

Thursday, August 22, 2019

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

File Number: A0137/19SC
Property Address: 16 ANSON AVE
Legal Description: PLAN M420 PT LOT 9
Agent: ARC DESIGN GROUP
Owner(s): SHILA ISLAM SHAKE NUR ISLAM
Zoning: RD - Residential Detached/S - Single Family Residential [WAIVER]
Ward: Scarborough Southwest (20)
Community: Cliffcrest Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, August 22, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is seeking relief from the provisions of the Zoning By-law to construct a new two storey single family residential dwelling. The existing dwelling would be demolished.

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

By-law No. 569-2013

1. To permit the 3.28 metres portion of the proposed rear deck would be located beyond 2.5 metres from the rear main wall and would be 3.19 metres above the ground at any point below the platform;
whereas the Zoning By-law requires the portion of the rear deck located beyond 2.5 metres from the rear main wall shall be no higher than 1.2 metres above the ground at any point below the platform.
2. To permit the proposed 10.37 metres building height;
whereas the Zoning By-law permits maximum 9 metres building height.
3. To permit the proposed height of the side exterior main walls facing a side lot line would be 8.39 metres;
whereas the Zoning By-law permits maximum 7 metres height of all side exterior main walls facing a side lot line.

4. To permit the proposed building length of 21.04 metres measured from the front wall to the rear wall;
whereas the Zoning By-law permits maximum building length of 17 metres.
5. To permit the proposed building depth of 21.04 metres measured from the front yard setback requirement on a lot to the rear wall;
whereas the Zoning By-law permits maximum building depth of 19 metres.
6. To permit the proposed 1.39 metres height of the main pedestrian entrance through the front main wall;
whereas the Zoning By-law permits maximum 1.2 metres height of the lowest point of the main pedestrian entrance through the front main wall from the established grade.
7. To permit the proposed 2 points of vehicle access to the same street and will not meet the landscaping requirement set out in Clause 10.5.50.10;
whereas the Zoning By-law permits a driveway with two points of vehicle access to the same street, if the lot has a lot frontage greater than 18 metres and the front yard landscaping complies with Clause 10.5.50.10.
8. To permit the proposed 34.75% lot coverage;
whereas the Zoning By-law permits maximum 33% lot coverage.
9. To permit the proposed 50% front yard landscaping;
whereas the Zoning By-law requires a minimum 60% front yard landscaping.
10. To permit the proposed 2 platforms located on the front wall;
whereas the Zoning By-law permits maximum 1 platform located on the front wall of a detached house.
11. To permit the proposed 7.32 square metres front platform area;
whereas the Zoning By-law permits maximum 4 square metres platform area.
12. To permit the proposed 21.31 square metres rear platform area;
whereas the Zoning By-law permits maximum 4 square metres platform area.
13. To permit the proposed floor area at 0.5 times the lot area;
whereas the Zoning By-law permits maximum floor area at 0.4 times the lot area.

By-law No. 9396

14. To permit the proposed 10.17 metres building height;
whereas the Zoning By-law permits maximum 9 metres building height.
- 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 authorize 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 variances are considered desirable for the appropriate development of the land.**
- **In the opinion of the Committee, the variances are minor.**


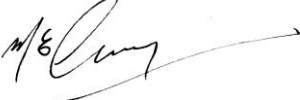


This Approval is Conditional on the Following:

1. Submission of a complete application for a permit to injure or remove a City owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets.
2. Submission of a complete application for a permit to injure or remove a privately owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article III Private Tree Protection.

SIGNATURE PAGE

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Table 1, Panel Member Digital Signatures

 _____ Dominic Gulli	 _____ Eden Gajraj	 _____ Hena Kabir
 _____ Nimrod Salamon		

DATE DECISION MAILED ON: Tuesday, August 27, 2019

LAST DATE OF APPEAL: Wednesday, September 11, 2019

CERTIFIED TRUE COPY


Andre Robichaud
Manager & Deputy Secretary Treasurer
Scarborough 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.