



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

Committee of Adjustment
Toronto and East York District

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Toronto, Ontario M5H 2N2
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A0160/19TEY
Property Address: 32 OXTON AVE
Legal Description: PLAN 569E PT LOTS 207 TO 210
Agent: MICHAEL FODERICK
Owner(s): ANKUR BANSAL
Zoning: R (d1.0)(ZZC)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, June 12, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the two-storey townhouse by establishing a second dwelling unit and constructing a third storey addition with a front dormer and rooftop deck, and a rear three-storey addition with a ground floor deck.

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

- 1. Chapter 10.5.50.10.(3)(B), By-law 569-2013**
A minimum of 25% (18.73 m²) of the required rear yard landscaping is required to be maintained as soft landscaping.
In this case, 13% (9.77 m²) of the required rear yard landscaping will be maintained as soft landscaping.
- 2. Chapter 10.10.40.10.(1)(A), By-law 569-2013**
The maximum permitted height of a building or structure is 10.0 m.
The altered townhouse will have a height of 9.54 measured to the roof parapet and 10.61 m to the roof deck guard rail.
- 3. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of all front and rear exterior main walls is 7.5 m.
The altered townhouse will have front and rear exterior main wall heights of 9.14 m.

4. Chapter 10.10.40.30.(1)(B), By-law 569-2013

The maximum permitted building depth for a duplex is 14.0 m.
The altered townhouse will have a depth of 15.56 m.

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

The maximum permitted floor space index is 1.0 times the area of the lot (193.5 m²).
The altered townhouse will have a floor space index of 1.27 times the area of the lot (245.82 m²).

6. Chapter 10.10.40.70.(3)(B)(i), By-law 569-2013

The minimum required side yard setback for a duplex is 0.75 m, where the side wall contains no windows or doors in that side of the building.
The altered townhouse will have a rear addition that will be located 0.305 m from the west side lot line.

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 Approved on Condition

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

The rear yard parking spaces and rear yard soft landscaping including tree planting shall be required to be built by the applicant in accordance with the Site Plan Drawing A2, prepared by Brander Architects, revised as March 22, 2019, and as date stamped received by the Committee of Adjustment on April 11, 2019. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

SIGNATURE PAGE

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Edmund Carlson (Signed)

Joanne Hayes

Worrick Russell

Nancy Oomen (Signed)

DATE DECISION MAILED ON: **TUESDAY, JUNE 18, 2019**

LAST DATE OF APPEAL: **TUESDAY, JULY 2, 2019**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting 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.