

Kyle Knoeck, M.Sc.Pl., MCIP, RPP
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

416-394-8060
coa.ey@toronto.ca

Thursday, November 20, 2025

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

File Number: B0010/25EYK
Property Address: 35 ELDER AVE
Legal Description: PLAN 1571 LOT 203
Agent: WE OUGHTRED & ASSOCIATES INC
Owner(s): OCTAVE DESIGN AND BUILD INC
Zoning: RM (u4) (x2) [ZR]
Ward: Etobicoke-Lakeshore (03)
Community:

Heritage: Not Applicable

Notice was given and the application considered on Thursday, November 20, 2025, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the lot into two undersized residential lots and to construct a new multiplex containing 4 units and a two-storey garden suite in the rear yard on each lot.

Retained - Part 2

Address to be assigned

The lot frontage will be 9.52 m and the lot area will be 362.9 m². The existing dwelling will be demolished, and the property will be developed as the site of a new multiplex containing 4 units and a two-storey garden suite in the rear yard, requiring variances to the Zoning By-law, as outlined in Application A0104/25EYK.

Conveyed - Part 1

Address to be assigned

The lot frontage will be 9.52 m and the lot area will be 362.9 m². The existing dwelling will be demolished, and the property will be developed as the site of a new multiplex containing 4 units and a two-storey garden suite in the rear yard, requiring variances to the Zoning By-law, as outlined in Application A0103/25EYK.

File Numbers B0010/25EYK, A0103/25EYK and A0104/25EYK. will be 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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Property Address: 35 ELDER AVE
Legal Description: PLAN 1571 LOT 203
Applicant: WE OUGHTRED & ASSOCIATES INC
Owner(s): OCTAVE DESIGN AND BUILD INC
Zoning: RM (u4) (x2) [ZR]
Ward: Etobicoke-Lakeshore(03)
Community:
Heritage: Not Applicable



Stan Kumorek (signed) Laura Alderson (signed)



Natalija Popovic (signed) Rick Ross (signed)

DATE DECISION MAILED ON: Friday, November 28, 2025

LAST DATE OF APPEAL: Thursday, December 18, 2025

CERTIFIED TRUE COPY

Barbara Bartosik
Manager and Deputy Secretary-Treasurer

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.ey@toronto.ca and Barbara.Bartosik@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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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/>

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Committee of Adjustment
City Planning Division

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Thursday, November 20, 2025

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

File Number: A0103/25EYK
Property Address: 35 ELDER AVE – PART 1
Legal Description: PLAN 1571 LOT 203
Agent: WE OUGHTRED & ASSOCIATES INC
Owner(s): OCTAVE DESIGN AND BUILD INC
Zoning: RM (u4) (x2) [ZR]
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

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

PURPOSE OF THE APPLICATION:

To construct a new multiplex containing 4 units and a two-storey garden suite in the rear yard.

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

- 1. Section 900.6.10(2)(B)(i), By-law 569-2013**
The minimum required lot frontage is 12 m.
The lot will have a frontage of 9.52 m.
- 2. Section 900.6.10(2)(A)(i), By-law 569-2013**
The minimum required lot area is 370 m².
The lot area will be 362.9 m².
- 3. Section 10.80.40.1.(2), By-law 569-2013**
The maximum permitted number of dwelling units on the lot is 4.
The proposed number of dwelling units on the lot will be 5.

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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Agent: WE OUGHTRED & ASSOCIATES INC
Owner(s): OCTAVE DESIGN AND BUILD INC
Zoning: RM (u4) (x2) [ZR]
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable



Stan Kumorek (signed)



Laura Alderson (signed)



Natalija Popovic (signed)



Rick Ross (signed)

DATE DECISION MAILED ON: Friday, November 28, 2025

LAST DATE OF APPEAL: Wednesday, December 10, 2025

CERTIFIED TRUE COPY

Barbara Bartosik
Manager and Deputy Secretary-Treasurer

Appeal Information

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

File Number: A0104/25EYK
Property Address: 35 ELDER AVE – PART 2
Legal Description: PLAN 1571 LOT 203
Agent: WE OUGHTRED & ASSOCIATES INC
Owner(s): OCTAVE DESIGN AND BUILD INC
Zoning: RM (u4) (x2) [ZR]
Ward: Etobicoke-Lakeshore (03)
Community:
Heritage: Not Applicable

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PURPOSE OF THE APPLICATION:

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