

Thursday, September 14, 2017

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

File Number:	A0655/17NY	Zoning	RD/R4 [ZZC]
Owner(s):	WILLIAM G TYNKALUK	Ward:	Willowdale (24)
Agent:	HOMELAND	Heritage:	Not Applicable
Property Address:	<b>46 PALOMINO CRES</b>	Community:	North York
Legal Description:	PLAN M677 LOT 31		

Notice was given and a Public Hearing was held on Thursday, September 14, 2017, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey dwelling. The existing dwelling would be demolished.

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

**1. Chapter 10.20.30.40.(1), By-law No. 569-2013**

The maximum permitted lot coverage is 30.00% of the lot area.

The proposed lot coverage is 32.00% of the lot area.

**2. Chapter 10.20.40.70.(4), By-law No. 569-2013**

The minimum required side yard setback is 1.80m.

The proposed south side yard setback is 1.22m **for the front 6.5m only.**

**3. Section 13.2.1, By-law No. 7625**

The minimum required lot frontage is 15.00m.

The existing lot frontage is 14.77m.

**4. Section 6(8), By-law No. 7625**

The minimum lot width is not be less than the lot frontage for the zone in which the building is to be constructed.

**5. Section 13.2.4, By-law No. 7625**

The maximum permitted lot coverage is 30.00% of the lot area.

The proposed lot coverage is 32.00% of the lot area.

**6. Section 13.2.3(b), By-law No. 7625**

The minimum required side yard setback is 1.80m.

The proposed south side yard setback is 1.22m **for the front 6.5m only.**

**7. Section 13.2.5A, By-law No. 7625**

The maximum permitted building length is 16.80m.

The proposed building length is 19.73m.

**8. Section 6(30), By-law No. 7625**

The maximum permitted finished first floor height is 1.50m.

The proposed finished first floor height is 1.90m.

**9. Section 6(9), By-law No. 7625**

The maximum permitted front canopy projection is 2.10m.

The proposed front canopy projects 2.74m.

**10. Section 6(9), By-law No. 7625**

The maximum permitted canopy in the side yard is 2.30m<sup>2</sup>.

The proposed canopy is 3.40m<sup>2</sup>.

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. Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The current cost of planting a tree is \$583.
2. The proposal be constructed in accordance with the site plan submitted to the Committee of Adjustment, date stamped received by the City of Toronto Planning Division, September 5, 2017. *Any other variance(s) that may appear on these plans but are not listed in the written decision are NOT authorized.*

## SIGNATURE PAGE

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Nadini Sankar (signed)

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Nazila Atarodi (signed)

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Isaac Lallouz (signed)

DATE DECISION MAILED ON: Thursday, September 21, 2017

LAST DATE OF APPEAL: Wednesday, October 4, 2017

CERTIFIED TRUE COPY

Dan Antonacci  
Manager & Deputy Secretary Treasurer  
North 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](http://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](http://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.