

**Kyle Knoeck, M.Sc.Pl., MCIP, RPP**  
Director, Zoning and Secretary-Treasurer  
Committee of Adjustment  
City Planning Division

416-394-8060  
coa.ey@toronto.ca

Thursday, December 7, 2023

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

**File Number:** A0347/23EYK  
**Property Address:** 29 LAKE PROMENADE  
**Legal Description:** PLAN 1581 PT LOT 4  
**Agent:** VESNA SEDLASEK  
**Owner(s):** VESNA SEDLASEK  
**Zoning:** RD (f12.0; a370; d0.35)  
**Ward:** Etobicoke-Lakeshore (03)  
**Community:**  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, December 7, 2023, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To legalize and to maintain the new detached dwelling with an attached garage. Previous Committee of Adjustment applications (A0227/17EYK & A0857/18EYK) approved variances relating to side yard, flat roof height, building depth, second storey platform area, main pedestrian entrance height, front yard soft landscaping, driveway width and vehicle entrance elevation.

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

- 1. Section 10.20.40.40.(1)(A), By-law No. 569-2013**  
The maximum permitted floor space index is 0.35 times the area of the lot (358.8 m<sup>2</sup>).  
The as built dwelling has a floor space index of 0.72 times the area of the lot (740.9 m<sup>2</sup>).
  
- 2. Section 10.20.40.20.(1), By-law No. 569-2013**  
The maximum permitted dwelling length is 17.0 m.  
The as built dwelling has a length of 22.86 m.

- 3. Section 10.20.40.30.(1), By-law No. 569-2013**  
The maximum permitted dwelling depth is 19.0 m.  
The as built dwelling has a depth of 25.5 m.
- 4. Section 10.20.40.10.(1)(A), By-law No. 569-2013**  
The maximum permitted height is 9.5 m.  
The as built dwelling has a height of 9.8 m.
- 5. Section 10.20.40.10.(4)(A), By-law No. 569-2013**  
The maximum permitted height of a flat roofed dwelling is 7.2 m.  
The as built dwelling will have a flat roofed height of 9.5 m.
- 6. Section 10.20.40.10.(6), By-law No. 569-2013**  
The maximum permitted height of the main pedestrian entrance above established grade is 1.2 m.  
The as built dwelling has a main pedestrian entrance height of 2.7 m above established grade.
- 7. Section 10.20.40.50.(1)(A), By-law No. 569-2013**  
The maximum permitted number of platforms at or above the second storey located on the front and rear wall of a detached dwelling is 1 per side.  
The existing number of platforms along the front wall is 2 and 3 along the rear wall.
- 8. Section 10.20.40.50.(1)(B), By-law No. 569-2013**  
The maximum permitted area of a platform at or above the second storey is 4.0 m<sup>2</sup>.  
The existing rear balcony at the second storey has an area of 17.6 m<sup>2</sup>.
- 9. Section 10.20.40.50.(1)(B), By-law No. 569-2013**  
The maximum permitted area of a platform at or above the second storey is 4.0 m<sup>2</sup>.  
The existing rear balcony at the third storey has an area of 5.4 m<sup>2</sup>.
- 10. Section 10.5.50.10.(1)(B), By-law No. 569-2013**  
A minimum of 50% of the front yard shall be maintained as landscaping (177.0 m<sup>2</sup>).  
A total of 39% of the front yard is landscaping (137.5 m<sup>2</sup>).
- 11. Section 10.5.50.10.(3)(A), By-law No. 569-2013**  
A minimum of 50% of the rear yard shall be maintained as soft landscaping (191.4 m<sup>2</sup>).  
A total of 12% of the rear yard is soft landscaping (44.8 m<sup>2</sup>).

**12. Section 10.5.80.40.(1), By-law No. 569-2013**

The maximum permitted combined width of all vehicle entrances through the front main wall of a dwelling is 6.0 m.

The existing combined width of all vehicle entrances through the front main wall is 7.6 m.

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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Community:  
Heritage: Not Applicable



Donald Taylor (signed)



Laura Alderson (signed)



Bill Dalton (signed)



Natalija Popovic (signed)



Rick Ross (signed)

DATE DECISION MAILED ON: Friday, December 15, 2023

LAST DATE OF APPEAL: Wednesday, December 27, 2023

CERTIFIED TRUE COPY

### **Barbara Bartosik**

Manager and Deputy Secretary-Treasurer

### **Appeal Information**

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to [coa.ey@toronto.ca](mailto:coa.ey@toronto.ca) and [Barbara.Bartosik@toronto.ca](mailto:Barbara.Bartosik@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 Ontario Land Tribunal (OLT) for the same matter.

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 should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB, 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) APPEAL INSTRUCTIONS**

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>