TORONTO
City Planning Division

North York Civic Centre
5100 Yonge Street
North York, Ontario
Canada, M2N 5V7
Tel: (416) 397-5330
Fax: (416) 395-7200

Wednesday, March 21, 2018

NOTICE OF DECISION

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

File Number:	A0683/17NY	Zoning	R (f9.0; u2; d0.6) (x954)/R1S 0.6[ZZC]
Owner(s):	WAI-MING PERSIC JOHN IVAN PERSIC	Ward:	Don Valley West (25)
Agent:	EKP DESIGNS INC	Heritage:	Not Applicable
Property Address:	**133 SHERWOOD AVE**	Community**:**	Toronto
Legal Description:	PLAN 497E PT LOT 10		

Notice was given and a Public Hearing was held on Wednesday, March 21, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey semi-detached dwelling with integral garage.

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

1. Chapter 10.5.40.10.(5), By-Law No. 569-13
A minimum of 10m² of the first floor must be within 4m of the front main wall.
The proposed first floor is 2.61m².

2. Chapter 10.10.40.40.(1), By-Law No. 569-13
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.7039 times the area of the lot.

3. Chapter 10.10.80.40.(1), By-Law No. 569-13
Vehicle entrances through the front main wall of the building are permitted provided the lot has a minimum frontage of 7.6m.
The proposed/existing lot frontage is 6.1m.

4. Chapter 10.10.40.10.(1), By-Law No.569-13
The permitted maximum height of a building is 9m.
The proposed height of the building is 9.37m.

5. Chapter 10.10.40.10.(2), By-Law No. 569-13
The permitted maximum height of all side exterior main walls facing a side lot line is 7m.
The proposed height of the side exterior main wall facing a side lot line is 7.88m.

6. Chapter 10.10.40.10.(6), By-Law No. 569-13
The permitted maximum height of the first floor above established grade is 1.2m.
The proposed height of the first floor above established grade is 1.57m.

7. Section 6(3) Part I 1, By-Law No. 438-86
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.7039 times the area of the lot.

8. Section 6(3) Part IV 3(I), By-Law No. 438-86
The by-law does not permit an integral garage in a building on a lot having a frontage of less than 7.62m where access to garage is located in a wall facing the front lot line.
The proposed integral garage is in a wall that faces the front lot line.

9. Section 6(3) Part II 8 D(I), By-Law No.438-86
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.27m above grade for the front porch.

10. Section 6(3) Part II 8 D(I), By-Law No.438-86
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.53m above grade for the rear deck.

11. Section 4(2), By-Law No. 438-86
The permitted maximum height is 9m.
The proposed height is 9.47m.

12. Section 6(3) Part II 8 D, By-Law No. 438-86
A deck or porch located in the front or rear of a building is not permitted to project beyond the side walls of the building.
The proposed front porch extends 0.08m beyond the side walls of the building.

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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Agent:	EKP DESIGNS INC	Heritage:	Not Applicable
Property Address:	**133 SHERWOOD AVE**	Community**:**	Toronto
Legal Description:	PLAN 497E PT LOT 10		

_____	_____	_____
Beth Levy (signed)	Denise Graham (signed)	Giacomo Tonon (signed)

_____
Rick Ross (signed)

DATE DECISION MAILED ON: Wednesday, March 28, 2018

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, April 10, 2018

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North 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 above.

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.

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File Number:	A0682/17NY	Zoning	R (f9.0; u2; d0.6) (x954)/R1S 0.6[ZZC]
Owner(s):	SCOTT QUACH JASON PERSIC	Ward:	Don Valley West (25)
Agent:	EKP DESIGNS INC	Heritage:	Not Applicable
Property Address:	**137 SHERWOOD AVE**	Community**:**	Toronto
Legal Description:	PLAN 497E PT LOT 11		

Notice was given and a Public Hearing was held on Wednesday, March 21, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey semi-detached dwelling with integral garage.

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

1. Chapter 10.5.40.10.(5), By-Law No. 569-13
A minimum of 10m² of the first floor must be within 4m of the front main wall.
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The proposed integral garage is in a wall that faces the front lot line.

9. Section 6(3) Part II 8 D(I), By-Law No.438-86
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.4m above grade for the front porch.

10. Section 6(3) Part II 8 D(I), By-Law No.438-86
The by-law limits the height of an uncovered platform which projects into the required setback to a maximum of 1.2m above grade.
The proposed height is 1.66m above grade for the rear deck.

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