

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

File Number:	A0785/17TEY	Zoning	R & R2 (Waiver)
Owner(s):	KUNAL ADHIKARI	Ward:	Toronto-Danforth (29)
Agent:	SEAN GALBRAITH	Heritage:	Not Applicable
Property Address:	821 CARLAW AVE	Community:	Toronto
Legal Description:	PLAN 1152 N PT LOT 49		

Notice was given and a Public Hearing was held on **Wednesday, November 8, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and to maintain the as constructed rear one-storey addition, the converted front porch and attic into living space and the third dwelling unit within the existing 2½-storey detached dwelling.

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

- Chapter 10.10.40.30.(1)(A), By-law 569-2013**
The maximum permitted building depth for a detached dwelling is 17.0 m.
The altered dwelling will have a depth of 19.93 m.
- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (182.92 m²).
The altered dwelling will have a floor space index of 0.81 times the area of the lot (246.9 m²).
- Chapter 10.10.40.70.(1), By-law 569-2013**
The minimum required front yard setback is 4.66 m.
The altered dwelling will be located 2.65 m from the front lot line.
- Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.9 m
The altered dwelling will be located 0.48 m from the north side lot line.
- Chapter 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% (58.86 m²) of the rear yard shall be maintained as soft landscaping.
In this case, 48.4% (56.93 m²) of the rear yard will be maintained as soft landscaping.
- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area is 0.6 times the area of the lot (182.92 m²).
The altered dwelling will have a residential gross floor area equal to 0.81 times the area of the lot (246.9 m²).

2. **Section 6(3) Part II 2(II), By-law 438-86**
The minimum required front yard setback of a building on an inside lot is 4.66 m.
The altered dwelling will be located 2.65 m from the front lot line.
3. **Section 6(3) Part II 5(I), By-law 438-86**
The maximum permitted depth of a house is 14.0 m.
The altered dwelling will have a depth of 21.95 m.
4. **Section 6(2) 1.(iii)(a), By-law 438-86**
A converted house is permitted, provided there is no exterior alteration of or addition to the front wall.
In this case, there will be an addition to the front wall of the converted house.
5. **Section 6(3) Part II 3.F(I)(2), By-law 438-86**
The minimum required side lot line setback where the side wall contains openings is 1.2 m.
The altered dwelling will be located 0.48 m from the north 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

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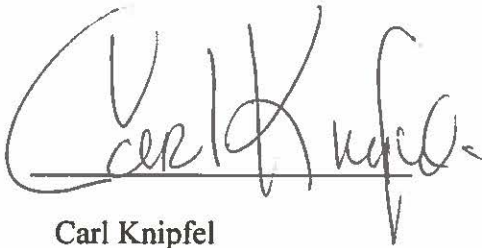
Lisa Valentini



Michael Clark

DISSENTED

Donald Granatstein

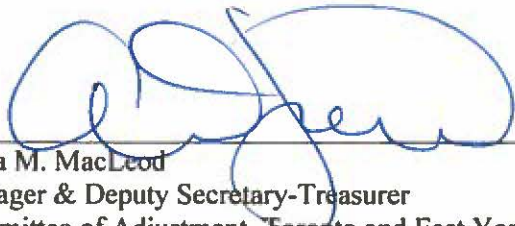


Carl Knipfel

DATE DECISION MAILED ON: TUESDAY, NOVEMBER 14, 2017

LAST DATE OF APPEAL: TUESDAY, NOVEMBER 28, 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.

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.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.