



City Planning Division

Committee of Adjustment  
Toronto and East York District

100 Queen Street West, 1<sup>st</sup> Floor  
Toronto, Ontario M5H 2N2  
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**NOTICE OF DECISION  
MINOR VARIANCE/PERMISSION  
(Section 45 of the Planning Act)**

File Number:	A0552/17TEY	Zoning	RD (f12.0; a370; d0.4) & R1 (ZZC)
Owner(s):	RAE DWOSH	Ward:	St. Paul's (21)
Agent:	ERIN WALSH	Heritage:	Not Applicable
Property Address:	7 MENIN RD	Community:	York
Legal Description:	PLAN 2599 PT BLK D		

Notice was given and a Public Hearing was held on **Wednesday, September 13, 2017**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey detached dwelling with an integral garage and a rear second storey deck.

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

- Chapter 10.20.40.10.(2)(A)(i)(ii)**  
The maximum permitted height of all front and rear exterior main walls is 8.5 m.  
The height of the front and rear exterior main walls will be 9.22 m.
- Chapter 10.20.40.10.(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.  
The height of the side exterior main walls facing a side lot line will be 9.22 m.
- Chapter 10.20.40.20.(1), By-law 569-2013**  
The maximum permitted building length for a detached dwelling is 17 m.  
The new detached dwelling will have a building length of 19.81 m.
- Chapter 10.20.40.30.(1), By-law 569-2013**  
The maximum permitted depth of a detached dwelling is 19 m.  
The new detached dwelling will have a depth of 19.81 m.
- Chapter 10.20.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index of a detached dwelling is 0.4 times the area of the lot (136.56 m<sup>2</sup>).  
The new detached dwelling will have a floor space index equal to 1.26 times the area of the lot (430.88 m<sup>2</sup>).

6. **Chapter 10.20.40.50.(1)(B), By-law 569-2013**  
The maximum permitted area of each platform located at or above the second storey of a dwelling is 4 m<sup>2</sup>.  
The area of the rear second storey deck will be 20.81 m<sup>2</sup>.
7. **Chapter 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required rear yard setback is 7.5 m.  
The new detached dwelling will be located 7.01 m from the east rear lot line.
8. **Chapter 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
The new detached dwelling will be located 0.91 m from the north and south side lot lines.
9. **Chapter 10.5.100.1.(1)(C), By-law 569-2013**  
The maximum permitted driveway width is 3.2 m.  
In this case, the driveway width will be 4.57 m.
1. **Section (3)(I), By-law 1-83**  
The maximum permitted floor space index of a detached dwelling is 0.4 times the area of the lot (136.56 m<sup>2</sup>).  
The new detached dwelling will have a floor space index equal to 1.25 times the area of the lot (425.05 m<sup>2</sup>).
2. **Section (3)(g), By-law 1-83**  
The minimum required side yard setback is 1.2 m.  
The new detached dwelling will be located 0.91 m from the north and south side lot lines.
3. **Section (3)(h), By-law 1-83**  
The minimum required rear yard setback is 9 m.  
The new detached dwelling will be located 7.01 m from the east 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

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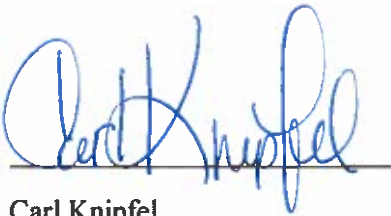
Alex Bednar



Michael Clark

**DISSENTED**

Donald Granatstein



Carl Knipfel

DATE DECISION MAILED ON: **TUESDAY, SEPTEMBER 19, 2017**

LAST DATE OF APPEAL: **TUESDAY, OCTOBER 3, 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](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.