



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

File Number: A1193/18TEY
Property Address: 100 WILLCOCKS ST
Legal Description: PLAN 459 PT LOTS 8 & 16
Agent: EILEEN COSTELLO
Owner(s): MARGARET ELEANOR SMITH
Zoning: R (d1.0)(x848) (ZZC)
Ward: University-Rosedale (11)
Community: Toronto
Heritage: Designated

Notice was given and a Public Hearing was held on **Wednesday, August 28, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey townhouse with two dwelling units by constructing a rear basement walkout; a west side, ground floor bay window (oriel window); a rear two-storey addition with a second storey balcony; and a new rear one-storey detached garage.

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

1. Chapter 10.5.40.60.(6), By-law 569-2013

A bay window, or other window projection from a main wall of a building which increases the floor area or enclosed space and does not touch the ground, is permitted to encroach provided that they are no closer to the side lot line than 0.6 m.

The altered townhouse will have a west side, ground floor oriel window that will be located 0.0 m from the west side lot line.

2. Chapter 10.5.60.70.(1), By-law 569-2013

The total area on a lot covered by ancillary buildings or structures may not exceed 10% of the lot area (19.69 m²).

The new rear one-storey detached garage will have a lot coverage of 15.77% of the lot area (31.05 m²).

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

The maximum permitted building depth for a townhouse is 14.0 m.
The altered townhouse will have a building depth of 20.04 m.

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

The maximum permitted floor space index is 1.0 times the area of the lot (196.93 m²).
The altered dwelling will have a floor space index will be 1.07 times the area of the lot (210.76 m²).

5. Chapter 10.10.60.20.(1)(A), By-law 569-2013

The minimum required rear yard setback and side yard setback for an ancillary building or structure containing a parking space is 1.0 m from a rear lot line or side lot line abutting a street or lane, subject to regulation 10.5.60.20.(4).
The new rear one-storey detached garage will be located 0.0 m from both the east and west side lot lines.

6. Chapter 200.5.1.10.(2)(A), By-law 569-2013

The minimum required parking space must have a length of 5.6 m and a width of 2.9 m.
The new rear one-storey detached garage will contain two parking spaces each 5.0 m in length and 2.6 m in width.

1. Section 4(17)(a), By-law 438-86

The minimum dimensions of a parking space accessed by a one-way or two-way drive aisle having a width of 6.0 m or more measured at the entrance to the parking space, shall be 5.6 m in length and 2.9 m in width.
The new rear one-storey detached garage will contain two parking spaces each 5.0 m in length and 2.6 m in width.

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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DISSENTED

Edmund Carlson (signed)

Joanne Hayes

Nancy Oomen (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, September 3, 2019**

LAST DATE OF APPEAL: **Tuesday, September 17, 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.