

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
coa.tey@toronto.ca

Tuesday, April 15, 2025

NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)

File Number: B0061/24TEY
Property Address: 11 OSWALD CRES
Legal Description: PLAN 1789 LOT 137
Agent: MANI YEGANEHI
Owner(s): 16230288 CANADA INC
Zoning: R (d0.6) (x931) (Waiver)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, April 9, 2025**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the lot into two undersized residential lots.

Conveyed - Part 2, Draft R-Plan

Address to be assigned

Part 2 has a lot frontage of 7.62 m from Oswald Crescent, and an area of 265.23 m². A new two-storey detached dwelling will be constructed, requiring variances to the Zoning By-law, as outlined under Minor Variance Application A0870/24TEY.

Retained - Part 1, Draft R-Plan

Address to be assigned

Part 1 has a lot frontage of 7.62 m from Oswald Crescent, and an area of 265.65 m². A new two-storey detached dwelling will be constructed, requiring variances to the Zoning By-law, as outlined under Minor Variance Application A0869/24TEY.

Applications B0061/24TEY, A0869/24TEY, and A0870/24TEY were considered jointly.

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 Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):


- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

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DISSENTED

YIM CHAN (CHAIR)



NAZILA ATARODI-WEST



PETER REED



DYLAN REID



NELLY VOLPERT

DATE DECISION MAILED ON: **Tuesday, April 15, 2025**

LAST DATE OF APPEAL: **Monday, May 5, 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, a specified person or any public body may appeal this decision.

Further, only individuals, corporations and public agencies may appeal decisions in respect of applications for consent. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

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- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
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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/>

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Tuesday, April 15, 2025

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

File Number: A0869/24TEY
Property Address: 11 OSWALD CRES - PART 1
Legal Description: PLAN 1789 LOT 137
Agent: MANI YEGANEHI
Owner(s): 16230288 CANADA INC
Zoning: R (d0.6) (x931) (Waiver)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, April 9, 2025**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with a front integral garage, a covered front porch with stairs, and a rear basement walkout. The existing rear one-storey ancillary building (detached garage) will be demolished. There will be a total of two residential dwelling units on this lot (one unit within the basement level and one unit to occupy the first and second levels).

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

- 1. Chapter 900.2.10.(931)(D), Exception R 931, By-law 569-2013**
A vehicle entrance through the front main wall of a residential building, other than an ancillary building, is not permitted.
In this case, there will be a vehicle entrance through the front main wall of the new dwelling.
- 2. Chapter 10.10.30.10.(1)(B), By-law 569-2013**
The minimum required lot area is 270 m².
The area of the lot will be 265.65 m².
- 3. Chapter 900.2.10.(931)(C), Exception R 931, By-law 569-2013**
The minimum required lot frontage is 9 m.
The frontage of the lot will be 7.38 m.

4. Chapter 10.10.40.10.(2)(A), By-law 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.

In this case, the height of all side exterior main walls facing a side lot line will be 7.9 m.

5. Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013

Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6 m.

The front porch stairs will be located 0.45 m from the side (north) lot line.

Applications B0061/24TEY, A0869/24TEY, and A0870/24TEY were considered jointly.

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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Owner(s): 16230288 CANADA INC
Zoning: R (d0.6) (x931) (Waiver)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

DISSENTED

YIM CHAN (CHAIR)



NAZILA ATARODI-WEST



PETER REED



DYLAN REID



NELLY VOLPERT

DATE DECISION MAILED ON: **Tuesday, April 15, 2025**

LAST DATE OF APPEAL: **Tuesday, April 29, 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.

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Tuesday, April 15, 2025

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

File Number: A0870/24TEY
Property Address: 11 OSWALD CRES - PART 2
Legal Description: PLAN 1789 LOT 137
Agent: MANI YEGANEHI
Owner(s): 16230288 CANADA INC
Zoning: R (d0.6) (x931) (Waiver)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, April 9, 2025**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with a front covered integral garage, a covered front porch with stairs, and a rear basement walkout. There will be a total of two residential dwelling units on this lot (one unit within the basement level and one unit to occupy the first and second levels).

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

- 1. Chapter 900.2.10.(931)(D), Exception R 931, By-law 569-2013**
A vehicle entrance through the front main wall of a residential building, other than an ancillary building, is not permitted.
In this case, there will be a vehicle entrance through the front main wall of the new dwelling.
- 2. Chapter 10.5.100.1.(1)(C), By-law 569-2013**
The maximum permitted driveway width is 3.84 m.
In this case, the driveway width will be 4.1 m.
- 3. Chapter 10.10.30.10.(1)(B), By-law 569-2013**
The minimum required lot area is 270 m².
The area of the lot will be 265.23 m².

4. Chapter 900.2.10.(931)(C), Exception R 931, By-law 569-2013

The minimum required lot frontage is 9 m.

The frontage of the lot will be 7.38 m.

5. Chapter 10.10.40.10.(2)(A), By-law 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.

In this case, the height of all side exterior main walls facing a side lot line will be 7.9 m.

6. Chapter 10.5.40.60.(2)(B)(i), By-law 569-2013

A canopy, awning or similar structure not covering a platform may encroach in a front yard or rear yard 2.5 m, if it is no closer to a side lot line than the minimum required side yard setback (0.9 m).

The front canopy above the garage door will encroach 0.58 m into the required front yard setback and will be located 0.6 m from the side (north) lot line.

7. Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013

Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6 m.

The front porch stairs will be located 0.45 m from the side (south) lot line.

Applications B0061/24TEY, A0869/24TEY, and A0870/24TEY were considered jointly.

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:**

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It is the decision of the Committee of Adjustment to NOT approve this variance application for the following reasons:

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- 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.

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Zoning: R (d0.6) (x931) (Waiver)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

DISSENTED

YIM CHAN (CHAIR)



NAZILA ATARODI-WEST



PETER REED



DYLAN REID



NELLY VOLPERT

DATE DECISION MAILED ON: **Tuesday, April 15, 2025**

LAST DATE OF APPEAL: **Tuesday, April 29, 2025**

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