

Thursday, November 23, 2017

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

File Number:	A0497/17EYK	Zoning	RD & RS
Owner(s):	RIMMA BERKOVSKY EDWARD BERKOVSKY	Ward:	Etobicoke-Lakeshore (06)
Agent:	ANDREW TROTTER	Heritage:	Not Applicable
Property Address:	<b>75 TWENTY FIFTH ST</b>	Community:	
Legal Description:	PLAN 1581 S PT LOT 75		

Notice was given and a Public Hearing was held on Thursday, November 23, 2017, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an attached garage.

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

1. **Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.A.(9)**  
The maximum permitted floor space index is 0.35 times the area of the lot (101.33 m<sup>2</sup>).  
The new dwelling will have a floor space index of 0.7 times the area of the lot (203.76 m<sup>2</sup>).
2. **Section 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
The new dwelling will be located 0.91 m from north and south side lot lines.
3. **Section 10.20.40.20.(1), By-law 569-2013**  
The maximum permitted building length is 17 m.  
The new dwelling will have a length of 18 m.
4. **Section 10.20.40.10.(4), By-law 569-2013**  
The maximum permitted height of a building with a flat roof is 7.2 m.  
The new dwelling will have a flat roof height of 9.49 m.
5. **Section 200.5.1.10.(2)(A)(iv), By-law 569-2013 & Section 330-9.A.(1)(c)**  
The minimum width of a parking space is 3.2 m.  
The proposed parking space, within the proposed attached garage, will have a width of 3 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 conditions:

1. 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](http://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.
2. The dwelling shall be constructed substantially in accordance with the plans date stamped November 16, 2017 and held on file by the Committee of Adjustment office, to the satisfaction of the Director, Community Planning, Etobicoke York District. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.
3. The following conditions shall be fulfilled to the satisfaction of Traffic Planning / Right of Way Management:
  - 3.1 Add advisory notation on a revised site plan:
    - a. "The applicant shall obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance";
    - b. The applicant shall also submit a Municipal Road Damage Deposit prior to obtaining a Building Permit". The applicant is advised to contact Ms. Joanne Vecchiarelli of Right-of-Way Management Section at (416) 338-1045 regarding municipal road damage deposit requirements; and
  - 3.2 The applicant shall submit a revised site plan in either 1:200 or 1:250 metric units, illustrating the above-noted Condition to the satisfaction of Transportation Services Division, and at no cost to the City, no later than 31 December 2018.

## SIGNATURE PAGE

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Allan Smithies (signed)

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Dominic Gulli (signed)

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Douglas Colbourne (signed)

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Edwin (Ted) Shepherd  
(signed)

DATE DECISION MAILED ON: Friday, December 1, 2017

LAST DATE OF APPEAL: Wednesday, December 13, 2017

CERTIFIED TRUE COPY

Barbara Bartosik  
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](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.