

Thursday, February 7, 2019

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

File Number: A0512/18EYK
Property Address: 135 MILTON ST – PART 2
Legal Description: PLAN M101 LOT 161
Agent: LEMCAD CONSULTANTS
Owner(s): LS INVESTMENTS INC
Zoning: RD
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, February 7, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an integral garage.

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

- 1. Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot frontage is 13.5 m.
The new lot will have a frontage of 7.62 m.
- 2. Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 510 m².
The new lot will have an area of 318.21 m².
- 3. Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.45 (143.2 m²).
The new dwelling will have a floor space index of 0.62 (198.23 m²).
- 4. Section 10.20.40.70.(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The new dwelling will be located 0.61 m from the south side lot line.

5. Section 10.20.40.10.(2), By-law 569-2013

The maximum permitted exterior main wall height is 7 m.

The proposed dwelling will have an exterior main wall height of 8.3 m.

File numbers B0058/18EYK, A0512/18EYK and A0513/18EYK will be 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

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Allan Smithies (signed)
(signed)

Dominic Gulli (signed)

Douglas Colbourne

DATE DECISION MAILED ON: Friday, February 15, 2019

LAST DATE OF APPEAL: Wednesday, February 27, 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.