

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

Wednesday, November 17, 2021

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

File Number: A0326/21SC
Property Address: 42 CEDARVIEW DR
Legal Description: PLAN 2732 LOT 45
Agent: STAMBUK HOMES
Owner(s): MICHAEL GOURLEY MICHAEL GOURLEY
Zoning: Residential Detached (RD) & Single-Family Residential (S) Zone [W]
Ward: Scarborough-Rouge Park (25)
Community: Centennial Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Wednesday, November 17, 2021, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with integral two car garage, a rear covered deck, a rear yard pool and poolhouse.

To permit variances for the dwelling currently under construction. The construction of the dwelling commenced pursuant to a building permit issued by Toronto Building and the requirement for the variances was discovered by Toronto Building after the construction had already commenced.

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

- Chapter 10.20.40.20(1), By-law No. 569-2013**
The maximum permitted building length is 17 m.
The proposed building length is 28.28 m.
- Chapter 10.20.40.30(1), By-law No. 569-2013**
The maximum permitted building depth is 19 m.
The proposed building depth is 51.58 m.
- Chapter 10.5.40.50(4)(C), By-law No. 569-2013**

The portion of a rear platform located beyond 2.5 m from the rear main wall shall be no higher than 1.2 m above the ground at any point below the platform. The proposed rear deck projects 2.5 m from the rear main wall and is 1.52 m above the ground below it.

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

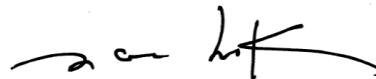
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Table 1, Panel Member Digital Signatures



Amy Emm

Anne McCauley



Gary McKay



Hena Kabir



Muhammad Saeed

DATE DECISION MAILED ON: Tuesday, November 23, 2021

LAST DATE OF APPEAL: Tuesday, December 7, 2021

CERTIFIED TRUE COPY



Colin Ramdial
Manager and Deputy Secretary-Treasurer

Appeal Information

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 Ontario Land Tribunal (OLT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

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.

To appeal this decision, you must submit 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.

ONTARIO LAND TRIBUNAL (OLT) INSTRUCTIONS

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.

To appeal this decision, you must submit the following:

- A completed OLT 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 Ontario Land Tribunal (OLT) website at <https://olt.gov.on.ca/appeals-process/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 **Ontario Land Tribunal (OLT)** should be submitted in accordance with the instructions above.