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**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  
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Tuesday, January 20, 2026

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

**File Number:** A0033/24TEY  
**Property Address:** 109 KNOX AVE  
**Legal Description:** PLAN 214 S PT LOT 3 SUBJ TO ROW IRREG  
**Agent:** SALVATORE BENEDETTO  
**Owner(s):** SALVATORE BENEDETTO  
**Zoning:** R (d1.0) (ZAP)  
**Ward:** Toronto-Danforth (14)  
**Community:** Toronto  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, January 14, 2026**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the existing two-storey detached dwelling by constructing complete third and fourth storey additions. There will be rear (east) exterior landings and stairs located at the first, second, and third storeys as well as a rear (east) fourth storey balcony and front (west), rear (east), and side (north and south) dormers at the fourth storey. There will be a total of 6 residential dwelling units on this lot.

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

- 1. Chapter 10.10.40.10.(1), By-law 569-2013**  
The maximum permitted building height is 13 m.  
The altered dwelling will have a height of **14.3 m**.
- 2. Chapter 10.10.40.10.(1), By-law 569-2013**  
The minimum required front yard setback is 6 m.  
The altered dwelling will be located 0.28 m from the front (west) lot line.
- 3. Chapter 10.10.40.70.(2), By-law 569-2013**  
The minimum required rear yard setback is 7.5 m.  
The altered dwelling will be located 0 m from the rear (east) lot line.

**4. Chapter 10.5.40.60.(7)(B), By-law 569-2013**

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.3 m to a lot line.

The roof eaves will be located 0 m from the front (west) lot line and 0 m from the side (south) lot line.

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

The maximum permitted height of all side exterior main walls is 10.5 m for 70% of all side main wall widths.

In this case, the height of the side (north and south) exterior main walls will exceed 10.5 m for 94.2% of the total width of each side wall, with a height of 13.84 m, measured to the highest points.

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

A minimum of 50% (9.65 m<sup>2</sup>) of the rear yard must be maintained as soft landscaping.

In this case, 0% (0 m<sup>2</sup>) 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 BHAYAT (CHAIR)

**DISSENTED**

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PHILIP GHOSH



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DINO LOMBARDI



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KATIE PLAIZIER



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PETER REED

DATE DECISION MAILED ON: **Tuesday, January 20, 2026**

LAST DATE OF APPEAL: **Tuesday, February 3, 2026**

CERTIFIED TRUE COPY



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Nicole Ivanov  
Senior Planner and Acting 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](mailto:coa.tey@toronto.ca) and [Sabrina.Salatino@toronto.ca](mailto: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](http://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/>