



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
Fax: 416-392-0580

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

File Number: B0045/18TEY
Property Address: 67 MORSE ST
Legal Description: PLAN 423 LOT 51 PT LOT 52
Agent: TOMASZ DEBOWSKI
Owner(s): TOMASZ DEBOWSKI
Zoning: R(d0.06)(x405) (ZZC)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Thursday, September 26, 2019**, as required by the Planning Act.

THE CONSENT REQUESTED:

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

**Retained - Part 2, Draft R-Plan
Address to be assigned**

The lot has a frontage of 4.65 m and an area of 183.8 m². The existing three-storey semi-detached dwelling with two residential units will be maintained and a new rear detached garage will be constructed. Variances to the Zoning By-law are required as a result of the severance and are described in Minor Variance Application A0421/18TEY.

**Conveyed - Part 1, Draft R-Plan
Address to be assigned**

The lot has a frontage of 4.55 m and an area of 180.3 m². A new three-storey detached dwelling will be constructed and the existing rear detached garage will be maintained, requiring variances to the Zoning By-law, as described in Minor Variance Application A0422/18TEY

Applications B0045/18TEY, A0421/18TEY and A0422/18TEY were 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.

SIGNATURE PAGE

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Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable



Carl Knipfel



Nancy Oomen



Lisa Valentini

DATE DECISION MAILED ON: **Wednesday, October 2, 2019**

LAST DATE OF APPEAL: **Tuesday, October 22, 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).

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LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

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*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."



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

File Number: A0421/18TEY
Property Address: 67 MORSE ST – PART 2
Legal Description: PLAN 423 LOT 51 PT LOT 52
Agent: TOMASZ DEBOWSKI
Owner(s): TOMASZ DEBOWSKI
Zoning: R(d0.06)(x405) (ZZC)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Thursday, September 26, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing three-storey semi-detached dwelling with two dwelling units on the retained lot described in Committee of Adjustment application B0045/18TEY.

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

- 1. Chapter 10.10.30.20.(1)(A), By-law 569-2013**
The minimum required lot frontage is 6.0 m.
The retained lot will have a frontage of 4.65 m.
- 2. Chapter 10.10.40.70.(4)(B), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The dwelling will be located **0.304 m** from the south side lot line.
- 3. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (109.81 m²).
The dwelling will have a floor space index of 0.83 times the area of the lot (151.28 m²).

4. Chapter 10.5.50.10.(1)(D), By-law 569-2013

A minimum of 75% (11.5 m²) of the required front yard landscaping must be maintained as soft landscaping.

In this case, 47% (7.2 m²) of the required front yard landscaping will be maintained as soft landscaping.

Applications B0045/18TEY, A0421/18TEY and A0422/18TEY were 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:**

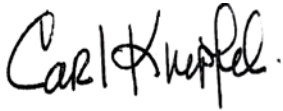
The Minor Variance Application is Refused

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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Zoning: R(d0.06)(x405) (ZZC)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable



Carl Knipfel



Nancy Oomen



Lisa Valentini

DATE DECISION MAILED ON: **Wednesday, October 2, 2019**

LAST DATE OF APPEAL: **Wednesday, October 16, 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.

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

File Number: A0422/18TEY
Property Address: 67 MORSE ST – PART 1
Legal Description: PLAN 423 LOT 51 PT LOT 52
Agent: TOMASZ DEBOWSKI
Owner(s): TOMASZ DEBOWSKI
Zoning: R(d0.06)(x405) (ZZC)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Thursday, September 26, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling and maintain the existing rear detached garage on the conveyed lot described in Committee of Adjustment application B0045/18TEY.

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

- 1. Chapter 10.10.30.20.(1)(A), By-law 569-2013**
The minimum required lot frontage is 6.0 m.
The conveyed lot will have a frontage of 4.55 m.
- 2. Chapter 10.10.40.70.(4)(A), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The new three-storey detached dwelling will be located 0.0 m from both the north and south side yard lot lines.
- 3. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (108.13 m²).
The new three-storey detached dwelling will have a floor space index of be 0.88 times the area of the lot (158.66 m²).

Applications B0045/18TEY, A0421/18TEY and A0422/18TEY were 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:

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- 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.

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