

Friday, May 12, 2017

NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)

File Number:	B0012/17EYK	Zoning	RD & R1
Owner(s):	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Notice was given and the application considered on Thursday, May 4, 2017, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the lot into three residential lots.

Retained - Part 1

Address to be assigned

The lot frontage is 23.13 m and the lot area is 1215.4 m². The existing dwelling will be maintained and will require variances to the Zoning By-law, as outlined in Application A0110/17EYK.

Conveyed - Part 2

Address to be assigned

The lot frontage, measured along the front lot line, is 22.9 m and the lot area is 728.6 m². The property will be redeveloped as the site of a new detached dwelling with an integral garage, requiring variances to the Zoning By-law, as outlined in Application A0109/17EYK.

Conveyed - Parts 3

Address to be assigned

The lot frontage, measured along the front lot line, is 22.5 m and the lot area is 826.3 m². The property will be redeveloped as the site of a new detached dwelling with an integral garage, requiring variances to the Zoning By-law, as outlined in Application A0111/17EYK.

File Numbers: B0012/17EYK, A0109/17EYK, A0110/17EYK and A0111/17EYK are considered jointly.

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 Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the creation of new lots as shown on the attached plan on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office within ONE YEAR of the date of this Decision:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
2. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Engineering Services, Engineering and Construction Services. Contact: John Fligg @ (416) 338-5031 or Elizabeth Machynia @ (416) 338-5029.
3. The applicant shall satisfy all conditions concerning City/Private owned trees, to the satisfaction of Urban Forestry Services.
4. Where no street trees exist, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting each new lot created, to the satisfaction of Urban Forestry Services.
5. **Two copies of the registered reference plan of survey** integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contact: John House, Supervisor, of Property Records, at 416 392-8338; jhouse@toronto.ca
6. **An electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be filed with the Committee of Adjustment.
7. The applicant shall submit a Natural Heritage Impact Study to the satisfaction of the Director, Community Planning, Etobicoke York District.
8. Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare and submit for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B0012/17EYK	Zoning	RD & R1 (ZR)
Owner(s):	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd (signed)

Michael Clark (signed)

DATE DECISION MAILED ON: Friday, May 12, 2017

LAST DATE OF APPEAL: Thursday, June 1, 2017

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

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 Ontario Municipal Board (OMB) 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) in **digital format** on a CD/DVD
- \$300 for each appeal filed regardless if related and submitted by the same appellant
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

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ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS

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- a completed OMB Appellant Form (A1) in **paper format**
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
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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.

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NOTE: Only individuals, corporations and public agencies may appeal a decision. 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.

Thursday, May 4, 2017

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

File Number:	A0109/17EYK	Zoning	RD & R1 (ZR)
Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 2	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Notice was given and a Public Hearing was held on Thursday, May 4, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an integral garage.

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

- Section 10.20.30.20.(1)(A), By-law 569-2013**
The minimum, required lot frontage is 22.5 m.
The lot frontage will be 19.3 m.
Section 1.(a), By-law 3314
The minimum, required lot frontage is 22.86 m.
The lot frontage will be 19.9 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 1045 m².
Section 1.(b), By-law 3314
The minimum required lot area is 1045.16 m².
Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 1.(b), By-law 3314
The lot area will be 728.6 m².
- Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.45 times the lot area (327.87 m²).
The new dwelling will have a floor space index of 0.52 times the lot area (378.34 m²).
Section 1.(b).(1), By-law 1992-24
The maximum permitted gross floor area, including an attached, is 165 m² plus 25% of the lot area (347.15 m²).
The new dwelling, including the attached garage, will have a gross floor area equal to 165 m² plus 31.74% of the lot area (396.26 m²).

4. Section 1.(e), By-law 3314

The minimum required front yard setback is 12.65 m.

The new dwelling will be located 9 m from the front lot line.

5. Section 900.3.10.(47)(C), By-law 569-2013

The minimum required side yard setback is 1.8 m.

Section 1.(c).(3), By-law 1992-24

The minimum required aggregate side yard setback is 3.98 m.

Section 900.3.10.(47)(C), By-law 569-2013 and Section 1.(c).(3), By-law 1992-24

The new dwelling will be located 1.5 m from the north side lot line and 1.54 m from the south side lot line, and will have a minimum required aggregate side yard setback of 3.04 m.

6. Section 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of a platform at or above a second storey is 4 m².

The proposed second storey balcony will have an area of 9.75 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 B0012/17EYK**.
2. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A Contractor's Agreement to Perform Work on City-owned Trees will be required prior to the removal/injure of the subject tree(s). Form located at www.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf.

Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the Tree Protection Policy and Specifications for Construction Near Trees or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the Treasurer of the City of Toronto, or Letter of Credit.
3. Submission of a complete application, to the satisfaction of Urban Forestry Ravine and Natural Feature Protection, for permit to injure or remove privately owned trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 658.
4. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City:

- a. Illustrate a positive slope from the roadway to the garage and have a minimum driveway slope of 2% and maximum driveway slope of 8%. Driveway slopes should be identified on all proposed lots; and,
- b. Illustrated existing structures (i.e. driveway, etc.) to be demolished; and,
- c. Illustrate distance of proposed building from all lot lines; and,
- d. The portions of the respective driveways for each lot, along with the associated curb cut, must be explicitly dimensioned and illustrated; and,
- e. The portions of any existing driveways and associated curb cuts that are to be closed as a result of the proposal must be explicitly dimensioned and illustrated; and,
- f. Include the following notation: "All existing redundant curb cuts that are no longer required will be restored to the satisfaction of the City of Toronto at no cost to the municipality"; and,
- g. Include the following notation: "All proposed new curb cuts shall comply with all applicable City of Toronto Design Standards and requirements, and must be constructed at no cost to the municipality"; and,
- h. Include the following notation: "The applicant must submit a Municipal Road Damage Deposit (MRDD) for the proposed new driveway and sidewalk/curb construction within the municipal boulevard." The applicant must contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at 416-338-1045 in order to obtain all requirements related to the MRDD; and,
- i. Include the following notation: "The applicant must obtain all required permits from the Right-of-Way Management Section of Transportation Services".

SIGNATURE PAGE

File Number:	A0109/17EYK	Zoning	RD & R1 (ZR)
Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 2	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Michael Clark (signed)

DATE DECISION MAILED ON: Friday, May 12, 2017

LAST DATE OF APPEAL: Wednesday, May 24, 2017

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

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 Ontario Municipal Board (OMB) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

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- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
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Thursday, May 4, 2017

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

File Number:	A0110/17EYK	Zoning	RD & R1 (ZR)
Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 1	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Notice was given and a Public Hearing was held on Thursday, May 4, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing dwelling on a reduced lot (as a result of the associated consent application B0012/17EYK).

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

- Section 900.3.10.(47)(C), By-law 569-2013 and Section 1.c(3), By-law 1992-24**
The minimum required side yard setback is 1.8 m.
The maintained dwelling will be located 1.5 m from the north side lot line.
- Section 10.20.40.70.(2)(B), By-law 569-2013 & Section 320-42.A**
The minimum required rear yard setback is 12.66 m.
The maintained dwelling will be located 5.89 m from the rear lot line.

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 B0012/17EYK**.
2. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A Contractor's Agreement to Perform Work on City-owned Trees will be required prior to the removal/injure of the subject tree(s). Form located at www.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf.

Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the Tree Protection Policy and Specifications for Construction Near Trees or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the Treasurer of the City of Toronto, or Letter of Credit.
3. Submission of a complete application, to the satisfaction of Urban Forestry Ravine and Natural Feature Protection, for permit to injure or remove privately owned trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 658.
4. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City:
 - a. Illustrate a positive slope from the roadway to the garage and have a minimum driveway slope of 2% and maximum driveway slope of 8%. Driveway slopes should be identified on all proposed lots; and,
 - b. Illustrated existing structures (i.e. driveway, etc.) to be demolished; and,
 - c. Illustrate distance of proposed building from all lot lines; and,
 - d. The portions of the respective driveways for each lot, along with the associated curb cut, must be explicitly dimensioned and illustrated; and,
 - e. The portions of any existing driveways and associated curb cuts that are to be closed as a result of the proposal must be explicitly dimensioned and illustrated; and,
 - f. Include the following notation: "All existing redundant curb cuts that are no longer required will be restored to the satisfaction of the City of Toronto at no cost to the municipality"; and,
 - g. Include the following notation: "All proposed new curb cuts shall comply with all applicable City of Toronto Design Standards and requirements, and must be constructed at no cost to the municipality"; and,
 - h. Include the following notation: "The applicant must submit a Municipal Road Damage Deposit (MRDD) for the proposed new driveway and sidewalk/curb construction within the municipal boulevard." The applicant must contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at 416-338-1045 in order to obtain all requirements related to the MRDD; and,
 - i. Include the following notation: "The applicant must obtain all required permits from the Right-of-Way Management Section of Transportation Services".

SIGNATURE PAGE

File Number:	A0110/17EYK	Zoning	RD & R1 (ZR)
Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 1	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Michael Clark (signed)

DATE DECISION MAILED ON: Friday, May 12, 2017

LAST DATE OF APPEAL: Wednesday, May 24, 2017

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

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Thursday, May 4, 2017

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

File Number:	A0111/17EYK	Zoning	RD & R1
Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 3	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Notice was given and a Public Hearing was held on Thursday, May 4, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an integral garage.

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

- Section 10.20.30.20.(1)(A), By-law 569-2013**
The minimum, required lot frontage is 22.5 m.
The lot frontage will be 19.8 m.
Section 1.(a), By-law 3314
The minimum, required lot frontage is 22.86 m.
The lot frontage will be 20.2 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 1045 m².
Section 1.(b), By-law 3314
The minimum required lot area is 1045.16 m².
Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 1.(b), By-law 3314
The lot area will be 826.3 m².
- Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.45 times the lot area (371.84 m²).
The new dwelling will have a floor space index of 0.47 times the lot area (387.66 m²).
Section 1.(b).(1), By-law 1992-24
The maximum permitted gross floor area, including an attached, is 165 m² plus 25% of the lot area (371.58 m²).
The new dwelling, including the attached garage, will have a gross floor area equal to 165 m² plus 29.11% of the lot area (405.58 m²).

4. Section 1.(e), By-law 3314

The minimum required front yard setback is 12.65 m.

The new dwelling will be located 11.55 m from the front lot line.

5. Section 900.3.10.(47)(C), By-law 569-2013

The minimum required side yard setback is 1.8 m.

Section 1.(c).(3), By-law 1992-24

The minimum required aggregate side yard setback is 4.04 m.

Section 900.3.10.(47)(C), By-law 569-2013 and Section 1.(c).(3), By-law 1992-24

The new dwelling will be located 1.54 m from the north side lot line and 1.5 m from the south side lot line, and will have a minimum required aggregate side yard setback of 3.04 m.

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 B0012/17EYK**.
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4. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City:
 - a. Illustrate a positive slope from the roadway to the garage and have a minimum driveway slope of 2% and maximum driveway slope of 8%. Driveway slopes should be identified on all proposed lots; and,

- b. Illustrated existing structures (i.e. driveway, etc.) to be demolished; and,
- c. Illustrate distance of proposed building from all lot lines; and,
- d. The portions of the respective driveways for each lot, along with the associated curb cut, must be explicitly dimensioned and illustrated; and,
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- g. Include the following notation: "All proposed new curb cuts shall comply with all applicable City of Toronto Design Standards and requirements, and must be constructed at no cost to the municipality"; and,
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- i. Include the following notation: "The applicant must obtain all required permits from the Right-of-Way Management Section of Transportation Services".

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Owner:	DOROTHY GORNIK	Ward:	Etobicoke Centre (04)
Agent:	ANTHONY GORNIK	Heritage:	Not Applicable
Property Address:	405 THE KINGSWAY PART 3	Community:	
Legal Description:	PLAN 2581 PT BLK A		

Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Michael Clark (signed)

DATE DECISION MAILED ON: Friday, May 12, 2017

LAST DATE OF APPEAL: Wednesday, May 24, 2017

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Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

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