

Thursday, June 21, 2018

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

File Number: A0058/18SC
Property Address: 1129 HUNTINGWOOD DR, PART 2
Legal Description: PLAN M1177 PT BLK P RP 66R22488 PARTS 1 AND 8 <<
STRUCTURE ADDRESS FOR 1129-1145 HUNTINGWOOD DR
Agent: LEI ZHANG
Owner(s): XIU JUAN ZHU
Zoning: RM - Residential Multiple Dwelling/M - Multi Family Residential
[ZZC/WAIVER]
Ward: Scarborough-Rouge River (41)
Community: Agincourt North Community
Heritage: Not Applicable

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

PURPOSE OF THE APPLICATION:

The applicant is seeking relief from the provisions of the Zoning By-law to retain the existing residential dwelling.

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

By-law No. 569-2013

1. To permit the 157 square metres floor area or 0.66 times the lot area; whereas the Zoning By-law permits maximum 141 square metres floor area or 0.6 times the lot area.
2. To permit the existing 3.5 metres rear yard setback; whereas the Zoning By-law requires a minimum 6.2 metres rear yard setback.
3. To permit the proposed 47.6% of the rear yard for soft landscaping or 41.26 square metres; whereas the Zoning By-law requires a minimum 50% of the rear yard for soft landscaping or 43.35 square metres.

By-law No. 12797

4. To permit the 0.61 metres side yard setback;

- whereas the Zoning By-law requires a minimum 3.54 metres side yard setback.
5. To permit the existing 3.5 metres rear yard setback;
whereas the Zoning By-law requires a minimum 6.2 metres rear yard setback.

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:**

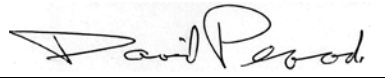
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to refuse 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 variances are not considered desirable for the appropriate development of the land.**
- **In the opinion of the Committee, the variances are not minor.**

SIGNATURE PAGE

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David Peacock



Hena Kabir



Nimrod Salamon



Sean Karmali

DATE DECISION MAILED ON: Tuesday, June 26, 2018

LAST DATE OF APPEAL: Wednesday, July 11, 2018

CERTIFIED TRUE COPY



Andre Robichaud
Manager & Deputy Secretary Treasurer
Scarborough 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 Local Planning Appeal Tribunal (LPAT) 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 or USB;
- \$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.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

To appeal this decision to the LPAT you need the following:

- a completed LPAT 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 Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*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 **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.