

Thursday, May 5, 2022

**NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)**

File Number: B0034/21SC
Property Address: 399 ROUGE HIGHLANDS DR
Legal Description: PLAN 678 BLK A PT BLK B RANGE 2 PT LOT 35
Agent: SHUFIQUR RAHMAN
Owner(s): SHABNAM RAHMAN SHUFIQUR RAHMAN
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough-Rouge Park (25)
Community: Centennial Community
Heritage: Not Applicable

Notice was given and the application considered on Thursday, May 5, 2022, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots. Cross reference minor variances applications A0187/21SC & A0188/21SC.

Conveyed - Part 1

The lot will have a frontage of 15.24 m and an area of 464.1 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A0188/21SC.

Retained - Part 2 (Corner Lot)

The lot will have a frontage of 15.24 m and an area of 459.5 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A0187/21SC.

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, as amended.

It is the decision of the Committee of Adjustment to NOT authorize 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 variances are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are not minor.

SIGNATURE PAGE

File Number: B0034/21SC
Property Address: 399 ROUGE HIGHLANDS DR
Legal Description: PLAN 678 BLK A PT BLK B RANGE 2 PT LOT 35
Applicant: SHUFIQUR RAHMAN
Owner(s): SHABNAM RAHMAN SHUFIQUR RAHMAN
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough-Rouge Park(25)
Community: Centennial Community
Heritage: Not Applicable

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: Monday, May 30, 2022

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.
- 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.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Thursday, May 5, 2022

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

File Number: A0187/21SC
Property Address: 399 ROUGE HIGHLANDS DR
Legal Description: PLAN 678 BLK A PT BLK B RANGE 2 PT LOT 35
Agent: SHUFIQUR RAHMAN
Owner(s): SHABNAM RAHMAN SHUFIQUR RAHMAN
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough-Rouge Park (25)
Community: Centennial 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 new detached dwelling (corner lot). Cross reference Consent Application B0034/21SC and Minor Variance Application A0188/21SC.

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

PART 2 (RETAINED) - CORNER LOT

1. Chapter 10.20.30.20.(1), By-law 569-2013

The minimum required lot frontage is 18 m.
The proposed lot frontage is 15.24 m.

2. Chapter 10.20.30.10.(1), By-law 569-2013

The minimum required lot area is 696 m².
The proposed lot area is 459.5 m².

3. Exception RD 1462.(A)(ii), By-law 569-2013

The maximum permitted floor area is 0.5 times the lot area (229.75 m²).
The proposed floor area is **0.65 times** the lot area (**299 m²**).

4. Chapter 10.20.40.10.(1)(A), By-law 569-2013

The maximum permitted height of a dwelling is 9 m.

The proposed dwelling height is 9.73 m above established grade.

5. Chapter 10.20.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of the exterior portion of side main walls is 7 m.

The proposed height of the side main walls is 8.02 m.

6. Chapter 10.5.40.50.(4)(C), By-law 569-2013

The portion of a rear platform located beyond 2.5 metres 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 1.94 m above the ground below it.

7. Chapter 10.5.40.60.(1)(C), By-law 569-2013

A rear platform with a floor no higher than the first storey of the building may encroach into the required rear yard setback a maximum of 2.5 m, if it is no closer to a side lot line than 1.01 m.

The proposed rear platform will encroach 3.05 m into the rear yard setback and is 1.82 m from the side lot line.

8. Chapter 10.5.40.60.(2), By-law 569-2013

A canopy above a platform may encroach into a required building setback to the same extent as the platform it is covering (1.5 m).

The proposed front canopy encroaches 1.83 m into the required front yard setback.

9. Chapter 10.5.80.40.(3)(B), By-law 569-2013

Vehicle access to a parking space must be from a flanking street that is not a main street (Kirkdene Drive).

The proposed driveway is from the front street (Rouge Highlands Drive).

10. Clause VI, Provision 16.1, By-law 12077

The maximum permitted height of a dwelling is 9 m.

The proposed dwelling height is 9.66 m above mean grade.

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, as amended.

It is the decision of the Committee of Adjustment to NOT authorize 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 variances are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are not minor.

SIGNATURE PAGE

File Number: A0187/21SC

Property Address: 399 ROUGE HIGHLANDS DR

Legal Description: PLAN 678 BLK A PT BLK B RANGE 2 PT LOT 35

Agent: SHUFIQUR RAHMAN

Owner(s): SHABNAM RAHMAN SHUFIQUR RAHMAN

Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]

Ward: Scarborough-Rouge Park (25)

Community: Centennial Community

Heritage: Not Applicable

Table 1, Panel Member Digital Signatures

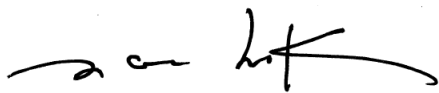


Donald Granatstein

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 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.

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ONTARIO LAND TRIBUNAL (OLT) INSTRUCTIONS

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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/>

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Thursday, May 5, 2022

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

File Number: A0188/21SC
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Legal Description: PLAN 678 BLK A PT BLK B RANGE 2 PT LOT 35
Agent: SHUFIQUR RAHMAN
Owner(s): SHABNAM RAHMAN SHUFIQUR RAHMAN
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough-Rouge Park (25)
Community: Centennial 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 new detached dwelling. Cross reference Consent Application B0034/21SC and Minor Variance Application A0187/21SC.

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

PART 1 (CONVEYED)

1. Chapter 10.20.30.20.(1), By-law 569-2013

The minimum required lot frontage is 18 m.

The proposed lot frontage is 15.24 m.

2. Chapter 10.20.30.10.(1), By-law 569-2013

The minimum required lot area is 696 m².

The proposed lot area is 464.1 m².

3. Exception RD 1462.(A)(ii), By-law 569-2013

The maximum permitted floor area is 0.5 times the lot area (232.05 m²).

The proposed floor area is **0.65 times** the lot area (**299 m²**).

4. Chapter 10.20.40.10.(1)(A), By-law 569-2013

The maximum permitted height of a dwelling is 9 m.

The proposed dwelling height is 9.79 m above established grade.

5. Chapter 10.20.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of the exterior portion of side main walls is 7 m.

The proposed height of the side main walls is 8.02 m.

6. Chapter 10.5.40.60.(1)(C), By-law 569-2013

A rear platform with a floor no higher than the first storey of the building may encroach into the required rear yard setback a maximum of 2.5 m, if it is no closer to a side lot line than 1.01 m.

The proposed rear platform will encroach **2.5 m** into the rear yard setback and is 1.82 m from the side lot line.

7. Chapter 10.5.40.60.(2), By-law 569-2013

A canopy above a platform may encroach into a required building setback to the same extent as the platform it is covering (1.5 m).

The proposed front canopy encroaches 1.83 m into the required front yard setback.

8. Clause VI, Provision 16.1, By-law 12077

The maximum permitted height of a dwelling is 9 m.

The proposed dwelling height is 9.72 m above mean grade.

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, as amended.

It is the decision of the Committee of Adjustment to NOT authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
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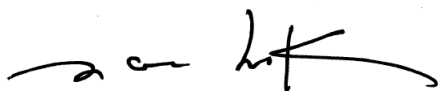


Donald Granatstein

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

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