

Thursday, February 20, 2025

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

File Number: A0560/23NY
Property Address: 521 DAVISVILLE AVE
Legal Description: PLAN M116 LOT 66 PT LOT 65
Agent: ANTHONY ABATE
Owner(s): STEPHANIE MANDRAPILIAS
Zoning: R (d0.6) (x930) [ZAP]
Ward: Don Valley West (15)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, February 20, 2025, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new dwelling and a laneway suite in the rear yard.

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

- 1. Chapter 10.5.40.50(2), By-law No. 569-2013**
In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone. The required minimum rear porch side yard setback is 0.90m.
The proposed west rest deck side yard setback is 0.31m.
- 2. Chapter 5.10.40.70(2), By-law No. 569-2013**
The minimum required side yard setback for the rear canopy is 0.90m.
The proposed west side yard setback for the rear canopy is 0.43m.
- 3. Chapter 900.2.10(930)(D), By-law No. 569-2013**
Despite regulations 10.5.40.50(2), 10.5.40.60(1)(C) and 10.5.40.60(1)(D), a platform without main walls, such as a deck or balcony, attached to or within 0.3m of the rear main wall of a residential building and at a height greater than 1.2m above established grade, must comply with the following:

(i) The permitted maximum area of each platform at or above the second storey of a detached house is 4.0m².

The proposed area of each platform at or above the second storey is 4.42m².

4. Chapter 900.2.10(930)(D), By-law No. 569-2013

Despite regulations 10.5.40.50(2), 10.5.40.60(1)(C) and 10.5.40.60(1)(D), a platform without main walls, such as a deck or balcony, attached to or within 0.3m of the rear main wall of a residential building and at a height greater than 1.2m above established grade, must comply with the following:

(ii) the minimum side yard setback of the platform is 1.8m.

The proposed west side yard setback of the platform is 1.44m.

5. Chapter 10.10.40.70.(3)(A)(i), By-law No. 569-2013

The required minimum side yard setback for a detached house is 0.9m.

The proposed west side yard setback is 0.31m.

6. Chapter 10.10.40.30.(1)(A), By-law No. 569-2013

The permitted maximum building depth for a (detached house, semi-detached house) is 17.0m.

The proposed building depth is 32.31m.

NOTE: Depth includes unfinished basement in the rear.

7. Chapter 10.10.40.10.(2)(B)(i), By-law No. 569-2013

The permitted maximum height of all side exterior main walls facing a side lot line is 8.5m.

The proposed height of the side exterior main walls facing a side lot line is 9.48m.

8. Chapter 150.8.60.20.(3)(D), By-law No. 569-2013

Despite regulations 10.5.60.20(3) and (6) and regulation 10.10.60.20(1), the required minimum side yard setback for an ancillary building containing a laneway suite is 1.0m.

The proposed west side yard setback is 0.33m.

9. Chapter 150.8.60.40.(1)(B), By-law No. 569-2013

Despite regulation 10.5.60.40(2)(B), the permitted maximum height of an ancillary building containing a laneway suite, if the ancillary building containing a laneway suite is located 7.5m or more from the residential building on the lot, is 6.3m.

The proposed height of the laneway suite is 6.55m.

10. Chapter 150.8.50.10(1)(B), By-law 569-2013

Despite regulation 10.5.50.10(3), for a lot with a residential building and an ancillary building containing a laneway suite, with a lot frontage of greater than 6.0m, a minimum of 85% of the area between all rear main walls of the residential building and the front main of the ancillary building containing a laneway suite must be for soft landscaping.

The proposed landscaping is 72.05%.

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

SIGNATURE PAGE

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M. Cassin

MARIANNE CASSIS(CHAIR)



JORDAN ALLISON



SHAHIN FAZELI



MEHDI MARZYARI



NADINI SANKAR

DATE DECISION MAILED ON: Thursday, February 27, 2025

LAST DATE OF APPEAL: Wednesday, March 12, 2025

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/>