

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

Committee of Adjustment
Toronto and East York
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

416-392-0413
coa.tey@toronto.ca

Thursday, May 23, 2024

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

File Number: B0070/23TEY
Property Address: 17 BOOTHROYD AVE
Legal Description: PLAN 414E PT LOT 1
Agent: CRAIG RACE ARCHITECTURE
Owner(s): ALEXANDER ROBERT SHARPE
Zoning: R(d0.6)(x736) (waiver)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, May 15, 2024**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lots.

Conveyed - Part 2, Draft R-Plan

Address to be assigned

Part 2 has a lot frontage of 1.8 m from Boothroyd Avenue and an area of 406.7 m². A new three-storey detached dwelling will be constructed, requiring variances to the Zoning By-law(s), as outlined under Application A1009/23TEY.

Retained - Part 1 and 3, Draft R-Plan

Address to be assigned

Part 1 and 3 have a lot frontage of 1.8 m from Boothroyd Avenue and an area of 395.5 m². A new three-storey detached dwelling will be constructed, requiring variances to the Zoning By-law(s), as outlined under Application A1008/23TEY.

Easement/Right-of-Way - Part 3 - Draft R-Plan

Part 3 is subject to an existing easement/right-of-way, for the purpose of pedestrian and vehicular ingress and egress, in favour of the south abutting property, municipally known as 15 Boothroyd Avenue. This existing easement/right-of-way will be maintained

and unaltered, as cited under Instrument No. CT998250.

Applications B0070/23TEY, A1008/23TEY, and A1009/23TEY were considered jointly.

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the *Planning Act* and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the *Planning Act*, the owner/applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an owner's/applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official.
- (2) Municipal numbers for the subject lots indicated on the applicable registered reference plan of survey must be assigned to the satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services. Contact municipal numbering staff at municipaladdress@toronto.ca to obtain or verify new municipal address prior to the issuance of a Certificate of Official. All addressed parcels and structures must have the correct municipal address posted. For further details visit www.toronto.ca/city-government/planning-development/municipal-numbering-of-a-property/
- (3) Submit a revised draft Reference Plan of Survey to the Chief Engineer & Executive Director, Engineering & Construction Services, for review and approval, prior to depositing in the Land Registry Office, that is:
 - (a) In metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3° Modified Transverse Mercator Projection); and,
 - (b) Shows the coordinate values of the four main corners of the subject lands in a schedule on the face of the plan.
- (4) One electronic copy of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, must be filed with, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services.
- (5) One electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services must be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment (see condition 4 above).
- (6) Provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the

Railway Corridor, to the satisfaction of the Project Analyst, Third Party Projects Review, Metrolinx:

- Warning: The owner/applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The owner/applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.
- (7) Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the *Planning Act* if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.
 - (8) Once all of the other conditions have been satisfied, the owner/applicant must request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment issue the Certificate of Official.
 - (9) Within **TWO YEARS** of the date of the giving of this notice of decision, the owner/applicant must comply with the above-noted conditions.

SIGNATURE PAGE

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Heritage: Not Applicable



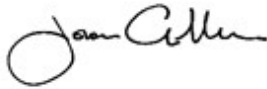
GARY MCKAY (CHAIR)



PETER REED

DISSENTED

NAZILA ATARODI-WEST



JORDAN ALLISON

DISSENTED

PAUL GOGAN

DATE DECISION MAILED ON: **Thursday, May 23, 2024**

LAST DATE OF APPEAL: **Wednesday, June 12, 2024**

CERTIFIED TRUE COPY



Sabrina Salatino
Manager and Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

Only the applicant, the Minister, a specified person or any public body may appeal this decision.

Further, only individuals, corporations and public agencies may appeal decisions in respect of applications for consent. 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.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.tey@toronto.ca and Sabrina.Salatino@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

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- A completed OLT Appellant Form (A1).
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- 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/>



Sabrina Salatino
Manager and Deputy Secretary-Treasurer

Kyle Knoeck M.Sc.Pl., MCIP, RPP
Director, Zoning and Secretary-Treasurer
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Thursday, May 23, 2024

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

File Number: A1008/23TEY
Property Address: 17 BOOTHROYD AVE - PART 1
Legal Description: PLAN 414E PT LOT 1
Agent: CRAIG RACE ARCHITECTURE
Owner(s): ALEXANDER ROBERT SHARPE
Zoning: R(d0.6)(x736) (waiver)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, May 15, 2024**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling.

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

Chapter 10.5.30.20.(2), By-law 569-2013

A residential building may not be erected on a lot that does not have a front lot line of at least 3.5 m.

In this case, the new dwelling will be located on a lot with a front lot line that measures 1.8 m.

Applications B0070/23TEY, A1008/23TEY, and A1009/23TEY were considered jointly.

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 on Condition

It is the decision of the Committee of Adjustment to approve 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.

The decision is subject to the following condition(s):

- (1) The owner/applicant must submit a complete application for permit to injure or remove privately owned tree(s) under Municipal Code Chapter 813, Trees Article III, Private Tree Protection, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) The owner/applicant must provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor, to the satisfaction of the Project Analyst, Third Party Projects Review, Metrolinx:
 - Warning: The owner/applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The owner/applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

SIGNATURE PAGE

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Property Address: 17 BOOTHROYD AVE - PART 1
Legal Description: PLAN 414E PT LOT 1
Agent: CRAIG RACE ARCHITECTURE
Owner(s): ALEXANDER ROBERT SHARPE
Zoning: R(d0.6)(x736) (waiver)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable



GARY MCKAY (CHAIR)



PETER REED

DISSENTED
NAZILA ATARODI-WEST



JORDAN ALLISON

DISSENTED

PAUL GOGAN

DATE DECISION MAILED ON: **Thursday, May 23, 2024**

LAST DATE OF APPEAL: **Tuesday, June 4, 2024**

CERTIFIED TRUE COPY



Sabrina Salatino
Manager and Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

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.

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**NOTICE OF DECISION
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(Section 45 of the Planning Act)**

File Number: A1009/23TEY
Property Address: 17 BOOTHROYD AVE - PART 2
Legal Description: PLAN 414E PT LOT 1
Agent: CRAIG RACE ARCHITECTURE
Owner(s): ALEXANDER ROBERT SHARPE
Zoning: R(d0.6)(x736) (waiver)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

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PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling.

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

Chapter 10.5.30.20.(2), By-law 569-2013

A residential building may not be erected on a lot that does not have a front lot line of at least 3.5 m.

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