



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:	A0515/16TEY	Zoning	R (f4.5; d1.0)(x835) PA 1, H12.0 & R3 Z1.0, H12.0 (WAIVER)
Owner(s):	WEI ZHONG YE HUA SUN YE	Ward:	Trinity-Spadina (20)
Agent:	TONY VALENTIN	Heritage:	Not Applicable
Property Address:	115 D'ARCY ST	Community:	Toronto
Legal Description:	PLAN D83 PT LOTS 28 & 29		

Notice was given and a Public Hearing was held on **Wednesday, March 8, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey rooming house by constructing a complete third-storey addition and rear three-storey addition with rear fire escapes.

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

- Chapter 10.10.40.30.(1)(A), By-law 569-2013**
The maximum building depth is 17.0 m.
The altered dwelling will have a building depth of 21.03 m.
- 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 (310.4 m²).
The altered dwelling will have a floor space index equal to 1.60 times the area of the lot (498 m²).
- 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 exterior stairs will be located 0.3 m from the east side lot line.
- Chapter 150.25.20.2.(1)(B)(i), By-law 569-2013**
A rooming house is a permitted use, provided exterior alteration is limited to one addition, and the maximum increase in the floor space of the building is 0.15 times the area of the lot.
In this case, the rooming house will have more than one addition, and the floor space index will be increased by 0.80 times the area of the lot.

6. Chapter 150.25.20.2.(1)(F), By-law 569-2013

The minimum required number of parking spaces is four.

In this case, two existing parking spaces will be maintained and no additional parking spaces will be provided.

1. Section 6(2)(5)(ii), By-law 438-86

Culinary facilities shall not be provided within a dwelling room that is let as sleeping accommodation unless the dwelling room has a minimum floor area of not less than 13.0 m² and in no case shall washroom or sanitary facilities be provided or used that are directly accessible to or can be provided for the exclusive use of the dwelling room.

In this case, sanitary facilities will be provided exclusively for the majority of the dwelling rooms.

2. Section 6(2)(5)(iv), By-law 438-86

A rooming house is permitted, provided there is no substantial change in external appearance and there is no exterior alteration or addition to the house except where:

(a) an addition to a part (other than to the front wall and, in the case of a corner lot, other than to that side of the house facing the flanking street) of the exterior of any of the above mentioned classes of buildings or structures, provided the increase in residential gross floor area does not exceed 0.15 times the area of the lot, and for greater certainty only one addition may be erected either at the time of conversion or thereafter.

(b) the maximum number of dwelling rooms is twelve.

In this case, the rooming house will contain more than one addition totaling 0.8 times the area of the lot, and will contain a total of fifteen dwelling rooms.

3. 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 (310.4 m²).

The altered dwelling will have a gross floor area equal to 1.8 times the area of the lot (556.8 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 dwelling will be located 0.15 m from the west side lot line and 0.30 m from the east side lot line.

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

The maximum building depth is 14.0 m.

The altered dwelling will have a building depth of 22.25 m to the rear main wall, and 26.55 m to the rear exterior stair structure.

6. Section 4(5)(B), By-law 438-86

The minimum required number of parking spaces is five.

In this case, two existing parking spaces will be maintained and no additional parking spaces will be provided.

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:

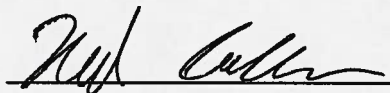
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to refuse this variance application for the following reasons:

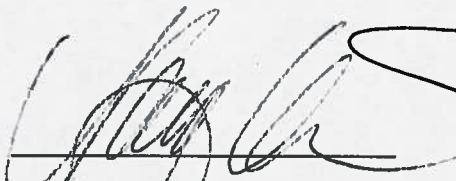
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

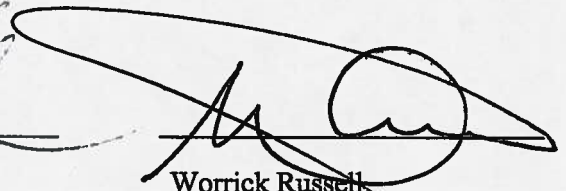
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Edmund Carlson



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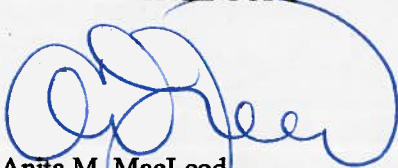


Worrick Russell

DATE DECISION MAILED ON: **TUESDAY, MARCH 14, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY MARCH 28, 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.