

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
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Tuesday, June 11, 2024

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

File Number: A0319/24TEY
Property Address: 2267 DUNDAS ST W
Legal Description: PLAN 1199 LOT 6
Agent: MOOTE ARCHITECT
Owner(s): 2772136 ONTARIO INC
Zoning: Zoning By-Law 438-86 (BLD)
Ward: Parkdale-High Park (04)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, June 5, 2024**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the existing three-storey mixed-use semi-detached building into a total of five residential dwelling units. Also, the existing ancillary building (attached garage), in the rear yard, abutting the laneway, will be maintained and unaltered.

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

- 1. Section 12(2)347.(1)(a), By-law 438-86**
No person shall erect or use a building or structure unless it has a height of at least 10.5 m over more than 50% of the depth of the building or structure.
The altered building will have a height of at least 10.5 m over for 35% of the depth of the building. The remaining height of the building will be 9.8 m.
- 2. Section 12(2)347.(1)(b), By-law 438-86**
No person shall erect or use a building or structure any portion of which has a first storey floor-to-floor height of less than 4.5 m.
In this case, the height of the first storey will be 2.6 m.

- 3. Section 12(2)347.(2)(a)(i)a, By-law 438-86**
The minimum required building setback abutting the west side of Dundas Street is 1.5 m.
The altered building abutting the west side of Dundas Street will be 0.18 m.
- 4. Section 12(2)347.(4)(a)(i), By-law 438-86**
No person shall erect or use a building or structure on a lot unless one or more of its main external walls has a minimum height of 10.5 m at the build-to-area that occupies at least 80% of the length of the portion of the build-to-area, within the lot, measured along the length of the lot to the full height of 10.5 m.
In this case, the altered building will have a height of 9.8 m at the build-to area that will occupy 100% of the length of the portion of the build-to-area.
- 5. Section 12(2)347.(6)(a), By-law 438-86**
No person shall erect or use a building or structure containing windows facing and located within 5.5 m of a side lot line.
In this case, the altered building will have windows located 0.11 m from the side (south) lot line.
- 6. Section 12(2)347.(8)(a), By-law 438-86**
Only non-residential gross floor area is permitted within the first storey of any building with the exception of entrances and lobby space associated with residential gross floor area located above the first storey.
In this case, the altered building will have only residential uses on the ground floor.
- 7. Section 4(4)(b), By-law 438-86**
A minimum of 5 residential parking spaces and 1 visitor parking space are required to be provided on-site.
In this case, 2 residential parking spaces and 0 visitor parking spaces will be provided on-site.

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) are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) are not minor.

SIGNATURE PAGE

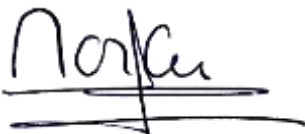
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YIM CHAN (CHAIR)



ZAHEER BHYAT



NAZILA ATARODI-WEST



DOUG WILKINS

DATE DECISION MAILED ON: **Tuesday, June 11, 2024**

LAST DATE OF APPEAL: **Tuesday, June 25, 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.

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

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/>