

Thursday, March 28, 2019

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

File Number: B0037/18EYK
Property Address: 889 ROYAL YORK RD
Legal Description: PLAN 1724 LOT 18
Agent: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and the application considered on Thursday, March 28, 2019, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized lots.

Conveyed - Part 1

Address to be assigned

The lot frontage will be 7.62 m and the lot area will be 263.7 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling with an attached garage, requiring variances to the Zoning By-law, as outlined in Application A0311/18EYK.

Retained - Part 3

Address to be assigned

The lot frontage will be 7.62 m and the lot area will be 263.7 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling with an attached garage, requiring variances to the Zoning By-law, as outlined in Application A0310/18EYK.

Part 2 and Part 4 has a combined area of 29.2 m² and will be conveyed to the City of Toronto for road allowance purposes.

File numbers B0037/18EYK, A0310/18EYK and A0311/18EYK 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 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 is premature.
- 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

File Number: B0037/18EYK
Property Address: 889 ROYAL YORK RD
Legal Description: PLAN 1724 LOT 18
Applicant: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore(03)
Community:
Heritage: Not Applicable

Allan Smithies (signed) Douglas Colbourne (signed) Edwin (Ted) Shepherd
(signed)

Denise Graham (signed)

DATE DECISION MAILED ON: Friday, April 5, 2019

LAST DATE OF APPEAL: Thursday, April 25, 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
- \$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.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Thursday, March 28, 2019

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

File Number: A0311/18EYK
Property Address: 889 ROYAL YORK RD- PART 1
Legal Description: PLAN 1724 LOT 18
Agent: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, March 28, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- 1. Section 10.20.30.20.(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 a lot area of 278.3 m².
- 3. Section 10.20.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 33% of the lot area (91.83 m²).
The new dwelling will cover 39.52% of the lot area (109.98 m²).

4. **Section 900.3.10.(42)(A)(i), By-law 569-2013**
 The maximum permitted floor space index is 0.5 times the area of the lot (139.15 m²).
 The new dwelling will have a floor space index of 0.71 times the area of the lot (197.40 m²).
5. **Section 10.20.40.70.(3)(C), By-law 569-2013 and Section 10.5.40.50.(2), 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 and 0.91 m from the north side lot line.
6. **Section 10.20.40.20.(1), By-law 569-2013**
 The maximum permitted building length is 17 m.
 The new dwelling will have a length of 18.02 m.
7. **Section 10.5.40.60.(1)(A)(i), By-law 569-2013**
 A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback if it is no closer to a side lot line than the required side yard setback.
 The proposed front platform will encroach into the required front yard setback and will be located 0.3 m closer to the side lot line than the required south side setback.
8. **Section 10.5.40.60.(7)(B), By-law 569-2013**
 The eaves of a roof may encroach into a required minimum building setback a maximum of 0.9 m, if they are no closer to a lot line than 0.3 m.
 The proposed roof projection will encroach 1.14 m into the south side lot line and is located 0.06 m from the south side lot line.
9. **Section 200.5.1.10.(2)(A)(iv), By-law 569-2013 and Section 320-18.A.(1)(c)**
 The minimum required width of a parking space is 3.2 m.
 The proposed parking space will have a width of 2.6 m.

File numbers B0037/18EYK, A0310/18EYK and A0311/18EYK 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

File Number: A0311/18EYK
Property Address: 889 ROYAL YORK RD- PART 1
Legal Description: PLAN 1724 LOT 18
Agent: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Allan Smithies (signed) Douglas Colbourne (signed) Edwin (Ted) Shepherd
(signed)

Denise Graham (signed)

DATE DECISION MAILED ON: Friday, April 5, 2019

LAST DATE OF APPEAL: Wednesday, April 17, 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.

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

File Number: A0310/18EYK
Property Address: 889 ROYAL YORK RD- PART 3
Legal Description: PLAN 1724 LOT 18
Agent: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, March 28, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- 1. Section 10.20.30.20.(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 a lot area of 278.3 m².
- 3. Section 10.20.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 33% of the lot area (91.83 m²).
The new dwelling will cover 38.84% of the lot area (108.09 m²).

4. **Section 900.3.10.(42)(A)(i), By-law 569-2013**
 The maximum permitted floor space index is 0.5 times the area of the lot (139.15 m²).
 The new dwelling will have a floor space index of 0.71 times the area of the lot (198.34 m²).
5. **Section 10.20.40.70.(3)(C), By-law 569-2013 and Section 10.5.40.50.(2), 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 north side lot line and 0.91 m from the south side lot line.
6. **Section 10.20.40.20.(1), By-law 569-2013**
 The maximum permitted building length is 17 m.
 The new dwelling will have a length of 18.03 m.
7. **Section 10.5.40.60.(1)(A)(i), By-law 569-2013**
 A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback if it is no closer to a side lot line than the required side yard setback.
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Property Address: 889 ROYAL YORK RD- PART 3
Legal Description: PLAN 1724 LOT 18
Agent: MICHAEL FLYNN
Owner(s): AISHA SONG
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Allan Smithies (signed) Douglas Colbourne (signed) Edwin (Ted) Shepherd
(signed)

Denise Graham (signed)

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