

Thursday, May 3, 2018

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

File Number:	A0140/18NY	Zoning	R1A/RD[ZCC]
Owner(s):	AMIR SHAHCHERAGHI	Ward:	Don Valley West (26)
Agent:	HOMELAND	Heritage:	Not Applicable
Property Address:	<b>75 RANDOLPH RD</b>	Community:	East York
Legal Description:	PLAN 2120 PT LOT 847 TO 849PT		

Notice was given and a Public Hearing was held on Thursday, May 3, 2018, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

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

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

- 1. Chapter 10.5.40.10.(5), By-Law 569-2013**  
A minimum of 10.0m<sup>2</sup> of the first floor must be within 4.0m of the front main wall.  
There is 8.92m<sup>2</sup> of the first floor proposed within 4.0m of the front main wall.
- 2. Chapter 10.20.40.10.(1)(a), By-Law 569-2013**  
The permitted maximum height of a building or structure is 8.5m.  
The proposed height of the building is **8.75m**.
- 3. Chapter 10.20.40.10.(2)(b)(ii), By-Law 569-2013**  
The permitted maximum height of all side exterior main walls facing a side lot line is 7.0m.  
The proposed height of the north and south side exterior main walls facing a side lot line is **8.75m**.
- 4. Chapter 10.20.40.70.(2)(b), By-Law 569-2013**  
The required minimum rear yard setback is 8.41m.  
The proposed rear yard setback is **7.8m**.
- 5. Chapter 10.20.40.40.(1)(a), By-Law 569-2013**  
The permitted maximum floor space index is 0.45 times the area of the lot.  
The proposed floor space index is **0.698 times** the area of the lot.
- 6. Chapter 10.5.40.60.(2)(a), By-Law 569-2013**  
A canopy, awning or similar structure above a platform may encroach into a required building setback to the same extent as the platform it is covering.  
The proposed front canopy extends beyond the platform area it is covering.

7. **Section 6.2.3, By-Law 1916**  
The maximum permitted building height is 8.5m.  
The proposed building height is **8.8m**.
8. **Section 6.2.3, By-Law 1916**  
The maximum permitted floor space index is 0.45 times the area of the lot.  
The proposed floor space index is **0.698 times** the area of the lot.
9. **Section 6.2.3, By-Law 1916**  
The minimum required front yard setback is 6.0m.  
The proposed front yard setback is 5.37m.
10. **Section 6.1.2, By-Law 1916**  
In all R1 and R2 residential zones, garages located below finished grade are prohibited in a detached and semi-detached dwelling.  
The proposed garage is located below finished grade.
11. **Section 6.2.3, By-Law 1916**  
The minimum required side yard setback is 0.9m.  
The proposed south side yard setback to the canopy is 0.56m.

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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Denise Graham (signed)

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Nazila Atarodi (signed)

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Dominic Gulli (signed)

DATE DECISION MAILED ON: Thursday, May 10, 2018

LAST DATE OF APPEAL: Wednesday, May 23, 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](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.