

Caroline Samuel, MCIP, RPP
Acting Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

416-395-6446
coa.ny@toronto.ca

Thursday, November 7, 2024

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

File Number: A0480/24NY
Property Address: 10 TERNHILL CRES
Legal Description: PLAN 4545 LOT 199
Agent: 6IXDESIGN ARCHITECTS INC
Owner(s): AMIN ALI-BEIK
Zoning: RD (f15.0; a550) (x5) [ZAP]
Ward: Don Valley East (16)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, November 7, 2024, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new dwelling.

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

- Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 25% of the lot area.
The proposed lot coverage is **30.95%** of the lot area.
- Chapter 10.20.40.50.(1)(A), By-law No. 569-2013**
The permitted maximum number of platforms at or above the second storey located on the rear wall of a detached house is 1.
The proposed number of platforms located on the rear wall is 2.
- Chapter 10.20.40.50.(1)(B), By-law No. 569-2013**
The maximum permitted area of each platform at or above the second storey is 4.00m².
The proposed area of each platform / roof garden is **13.45m²**.
- Chapter 10.20.40.70.(2), By-law No. 569-2013**
The minimum required rear yard setback is 7.64m.
The proposed rear yard setback is **7.48m**.

5. Chapter 900.3.10.(5), By-law No. 569-2013

The minimum required side yard setback is 1.80m.

The proposed east side yard setback is 1.5m.

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 authorize 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.

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

1) The requirements of the Parks and Recreation, Urban Forestry Division;

- i) Submission of a complete application for a permit to injure or remove privately owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article III Private Tree Protection.

SIGNATURE PAGE

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JORDAN ALLISON (signed)



VICTOR KEUBOU (signed)



GIUSEPPE BARTOLO (signed)



CARL KNIPFEL (signed)

DATE DECISION MAILED ON: Thursday, November 14, 2024

LAST DATE OF APPEAL: Wednesday, November 27, 2024

CERTIFIED TRUE COPY

Sai-Man Lam
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.ny@toronto.ca and sai-man.lam@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/>