

Thursday, September 29, 2016

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

File Number:	A598/15EYK	Zoning	RM & RM1
Owner(s):	2104986 ONTARIO LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	DAVID BROWN	Heritage:	Not Applicable
Property Address:	24 THIRTY THIRD ST – PART 2	Community:	
Legal Description:	PLAN M9 BLK G2		

Notice was given and a Public Hearing was held on Thursday, September 29, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new semi-detached dwelling with an attached garage.

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

- Section 900.6.10.(2)(A)(ii), By-law 569-2013 and Section 330-26.B.(4)**
The minimum required lot area is 325 m².
The new lot area will be 232.26 m².
- Section 330-26.B.(4)**
The minimum required lot width is 10.5 m.
The new lot width will be 7.62 m
- Section 900.6.10.(2)(B)(ii), By-law 569-2013**
The minimum required lot frontage is 10.5 m.
The new lot frontage will be 7.62 m.
- Section 10.80.40.70.(1), By-law 569-2013 and Section 330-26.B.(5)**
The minimum required front yard setback is 11.43 m.
The new dwelling will be located 7 m from the front lot line.
- Section 900.6.10.(2)(D)(ii), By-law 569-2013 and Section 330-26.B.(8)**
The maximum permitted floor space index is 0.6 times the area of the lot (139.4 m²).
Section 900.6.10.(2)(D)(ii), By-law 569-2013
The new dwelling will have a floor space index of 0.78 times the area of the lot (182 m²).
Section 330-26.B.(8)
The new dwelling will have a floor space index of 0.79 times the area of the lot (183.4 m²).
- Section 10.80.40.10.(4), By-law 569-2013**
The maximum permitted height of the first floor above established grade is 1.2 m.
The new dwelling will have a first floor height of 2.49 m above established grade.
- Section 10.5.50.10.(1)(B), By-law 569-2013 and Section 2(c); 330-20.5B, By-law 973-2006**
A minimum of 50% of the front yard shall be maintained as landscaping (26.67 m²).
A total of 29% of the front yard will be maintained as landscaping (15.48 m²).

8. **Section 10.5.50.10.(1)(D), By-law 569-2013 and Section 2(c); 330-20.6A, By-law 973-2006**
A minimum of 75% of the required front yard must be maintained as soft landscaping (19 m²).
A total of 61% of the required front yard will be maintained as soft landscaping (15.48 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. The applicant shall comply with the conditions imposed in the Committee of Adjustment's **Consent Decision Number B68/15EYK**.
2. Submission of a complete application for permit to injure or destroy privately owned trees.
3. Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The current cost of planting a tree is \$583, subject to changes.
4. The applicant shall submit an application for permit to injure or remove City trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article II.
5. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
 - 5.1 The applicant shall submit a revised site plan (1:200 or 1:250 in metric scale) illustrating the following, to the satisfaction of Transportation Services and at no cost to the City:
 - a. The existing driveway portion to Thirty Third Street to be closed, must be restored with sod and raised curb/gutter;
 - b. The proposed combined access driveway to the new semi-detached dwelling units must be narrowed and limited between the north edge of the parking garage door of the north severed lot and the south edge of the parking garage door of the south severed lot; and

- c. 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 prior to obtaining a Building Permit for the proposed driveways and sidewalk/curb construction within the municipal boulevard." The applicant is advised to contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at 416-398-1045 regarding municipal road damage deposit requirements.

SIGNATURE PAGE

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Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Megan McIver (signed)

DATE DECISION MAILED ON: Friday, October 7, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, October 19, 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.