



Thursday, September 7, 2017

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

File Number:	A0698/17EYK	Zoning	RM & R2
Owner(s):	RICARDO DA SILVA	Ward:	Davenport (17)
Agent:	ESCALA DESIGNS INC	Heritage:	Not Applicable
Property Address:	609 MC ROBERT AVE	Community:	
Legal Description:	PLAN 1429 S PT LOT 84		

Notice was given and a Public Hearing was held on Thursday, September 7, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and maintain the following: a second floor enlargement with a covered rear deck, a front porch enlargement with a new canopy, a rear basement entrance and a new rear gazebo. Previous Committee of Adjustment Decision (File Number: A404/12EYK) approved variances related to the gross floor area and height of the accessory building. Previous Committee of Adjustment Decision (File Number: A220/14EYK) approved variances related to front yard setback, dwelling length, second storey platform area and front yard soft landscaping.

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

- Section 10.5.60.70.(1), By-law 569-2013**
The maximum permitted lot coverage of ancillary buildings is 10% of the lot area (49.42 m²).
The proposed ancillary buildings will have a lot coverage of 23.3% of the lot area (115 m²).
- Section 10.5.60.50.(2)(B), By-law 569-2013**
The maximum permitted gross floor area of all ancillary buildings on a lot is 40 m².
A previous Committee of Adjustment application (A404/12EYK) approved an ancillary building (detached garage) with a gross floor area of 63.07 m².
The proposed ancillary buildings will have a gross floor area of 86 m².
- Section 10.5.40.60.(7), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
The eaves of the altered dwelling will be located 0 m from the north side lot line.
- Section 10.80.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
A previous Committee of Adjustment application (A220/14EYK) approved a building length of 18.32 m.
The altered dwelling will have a length of 21.36 m.
- Section 10.80.40.30.(1), By-law 569-2013**
The maximum permitted building depth is 19 m.
The altered dwelling will have a depth is 20.62 m.

6. **Section 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% of the rear yard shall be maintained as soft landscaping (117.5 m²).
A total of 0% of the rear yard will be maintained as soft landscaping (0 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:**

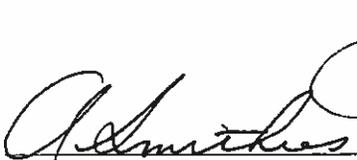
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

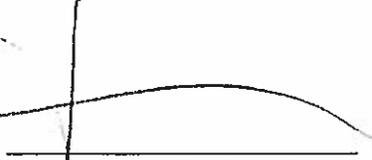
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

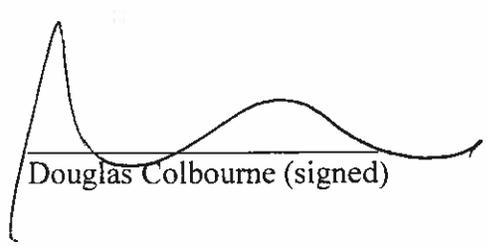
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Allan Smithies (signed)



Dominic Gulli (signed)



Douglas Colbourne (signed)

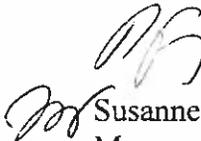


Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Friday, September 15, 2017

LAST DATE OF APPEAL: Wednesday, September 27, 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 on the signature page.

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.