



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

File Number:	A0487/17TEY	Zoning	RM (f12.0;u2;d0.8) & R2 Z0.8 (ZZC)
Owner(s):	1513316 ONTARIO INC JONATHAN KUDLATS	Ward:	St. Paul's (21)
Agent:	KRISTINA KOSTADINOVIC	Heritage:	Not Applicable
Property Address:	569 ARLINGTON AVE	Community:	York
Legal Description:	PLAN 2339 PT LOTS 190 & 191 RP 64R15549 PARTS 3 & 26		

Notice was given and a Public Hearing was held on **Wednesday, August 23, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral garage.

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

- Chapter 10.80.40.10.(2)(B)(i), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 8.5 m.
In this case, the height of the side exterior main walls facing a side lot line will be 9.0 m.
- Chapter 10.80.40.40 (1)(A), By-law 569-2013**
The permitted maximum floor space index is 0.80 times the area of the lot (249.25 m²).
The new detached dwelling will have a floor space index equal to 0.908 times the area of the lot (282.99 m²).
- Chapter 10.80.40.70 (3)(A), By-law 569-2013**
The required minimum side yard setback is 1.2 m.
The new detached dwelling will be located 0.60 m from the east side lot line.
- Chapter 10.5.40.60.(7), By-law 569-2013**
Roof eaves are permitted to project a maximum of 0.9 m provided they are located no closer than 0.3 m from a lot line.
In this case, the new roof eaves will project 0.9 m and will be located 0.15 m from the east side lot line.

5. Chapter 10.5.100.1.(1)(C)(ii), By-law 569-2013

The maximum permitted driveway width is limited to the width of a parking space provided beyond the front wall, which in this case is 3.3 m.

The driveway width will be 4.6 m.

6. Chapter 5.10.40.70.(6), By-law 569-2013

If the Toronto and Region Conservation Authority determines that a shoreline hazard limit or stable top-of-bank crosses a lot, a building or structure on that lot must be set back a minimum of 10 m from that shoreline hazard limit or stable top-of-bank.

The new dwelling will be set back 2.92 m from a shoreline hazard limit or stable top-of-bank.

1. Section 8.3.(1), By-law 1-83

The maximum permitted floor space index is 0.8 times the area of the lot (249.25 m²).

The new detached dwelling will have a floor space index equal to 0.908 times the area of the lot (282.99 m²).

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 refuse this variance application for the following reasons:

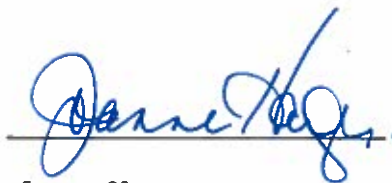
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.


SIGNATURE PAGE

File Number:	A0487/17TEY	Zoning	RM (f12.0;u2;d0.8) & R2 Z0.8 (ZZC)
Owner(s):	1513316 ONTARIO INC JONATHAN KUDLATS	Ward:	St. Paul's (21)
Agent:	KRISTINA KOSTADINOVIC	Heritage:	Not Applicable
Property Address:	569 ARLINGTON AVE	Community:	York
Legal Description:	PLAN 2339 PT LOTS 190 & 191 RP 64R15549 PARTS 3 & 26		


Worrick Russell


Nancy Oomen



Joanne Hayes


Ewa Modlinska

DATE DECISION MAILED ON: TUESDAY, AUGUST 29, 2017

LAST DATE OF APPEAL: TUESDAY, SEPTEMBER 12, 2017

CERTIFIED TRUE COPY


Sylvia Mullaste
Acting 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.