

Thursday, December 7, 2017

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

File Number:	A0530/17EYK	Zoning	RD & RS
Owner(s):	1930211 ONTARIO INC	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>70 THIRTY SIXTH ST – PART 2</b>	Community:	
Legal Description:	PLAN 2180 LOT 96		

Notice was given and a Public Hearing was held on Thursday, December 7, 2017, 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 7.62 m.
2. **Section 10.20.30.10.(1)(A), By-law 569-2013**  
The minimum required lot area is 370 m<sup>2</sup>.  
The lot area will be 306.5 m<sup>2</sup>.
3. **Section 10.20.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 0.35 times the lot area (107.3 m<sup>2</sup>).  
The proposed dwelling will have a floor space index of 0.67 times the lot area (206.7 m<sup>2</sup>).
4. **Section 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
**Section 330-23(A)(7)**  
The minimum required side yard setback is 0.9 m.  
**Section 10.20.40.70.(3)(C), By-law 569-2013 & Section 330-23(A)(7)**  
The proposed dwelling will be located 0.6 m from the south side lot line and 0.9 m from the north side lot line.
5. **Section 10.5.40.60.(7), By-law 569-2013**  
The minimum required side yard setback for eaves is 0.3 m.  
The eaves of the proposed dwelling will be located 0.2 m from the south side lot line.
6. **Section 10.20.40.10.(6), By-law 569-2013**  
The maximum permitted first floor height is 1.2 m above established grade.  
The proposed dwelling will have a first floor height of 2.87 m above established grade.

**7. Section 10.20.40.10.(2)(A)(i), By-law 569-2013**

The maximum permitted height of all front exterior main walls is 7 m.

The proposed dwelling will have a front exterior main wall height of 8.11 m.

**File numbers B0053/17EYK, A0529/17EYK and A0530/17EYK 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:	A0530/17EYK	Zoning	RD & RS
Owner:	1930211 ONTARIO INC	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>70 THIRTY SIXTH ST – PART 2</b>	Community:	
Legal Description:	PLAN 2180 LOT 96		

---

Allan Smithies (signed)

---

Dominic Gulli (signed)

---

Douglas Colbourne (signed)

---

Edwin (Ted) Shepherd  
(signed)

DATE DECISION MAILED ON: Friday, December 15, 2017

LAST DATE OF APPEAL: Wednesday, December 27, 2017

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](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.