

Thursday, January 11, 2018

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

File Number:	A0390/17EYK	Zoning	RM & R2
Owner(s):	WILLIAM DUMA	Ward:	Etobicoke-Lakeshore (06)
Agent:	NICOLE CANEJO	Heritage:	Not Applicable
Property Address:	<b>74 ROYAL YORK RD</b>	Community:	
Legal Description:	PLAN M76 LOT 333		

Notice was given and a Public Hearing was held on Thursday, January 11, 2018, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To convert the existing electronic retail store to a daycare/nursery school.

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

- 1. Section 340-30(G)(3)**  
The minimum required front yard setback is 6 m.  
The altered building will be located 1.67 m from the front lot line.
- 2. Section 10.80.40.70.(3)(A), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
**Section 340-30(G)(4)**  
The minimum required side yard setback is 0.9 m.  
**Section 10.80.40.70.(3)(A), By-law 569-2013 and Section 340-30(G)(4)**  
The altered building will be located 0.58 m from the north side lot line.
- 3. Section 10.80.40.20.(1), By-law 569-2013**  
The maximum permitted building length is 17 m.  
The altered building will have a length of 22.4 m.
- 4. Section 340-30(G)(6)**  
A minimum of 25% of the lot area shall be maintained as landscaping (145.1 m<sup>2</sup>).  
A total of 13.8% of the lot area will be maintained as landscaping (80 m<sup>2</sup>).

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

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\_\_\_\_\_  
Allan Smithies (signed)

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Dominic Gulli (signed)

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Douglas Colbourne (signed)

DATE DECISION MAILED ON: Friday, January 19, 2018

LAST DATE OF APPEAL: Wednesday, January 31, 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](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.