

Thursday, February 21, 2019

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

File Number: A0919/18EYK
Property Address: 54 WESTHAMPTON DR
Legal Description: PLAN 4648 LOT 80
Agent: STUDIO K ARCHITECTS INC
Owner(s): RCS DEVELOPMENTS INC
Zoning: RM & R3
Ward: Etobicoke North (01)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, February 21, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new triplex.

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

- 1. Section 900.6.10(B), By-law 569-2013**
The minimum required lot frontage for a triplex is 16.5 m.
The lot frontage is 12.8 m.
- 2. Section 900.6.10(A), By-law 569-2013**
The minimum required lot area for a triplex is 610 m².
The lot area is 488.06 m².
- 3. Section 10.5.80.10.(3), By-law 569-2013**
A parking space may not be located in a front yard or side yard abutting a street.
The proposed parking spot is located in a front yard.

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)
(signed)

Edwin (Ted) Shepherd (signed)

Douglas Colbourne

DATE DECISION MAILED ON: Friday, March 1, 2019

LAST DATE OF APPEAL: Wednesday, March 13, 2019

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 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.