



City Planning Division

Committee of Adjustment
Toronto and East York District

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

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0046/16TEY	Zoning	CR2.5 (C2.5 R1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC.	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1190 WOODBINE AVE	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Notice was given and a Public Hearing was held on **Wednesday, February 15, 2017**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property for the purpose of a lot addition. Part 1 will be combined with the adjacent lands to the south (Parts 3, 5 and 7) that are being created by Consent Application B0047/16TEY. The combined lot (Parts 1, 3, 5 and 7) will ultimately create a new lot on Frater Avenue.

Conveyed – Part 1, Draft R-Plan

Address to be assigned

Part 1 has a frontage of 12.81 m on Frater Avenue, a lot area of 78.14 m² and will be added to the land holding of the adjacent lands to the south (1186 and 1188 Woodbine Avenue).

A new three-storey dwelling with an integral garage will ultimately be constructed on a new combined lot fronting Frater Avenue and requires variances to the Zoning By-law as outlined in Application A0759/16TEY.

Retained – Part 2, Draft R-Plan

1190 Woodbine Avenue

The lot frontage is 6.10 m on Woodbine Avenue and the lot area is 108.03 m².

The existing two-storey mixed-use building will remain and requires variances to the Zoning By-law as outlined in Application A0756/16TEY.

File Numbers B0046/16TEY, A0756/16TEY and A0759/16TEY are considered jointly.

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 Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

File Number:	B0046/16TEY	Zoning	CR2.5 (C2.5 R1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC.	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1190 WOODBINE AVE	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Worrick Russell (signed)

Edmund Carlson (signed)

Ewa Modlinska (signed)

Nancy Oomen (signed)

DATE DECISION MAILED ON: **Tuesday, February 21 , 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 13, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. 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.

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

File Number:	A0756/16TEY	Zoning	CR2.5 (C2.5 R1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC.	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1190 WOODBINE AVE (PART 2)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

PURPOSE OF THE APPLICATION:

To maintain the existing two-storey mixed-use building on the retained lot as described in Consent Application B0046/16TEY.

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

1. Chapter 40.10.40.70.(2), Development Standard Set 2, By-law 569-2013

A minimum required rear yard setback is 7.5 m.

In this case, the two-storey mixed-use building will be located 3.643 m from the rear lot line.

1. Section 8.1.2.(c), By-law 6752

The commercial building shall be located on a lot as to provide and maintain, free of all construction and obstruction between the level of the floor of the lowest storey that contains a habitable room or rooms and the highest part of the roof of such building, an area equal to not less than 50% of the lot area.

In this case, 0% of the lot will be maintained as open unobstructed area.

2. Sections 8.4.2 and 8.4.4, By-law 6752

The minimum required rear yard setback is 7.5 m.

In this case, the two-storey mixed-use building will be located 3.643m from the rear lot line.

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

File Number:	A0756/16TEY	Zoning	CR2.5 (C2.5 R1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC.	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1190 WOODBINE AVE (PART 2)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Worrick Russell (signed)

Edmund Carlson (signed)

Ewa Modlinska (signed)

Nancy Oomen (signed)

DATE DECISION MAILED ON: **Tuesday, February 21 , 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 7, 2017**

CERTIFIED TRUE COPY

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NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0047/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186 - 1188 WOODBINE AVE	Community:	East York
Legal Description:	PLAN M437 PT LOT 49 PT LOT 50		

Notice was given and a Public Hearing was held on **Wednesday, February 15, 2017**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into three parcels and to re-establish an easement/right-of-way. The rear parcel (Parts 3, 5 and 7) will be combined with Part 1 to the north created by Consent Application B0046/16TEY. The combined lot (Parts 1, 3, 5 and 7) will ultimately create a new lot on Frater Avenue.

Retained – Part 4, Draft R-Plan

1188 Woodbine Avenue

The lot frontage is 7.22 m on Woodbine Avenue and the lot area is 127.87 m².

The existing two-storey mixed-use building will remain and requires variances to the Zoning By-law as outlined in Application A0757/16TEY.

Conveyed – Part 6 and 8, Draft R-Plan

1186 Woodbine Avenue

The lot frontage is 6.14 m on Woodbine Avenue and the lot area is 108.74 m².

Part 8 will be an easement/right-of-way for vehicular and pedestrian access in favour of the adjacent owner to the south (1184 Woodbine Avenue).

The existing two-storey mixed-use building will remain and requires variances to the Zoning By-law as outlined in application A0758/16TEY.

Conveyed – Part 3, 5 and 7, Draft R-Plan

Address to be assigned

The lot area is 171.2 m².

Part 7 will be an easement/right-of-way for vehicular and pedestrian access in favour of the adjacent owner to the south (1184 Woodbine Avenue).

A new three-storey dwelling with an integral garage will ultimately be constructed on a new combined lot fronting Frater Avenue and requires variances to the Zoning By-law as outlined in application A0759/16TEY.

File Numbers B0047/16TEY, A0757/16TEY, A0758/16TEY and A0759/16TEY are considered jointly.

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 Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

File Number:	B0047/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186 - 1188 WOODBINE AVE	Community:	East York
Legal Description:	PLAN M437 PT LOT 49 PT LOT 50		

Worrick Russell (signed)

Edmund Carlson (signed)

Ewa Modlinska (signed)

Nancy Oomen (signed)

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

File Number:	A0757/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1188 WOODBINE AVE (PART 4)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

PURPOSE OF THE APPLICATION:

To maintain the existing two-storey mixed-use building as described in Consent Application B0047/16TEY.

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

1. Chapter 200.5.1.10.(2), By-law 569-2013

The minimum required width of a parking space is 2.9 m.
In this case, the parking space will have a width of 2.27 m.

2. Chapter 40.10.40.70.(2), Development Standard Set 2, By-law 569-2013

A minimum required rear yard setback is 7.5 m.
In this case, the two-storey mixed-use building will be located 3.652 m from the rear lot line.

1. Section 5.40, By-law 6752

The minimum required width of a parking space is 2.9 m.
In this case, the parking space will have a width of 2.27 m.

2. Section 8.1.2(c), By-law 6752

The commercial building shall be located on a lot so as to be provide and maintain, free of all construction and obstruction between the level of the floor of the lowest storey that contains a habitable room or rooms and the highest part of the roof of such building, an area equal to not less than 50% of the lot area.
In this case, 0% of the lot will be maintained as open unobstructed area.

3. Sections 8.4.2, By-law 6752

The minimum required rear yard setback is 7.5 m.
In this case, the two-storey mixed-use building will be located 3.652 m from the rear lot line.

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

File Number:	A0757/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1188 WOODBINE AVE (PART 4)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Worrick Russell (signed)	Edmund Carlson (signed)	Ewa Modlinska (signed)
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Nancy Oomen (signed)

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

File Number:	A0758/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186 WOODBINE AVE (PARTS 6 & 8)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49 PT LOT 50		

Notice was given and a Public Hearing was held on **Wednesday, February 15, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing two-storey mixed-use building as described in Consent Application B0047/16TEY.

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

- 1. Chapter 200.5.1.10.(2), By-law 569-2013**
The minimum required length of a parking space is 5.6 m.
In this case, the parking space will have a length of 5.1 m.
- 2. Chapter 40.10.40.70.(2), Development Standard Set 2, By-law 569-2013**
A minimum required rear yard setback is 7.5 m.
In this case, the two-storey mixed-use building will be located 3.628 m from the rear lot line.
- 1. Section 5.40, By-law 6752**
The minimum required length of a parking space is 5.6 m.
In this case, the rear parking space will have a length of 5.1 m.
- 2. Section 8.1.2(c), By-law 6752**
The commercial building shall be located on a lot so as to provide and maintain, free of all construction and obstruction between the level of the floor of the lowest storey that contains a habitable room or rooms and the highest part of the roof of such building, an area equal to not less than 50% of the lot area.
In this case, 0% of the lot will be maintained as open unobstructed area.
- 3. Sections 8.4.2, By-law 6752**
The minimum required rear yard setback is 7.5 m.

In this case, the two-storey mixed-use building will be located 3.628 m from the rear lot line.

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

File Number:	A0758/16TEY	Zoning	CR2.5 (c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186 WOODBINE AVE (PARTS 6 & 8)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49 PT LOT 50		

Worrick Russell (signed)

Edmund Carlson (signed)

Ewa Modlinska (signed)

Nancy Oomen (signed)

DATE DECISION MAILED ON: **Tuesday, February 21 , 2017**

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

File Number:	A0759/16TEY	Zoning:	CR(c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC. 1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186, 1188 & 1190 WOODBINE AVE (PARTS 1, 3, 5 AND 7)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Notice was given and a Public Hearing was held on **Wednesday, February 15, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral garage as described in Consent Applications B0046/16TEY and B0047/16TEY.

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

- Chapter 200.5.1.10(2), By-law 569-2013**
The minimum required width of a parking space is 3.2 m.
In this case, the parking space will have a width of 3.05 m.
- Chapter 40.10.20.10.(1), By-law 569-2013**
In the CR zone, a residential use is required in a permitted building type.
In this case, a residential use in the detached house will be a permitted.
- Chapter 40.10.20.40.(1), By-law 569-2013**
In the CR zone, a dwelling unit is permitted in an apartment, mixed use building and townhouse.
In this case, a dwelling unit in a detached house will be a permitted.
- Chapter 40.10.40.10.(5), By-law 569-2013**
The maximum permitted height of the first storey, measured between the floor of the first storey and the ceiling of the first storey, is 4.5 m
In this case, the height of the first storey will be 3.02 m.
- Chapter 40.10.50.10.(3), By-law 569-2013**

A minimum required rear yard setback is 7.5 m.
In this case, the detached house will be located 5.56 m from the rear lot line.

1. Section 4(23), By-law 6752

The minimum required width of a parking space is 3.2 m.
In this case, the parking space will be 3.05 m wide.

2. Section 8.3, By-law 6752

A detached house is not a permitted building in the C zone.
In this case, a detached house will be permitted.

3. Sections 8.4.3 and 8.4.4, By-law 6752

The minimum required rear yard setback is 7.5 m.
In this case, the detached house will be located 5.56 m from the rear lot line.

4. Sections 8.4.2 and 8.4.4, By-law 6752

In a C zone, no side yard setback is required except in the C zone, no structure shall be erected adjacent to the boundary of an R zone unless at the boundary, a side yard equal to not less than 3 m for the first storey plus 0.6 m for each additional storey is provided, which in this case, is a minimum of 4.2 m from the west side lot line (adjacent to the R zone).

The three-storey detached house will be located 1.219 m from the west side lot line.

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

File Number:	A0759/16TEY	Zoning	CR(c2.5 r1.0) SS2 & C (ZPR)
Owner(s):	1190 WOODBINE INC. 1186-1188 WOODBINE INC	Ward:	Beaches-East York (31)
Agent:	DAVID OLESON	Heritage:	Not Applicable
Property Address:	1186, 1188 & 1190 WOODBINE AVE (PARTS 1, 3, 5 AND 7)	Community:	East York
Legal Description:	PLAN M437 PT LOT 49		

Worrick Russell (signed)

Edmund Carlson (signed)

Ewa Modlinska (signed)

Nancy Oomen (signed)

DATE DECISION MAILED ON: **Tuesday, February 21 , 2017**

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