TORONTO
City Planning Division

Committee of Adjustment
2 Civic Centre Crt, 4th Fl
Toronto, ON M9C 5A3
T:416-394-8060
F: 416-394-6042

Thursday, February 22, 2018

NOTICE OF DECISION

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

File Number:	A0900/17EYK	Zoning	RD & R1
Owner(s):	CATHERINE TRAVERS ADELINO LOPES	Ward:	York South-Weston (11)
Agent:	MANNY MARCOS	Heritage:	Not Applicable
Property Address:	**135 JOHN ST- PART 2**	Community**:**	
Legal Description:	PLAN 182 PT LOT 39 PT LOT 40		

Notice was given and a Public Hearing was held on Thursday, February 22, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

1. **Section 10.20.30.20.(1)(A), By-law 569-2013**
The minimum required lot frontage is 12 m.
The lot frontage will be 8.07 m.

2. **Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 370 m².
The lot area will be 295.1 m².

3. **Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.4 times the lot area (118.04 m²).
The proposed dwelling will have a floor space index of 0.69 the lot area (203.62 m²).

4. **Section 10.20.40.70.(3)(C), By-law 569-2013, Section 7.3.(a), By-law 1-83 & Section 7.(3)(g), By-law 3623-97**
The minimum required side yard setback is 1.2 m.
The proposed dwelling will be located 0.61 m from the west side lot line.

5. **Section 10.20.40.20.(1), By-law 569-2013**
The maximum permitted dwelling length is 17 m.
The proposed dwelling will have a length of 19 m.

6. **Section 10.5.40.10.(5), By-law 569-2013**
A minimum of 10 m² of the first floor must be within 4 m of the front main wall.
A total of 2.58 m² of the first floor will be located within 4 m of the front main wall.

7. Section 10.5.50.10.(1)(D), By-law 569-2013
A minimum of 75% of the front yard, not covered by a permitted driveway, shall be maintained as soft landscaping.
A total of 61.28% of the front yard not covered by a permitted driveway will be maintained as soft landscaping.

File numbers B0093/17EYK, A0899/17EYK and A0900/17EYK will be considered jointly.

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 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:	A0900/17EYK	Zoning	RD & R1
Owner:	CATHERINE TRAVERS ADELINO LOPES	Ward:	York South-Weston (11)
Agent:	MANNY MARCOS	Heritage:	Not Applicable
Property Address:	**135 JOHN ST- PART 2**	Community**:**	
Legal Description:	PLAN 182 PT LOT 39 PT LOT 40		

Allan Smithies (signed) Dominic Gulli (signed) Douglas Colbourne (signed)

Denise Graham (signed)

DATE DECISION MAILED ON: Friday, March 2, 2018

LAST DATE OF APPEAL: Wednesday, March 14, 2018

CERTIFIED TRUE COPY

Barbara Bartosik
Manager & Deputy Secretary Treasurer
Etobicoke 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.