

**Caroline Samuel, MCIP, RPP**  
Acting 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

Tuesday, October 8, 2024

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

**File Number:** A0475/23TEY  
**Property Address:** 171 PENDRITH ST  
**Legal Description:** PLAN D-1443 PT BLK C  
**Agent:** GABRIELE GUIDUCCI  
**Owner(s):** CHRISTINA ABATE  
PANAGIOTA ABATE  
**Zoning:** R (d0.6) HT: 11.0 M (ZAP)  
**Ward:** University-Rosedale (11)  
**Community:** Toronto  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, October 2, 2024**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey detached dwelling with an integral garage, a covered front porch with stairs, a rear ground floor deck, and a rear basement walkout.

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

- 1. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 8.5 m.  
In this case, the height of all side exterior main walls facing a side lot line will be 8.78 m.
- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 0.6 times the area of the lot (206.18 m<sup>2</sup>).  
The new dwelling will have a floor space index equal to 0.84 times the area of the lot (287.45 m<sup>2</sup>).

**3. Chapter 10.5.50.10.(1)(D), By-law 569-2013**

A minimum of 75% (9.56 m<sup>2</sup>) of the required front yard landscaped open space must be in the form of soft landscaping.

In this case, 41.8% (5.33 m<sup>2</sup>) of the required front yard landscaped open space is in the form of soft landscaping.

**4. Chapter 10.10.40.10.(6), By-law 569-2013**

The maximum permitted height of the main pedestrian entrance above established grade is 1.2 m.

In this case, the height of the main pedestrian entrance will be 1.47 m above established grade.

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 a City owned tree(s) under Municipal Code Chapter 813, Trees Article II, Trees on City Streets, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) The applicant must revise the site plan to show a 3 m wide driveway and 3 m wide curb cut on the City boulevard, to the satisfaction of the Manager of Development Planning & Review (Area 1), Transportation Services, Toronto and East York District.
- (3) The owner/applicant must submit an application for Curb restoration to Permits and Enforcement, Transportation Services (Contact by Telephone: 416-392-7877 or Email:trarrow@toronto.ca) to arrange for curb extension/shift (subject to additional curb cut fees) to the satisfaction of the Manager of Development Planning & Review (Area 1), Transportation Services, Toronto and East York District.
- (4) The front driveway must be constructed with permeable eco-paving or pavers.

## SIGNATURE PAGE

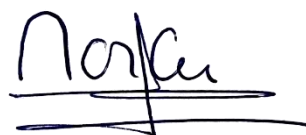
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LARRY CLAY (CHAIR)



ZAHEER BHYAT



NAZILA ATARODI-WEST



YIM CHAN

**DISSENTED**

RYAN BISSONNETTE

DATE DECISION MAILED ON: **Tuesday, October 8, 2024**

LAST DATE OF APPEAL: **Tuesday, October 22, 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](mailto:coa.tey@toronto.ca) and [Sabrina.Salatino@toronto.ca](mailto: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](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/>