
5. **Chapter 150.10.20.1.3, By-law 569-2013**
A secondary suite is a permitted use provided that in the R zone, a dwelling unit in a townhouse may have a maximum of one secondary suite.
The altered converted townhouse will have two secondary suites.

6. Chapter 150.10.40.1.3.(A), By-law 569-2013

An addition or exterior alteration to a building to accommodate a secondary suite is permitted if it does not alter or add to a main wall or roof that faces a street.

The third floor addition will alter the main wall roofline of the existing townhouse facing Spadina Crescent.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area is 1.0 times the area of the lot (258.78 m²).

The altered converted row house will have a residential gross floor area equal to 1.41 times the area of the lot (365.9 m²).

2. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted depth is 14.0 m.

The altered converted row house will have a depth of 28.14 m.

3. Section 6(2) 1.(iii) A, By-law 438-86

A converted house is a permitted use provided, there is no exterior alteration of or addition to the house, except an addition to a part of the exterior of a building, provided the increase in residential gross floor area does not exceed 0.15 times the area of the lot (38.82 m²).

The new third floor addition and rear three-storey addition will increase the residential gross floor area by 0.61 times the area of the lot (157.65 m²).

4. Section 6(3) Part II 3.F(I)(2), By-law 438-86

The minimum required side lot line setback is 1.2 m where the side wall contains openings.

The altered converted row house will have windows in the north side wall and a setback of 0.0 m to the north side lot line at its closet point.

5. Section 2(1) Definitions, By-law 438-86

A converted house originally constructed as a row house which may be altered to provide a maximum of two dwelling units.

The altered converted row house will have three dwelling units.

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: A0335/14TEY Zoning R (d1.0) (x848) & R3 Z1.0 (ZZC)
Owner(s): MARLENE ANNE KATZMAN Ward: Trinity-Spadina (20)
ESTATE
Agent: SUE JEAN CHUNG
Property Address: 564 SPADINA CRES Community: Toronto
Legal Description: PLAN D10 PT LOT 11 RP 63R3614 PARTS 3 AND 4



Barbara Leonhardt



Donna McCormick



Robert Brown



Christian Chan

DATE DECISION MAILED ON: **Tuesday, June 17, 2014**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, July 2, 2014**

CERTIFIED TRUE COPY



Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East 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 \$125.00, 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.



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	A0336/14TEY	Zoning	R (d1.0) (x848) & R3 Z1.0 (ZZC)
Owner(s):	EUDOGLENA HOLDINGS INC.	Ward:	Trinity-Spadina (20)
Agent:	SUE JEAN CHUNG		
Property Address:	566 SPADINA CRES	Community:	Toronto
Legal Description:	PLAN D10 PT LOT 11 RP63R-3614 PARTS 5 & 6		

Notice was given and a Public Hearing was held on **Wednesday, June 11, 2014**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey converted row/townhouse by constructing a third floor addition, a rear three-storey addition with an exterior stair case to grade and by converting the dwelling from two units to three units.

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

- Chapter 800.50(540), By-law 569-2013**
A parking space means an area used for the parking or storing of a vehicle.
The existing parking space is partially located in the right-of-way access from Sussex Mews over a portion of 562 and 564 Spadina Crescent to the rear of 566 Spadina Crescent.
- Chapter 10.10.40.10.(7), By-law 569-2013**
Floor levels within an addition, extension or enlargement to the rear of a residential building may not be higher than the uppermost floor level in the existing building.
The third floor addition will be higher than the existing uppermost floor level.
- Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The permitted maximum building depth for a townhouse is 14.0 m.
The altered converted townhouse will have a depth of 28.14 m.
- Chapter 10.10.40.40.(1), By-law 569-2013**
The permitted maximum floor space index is 1.0 times the area of the lot (296.3 m²).
The altered converted townhouse will have a floor space index equal to 1.18 times the area of the lot (350.0 m²).
- Chapter 10.10.40.70.(3)(A)(iii), By-law 569-2013**
The required minimum side yard setback for a townhouse is 0.9 m if there are windows or doors in the side of the building.
The altered converted townhouse will have windows in the north side wall and a setback of 0.02 m to the north side lot line.

6. Chapter 150.10.20.1.3, By-law 569-2013

A secondary suite is a permitted use provided that in the R zone, a dwelling unit in a townhouse may have a maximum of one secondary suite.

The altered converted townhouse will have two secondary suites.

7. Chapter 150.10.40.1.3.(A), By-law 569-2013

An addition or exterior alteration to a building to accommodate a secondary suite is permitted if it does not alter or add to a main wall or roof that faces a street.

The third floor addition will alter the main wall roofline of the existing townhouse facing Spadina Crescent.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area is 1.0 times the area of the lot (296.3 m²).

The altered converted row house will have a residential gross floor area equal to 1.29 times the area of the lot (383.5 m²).

2. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted depth is 14.0 m.

The altered converted row house will have a depth of 28.14 m.

3. Section 6(2) 1.(iii) A, By-law 438-86

A converted house is a permitted use provided, there is no exterior alteration of or addition to the house, except an addition to a part of the exterior of a building, provided the increase in residential gross floor area does not exceed 0.15 times the area of the lot (44.45 m²).

The new third floor addition and rear three-storey addition will increase the residential gross floor area by 0.56 times the area of the lot (166.2 m²).

4. Section 6(3) Part II 3.F(I)(1)(a), By-law 438-86

The minimum required side lot line setback is 0.45 m where the side wall contains no openings.

The altered converted row house will have a setback of 0.02 m to the north side lot line and 0.46 m to the south lot line.

5. Section 2(1), By-law 438-86

A parking space is an unimpeded area having unobstructed dimensions of 2.6 metres by 5.6 metres.

The existing parking space is partially located in the right-of-way access from Sussex Mews over a portion of 562 and 564 Spadina Crescent to the rear of 566 Spadina Crescent.

6. Section 2(1) Definitions, By-law 438-86

A converted house originally constructed as a row house which may be altered to provide a maximum of two dwelling units.

The altered converted row house will have three dwelling units.

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:	A0336/14TEY	Zoning	R (d1.0) (x848) & R3 Z1.0 (ZZC)
Owner(s):	EUDOGLENA HOLDINGS INC.	Ward:	Trinity-Spadina (20)
Agent:	SUE JEAN CHUNG		
Property Address:	566 SPADINA CRES	Community:	Toronto
Legal Description:	PLAN D10 PT LOT 11 RP63R-3614 PARTS 5 & 6		



Barbara Leonhardt



Donna McCormick



Robert Brown



Christian Chan

DATE DECISION MAILED ON: **Tuesday, June 17, 2014**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, July 2, 2014**

CERTIFIED TRUE COPY



Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East 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 \$125.00, 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.