

Thursday, May 5, 2022

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

**File Number:** A0027/22SC  
**Property Address:** 7 FERNCROFT DR  
**Legal Description:** PLAN 3223 LOT 84  
**Agent:** OAB ARCHITECTURE LTD  
**Owner(s):** MELANIE LYNNE PYE DARREN EDWARD IHMELS  
**Zoning:** Residential Detached (RD) & Single-Family Residential (S) Zone (W)  
**Ward:** Scarborough Southwest (20)  
**Community:** Birchcliff Community  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, May 5, 2022, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a second storey, a two-storey rear addition and a two-storey side garage addition to the existing dwelling.

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

**1. Chapter 10.5.30.40, By-law 569-2013**

The maximum permitted lot coverage is 33% of the lot area (371.41 m<sup>2</sup>).

The proposed lot coverage is 35.1% of the lot area (130.4 m<sup>2</sup>).

**2. Exception RD 1462.(A)(i), By-law 569-2013**

The maximum permitted floor area is the lessor of 0.6 times the lot area (371.41 m<sup>2</sup>) or 204 m<sup>2</sup>.

The proposed floor area is 0.68 times the lot area (253.0 m<sup>2</sup>).

**3. Exception RD 252.(A), By-law 569-2013**

The minimum required side yard setback is 0.45 m.

The proposed side yard setback is 0.33 m.

#### **4. Chapter 10.5.40.60.(7)(B), By-law 569-2013**

The minimum required setback for an eaves from a side lot line is 0.3 m.

The proposed south eaves and eavestrough are located 0.11 m from the side lot line.

The proposed north eaves and eavestrough are located 0.03 m from the 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 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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**Table 1, Panel Member Digital Signatures**

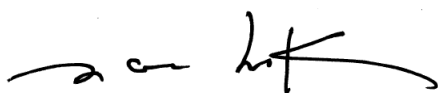


Donald Granatstein

Igor Samardzic



Anne McCauley



Gary McKay



Muhammad Saeed

DATE DECISION MAILED ON: Tuesday, May 10, 2022

LAST DATE OF APPEAL: Wednesday, May 25, 2022

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](mailto:coa.sc@toronto.ca) and [Colin.Ramdial@toronto.ca](mailto: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](http://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](mailto:coa.sc@toronto.ca) and [Colin.Ramdial@toronto.ca](mailto: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.