

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

Committee of Adjustment
North York
North York Civic Centre
5100 Yonge Street
Toronto, Ontario M2N 5V7

416-395-6446
coa.ny@toronto.ca

Thursday, September 17, 2020

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

File Number: A0283/20NY
Property Address: 331 SHELDRAKE BLVD
Legal Description: PLAN 691 BLK E PT LOT 42
Agent: GOODMAN'S LLP
Owner(s): CHERYL SARGENT LORNE SHIFF
Zoning: RD (f10.5; d0.35) (x1431)/R1 Z0.35 [ZZC]
Ward: Don Valley West (15)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, September 17, 2020, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new dwelling.

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

- Chapter 10.20.40.10.(4)(A), By-law No. 569-2013**
The permitted maximum height of the building is 7.2 m.
The proposed height of the building is 10.44 m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The permitted maximum building length for a detached house is 17.0 m.
The proposed building length is 19.18 m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The permitted maximum building depth for a detached house is 19.0 m.
The proposed building depth is 19.18 m.
- Chapter 10.20.40.40.(1), By-law No. 569-2013**
The permitted maximum floor space index is 0.35 times the area of the lot.
The proposed floor space index is 0.97 times the area of the lot.

5. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 0.9 m.
The proposed side yard setback of the building is 0.6 m to the West side lot line.
6. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 0.9 m.
The proposed side yard setback of the balconies/platforms located on the front main wall of the building is 0.6 m to the West side lot line.
7. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 0.9 m.
The proposed side yard setback of the balconies/platforms located on the rear main wall of the building is 0.6 m to the West side lot line.
8. **Chapter 10.20.40.50.(1), By-law No. 569-2013**
The permitted maximum number of platforms at or above the second storey located on the (front/rear) wall of a detached house is 1.
The proposed number of platforms located on the front wall is 2.
9. **Chapter 10.20.40.50.(1), By-law No. 569-2013**
The permitted maximum number of platforms at or above the second storey located on the (front/rear) wall of a detached house is 1.
The proposed number of platforms located on the rear wall is 2.
10. **Chapter 10.20.40.50.(1)(B), By-law No. 569-2013**
The permitted maximum area of each platform at or above the second storey of a detached house is 4.0 m²
The proposed area of each platform at or above the second storey is 10.84 m² on the front main wall of the second floor.
11. **Chapter 10.20.40.50.(1)(B), By-law No. 569-2013**
The permitted maximum area of each platform at or above the second storey of a detached house is 4.0 m²
The proposed area of each platform at or above the second storey is 10.84 m² on the front main wall of the third floor.
12. **Chapter 10.20.40.50.(1)(B), By-law No. 569-2013**
The permitted maximum area of each platform at or above the second storey of a detached house is 4.0 m²
The proposed area of each platform at or above the second storey is 10.84 m² on the rear main wall of the second floor.
13. **Chapter 10.20.40.50.(1)(B), By-law No. 569-2013**
The permitted maximum area of each platform at or above the second storey of a detached house is 4.0 m²
The proposed area of each platform at or above the second storey is 10.84 m² on the rear main wall of the third floor.

14. **Chapter 10.5.40.60.(2)(B)(i), By-law No. 569-2013**
A canopy, awning or similar structure not covering a platform may encroach in a front yard or rear yard 2.5 m, if it is no closer to a side lot line than the minimum required side yard setback of 0.9 m to the side lot lines.
The proposed front yard canopy has a side yard setback of 0.6 m to the West side lot line.
15. **Chapter 10.5.40.60.(2)(B)(i), By-law No. 569-2013**
A canopy, awning or similar structure not covering a platform may encroach in a front yard or rear yard 2.5 m, if it is no closer to a side lot line than the minimum required side yard setback of 0.9 m to the side lot lines.
The proposed rear yard canopy has a side yard setback of 0.6 m to the West side lot line.
16. **Section 4.2, By-law No. 438-86**
The permitted maximum height of the building is 9 m.
The proposed height of the building is 10.66 m.
17. **Section 6.4(1.e), By-law No. 438-86**
A parking space may not be located in a front yard.
The proposed parking is located a 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)



Nazila Atarodi (signed)



Giuseppe Bartolo (signed)



Thomas Klassen (signed)

DATE DECISION MAILED ON: Thursday, September 24, 2020

LAST DATE OF APPEAL: Wednesday, October 7, 2020

CERTIFIED TRUE COPY

Daniel Antonacci
Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.ny@toronto.ca and Daniel.Antonacci@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.
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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.