TORONTO
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

CONSENT
(Section 53 of the Planning Act)

File Number:	B0062/16TEY	Zoning	R (d1.0)(x848) & R3 Z1.0 (ZPR)
Owner(s):	MARK TEITELMAN	Ward:	Trinity-Spadina (20)
Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
Property Address:	**157 LIPPINCOTT ST**	Community**:**	Toronto
Legal Description:	PLAN D107 PT LOT 141		

Notice was given and a Public Hearing was held on **Wednesday, December 7, 2016**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lots.

Retained – Part 1, Draft R-Plan
157 Lippincott Street
The lot frontage is 6.63 m and the lot area is 159.4 m².
The existing two-storey semi-detached dwelling will remain as described in application A0897/16TEY.

Conveyed – Part 2, Draft R-Plan
Address to be assigned
The lot frontage is 6.0 m and the lot area is 100.9 m².
A new two-storey detached dwelling with an integral garage will be constructed as described in application A0898/16TEY.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reasons:
(i) the proposed land division is premature;
(ii) the proposed land division does not conform to the policies of the official plan.

SIGNATURE PAGE

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Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
Property Address:	**157 LIPPINCOTT ST**	Community**:**	Toronto
Legal Description:	PLAN D107 PT LOT 141		

DISSENTED

Ewa Modlinska	Nancy Oomen (signed)	Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, December 13 , 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 3, 2017**

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 $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.
NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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NOTICE OF DECISION

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

File Number:	A0897/16TEY	Zoning	R (d1.0)(x848) & R3 Z1.0 (ZPR)
Owner(s):	MARK TEITELMAN	Ward:	Trinity-Spadina (20)
Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
Property Address:	**157 LIPPINCOTT ST (PART1)**	Community**:**	Toronto
Legal Description:	PLAN D107 PT LOT 141		

Notice was given and a Public Hearing was held on **Wednesday, December 7, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing two-storey semi-detached dwelling with a secondary suite on a reduced lot as described in Consent Application B0062/16TEY.

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

1. Chapter 10.10.30.10 (1)(B), By-law 569-2013
The minimum required lot area is 180 m².
The area of the retained lot will be 159.0 m².

2. Chapter 10.10.40.70.(2), By-law 569-2013
The minimum required rear yard setback is 7.5 m.
The semi-detached dwelling will be located 6.43 m from the rear lot line.

3. Chapter 200.5.10.1.(1), By-law 569-2013
A minimum of one parking space is required to be provided on-site.
In this case, no parking space will be provided on-site.

1. Section 4(5)(B), By-law 438-86
A minimum of one parking space is required to be provided.
In this case, no parking space will be provided.

2. Section 6(3) Part II 4, By-law 438-86
The minimum required rear yard setback is 7.5 m.
The semi-detached dwelling will be located 6.43 m from the rear lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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:	A0897/16TEY	Zoning	R (d1.0)(x848) & R3 Z1.0 (ZPR)
Owner(s):	MARK TEITELMAN	Ward:	Trinity-Spadina (20)
Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
Property Address:	**157 LIPPINCOTT ST (PART1)**	Community**:**	Toronto
Legal Description:	PLAN D107 PT LOT 141		

DISSENTED

Ewa Modlinska	Nancy Oomen (signed)	Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, December 13, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, December 28, 2016**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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NOTICE OF DECISION

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

File Number:	A0898/16TEY	Zoning	R (d1.0)(x848) & R3 Z1.0 (ZPR)
Owner(s):	MARK TEITELMAN	Ward:	Trinity-Spadina (20)
Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
Property Address:	**157 LIPPINCOTT ST (PART 2)**	Community**:**	Toronto
Legal Description:	PLAN D107 PT LOT 141		

Notice was given and a Public Hearing was held on **Wednesday, December 7, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage as described in Consent Application B0062/16TEY.

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

1. Chapter 10.5.40.50.(3), By-law 569-2013
The level of the floor of a platform located at or above the second storey of a residential building is not permitted to be higher than the level of the floor of the storey from which it gains access.
The roof platform is higher than the level of the floor of the storey from which it gains access.

2. Chapter 10.5.40.60.(3)(A)(iii), 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 closer to a lot line than 0.6 m.
In this case, the rear stairs will be located 0.0 m from the north and west side lot lines.

3. Chapter 10.10.30.10 (1)(B), By-law 569-2013
The minimum required lot area is 180 m².
The area of the retained lot will be 100.9 m².

4. Chapter 10.10.40.40(1)(A), By-law 569-2013
The maximum permitted floor space index is 1.0 times the area of the lot (100.9 m²).
The new two-storey dwelling will have a floor space index equal to 1.64 times the area of the lot (165.61 m²).

5. Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013
A minimum required side yard setback for a detached dwelling is 0.9 m.
The new detached dwelling will be located 0.0 m from the north, east and south side lot lines.

6. Chapter 10.10.80.40.(1), By-law 569-2013
A vehicle entrance through the front main wall of a building is permitted, provided the lot has a minimum frontage of 7.6 m.
In this case, the vehicle entrance will be through the front main wall.

7. Chapter 5.10.30.1.(1)(A), By-law 569-2013
No land may be used and no building or structure may be erected or used on the land unless the land abuts an existing street, or is connected to an existing street by a street or streets, constructed to the minimum base curb and base asphalt or concrete.
In this case, the residential use will be on land that abuts a public lane.

8. Chapter 5.10.30.1.(2) , By-law 569-2013
A building or structure may not be erected or used on any lot that does not abut a street.
In this case, the new dwelling will not abut a street.

1. Section 4(11)(A), By-law 438-86
The minimum required lot frontage where a residential lot fronts onto or abuts a highway assumed for public highway purposes, other than a lane laid out in the rear of lands abutting a highway or an outlet connecting the lane with a highway, is 3.5 m.
In this case, the new dwelling will be on a lot which abuts a lane (Croft Street) instead of a highway assumed for public highway purposes.

2. Section 6(3) Part II 2(II), By-law 438-86
The minimum required front yard setback measured from the main front wall to the front lot line is 6.0 m.
The new dwelling will be setback 0.0 m from the west lot line.

3. Section 6(3) Part II 3(I), By-law 438-86
The minimum required side lot line setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.
The new dwelling will be located 0.0 m from the adjacent building to the north and 0.05 m from the adjacent building to the south.

4. Section 6(3) Part II 3.B(I), By-law 438-86
The minimum required side lot line setback for a detached house in an R3 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The new dwelling will be located 0.0 m from the north and south side lot lines.

5. Section 6(3) Part II 4, By-law 438-86
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 3.78 m from the rear lot line.

6. Section 6(3) Part III 1(a), By-law 438-86
A minimum of 30% of the lot area (30.27 m^2) shall be landscaped open space.
In this case, 14.48 % of the lot area (14.61m²) will be landscaped open space.

7. Section 6(3) Part IV 3(I), By-law 438-86
An integral garage in a building located on a lot with a frontage less than 7.62 m and where access to the garage is located in a wall facing the front lot line is not permitted.
In this case, the lot frontage is 6.0 m and the integral garage is in a wall that faces the front lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

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Agent:	BRIAN KUCHARSKI	Heritage:	Not Applicable
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Legal Description:	PLAN D107 PT LOT 141		

DISSENTED

Ewa Modlinska	Nancy Oomen (signed)	Worrick Russell (signed)

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