



City Planning Division

Committee of Adjustment  
Toronto and East York District

100 Queen Street West, 1<sup>st</sup> Floor  
Toronto, Ontario M5H 2N2  
Tel: 416-392-7565  
Fax: 416-392-0580

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

File Number:	A0740/17TEY	Zoning	R (f10.5; u2; d0.6)(x929) & R1S Z0.6 (ZZC)
Owner(s):	NO 335 TAURUS VENTURES LTD NO 334 TAURUS VENTURES LTD	Ward:	St. Paul's (21)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>350 WALMER RD - PART 2</b>	Community:	Toronto
Legal Description:	PLAN 930 LOT 26		

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 construct a new three-storey detached dwelling with an integral garage on the conveyed lot described in consent application B0063/17TEY.

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

- Chapter 10.5.40.10.(5), By-law 569-2013**  
A minimum of 10 m<sup>2</sup> of the first floor must be within 4 m of the front main wall.  
In this case, 8.56 m<sup>2</sup> of the first floor will be within 4 m of the front main wall.
- Chapter 10.10.30.20.(1)(A), By-law 569-2013**  
The minimum required lot frontage is 10.5 m.  
The frontage of the conveyed lot will be 7.62 m.
- Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m.  
The height of the side exterior main walls facing a side lot line will be 11.96 m.
- Chapter 10.10.40.30.(1)(A), By-law 569-2013**  
The maximum permitted depth of a detached dwelling is 17 m.  
The new detached dwelling will have a depth of 18.44 m.
- Chapter 10.10.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (244.08 m<sup>2</sup>).

The new detached dwelling will have a floor space index equal to 0.73 times the area of the lot (295.7 m<sup>2</sup>).

**1. Section 6(3) Part I 1, By-law 438-86**

The maximum permitted gross floor area of a new detached dwelling is 0.6 times the area of the lot (244.08 m<sup>2</sup>).

The new detached dwelling will have a gross floor area equal to 0.73 times the area of the lot (295.7 m<sup>2</sup>).

**2. Section 6(3) Part II 3.B(II), By-law 438-86**

The minimum required side lot line setback for the portion of the building exceeding a depth of 17 m is 7.5 m.

The portion of the new detached dwelling exceeding the 17 m depth will be located 0.46 m from the north and south side lot lines.

**3. Section 6(3) Part II 3.B(I), By-law 438-86**

The minimum required side lot line setback for the portion of a detached dwelling not exceeding a depth of 17 m is 0.9 m.

The portion of the new detached dwelling not exceeding a depth of 17 m will be located 0.46 m from north and south side lot lines.

**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 Approved on Condition**

It is the decision of the Committee of Adjustment to approve 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.



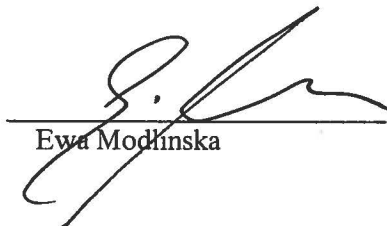
This decision is subject to the following condition(s):

- (1) Prior to the issuance of a building permit, the applicant/owner shall comply, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District, with the following:
  - (i) Submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees;
  - (ii) Provide appropriate confirmation that excavation for the *sonotube* post at the corner of the deck will be done by hand, under the supervision of a certified arborist; and
  - (iii) Construct the rear deck with permeable materials and/or have a water rerouting system built in to ensure that tree roots beneath the structure will have access to water.

- (2) The driveway entrance located within the Right of Way shall be paved with semi-permeable paving materials to the satisfaction of the Manager, Right of Way Management, Transportation Services, Toronto and East York District.

## SIGNATURE PAGE

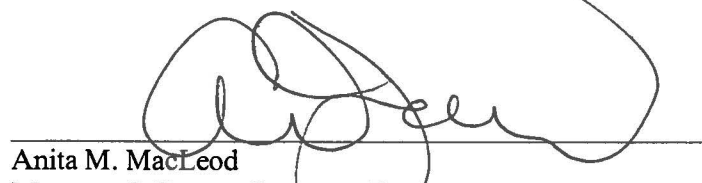
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Nancy Oomen  
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Edmund Carlson  
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Joanne Hayes  
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Ewa Modlinska

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

LAST DATE OF APPEAL: **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](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.