

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

Committee of Adjustment
2 Civic Centre Crt, 4th Floor
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Thursday, November 7, 2019

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

File Number: A0485/19EYK
Property Address: 36 CLISSOLD RD – PART 1
Legal Description: PLAN 2392 LOT 59
Agent: HOMAYOUN NABAVI
Owner(s): SOHEILA BORGHEI HOMAYOUN NABAVI
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, November 7, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage. A previous Committee of Adjustment consent application (B00031/18EYK) for 36 Clissold Road is currently adjourned at TLAB (18 214914 S53 05) waiting for necessary variance appeals for joint consideration.

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

- 1. Section 10.20.30.20(1)(A), By-law 569-2013**
The minimum required lot frontage is 13.5 m.
The lot frontage will be 7.62 m.
- 2. Section 10.20.30.10(1)(A), By-law 569-2013**
The minimum required lot area is 510 m².
The lot area will be 278.71 m².
- 3. Section 10.20.30.40(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 33% of the lot area (91.97 m²).
The proposed dwelling will cover 35% of the lot area (97.5 m²).
- 4. Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted gross floor area is 0.45 times the lot area (125.42 m²).
The proposed dwelling will have a gross floor area of 0.72 times the lot area (199.89 m²).

5. **Section 10.20.40.70(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The proposed dwelling will be located 0.45 m from the south side lot line.
6. **Section 320-42.1(B)(2)**
The maximum permitted soffit height is 6.5 m.
The proposed dwelling will have a soffit height of 9.4 m.
7. **Section 10.20.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all exterior main walls is 7 m.
The exterior main walls of the proposed dwelling will have a height of 8.12 m.
8. **Section 10.20.40.10.(1)(A), By-law 569-2013 & Section 320-42.1.B.(1)**
The maximum permitted dwelling height is 9.5 m.
The proposed dwelling will have a height of 9.98 m.

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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Community:
Heritage: Not Applicable



Donald Taylor (signed)



Laura Alderson (signed)



Neil Palmer (signed)



Isaac Lallouz (signed)

DATE DECISION MAILED ON: Friday, November 15, 2019

LAST DATE OF APPEAL: Wednesday, November 27, 2019

CERTIFIED TRUE COPY

Barbara Bartosik
Manager and Deputy Secretary-Treasurer
Etobicoke 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/>.

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**NOTICE OF DECISION
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File Number: A0484/19EYK
Property Address: 36 CLISSOLD RD – PART 2
Legal Description: PLAN 2392 LOT 59
Agent: HOMAYOUN NABAVI
Owner(s): SOHEILA BORGHEI HOMAYOUN NABAVI
Zoning: RD & R2
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

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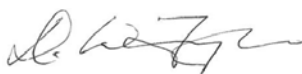
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