

Wednesday, November 8, 2017

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

File Number:	A0800/17NY	Zoning	C1(142) WAV
Owner(s):	HILTIN HILLS DEVELOPMENT INC	Ward:	Don Valley East (33)
Agent:	TRIBUTE (MUTUAL STREET) LIMITED	Heritage:	Not Applicable
Property Address:	2135 SHEPPARD AVE E	Community:	North York
Legal Description:	PLAN 7612 BLK A CON 4 EY PT LOT 15		

Notice was given and a Public Hearing was held on Wednesday, November 8, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To permit an increase to the proposed number of units and a reduction in the number of resident parking spaces.

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

1. Section 64.23(142)(j), By-law No. 7625 as amended

The number of dwelling units shall not exceed 1,100.

The proposed number of dwelling units is 1,200.

2. Section 64.23(142)(t) of North York Zoning By-law No. 7625 as amended

The minimum required number of resident parking spaces is 928.

The proposed number of parking spaces is **644** for residents and **3** car-share parking spaces.

3. Section 2, By-law No. 7625 as amended

The Zoning By-law does not define "car-share parking space" and "car share motor vehicle".

A car-share parking space will mean a parking space used exclusively for the parking of a car-share motor vehicle. Further, a car-share motor vehicle will mean a motor vehicle available for short term rental, including an option for hourly rental, for the use of at least the occupants of a building erected on the lot.

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 **APPROVE** the following variance(s):

2. Section 64.23(142)(t) of North York Zoning By-law No. 7625 as amended

The minimum required number of resident parking spaces is 928.

The proposed number of parking spaces is **644** for residents and **3** car-share parking spaces.

3. Section 2, By-law No. 7625 as amended

The Zoning By-law does not define "car-share parking space" and "car share motor vehicle".

A car-share parking space will mean a parking space used exclusively for the parking of a car-share motor vehicle. Further, a car-share motor vehicle will mean a motor vehicle available for short term rental, including an option for hourly rental, for the use of at least the occupants of a building erected on the lot.

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.

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

1. Section 64.23(142)(j), By-law No. 7625 as amended

The number of dwelling units shall not exceed 1,100.

The proposed number of dwelling units is 1,200.

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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Denise Graham (signed)

Giacomo Tonon (signed)

Rick Ross (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Wednesday, November 15, 2017

LAST DATE OF APPEAL: Tuesday, November 28, 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.

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.