

Thursday, September 12, 2019

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

File Number: A0482/19NY
Property Address: 326 MANOR RD E
Legal Description: PLAN 1788 PT LOT 17
Agent: GREEN DOT ARCHITECTS
Owner(s): MASOUD NADJAFI-ASL
Zoning: R / R2 Z0.6 [ZZC]
Ward: Don Valley West (15)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, September 12, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new dwelling.

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

- 1. Chapter 900.2.10(930)(D)(ii), By-law No. 569-2013**
The minimum required side yard setback of the platform is 1.8m.
The proposed side yard setback of the second level platform is 1.06m from the east side lot line.
- 2. Chapter 10.5.40.50(2), By-law No. 569-2013**
A platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone, 0.9m.
The rear platform at the first level encroaches into the required minimum side yard setback by 0.29m.
- 3. Chapter 10.5.40.60.(3)(A)(i), By-law No. 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the

building or structure.

The proposed front stairs are 1.58 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure.

- 4. Chapter 10.10.40.30.(1)(A), By-law No. 569-2013**
The permitted maximum building depth is 17.0m.
The proposed building depth is 19.06m.
- 5. Chapter 10.10.40.10.(2)(A)(i), By-law No. 569-2013**
The permitted maximum height of all front exterior main walls is 7.0m.
The proposed height of the front exterior main walls is 7.4m.
- 6. Chapter 10.10.40.10.(2)(A)(ii), By-law No. 569-2013**
The permitted maximum height of all rear exterior main walls is 7.0m.
The proposed height of the rear exterior main walls is 7.4m.
- 7. Chapter 10.10.40.10.(2)(B)(ii), By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7.0m.
The proposed height of the side exterior main walls facing a side lot line is 7.4m.
- 8. Chapter 10.5.50.10.(1)(D), By-law No. 569-2013**
A minimum of 75% of the required front yard landscaping must be soft landscaping.
The proposed front yard soft landscaping area is 54%.
- 9. Chapter 10.10.40.40.(1)(A), By-law No. 569-2013**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.72 times the area of the lot.
- 10. Chapter 10.5.80.10.(3), By-law No. 569-2013**
A parking space may not be located in a front yard or a side yard abutting a street.
The proposed parking spot is located in a front yard.
- 11. Chapter 200.5.10.1.(1), By-law No. 569-2013**
The required minimum number of parking space(s) for the dwelling unit is one space.
The parking space is not permitted in the proposed location and therefore the proposal will have zero spaces.
- 12. Section 4(4)(B), By-law No. 438-86**
The by-law requires a minimum of one parking space to be provided.
The number of proposed parking spaces is zero.
- 13. Section 6(3) Part IV 1(E), By-law No. 438-86**
The by-law prohibits the parking of motor vehicles on the portion of the lot between the front lot line and the front wall of the building.
The proposed parking does not comply and is located in the front yard.

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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Isaac Lallouz (signed)



Nadini Sankar (signed)



Thomas Klassen (signed)

DATE DECISION MAILED ON: Thursday, September 19, 2019

LAST DATE OF APPEAL: Wednesday, October 2, 2019

CERTIFIED TRUE COPY

Daniel Antonacci
Manager & Deputy Secretary Treasurer
North 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 or USB stick; and
- \$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 website 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 digital format on a USB stick and in paper format; and
- \$300 with an additional reduced fee of \$25 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.