

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

Committee of Adjustment
Scarborough
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7

416-396-3223
coa.sc@toronto.ca

Thursday, July 23, 2020

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

File Number: A0096/20SC
Property Address: 11 BROOKLAWN AVE
Legal Description: PLAN 2347 PT LOT 457 PT LOT 458
Agent: ALBION BUILDING CONSULTANT INC
Owner(s): MUHAMMAD MOHSIN BABAR
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Cliffcrest Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, July 23, 2020, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling.

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

1. **Chapter 10.20.30.40.(1)(A), By-law No. 569-2013**
The maximum permitted lot coverage is 33% of the lot area.
The proposed lot coverage is **35.8%** of the lot area.
2. **Exception RD 197, By-law No. 569-2013**
The maximum permitted floor space is 0.5 times the lot area (224.82 m²).
The proposed floor space index is **0.71** times the lot area (**319.3 m²**).
3. **Chapter 10.20.40.10.(1)(A), By-law No. 569-2013**
The maximum permitted building height is 9 m.
The proposed building height is **9.4 m**.
4. **Chapter 10.20.40.10.(2)(A), By-law No. 569-2013**
The maximum permitted height of the exterior portion of main walls for a detached house is 7 m.
The proposed exterior main wall height is 8.66 m.

5. **Clause VI, Regulation 16.1, By-law No. 9396**

The maximum permitted building height is 9 m.

The proposed building height is **9.4 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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Table 1, Panel Member Digital Signatures



Anne McCauley



Gary McKay



Hena Kabir



Muhammad Saeed

DATE DECISION MAILED ON: Tuesday, July 28, 2020

LAST DATE OF APPEAL: Wednesday, August 12, 2020

CERTIFIED TRUE COPY



Colin Ramdial

Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.sc@toronto.ca and Colin.Ramdial@toronto.ca 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).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.

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.
- \$400 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).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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.