

Thursday, November 8, 2018

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

File Number: A0431/18NY
Property Address: 777 WILSON HEIGHTS BLVD
Legal Description: PLAN 5186 PT BLK C
Agent: ARBEN SHPATI
Owner(s): DEEPA RANI SUNIL KUMAR SUKUMARAN SUNIL KUMAR
Zoning: RM / RM5 [ZZC]
Ward: York Centre (10)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, November 8, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing dwelling, covered patio, existing one-storey walk out enclosure, and structures as constructed.

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

- 1. Chapter 10.80.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 35.00% of the lot area.
The lot coverage is 47.1% of the lot area (including the covered platform).
- 2. Chapter 10.80.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The building length is 20.24m.
- 3. Chapter 10.80.40.70.(2), By-law No. 569-2013**
The minimum required rear yard setback is 8.46m (25% of the lot depth).
The rear yard setback is 7.1m.
- 4. Chapter 10.5.40.60.(2), By-law No. 569-2013**
A canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 10.5.40.60(1), are subject to the following: (A) a roof, canopy, awning or similar structure above a platform meeting

the requirements of regulation 10.5.40.60(1) may encroach into a required minimum building setback to the same extent as the platform it is covering which is 2.5m, and no closer to side lot line than the required minimum side yard setback; 1.5m.

The canopy is permitted to encroach (existing encroachment of 1.139m) but is setback 0.46m from the north lot line.

5. Chapter 10.5.40.60.(5), By-law No. 569-2013

An architectural feature (columns) on a building may encroach into a required building setback a maximum of 0.6m, if it is no closer to a lot line than 0.3m.

The architectural feature(s) (columns) encroach 1.139m into the rear yard setback, and is 0.46m from the north side lot line.

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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Beth Levy (signed)

Bruce Mullock (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Rick Ross (signed)

DATE DECISION MAILED ON: Thursday, November 15, 2018

LAST DATE OF APPEAL: Wednesday, November 28, 2018

CERTIFIED TRUE COPY

Dan 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;
- \$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.