

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, March 25, 2021

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

File Number: A0001/21NY
Property Address: 140 DIVADALE DR
Legal Description: PLAN 1925 PT LOT 177 PT LOT 178
Agent: HOMELAND
Owner(s): JALAL BOLOURI NAYEREH AMELHELALI
Zoning: R1B / RD [ZZC]
Ward: Don Valley West (15)
Community: East York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, March 25, 2021, 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.(1) A, By-law No. 569-2013**
The permitted maximum height of a building or structure is 8.5 metres.
The proposed height of the building is 8.8 metres.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
In the RD zone with a minimum required lot frontage of 18.0 metres or less, the permitted maximum building length for a detached house is 17.0 metres.
The proposed building length is 17.98 metres.
- Chapter 10.20.40.70.(3)C, By-law No. 569-2013**
The required minimum side yard setback is 1.2 metres where the required minimum lot frontage is 12.0 metres to less than 15.0 metres.
The proposed East side yard setback is 0.6 metres **for the front 6.0 metres.**
- Chapter 10.20.40.70.(3)C, By-law No. 569-2013**
The required minimum side yard setback is 1.2 metres where the required

minimum lot frontage is 12.0 metres to less than 15.0 metres.
The proposed West side yard setback is 0.9 metres.

5. **Chapter 10.20.40.40.(1)A, By-law No. 569-2013**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is 0.656 times the area of the lot.
6. **Section 6.3.3, By-law No. 1916**
The maximum permitted building height is 8.5m.
The proposed building height is 8.8m.

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

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

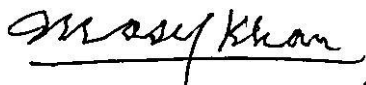
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

SIGNATURE PAGE

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Allan Smithies (signed)



Asif A. Khan (signed)



Nadini Sankar (signed)



Paul Kidd (signed)



Ron Hunt (signed)

DATE DECISION MAILED ON: Thursday, April 1, 2021

LAST DATE OF APPEAL: Wednesday, April 14, 2021

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.