TORONTO
City Planning Division

Committee of Adjustment
Toronto and East York District

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Toronto, Ontario M5H 2N2
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# NOTICE OF DECISION
## MINOR VARIANCE/PERMISSION
**(Section 45 of the Planning Act)**

| | | | |
|---|---|---|---|
| File Number: | A0564/17TEY | Zoning | R (d0.6)9x735) & R2 Z0.6 (ZZC) |
| Owner(s): | NHAT HUNG PHAN | Ward: | Trinity-Spadina (19) |
| Agent: | MAX MERCHASIN | Heritage: | Not Applicable |
| Property Address: | **665 SHAW ST** | Community: | Toronto |
| Legal Description: | PLAN 430 BLK C PT LOT 14 | | |

Notice was given and a Public Hearing was held on **Wednesday, September 27, 2017**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the existing 2½-storey semi-detached dwelling by constructing a rear one-storey addition with a deck above and to raise the roof of the existing detached garage.

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

1. **Chapter 10.10.40.40.(2), By-law 569-2013**
   Additions to the rear of a semi-detached house erected before October 15, 1953, are permitted provided the floor space index as enlarged does not exceed 0.69 times the area of the lot (207.35 m²).
   The altered semi-detached house will have a floor space index equal to 0.75 times the area of the lot (225.83 m²).

2. **Chapter 10.5.50.10.(3)(A), By-law 569-2013**
   A minimum of 50% (76.5 m²), of the rear yard shall be maintained as soft landscaping.
   In this case, 42% (63.88 m²), of the rear yard will be maintained as soft landscaping.

3. **Chapter 10.5.60.50.(2), By-law 569-2013**
   The maximum permitted floor area of all ancillary buildings or structures on the lot is 40.0 m².
   The total floor area of all ancillary buildings on the lot is 47.4 m².

4. **Chapter 10.5.60.40.(2), By-law 569-2013**
   The maximum permitted height of an ancillary building or structure is 4.0 m.
   The height of the ancillary structure will be 4.3 m.

1. **Section 6(3) Part VI 1(I), By-law 569-2013**
   Additions to the rear of a semi-detached house erected before October 15, 1953, or to a converted house are permitted provided the residential gross floor area as enlarged does not exceed 0.69 times the area of the lot (207.36 m²).
   The altered semi-detached house will have a residential gross floor area equal to 0.75 times the area of the lot (225.83 m²).

2. **Section 4(2)(d), By-law 438-86**
The maximum permitted height of an accessory building is 4.0 m.
The height of the accessory building will be 4.3 m.

**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 **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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Michael Clark

Donald Granatstein

Carl Knipfel

Lisa Valentini

DATE DECISION MAILED ON: **TUESDAY, OCTOBER 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, OCTOBER 17, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

## 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.