

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

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Tuesday, February 4, 2025

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

File Number: A0948/24TEY
Property Address: 114 & 114R BALDWIN ST & 75 CECIL ST
Legal Description: CON 1 FB PARK PT LOT 15
Agent: ROBERT CHANG ARCHITECT INC
Owner(s): UNITED REPUBLIC OF PROPERTIES LTD
Zoning: R (f4.5; d1.0) (x835)(ZAP)
Ward: University-Rosedale (11)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, January 29, 2025**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a four-storey townhouse complex containing three buildings (Blocks A, B, and C), for a total of 10 residential dwelling units on this lot. The south building (Block A) will contain three dwelling units with second storey balconies and fourth storey decks on the east walls. The northeast building (Block B) will contain three dwelling units with second storey balconies on the north and south walls, and fourth storey decks on the north walls. The northwest building (Block C) will contain 4 dwelling units with second storey balconies and fourth storey decks on the east walls, as well as second storey balconies on the west walls of two of the dwelling units. The existing two-storey (3-unit) detached dwelling (municipally known as 114 Baldwin Street) will be demolished. There will be a total of 4 carshare parking spaces and 35 bicycle parking spaces.

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

- 1. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted building depth is 14 m.
The new townhouse complex will have a depth of 39.96 m.

- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1 times the area of the lot (1,364.45 m²).
The new townhouse complex will have a floor space index equal to 1.42 times the area of the lot (1,936.6 m²).
- 3. Chapter 10.10.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 10.5 m.
The height of all front exterior main walls will be 12.6 m.
- 4. Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of all rear exterior main walls is 10.5 m.
The height of all rear exterior main walls will be 12.6 m.
- 5. Chapter 10.10.40.10.(2)(B)(i) and (ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 10.5 m.
The height of all side exterior main walls facing a side lot line will be 12.6 m.
- 6. Chapter 10.10.40.80.(1)(C), By-law 569-2013**
The minimum required distance between main walls is 11 m where there are openings to dwelling units in each main wall.
The distance between the northwest building (Block C) and northeast building (Block B) will be 9.76 m.
The distance between the northeast building (Block B) and the south building (Block A) will be 6.57 m.
- 7. Chapter 10.10.40.1.(5)(B), By-law 569-2013**
A building or an addition is not permitted in front of a building, where not attached above grade to the original part of the building and contains a dwelling unit.
In this case, the south building (Block A) will be located in front of the northeast building (Block B), and both buildings will contain residential dwelling units and will not be attached above grade.
- 8. Chapter 10.10.40.70.(3)(A)(iii), By-law 569-2013**
The minimum required side yard setback is 7.5 m.
The new townhouse complex will be located 0.3 m from the side (west) lot line and 0.63 m from the side (south) lot line.
- 9. Chapter 10.10.40.1.(2), By-law 569-2013**
A maximum of one residential building is permitted on a lot in the Residential (R) zone.
In this case, there will be three residential buildings on the same lot.
- 10. Chapter 10.10.40.70.(2), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The new townhouse complex will be located 1.26 m from the rear (north) lot line.

11. Chapter 10.5.80.10.(3), By-law 569-2013

A parking space may not be located in a front yard or a side yard abutting a street. Two carshare parking spaces will be located in the front yard on the south side of the south building (Block A), abutting Baldwin Street and accessed by the laneway.

12. Chapter 10.5.50.10.(3)(A), By-law 569-2013

A minimum of 50% (18.75 m²) of the rear yard must be maintained as soft landscaping.

In this case, 32% (12.11 m²) of the rear yard will be maintained as soft landscaping.

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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ZAHEER BHYAT (CHAIR)



PAUL GOGAN



GARY MCKAY



PETER REED

DATE DECISION MAILED ON: Tuesday, February 4, 2025

LAST DATE OF APPEAL: Tuesday, February 18, 2025

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/>