

Thursday, May 18, 2017

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

File Number:	A0367/17EYK	Zoning	RM & R2
Owner(s):	JAMES ALBERTO OH JUSTICE MANAGEMENT CORPORATION	Ward:	Parkdale-High Park (13)
Agent:	BENJAMIN GRUBNER	Heritage:	Not Applicable
Property Address:	112 GARDENVIEW CRES	Community:	

Legal Description: PLAN 1459 PT BLK A

Notice was given and a Public Hearing was held on Thursday, May 18, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the existing attic into habitable space in order to accommodate an additional secondary suite for a total of three residential units.

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

- Section 10.80.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot.
The altered dwelling will have a floor space index of 0.89 times the area of the lot.
- Section 150.10.20.1.(2), By-law 569-2013**
Each dwelling may have a maximum of one secondary suite.
Section 3.4.1, By-law 1-83
One secondary suite is permitted in a detached house, the whole of which, prior to the introduction of the second suite has been erected for a period of not less than five years.
Section 150.10.20.1.(2), By-law 569-2013 and Section 3.4.1, By-law 1-83
A total of two secondary suites are proposed.
- Section 200.5.10.1.(1), By-law 569-2013 and Section 3.2.1.D.1, By-law 1-83**
A minimum of 3 parking spaces are required.
A total of 2 parking spaces will be provided.

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 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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Owner(s): JAMES ALBERTO OH
JUSTICE MANAGEMENT
CORPORATION
Agent: BENJAMIN GRUBNER
Property Address: 112 GARDENVIEW CRES
Legal Description: PLAN 1459 PT BLK A

Zoning: RM & R2 (ZR)
Ward: Parkdale-High Park (13)

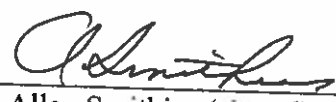
Heritage: Not Applicable
Community:

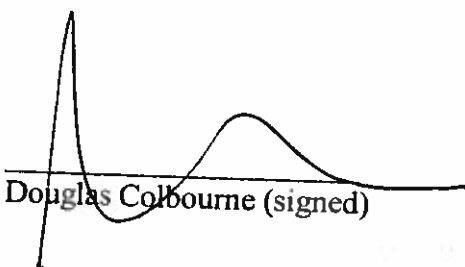


Edwin Shepherd (signed)

DISSENTED

Dominic Gulli (signed)




Allan Smithies (signed)

Douglas Colbourne (signed)

DATE DECISION MAILED ON: Friday, May 26, 2017

LAST DATE OF APPEAL: Wednesday, June 7, 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)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS

To appeal this decision to the OMB you need the following:

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

Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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.

***A related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.