

Thursday, October 6, 2022

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

File Number: A0511/22NY
Property Address: 2 SHADY OAKS CRES
Legal Description: PLAN M809 LOT 93 ON NRS
Agent: GEORGINA MYERS
Owner(s): G.C. JAIN INVESTMENTS LIMITED
Zoning: RD / R1 [ZZC]
Ward: Don Valley West (15)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, October 6, 2022, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

Proposal to construct a two storey dwelling.

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

- 1. Chapter 10.20.30.40.(1)A, By-law No. 569-2013**
The permitted maximum lot coverage is 25% of the lot area.
The proposed lot coverage is **32.9%** of the lot area.
- 2. Chapter 10.20.40.70.(1), By-law No. 569-2013**
The required minimum front yard setback is 9.14 metres.
The proposed front yard setback is **8.56 metres**.
- 3. Chapter 10.20.40.70.(5)A, By-law No. 569-2013**
The required minimum side yard setback is 7.5 metres where the building depth is greater than 17.0 metres from the main wall of the building.
The proposed West side yard setback is **3.41 metres**.
- 4. Chapter 10.10.80.40.(2), By-law No. 569-2013**
The by-law requires a building on a corner lot to gain its vehicular access from the flanking street or public lane.

The proposed access to vehicle parking is from the main street.

5. Chapter 10.20.40.70.(5)A, By-law No. 569-2013

The required minimum side yard setback is 7.5 metres where the building depth is greater than 17.0 metres from the main wall of the building.

The proposed East side yard setback is **3.61m metres**.

6. Section 13.2.6, By-law No. 7625

The maximum permitted building height is 9.5 metres.

The proposed building height is 12.09 metres.

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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Allan Smithies (signed)

Asif A. Khan (signed)

Nadini Sankar (signed)

Paul Kidd (signed)

Ron Hunt (signed)

DATE DECISION MAILED ON: Thursday, October 13, 2022

LAST DATE OF APPEAL: Wednesday, October 26, 2022

CERTIFIED TRUE COPY

Sai-Man Lam

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.ny@toronto.ca and Daniel.Antonacci@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.ny@toronto.ca and Daniel.Antonacci@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.