

Allyson Power
Director of Policy and Secretary-Treasurer
Committee of Adjustment
Development Review Division

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Thursday, June 4, 2026

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

File Number: A0156/26NY
Property Address: 447 HORSHAM AVE
Legal Description: PLAN 2057 PT LOT 167
Agent: HYPHEN STUDIO
Owner(s): DOMENICO MAMMOLITI
Zoning: RD (f15.0; a550) (x5)[WAV]
Ward: Willowdale (18)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, June 4, 2026, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a three-storey apartment building containing six dwelling units.

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

- 1. Chapter 10.20.40.70 (7)(ii), By-law No. 569-2013**
An apartment building located on a lot abutting a major street must have the following minimum required building side yard setback:(ii) **2.4 m** for portions of the main wall that have primary windows facing the east side yard.
The proposed east interior side yard setback is 1.8 m.
- 2. Chapter 10.20.40.70 (7)(iv), By-law No. 569-2013**
An apartment building located on a lot abutting a major street must have the following minimum required building side yard setback:(iv) on a West corner lot the required minimum side yard setback from a side lot line abutting a street is 3.0 m.
The proposed west corner side yard setback is 1.8 m.
- 3. Chapter 10.20.40.80 (1)(A), By-law No. 569-2013**
In the RD zone, if an apartment building on a lot abutting a major street has main walls where a line projected outward at a right angle from one of the main walls

intercepts another main wall of the same building the minimum required above-ground separation distance between those main walls is 2.0 m if there are no openings to dwelling units in those main walls

The proposed distance between main walls on the ground floor between unit 11 and 12 is 1.13 m.

4. Chapter 10.5.40.70 (7)(A)(ii), By-law No. 569-2013

A townhouse or apartment building located on a lot abutting a major street must have the following required minimum building setbacks: 6.0 m

The proposed front yard setback of the apartment building is 3.23 m at the North/West corner.

5. Chapter 10.20.40.10.(6), By-law No. 569-2013

The maximum permitted height of the first floor above established grade is 1.2 m.

The proposed height of the first floor above established grade is 1.5 m.

6. Chapter 10.5.40.60.(1)(E), By-law No. 569-2013

A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required side yard setback a maximum of 1.5 m, if it is no closer to the side lot line than 0.3 m.

The proposed platform encroaches 2.54 m into the required side yard setback and is 0.36 m from the west corner.

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 Approved

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

SIGNATURE PAGE

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JORDAN ALLISON (CHAIR)



SHAHIN FAZELI



MEDHI MARZYARI



CAMILLE CLYNE

DATE DECISION MAILED ON: Thursday, June 11, 2026

LAST DATE OF APPEAL: Wednesday, June 24, 2026

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/>