



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

File Number: A1035/18TEY
Property Address: 34 ELLERBECK ST
Legal Description: PLAN 257 PT LOT 78
Agent: JIM DIMAKOS
Owner(s): CECILIA DIMAKOS
JIM DIMAKOS
Zoning: R2 Z0.6 (ZZC)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, May 1, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a parking pad in the front yard of an existing detached two-storey dwelling.

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

- 1. Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013**
Exterior stairs may encroach into a required building setback provided the stairs are no closer to a lot line than 0.6 m.
In this case, the stairs will be located 0.0 m from the north lot line.
- 2. Chapter 10.5.50.10.(1)(D), By-law 569-2013**
A minimum of 75% of the front yard landscaping must be soft landscaping (30.89 m²).
In this case, 19% (7.9 m²) of the front yard will be soft landscaping.
- 3. Chapter 10.5.80.10.(3), By-law 569-2013**
A parking space may not be located in a front yard or a side yard abutting a street.
In this case, the parking space will be located in the front yard.

1. Section 6(3) Part IV 1(E), By-la 438-86

It is prohibited to park motor vehicles on the portion of the lot between the front lot line and the front wall of the building.

In this case, the parking space will be located on the portion of the lot between the front lot line and the front wall of the dwelling.

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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Carl Knipfel (signed)

Michael Clark (signed)

Donald Granatstein (signed)

DATE DECISION MAILED ON: **Tuesday, May 7, 2019**

LAST DATE OF APPEAL: **Tuesday, May 21, 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

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.