



City Planning Division
Michael Mizzi, MCIP, RPP
Director, Zoning and Secretary-Treasurer,
Committee of Adjustment

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

**NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)**

File Number: B0091/18TEY
Property Address: 369 WALMER RD
Legal Description: PLAN 930 LOT 41
Agent: MELISSA SHEA
Owner(s): LING HU
WEIXIANG LI
Zoning: R (f10.5; u2; d0.6) (x929) & R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, February 13, 2019**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lots and to create various easements/rights-of-way.

Conveyed – Part 1, Draft R-Plan

Address to be assigned

Part 1 will have a lot frontage of 6.99 m and an area of 390.2 m². A new three-storey semi-detached duplex and a rear detached garage will be constructed.

Retained – Parts 2, 3, 4, 5, 6 & 7, Draft R-Plan

Address to be assigned

Parts 2, 3, 4, 5, 6 & 7 will have a lot frontage of 8.25 m and an area of 435.8 m². A new three-storey semi-detached duplex and a rear detached garage will be constructed.

Parts 3 & 5 will be subject to an easement/right-of-way for the purpose of vehicular access in favour of Part 1 on the Draft R-Plan.

Part 6 will be subject to an easement/right-of-way for the purpose of pedestrian access in favour of Part 1 on the Draft R-Plan.

Applications B0091/18TEY, A0983/18TEY & A0982/18TEY were considered jointly.

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 Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

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Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Lisa Valentini (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

DATE DECISION MAILED ON: **Tuesday, February 19, 2019**

LAST DATE OF APPEAL: **Monday, March 11, 2019**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

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

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- \$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).

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

File Number: A0983/18TEY
Property Address: 369 WALMER RD (PART 1)
Legal Description: PLAN 930 LOT 41
Agent: MELISSA SHEA
Owner(s): LING HU
WEIXIANG LI
Zoning: R (f10.5; u2; d0.6) (x929) & R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, February 13, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey semi-detached duplex and a rear detached garage on the conveyed lot (Part 1) described in consent application B0091/18TEY.

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

- 1. Chapter 10.10.40.10.(2)(A)(i) & (ii), By-law 569-2013**
The maximum permitted height of all front and rear exterior main walls is 9.5 m.
The height of the front and rear exterior main walls will be 10.42 m.
- 2. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m.
The height of the side exterior main walls facing a side lot line will be 10.51 m.
- 3. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted depth is 14.0 m.
The new semi-detached duplex will have a depth of 20.92 m.

4. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.6 times the area of the lot (234.08 m²).

The new semi-detached duplex will have a floor space index equal to 0.75 times the area of the lot (290.4 m²).

5. Chapter 10.5.60.50.(2)(B), By-law 569-2013

The maximum permitted total floor area of all ancillary buildings or structure on the lot is 40.0 m².

The rear garage will have a floor area of 42.6 m².

6. Chapter 10.10.40.70.(4)(D), By-law 569-2013

The minimum required side yard setback is 0.45 m.

The new semi-detached duplex will be located 0.0 m from the south side lot line.

7. Chapter 10.10.30.20.(1)(A), By-law 569-2013

The minimum required lot frontage is 10.5 m.

The frontage of the conveyed lot (Part 1) lot will be 6.99 m.

8. Chapter 900.2.10(929)(B)(ii), By-law 569-2013

The minimum required side yard setback for the exterior of two attached duplex residential buildings is 3.0 m.

The new semi-detached duplex will be located 1.2 m from the north side lot line.

Applications B0091/18TEY, A0983/18TEY & A0982/18TEY are considered jointly.

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

File Number: A0983/18TEY
Property Address: 369 WALMER RD
Legal Description: PLAN 930 LOT 41
Agent: MELISSA SHEA
Owner(s): LING HU
WEIXIANG LI
Zoning: R (f10.5; u2; d0.6) (x929) & R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Lisa Valentini (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

DATE DECISION MAILED ON: **Tuesday, February 13, 2019**

LAST DATE OF APPEAL: **Tuesday, March 5, 2019**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

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

File Number: A0982/18TEY
Property Address: 369 WALMER RD (PARTS 2, 3, 4, 5, 6 & 7)
Legal Description: PLAN 930 LOT 41
Agent: MELISSA SHEA
Owner(s): LING HU
WEIXIANG LI
Zoning: R (f10.5; u2; d0.6) (x929) & R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, February 13, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey semi-detached duplex and a rear detached garage on the retained lot (Parts 2, 3, 4, 5, 6 & 7) described in consent application B0091/18TEY.

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

- 1. Chapter 10.10.40.10.(2)(A)(i) & (ii), By-law 569-2013**
The maximum permitted height of all front and rear exterior main walls is 9.5 m.
The height of the front and rear exterior main walls will be 10.32 m.
- 2. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m.
The height of the side exterior main walls facing a side lot line will be 10.41 m.
- 3. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted depth is 14.0 m.
The new semi-detached duplex will have a depth of 20.92 m.

4. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.6 times the area of the lot (258.71 m²).

The new semi-detached duplex will have a floor space index equal to 0.67 times the area of the lot (291.3 m²).

5. Chapter 10.5.60.50.(2)(B), By-law 569-2013

The maximum permitted total floor area of all ancillary buildings or structure on the lot is 40.0 m².

The rear garage will have a floor area of 42.6 m².

6. Chapter 10.10.40.70.(4)(D), By-law 569-2013

The minimum required side yard setback is 0.45 m.

The new semi-detached duplex will be located 0.0 m from the north side lot line.

7. Chapter 10.10.30.20.(1)(A), By-law 569-2013

The minimum required lot frontage is 10.5 m.

The frontage of the retained lot (Parts 2, 3, 4, 5, 6 & 7) lot will be 8.25 m.

8. Chapter 10.5.50.10.(3)(A), By-law 569-2013

A minimum of 50% (98.7 m²) of the rear yard must be maintained as soft landscaping.

In this case, 47.5% (93.7 m²) of the rear yard will be maintained as soft landscaping.

9. Chapter 900.2.10(929)(B)(ii), By-law 569-2013

The minimum required side yard setback for the exterior of two attached duplex residential buildings is 3.0 m.

The new semi-detached duplex will be located 2.5 m from the south side lot line.

Applications B0091/18TEY, A0983/18TEY & A0982/18TEY are considered jointly.

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:**

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It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

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- 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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Property Address: 369 WALMER RD
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Agent: MELISSA SHEA
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Zoning: R (f10.5; u2; d0.6) (x929) & R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
St. Paul's (21)
Community: Toronto
Heritage: Not Applicable

Lisa Valentini (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

DATE DECISION MAILED ON: **Tuesday, February 13, 2019**

LAST DATE OF APPEAL: **Tuesday, March 5, 2019**

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