

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

Committee of Adjustment
Etobicoke York
2 Civic Centre Crt
Toronto, ON M9C 5A3

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

Thursday, April 11, 2024

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

File Number: A0533/19EYK
Property Address: 290 LAKE PROMENADE
Legal Description: PLAN M9 LOT 14
Agent: MAKOW ARCHITECTS ASSOCIATES LTD
Owner(s): SHOWKAT AZIZ
Zoning: RD (ZR)
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, April 11, 2024, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage, two second storey front balconies, a third storey rear platform, and a deck in the rear yard.

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

- 1. Section 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.35 times the area of the lot (162.74 m²).
The new dwelling will have a floor space index of 0.74 times the area of the lot (343.28 m²).
- 2. Section 10.20.40.10.(1)(A), By-law 569-2013**
The maximum permitted dwelling height is 9.5 m.
The new dwelling will have a height of 9.79 m.
- 3. Section 10.20.40.50.(1)(A), By-law 569-2013**
The maximum permitted number of platforms at or above the second storey on the front wall of a detached dwelling is 1.

The proposed number of platforms located at or above the second storey of the front main wall is 2.

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4. Section 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of each platform at or above the second storey is 4 m².

The proposed second storey front balcony will have an area of 5.5 m² and the third storey front balcony will have an area of 8.5 m².

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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Bill Dalton (signed)



Donald Taylor (signed)



Rick Ross (signed)



Sophia Ruddock (signed)



Stan Kumorek (signed)

DATE DECISION MAILED ON: Friday, April 19, 2024

LAST DATE OF APPEAL: Wednesday, May 1, 2024

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 and 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.

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/>