

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

File Number:	A1154/16TEY	Zoning	R(d1.0)(x7) & R4 Z1.0 (ZZC)
Owner(s):	HONG HONG WENG	Ward:	Trinity-Spadina (20)
Agent:	BRAD LIU	Heritage:	Not Applicable
Property Address:	141 CHRISTIE ST	Community:	Toronto
Legal Description:	PLAN 560 PT LOT 127		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition, front two-storey addition, front porch, rear ground floor deck, and rear basement walkout.

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

- 1. Chapter 10.10.40.30.(1)(A), By-law 569-2013**
The maximum permitted depth of a detached dwelling is 17.0 m.
The altered detached dwelling will have a depth of 21.2 m.
- 2. Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The front addition will be located 0.27 m from the north side lot line and 0.05 m from the south side lot line.
- 3. Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The rear deck will be located 0.0 m from the south side lot line.
- 1. Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The front addition will be located 0.27 m from the north side lot line and 0.05 m from the south side lot line.

2. Section 6(3) Part II 3.B(I), By-law 438-86

The minimum required side lot line setback is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.

The rear addition will be located 0.0 m from the south side lot line.

3. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback for the portion of the building exceeding a depth of 17.0 m is 7.5 m.

The 4.2 m portion of the altered detached dwelling, exceeding the 17.0 m depth, will be located 1.1 m from the north side lot line and 0.0 m from the south side lot line.

4. Section 6(3) Part II 3(I), By-law 438-86

The minimum required setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.

The front addition will be located 0.30 m from the side wall of the south adjacent building (139 Christie Street).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove City owned trees under Municipal Chapter 813 Article II, Street trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

File Number:	A1154/16TEY	Zoning	R(d1.0)(x7) & R4 Z1.0 (ZZC)
Owner(s):	HONG HONG WENG	Ward:	Trinity-Spadina (20)
Agent:	BRAD LIU	Heritage:	Not Applicable
Property Address:	141 CHRISTIE ST	Community:	Toronto
Legal Description:	PLAN 560 PT LOT 127		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1155/16TEY	Zoning	RD (f9.0; a280; d0.45) & R1A (ZPR)
Owner(s):	KRISTINA TACHKOVA	Ward:	Toronto-Danforth (29)
Agent:	CRISTINA BELIGAN	Heritage:	Not Applicable
Property Address:	19 LANKIN BLVD	Community:	East York
Legal Description:	PLAN 3051 PT LOT 22		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new four-storey detached dwelling with an integral garage and a rear fourth floor balcony.

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

- 1. Chapter 10.5.100.1.(1)(C).(iii), By-law 569-2013**
The maximum permitted driveway width is 3.2 m.
In this case, the driveway width will be 3.66 m.
- 2. Chapter 10.5.40.60.(5)(A), By-law 569-2013**
An architectural feature may encroach into the side yard setback 0.6 m if it is no closer to a lot line than 0.3 m.
The rooftop guard rail elements will be located 0.09 m from the south side lot line.
- 3. Chapter 10.20.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (100.80 m²).
The lot coverage will be equal to 44.8% of the lot area (129.01 m²).
- 4. Chapter 10.20.40.10.(4)(A), By-law 569-2013**
The maximum permitted building height is 7.2 m for a detached dwelling with a flat or shallow roof.
The new detached dwelling will have a height of 11 m.
- 5. Chapter 10.20.40.10.(4)(C), By-law 569-2013**
The maximum permitted number of storeys for a detached dwelling with a flat or shallow roof is two.
In this case, the new detached dwelling will be four storeys.

- 6. Chapter 10.20.40.10.(6), By-law 569-2013**
The maximum permitted height of the first floor of a detached dwelling above established grade is 1.2 m.
The first floor of the new detached dwelling will have a height of 1.22 m above established grade.
- 7. Chapter 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index of a detached dwelling is 0.45 times the area of the lot (129.60 m²).
The new detached dwelling will have a floor space index equal to 1.02 times the area of the lot (294.16 m²).
- 8. Chapter 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of each platform located at or above the second storey of a dwelling is 4.0 m².
The area of the fourth floor balcony will be 18.87 m².
- 9. Chapter 10.20.40.70.(3)(B), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The new detached dwelling will be located 0.4 m from the south side lot line.
- 1. Section 7.1.4.(1).(c).(ii), By-law 6752**
The maximum permitted driveway width is 3.2 m.
In this case, the driveway width will be 3.66 m.
- 2. Section 7.2.3, By-law 6752**
The maximum permitted building height is 8.5 m.
The new detached dwelling will have a height of 11 m.
- 3. Section 7.2.3, By-law 6752**
The maximum permitted floor space index of a detached dwelling is 0.45 times the area of the lot (129.60 m²).
The new detached dwelling will have a floor space index equal to 1.06 times the area of the lot (298.34 m²).
- 4. Section 7.2.3, By-law 6752**
The minimum required front yard setback is 6 m.
The new detached dwelling will be located 4.3 m from the west front lot line.
- 5. Section 7.2.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (100.80 m²).
The lot coverage will be equal to 41.83% of the lot area (120.46 m²).
- 6. Section 7.2.3, By-law 6752**
The minimum required side yard setback is 0.9 m.
The new detached dwelling will be located 0.4 m from the south side lot line measured to the south side wall, 0.09 m from the south side lot line measured to the fourth floor guard rail projections, and 0.59 from the north side lot line measured to the north side fourth floor guard rail projections.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A1155/16TEY	Zoning	RD (f9.0; a280; d0.45) & R1A (ZPR)
Owner(s):	KRISTINA TACHKOVA	Ward:	Toronto-Danforth (29)
Agent:	CRISTINA BELIGAN	Heritage:	Not Applicable
Property Address:	19 LANKIN BLVD	Community:	East York
Legal Description:	PLAN 3051 PT LOT 22		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

DECLARED INTEREST

Carl Knipfel

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1156/16TEY	Zoning:	R d0.6 & R2 Z0.6 (ZZC)
Owner(s):	AMIR HERAVI KHADJAVI	Ward:	Beaches-East York (32)
Agent:	AMIR HERAVI KHADJAVI	Heritage:	Not Applicable
Property Address:	155 BALSAM AVE	Community:	Toronto
Legal Description:	PLAN 406 PT LOT 97		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition.

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

- Chapter 10.10.40.40.(2)(A), By-law 569-2013**
The maximum permitted floor space index is 0.69 times the area of the lot (211.82 m²).
The altered dwelling will have a floor space index equal to 0.84 times the area of the lot (178.46 m²).
- Chapter 10.5.40.60.(7), By-law 569-2013**
Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
In this case, the eaves will project 0.2 m and will be located 0.03 m from the north lot line.
- Section 6(3) Part VI 1 (I), By-law 438-86**
The maximum permitted gross floor area is 0.69 times the area of the lot (211.82 m²).
The altered dwelling will have a gross floor area equal to 0.84 times the area of the lot (178.46 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1156/16TEY	Zoning	R d0.6 & R2 Z0.6 (ZZC)
Owner(s):	AMIR HERAVI KHADJAVI	Ward:	Beaches-East York (32)
Agent:	AMIR HERAVI KHADJAVI	Heritage:	Not Applicable
Property Address:	155 BALSAM AVE	Community:	Toronto
Legal Description:	PLAN 406 PT LOT 97		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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

File Number:	A1157/16TEY	Zoning:	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	2373422 ONTARIO LIMITED	Ward:	Davenport (18)
Agent:	VICTOR HIPOLITO	Heritage:	Not Applicable
Property Address:	97 CAMPBELL AVE	Community:	Toronto
Legal Description:	PLAN D1321 PT LOT 18		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey semi-detached dwelling containing two-units by constructing a rear second-storey addition and a rear second-storey deck.

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

- 1. Chapter 10.10.40.40.(2)(A), By-law 569-2013**
Additions to the rear of a semi-detached house, erected before October 15, 1953, are permitted, and provided the floor space index as enlarged does not exceed 0.69 times the area of the lot (119.65 m²). The altered semi-detached house will have a floor space index equal to 0.96 times the area of the lot (165.96 m²).
- 1. Section 6(3) Part VI 1(I), By-law 438-86**
Additions to the rear of a semi-detached house, erected before October 15, 1953, or to a converted house, are permitted, provided the residential gross floor area as enlarged does not exceed 0.69 times the area of the lot (119.65 m²).
The altered semi-detached house will have a residential gross floor area equal to 0.96 times the area of the lot (165.96 m²).
- 2. Section 6(3) Part VI 1(V), By-law 438-86**
Additions to the rear of a semi-detached house, erected before October 15, 1953, or to a converted house, are permitted, provided the depth of the residential building including the addition or additions does not exceed 17.0 m.
The altered semi-detached house will have a building depth of 18.57 m, measured from the rearmost edge of the second-storey deck.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A1157/16TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	2373422 ONTARIO LIMITED	Ward:	Davenport (18)
Agent:	VICTOR HIPOLITO	Heritage:	Not Applicable
Property Address:	97 CAMPBELL AVE	Community:	Toronto
Legal Description:	PLAN D1321 PT LOT 18		

DISSENTED

DISSENTED

Alex Bednar (signed)

Michael Clark

Donald Granatstein

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

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

File Number:	A1158/16TEY	Zoning:	R & R2 (PPR)
Owner(s):	LEAH MYERS	Ward:	Toronto-Danforth (30)
Agent:	K. THOMAS PHELAN	Heritage:	Not Applicable
Property Address:	153 SIMPSON AVE	Community:	Toronto
Legal Description:	PLAN 591 PT LOT 57		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a two-storey semi-detached dwelling by demolishing the existing rear one-storey mudroom and constructing a new one-storey rear addition and a side deck.

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

- 1. Chapter 10.10.40.40.(1) (A), By-law 569-2013**
The maximum permitted floor space index is 0.60 times the area of the lot (94.45 m²).
The floor space index will be 1.29 times the area of the lot (203.43 m²).
- 2. Chapter 10.5.40.60.(1)(E), By-law 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.
In this case, the platform will encroach 0.47 m into the required side yard setback and will be 0.05 m from the west side lot line.
- 3. 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 stairs will be 0.05 m from the west lot line.
- 4. Chapter 10.10.40.70.(4) (B), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The side yard setback will be 0.00 m.

1. **Section 6(3) Part II 3.C(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m where the side wall contains no openings.
The east side lot line setback will be 0.0 m.
2. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.6 times the area of the lot (94.45 m²).
The residential gross floor area of the building will be 0.84 times the area of the lot (132.47 m²).
3. **Section 6(3) Part II 3.C(II), By-law 438-86**
The minimum required side lot line setback is 0.90 m where the side wall contains openings.
The west side lot line setback will be 0.05 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1158/16TEY	Zoning	R & R2 (PPR)
Owner(s):	LEAH MYERS	Ward:	Toronto-Danforth (30)
Agent:	K. THOMAS PHELAN	Heritage:	Not Applicable
Property Address:	153 SIMPSON AVE	Community:	Toronto
Legal Description:	PLAN 591 PT LOT 57		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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**NOTICE OF DECISION
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File Number:	A1159/16TEY	Zoning	R (f4.5; d1.0)(x834) & R3 Z1.0 (ZPR)
Owner(s):	PAUL BARKER	Ward:	Trinity-Spadina (20)
Agent:	JOHN FORMOSA	Heritage:	Not Applicable
Property Address:	32 SULLIVAN ST	Community:	Toronto
Legal Description:	PLAN 466 PT LOTS 6 & 7		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing 2½-storey semi-detached dwelling by constructing a rear ground floor addition.

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

Chapter 10.10.40.30.(1)(A), By-law 569-2013

The maximum permitted depth of a semi-detached dwelling is 17 m.
The altered semi-detached dwelling will have a depth of 26 m.

Section 6(3) Part II 5(II), By-law 438-86

The maximum permitted depth of a semi-detached dwelling is 17 m.
The altered semi-detached dwelling will have a depth of 26 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1159/16TEY	Zoning	R (f4.5; d1.0)(x834) & R3 Z1.0 (ZPR)
Owner(s):	PAUL BARKER	Ward:	Trinity-Spadina (20)
Agent:	JOHN FORMOSA	Heritage:	Not Applicable
Property Address:	32 SULLIVAN ST	Community:	Toronto
Legal Description:	PLAN 466 PT LOTS 6 & 7		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

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**NOTICE OF DECISION
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(Section 45 of the Planning Act)**

File Number:	A1160/16TEY	Zoning	R(d0.6)(x990) & R2 Z0.6 (BLD)
Owner(s):	DANIEL MICHAEL SOOLEY JENNIFER KRISTIN GRANTHAM	Ward:	Beaches-East York (32)
Agent:	NICOLAS SEMANYK	Heritage:	Not Applicable
Property Address:	69 DIXON AVE	Community:	Toronto
Legal Description:	PLAN E427 PT LOT 39		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a third storey addition with a rear third storey deck.

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

Chapter 10.10.40.40.(2), By-law 569-2013

Additions to the rear of a detached dwelling erected before October 15, 1953 are permitted provided the residential floor space index of the building, as enlarged, does not exceed 0.69 times the area of the lot (158.23 m²).

The altered detached dwelling will have a floor space index equal to 1.17 times the area of the lot (267.81 m²).

Section 6(3) Part VI 1(I), By-law 438-86

Additions to the rear of a detached dwelling erected before October 15, 1953, or to a converted house, are permitted provided the residential gross floor area of the building, as enlarged, does not exceed 0.69 times the area of the lot (158.23 m²).

The altered detached dwelling will have a gross floor area equal to 1.17 times the area of the lot (267.81 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1160/16TEY	Zoning	R(d0.6)(x990) & R2 Z0.6 (BLD)
Owner(s):	DANIEL MICHAEL SOOLEY JENNIFER KRISTIN GRANTHAM	Ward:	Beaches-East York (32)
Agent:	NICOLAS SEMANYK	Heritage:	Not Applicable
Property Address:	69 DIXON AVE	Community:	Toronto
Legal Description:	PLAN E427 PT LOT 39		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

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

File Number:	A1161/16TEY	Zoning	RD (f15.0; d0.35) & R1 Z0.35 (ZZC)
Owner(s):	BARRY BROIDY RUBIN PENNY RUBIN	Ward:	St. Paul's (22)
Agent:	GLENN RUBINOFF	Heritage:	Not Applicable
Property Address:	186 DUNVEGAN RD	Community:	Toronto
Legal Description:	PLAN 2275 PT LOTS 3 & 4		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear one-storey addition with a terrace above.

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

- 1. Chapter 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length for a detached house is 17.0 m.
The altered detached house will have a building length of 25.02 m.
- 2. Chapter 10.20.40.30.(1), By-law 569-2013**
The maximum permitted building depth for a detached house is 19.0 m.
The altered detached house will have a building depth of 23.98 m.
- 3. Chapter 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.35 times the area of the lot (195.33 m²).
The altered detached dwelling will have a floor space index equal to 0.62 times the area of the lot (347.36 m²).
- 4. Chapter 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of each platform at or above the second-storey of a detached house is 4.0 m².
The rear second-storey platform will have an area of **12.26 m²**.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 0.35 times the area of the lot (195.33 m²). The altered detached dwelling will have a residential gross floor area equal to 0.62 times the area of the lot (347.36 m²).

2. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback for a portion of the dwelling exceeding a building depth of 17.0 m is 7.5 m. The portion of the dwelling exceeding a building depth of 17.0 m will be located 3.58 from the north side lot line and 1.33 m from the south side lot line, measured from the rear addition.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove City owned trees under Municipal Chapter 813 Article II, Street trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (3) The rear terrace shall be constructed with opaque privacy screening or fencing that is permanent, located on the north and south edges of the terrace, and a minimum height of 1.5 m, measured from the floor of the terrace.

SIGNATURE PAGE

File Number:	A1161/16TEY	Zoning	RD (f15.0; d0.35) & R1 Z0.35 (ZZC)
Owner(s):	BARRY BROIDY RUBIN PENNY RUBIN	Ward:	St. Paul's (22)
Agent:	GLENN RUBINOFF	Heritage:	Not Applicable
Property Address:	186 DUNVEGAN RD	Community:	Toronto
Legal Description:	PLAN 2275 PT LOTS 3 & 4		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

DISSENTED

Carl Knipfel (signed)

Lisa Valentini

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	A1162/16TEY	Zoning	CR 4.0 (c1.0; r3.5) SS2 (x2468) & By-law 746-81 (Waiver)
Owner(s):	MTCC 717	Ward:	Trinity-Spadina (20)
Agent:	SIDONIA LOIACONO	Heritage:	Not Applicable
Property Address:	55 PRINCE ARTHUR AVE	Community:	Toronto
Legal Description:	METROTORONTO CONDO PLAN 717 LEVEL A UNIT 29 PARKING		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing 12-storey residential building containing 66 dwelling units, by installing an elevator extension to access the rooftop amenity room located on the 13th-storey.

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

Section 2(6), By-law 746-81

The maximum permitted height of the building is 12 storeys and 34 m above grade, exclusive of parapet walls and a mechanical penthouse.

In this case, the altered building will be 13 storeys and 38.8 m above grade, exclusive of parapet walls and a mechanical penthouse.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1162/16TEY	Zoning	CR 4.0 (c1.0; r3.5) SS2 (x2468) & By-law 746-81 (Waiver)
Owner(s):	MTCC 717	Ward:	Trinity-Spadina (20)
Agent:	SIDONIA LOIACONO	Heritage:	Not Applicable
Property Address:	55 PRINCE ARTHUR AVE	Community:	Toronto
Legal Description:	METROTORONTO CONDO PLAN 717 LEVEL A UNIT 29 PARKING		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1163/16TEY	Zoning	R(d1.0)(x7) & R4 Z1.0 (BLD)
Owner(s):	BROADVIEW PROPERTIES INC	Ward:	Toronto-Danforth (30)
Agent:	DONALD PECKOVER	Heritage:	Designated
Property Address:	674 BROADVIEW AVE	Community:	Toronto
Legal Description:	PLAN 274E PT LOT 11		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey multi-unit detached dwelling by constructing a rear fire exit staircase with access to three rear decks.

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

Chapter 10.10.40.30.(1)(B), By-law 569-2013

The maximum permitted depth for an apartment building is 14.0 m.
The altered building will have a depth equal to 23.0 m.

Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted depth is 14.0 m.
The altered building will have a depth equal to 23.0 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

The rear exit staircase and decks shall be constructed substantially in accordance with the A2.1 and A3.2 plans received by the Committee of Adjustment on November 29, 2016. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

ALL OF THE DOCUMENTS REFERRED TO ARE PREPARED BY ARCHITECTS OR ENGINEERS REGISTERED WITH THE PROFESSIONAL REGULATORY BODIES OF THE PROVINCE OF ONTARIO. THE ARCHITECTS AND ENGINEERS HAVE REVIEWED THE DOCUMENTS AND HAVE FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACT AND THE REGULATIONS. THE ARCHITECTS AND ENGINEERS DO NOT ASSUME RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED IN THESE DOCUMENTS NOR FOR THE CONSEQUENCES OF ANY OTHER PROJECTS WHICH MAY BE AFFECTED BY THE INFORMATION CONTAINED IN THESE DOCUMENTS.



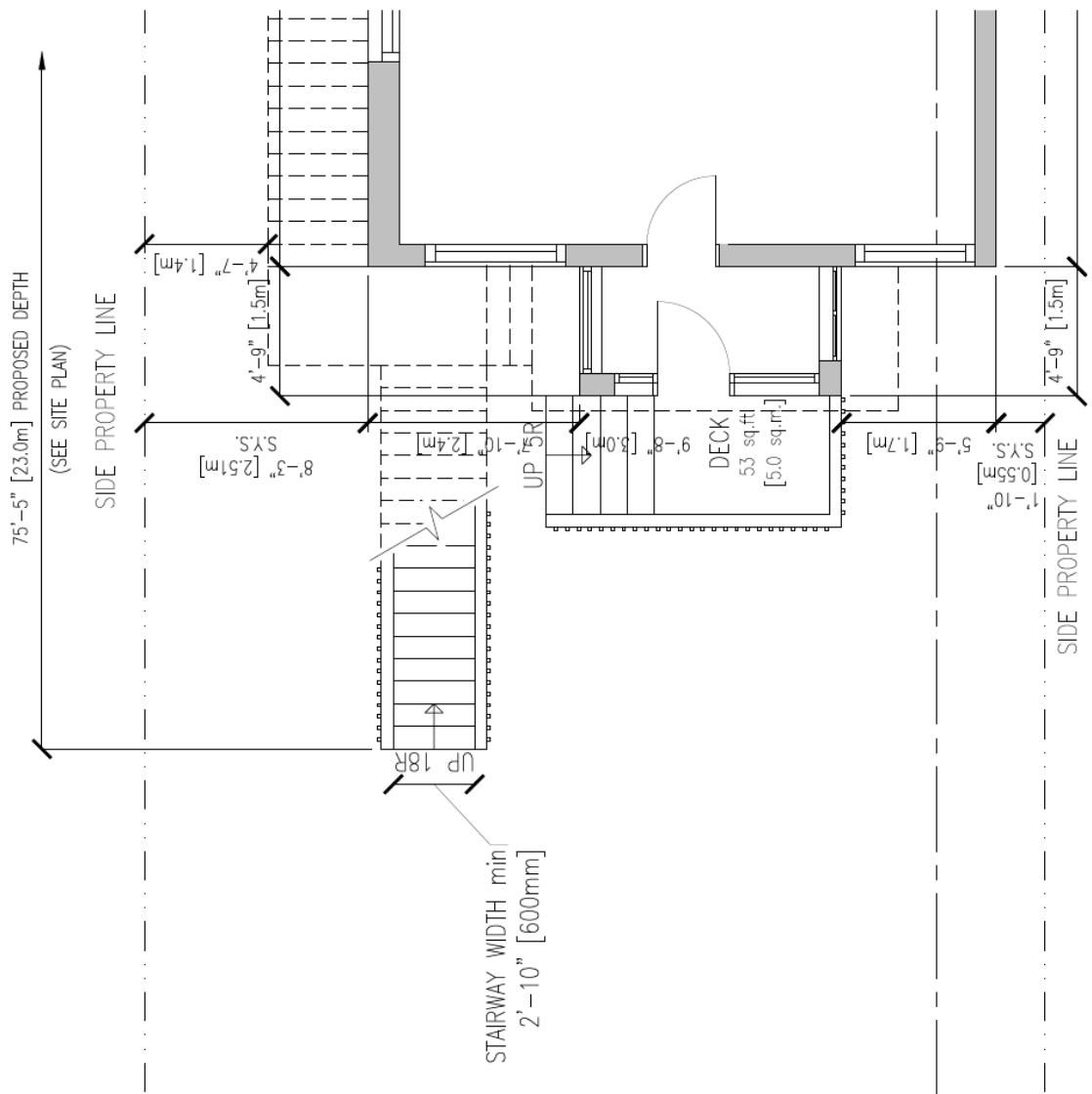
NO.	DATE	REVISION
9		
8	2014.3.18	RE-ISSUED FOR COMMITTEE OF ADJUSTMENT
7	2016.8.24	RE-ISSUED FOR ZONING REVIEW
6	2016.6.22	ISSUED FOR PERMIT
5	2016.6.2	ISSUED FOR STRUCTURAL CONSULT
4	2014.10.3	ISSUED FOR PERMIT
3	2014.9.23	ISSUED FOR COORDINATION
2	2014.3.18	ISSUED FOR COMMITTEE OF ADJUSTMENT
1	2014.1.15	ISSUED FOR ZONING REVIEW

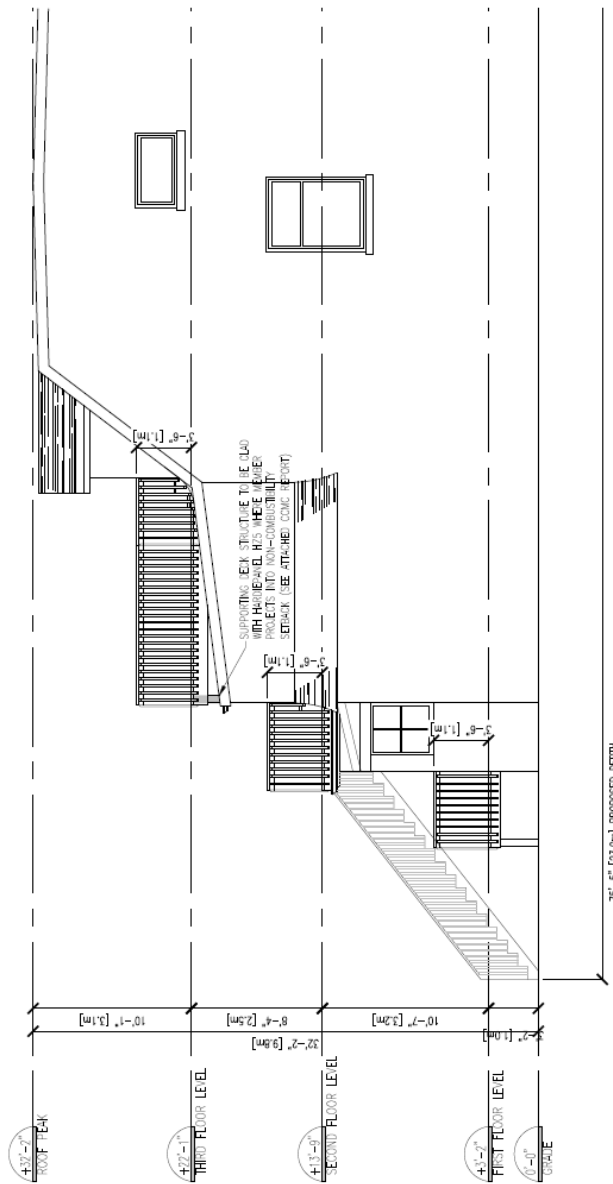
Paul Downes Architecture Inc. 074
SUSTAINABLE + BUILDING
 ARCHITECTURE + BUILDING
 543 OULET STREET EAST
 TORONTO, ONTARIO
 M4M 1L6
 416-619-0848
 www.pauldownes.ca

ADDRESS
 674 BROADVIEW AVE
 TORONTO, ONTARIO

DRAWING TITLE
 PROPOSED GROUND
 LEVEL PLAN (PARTIAL)

PROJECT NO.	13-112	SHEET NO.	
DATE	2016.11.24		
SCALE	1:50		
DRAWN BY	Q.P.		
CHECKED BY	P.D.		





9			
8	2014.3.18	RE-ISSUED FOR COMMITTEE OF ADJUSTMENT	
7	2016.6.24	RE-ISSUED FOR ZONING REVIEW	
6	2016.6.22	ISSUED FOR PERMIT	
5	2016.6.2	ISSUED FOR STRUCTURAL COORD.	
4	2014.10.3	ISSUED FOR PERMIT	
3	2014.9.23	ISSUED FOR COORDINATION	
2	2014.3.18	ISSUED FOR COMMITTEE OF ADJUSTMENT	
1	2014.1.15	ISSUED FOR ZONING REVIEW	
	NO. DATE	ISSUED FOR	REVISION

7041 Dundas Street East, Inc. (O/A)
SUSTAINABLE.TO
 ARCHITECTURE + BUILDING
 SUITE 200
 943 QUEEN STREET EAST
 TORONTO, ONTARIO M4M 1A5
 416-619-2848
 www.sustainable.to

674 BROADVIEW AVE
 TORONTO, ONTARIO

DRAWING TITLE
 PARTIAL SIDE (SOUTH)
 ELEVATION

PROJECT NO.	15-112	SHEET NO.
DATE	2016.11.24	
SCALE	1:100	
DRAWN BY	D.P.	
CHECKED BY	P.D.	

A3.2

SIGNATURE PAGE

File Number:	A1163/16TEY	Zoning	R(d1.0)(x7) & R4 Z1.0 (BLD)
Owner(s):	BROADVIEW PROPERTIES INC	Ward:	Toronto-Danforth (30)
Agent:	DONALD PECKOVER	Heritage:	Designated
Property Address:	674 BROADVIEW AVE	Community:	Toronto
Legal Description:	PLAN 274E PT LOT 11		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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11. 77 CORLEY AVE

File Number:	A1164/16TEY	Zoning	R(f7.5; d0.6) & R2 Z0.6 (ZZC)
Owner(s):	NICOLA MARY MACINTYRE COLIN JAMES BROWN	Ward:	Beaches-East York (32)
Agent:	ELISA JANSEN	Heritage:	Not Applicable
Property Address:	77 CORLEY AVE	Community:	Toronto
Legal Description:	PLAN 485E PT LOTS 261 TO 263		

PURPOSE OF THE APPLICATION:

To construct a new three-storey semi-detached dwelling.

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

1. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index of a semi-detached dwelling is 0.6 times the area of the lot (119.64 m²).

The new semi-detached dwelling will have a floor space index equal to 1.34 times the area of the lot (267.10 m²).

2. Chapter 10.10.40.70.(1), By-law 569-2013

The minimum required front yard setback is 4.20 m.

The new semi-detached dwelling will be located 3.64 m from the front lot line, measured to the enclosed area beneath the front porch.

3. Chapter 10.10.40.70.(2), By-law 569-2013

The minimum required rear yard setback is 7.5 m.

The new semi-detached dwelling will be located 5.67 m from the rear lot line.

4. Chapter 200.5.1.10.(2), By-law 569-2013

The required parking space must have a minimum width of 2.9 m.

The west side yard parking space will measure 2.2 m in width.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area of a semi-detached dwelling is 0.6 times the area of the lot (119.64 m²).

The new semi-detached dwelling will have a gross floor area equal to 0.97 times the area of the lot (193.80 m²).

2. Section 6(3) Part II 2(II), By-law 438-86

The minimum required front yard setback is 4.20 m.

The new semi-detached dwelling will be located 3.64 m from the front lot line, measured to the front porch and roof.

3. **Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new semi-detached dwelling will be located 5.67 m from the rear lot line.
4. **Section 6(3) Part II 3.C(I), By-law 438-86**
The minimum required side lot line setback of a semi-detached dwelling is 0.45 m where the side wall contains no openings.
The new semi-detached dwelling will be located 0.0 m from the east side lot line.
5. **Section 6(3) Part II 3(I), By-law 438-86**
The minimum required setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.
The new semi-detached dwelling will be located 0.0 m from the side wall of the east adjacent building.
6. **Section 4(4)(c)(ii), By-law 438-86**
The minimum permitted driveway width is 2.6 m.
In this case, the driveway width will be 2.2 m.
7. **Section 4(17)(a), By-law 438-86**
The minimum required width of a parking space is 2.9 m.
The west side yard parking space will measure 2.2 m wide.

The Committee had before it the following communication:

- Copy of plan of survey, site plan, floor plans and elevations.

Support

- 16 form letters in support, signed by owners/occupants of 73E, 73G, 75, 76, 80, 81, 82 & 83 Corley Ave; 5 Firstbrooke Road; 1, 52, 56, 62 & 64 Brookside Dr and 424 & 430 Kingston Road, received March 6, 2017.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Sean Galbraith, agent, outlined the application, referring to material on file and an overhead photo presentation.
- Vincent and Florabel Tsang, 79 Corley Avenue, appeared in interest to the application.

MOTION

It was moved by Alex Bednar, seconded by Lisa Valentini and carried that the application be **deferred, for a maximum of 3 months**. The deferral would provide the adjacent neighbours and their solicitor the opportunity to review a shadow study and potential impacts of the proposal. The applicant would be required to pay the minimum deferral fee prior to being rescheduled for public hearing by the Committee of Adjustment Toronto & East York, **Panel B**.

Dissented: Michael Clark & Donald Granatstein

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

File Number:	A1165/16TEY	Zoning	RD (f10.5; d0.6) & R1 Z0.6 (ZZC)
Owner(s):	GIULIO FAZZOLARI LUCIANNA CICCOCIOPPO	Ward:	St. Paul's (22)
Agent:	PEGGY CHIU	Heritage:	Not Applicable
Property Address:	4 TARLTON RD	Community:	Toronto
Legal Description:	PLAN 2350 PT LOTS 47 & 48		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage and a rear ground floor deck.

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

- 1. Chapter 10.20.40.10.(1)(A), By-law 569-2013**
The maximum permitted height of a building or structure is 11 m.
The new detached dwelling will have a height of 11.51 m.
- 2. Chapter 10.20.40.10.(6), By-law 569-2013**
The maximum permitted height of the first floor of a detached dwelling above established grade is 1.2 m.
The first floor of the detached dwelling will have a height of 1.89 m above established grade.
- 3. Chapter 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (204.46 m²).
The new detached dwelling will have a floor space index equal to 0.91 times the area of the lot (311.32 m²).
- 4. Chapter 10.5.100.1.(1), By-law 569-2013**
The maximum permitted driveway width is 3.89 m.
In this case, the driveway width will be 4.8 m.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area of a detached dwelling is 0.6 times the area of the lot (204.46 m²).

The new detached dwelling will have a gross floor area equal to 0.91 times the area of the lot (311.32 m²).

2. Section 6(3) Part II 4, By-law 438-86

The minimum required rear yard setback is 7.5 m.

The new detached dwelling will be located 7.33 m from the west rear lot line.

3. Section 6(3) Part II 3.B(II) , By-law 438-86

The minimum required side lot line setback for the portion of the building exceeding a depth of 17.0 m is 7.5 m.

The 0.74 m portion of the detached dwelling, exceeding the 17.0 m depth, will be located 5.24 m from the north side lot line and 3.82 m from the south side lot line.

4. Section 6(3) Part II 8 D (I), By-law 438-86

The maximum permitted height of an uncovered platform which projects into the required setbacks is 1.2 m above grade.

The rear ground floor deck will have a height of 1.69 m above grade.

5. Section 6(3) Part IV 4(II), By-law 438-86

The maximum width of a driveway, as determined by the width of parking spaces behind the front wall, where there is at least one parking space behind the front wall but not in the portion of the lot between the rear lot line and any wall of the building facing the rear lot line as produced to the side lot lines is 3.89 m.

In this case, the driveway width will be 4.8 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a demolition and/or building permit, the applicant shall satisfy all matters relating to Ravine and Natural Feature Protection By-law, to the satisfaction of the Supervisor, Ravine and Natural Feature Protection.

- (2) The new two-storey dwelling shall be constructed substantially in accordance with the revised plans filed at the public hearing on March 28, 2017. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

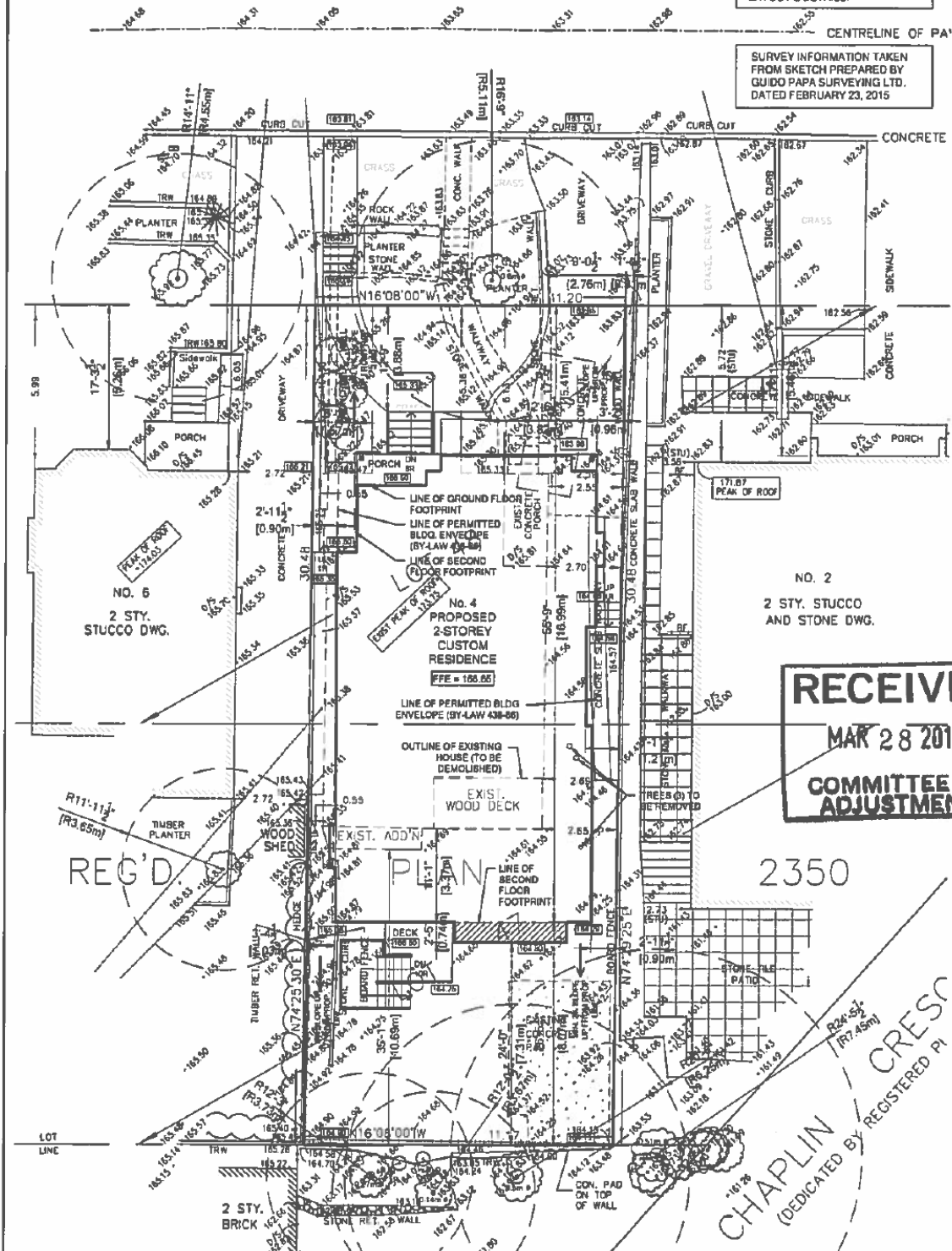
PART OF LOTS 47 AND 48

TARLTON ROAD

(DEDICATED BY REGISTERED PLAN 2350)

REFER TO ARBORIST REPORT
PREPARED BY THE TREE
SPECIALISTS INC. DATED JULY
12, 2016 - FOR TREE PROTECTION
LAYOUT & DETAILS.

SURVEY INFORMATION TAKEN
FROM SKETCH PREPARED BY
GUIDO PAPA SURVEYING LTD.
DATED FEBRUARY 23, 2015



RECEIVED
MAR 28 2017
COMMITTEE K
ADJUSTMENT

PROJECT TITLE
PEGGY CHIU ARCHITECT INC.
 134 MIDTOWN AVE 8TH FL SUITE 802 TORONTO ONTARIO CANADA M5B 2T2
 T: 416 467 6433 F: 416 467 6236 WWW.PEGGYCHIUARCHITECT.COM

PROPOSED 2-STORY CUSTOM RESIDENCE
4 TARLTON ROAD, TORONTO, ONTARIO

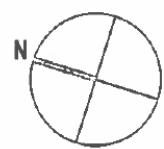
SHEET TITLE:
PROPOSED SITE PLAN

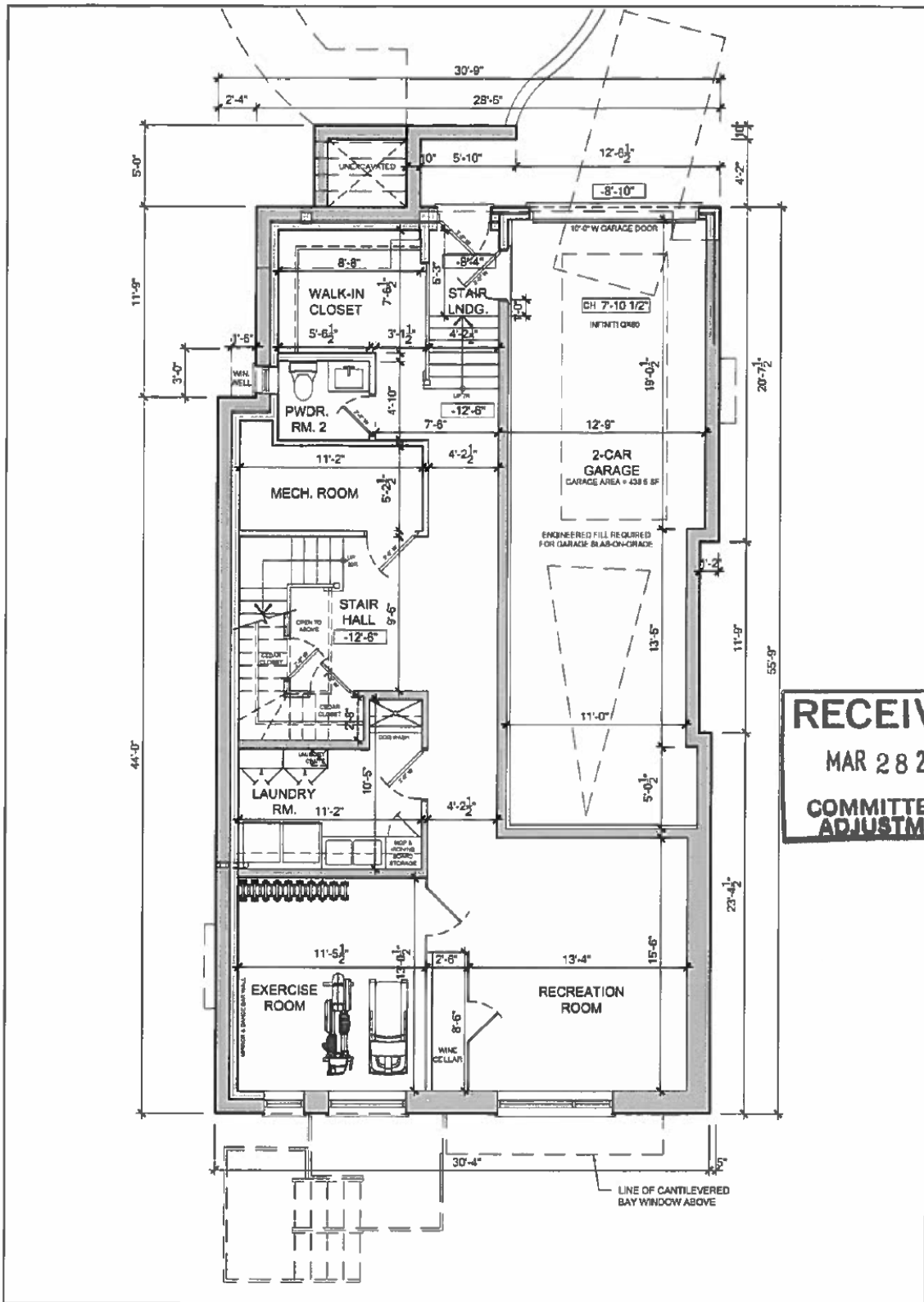
PROJECT NO.: 16-02 **DWG. NO.:** A0.0

SCALE: 3/32" = 1'-0"

DATE: 27 FEB 2017

DRAWN BY: PC **CHECKED BY:** PC





RECEIVED
 MAR 28 2011
 COMMITTEE
 ADJUSTMENT

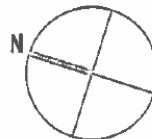
PEGGY CHIU ARCHITECT INC.
 136 KENNEDY RD. #10211, SCARBOROUGH, ONTARIO M1S 3Z2
 T: 416 291 8337 F: 416 481 8330 www.peggychiuarchitect.com

PROJECT TITLE
PROPOSED 2-STOREY CUSTOM RESIDENCE
4 TARLTON ROAD, TORONTO, ONTARIO

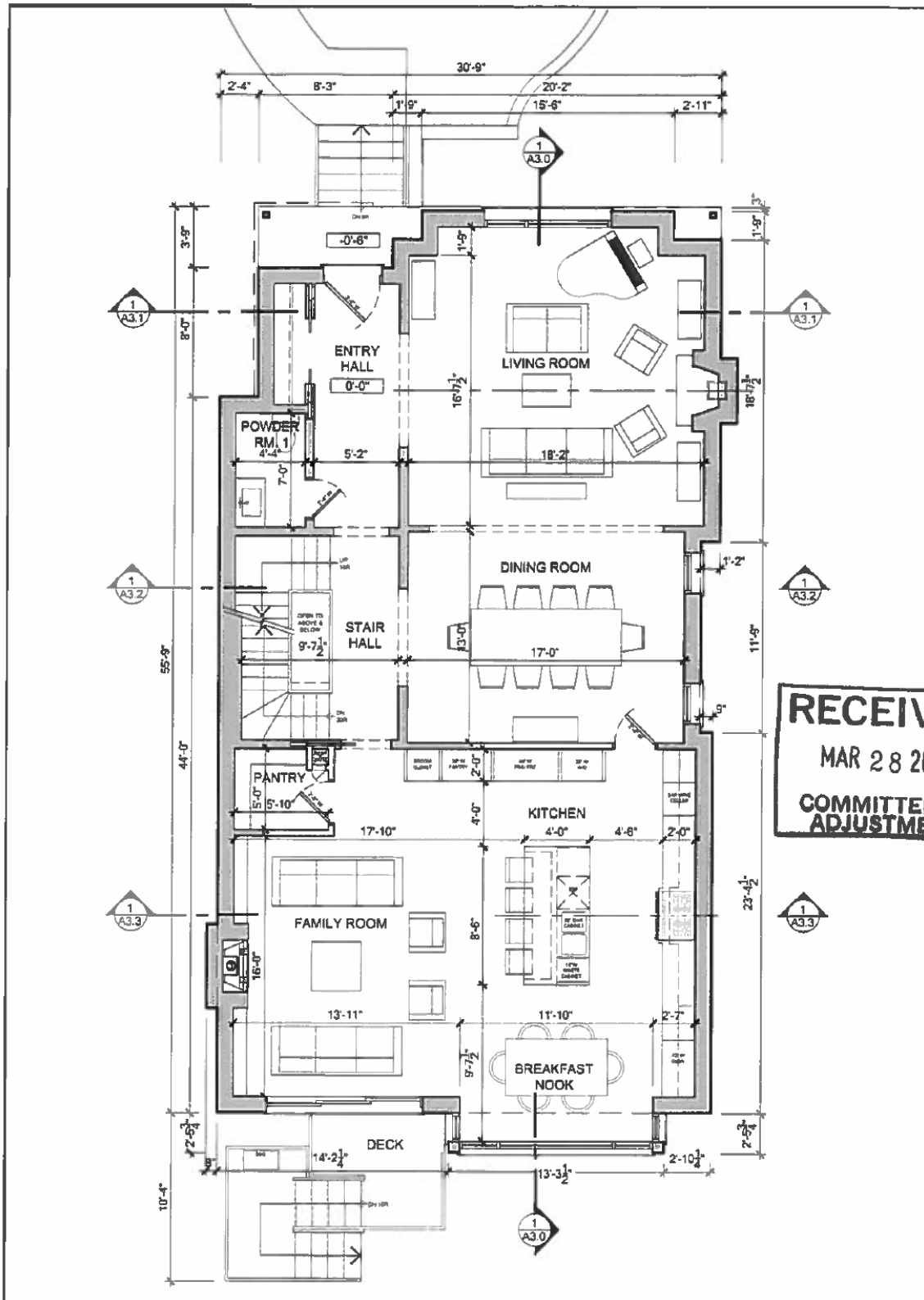
SHEET TITLE
PROPOSED BASEMENT PLAN

PROJECT NO. DWG. NO.

16-02 A1.0



DRAWN BY: PC CHECKED BY: PC DATE: 27 FEB 2011 SCALE: 3/16" = 1'-0"



RECEIVED
 MAR 28 2017
 COMMITTEE ON
 ADJUSTMENTS

PEGGY CHIU ARCHITECT INC.
 1214 W. RFDV, STE 101, SUITE 101, TORONTO, ONTARIO CANADA M4B 2Z2
 * 416.687.8333 F. 416.467.6266 www.peggychiuarchitect.com

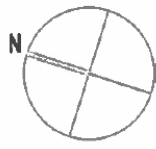
PROJECT TITLE:
PROPOSED 2-STORY CUSTOM RESIDENCE
4 TARTLTON ROAD, TORONTO, ONTARIO

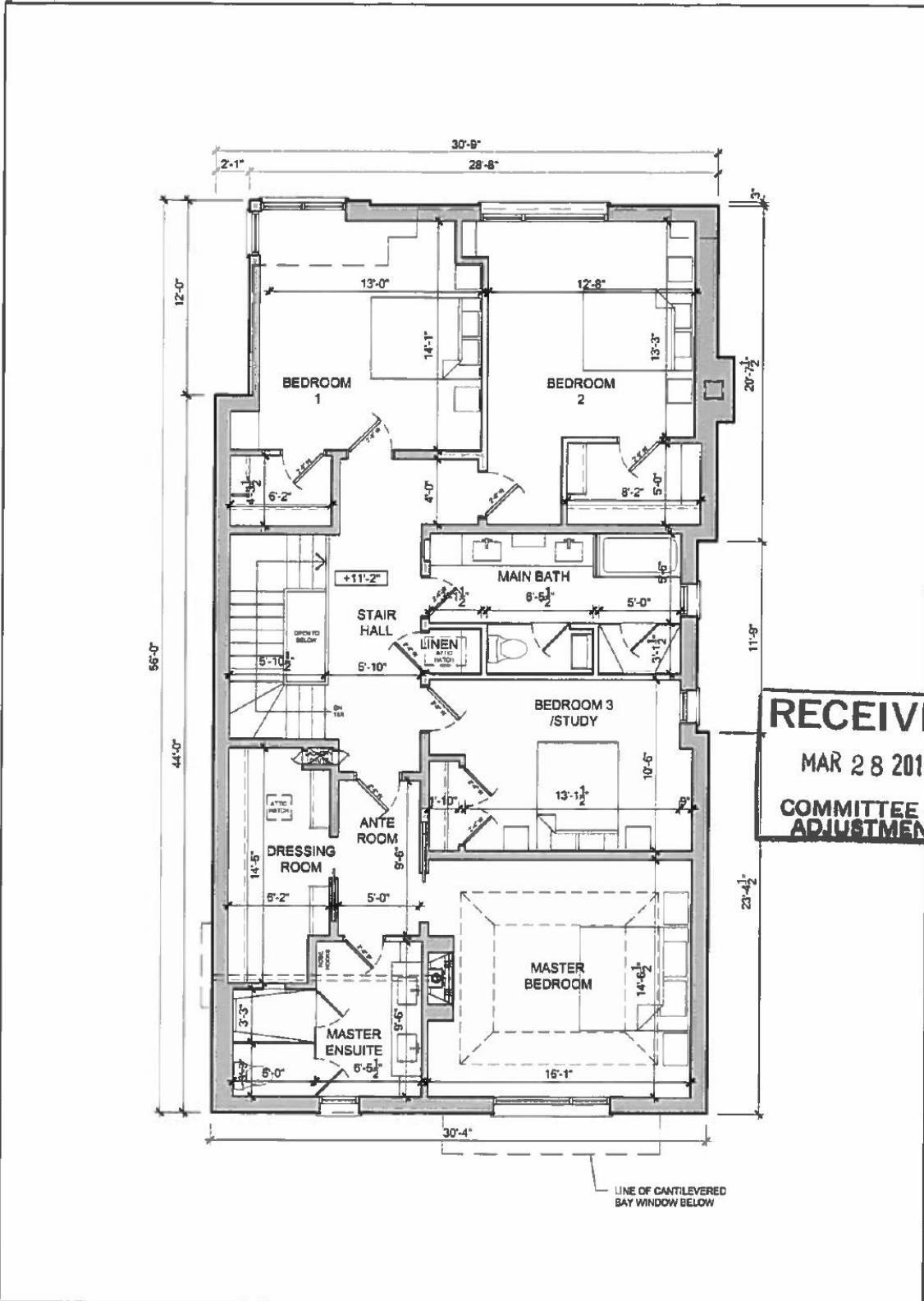
SHEET TITLE:
PROPOSED GROUND FLOOR PLAN

PROJECT NO. DWG. NO.

16-02 A1.1

DATE: 27 FEB 2017 SCALE: 3/16" = 1'-0"





RECEIVED
MAR 28 2017
COMMITTEE OF ADJUSTMENT

PEGGY CHIU ARCHITECT INC.
 134 LAWTON STREET SUITE 302 TORONTO ONTARIO CANADA M4S 1Z2
 T 416 461 6331 F 416 487 6205 www.peggychiuarchitect.com

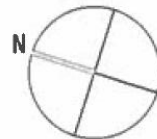
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PROPOSED 2-STOREY CUSTOM RESIDENCE
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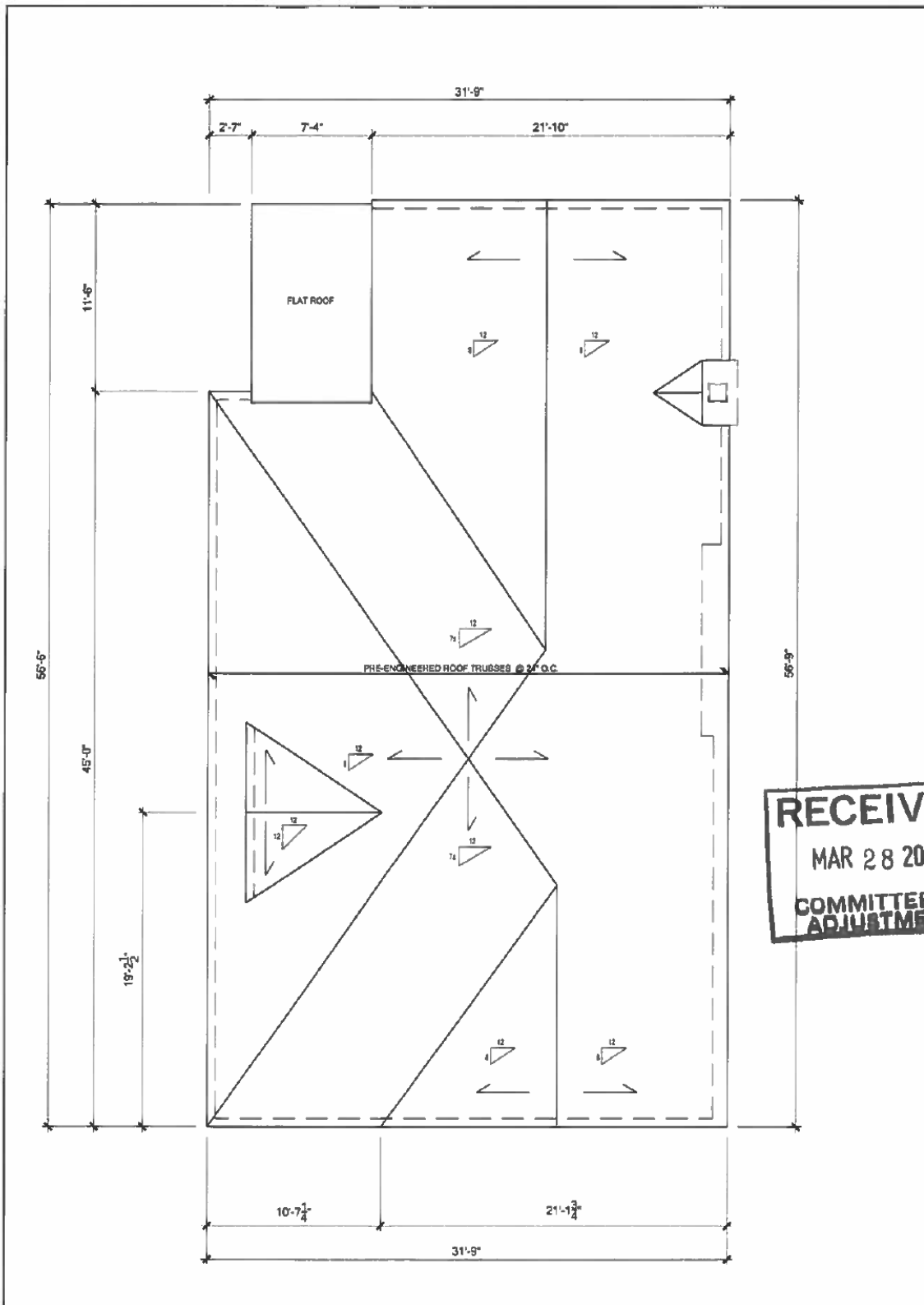
SHEET TITLE:
PROPOSED SECOND FLOOR PLAN

PROJECT NO. DWG. NO.

16-02 A1.2

DRAWN BY: PC CHECKED BY: PC DATE: 27 FEB 2017 SCALE: 3/16" = 1'-0"





RECEIVED
 MAR 28 2017
 COMMITTEE (ADJUSTMEN

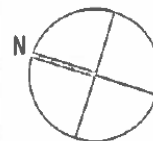
PEGGY CHIU ARCHITECT INC.
 134 LESLIE STREET SUITE 405, TORONTO, ONTARIO CANADA M4M 1B2
 T: 416.487.8332 F: 416.487.8328 www.peggychiu.com

PROJECT TITLE:
PROPOSED 2-STORY CUSTOM RESIDENCE
4 TARLTON ROAD, TORONTO, ONTARIO

SHEET TITLE:
PROPOSED ROOF FLOOR PLAN

PROJECT NO. DWG. NO.
16-02 A1.3

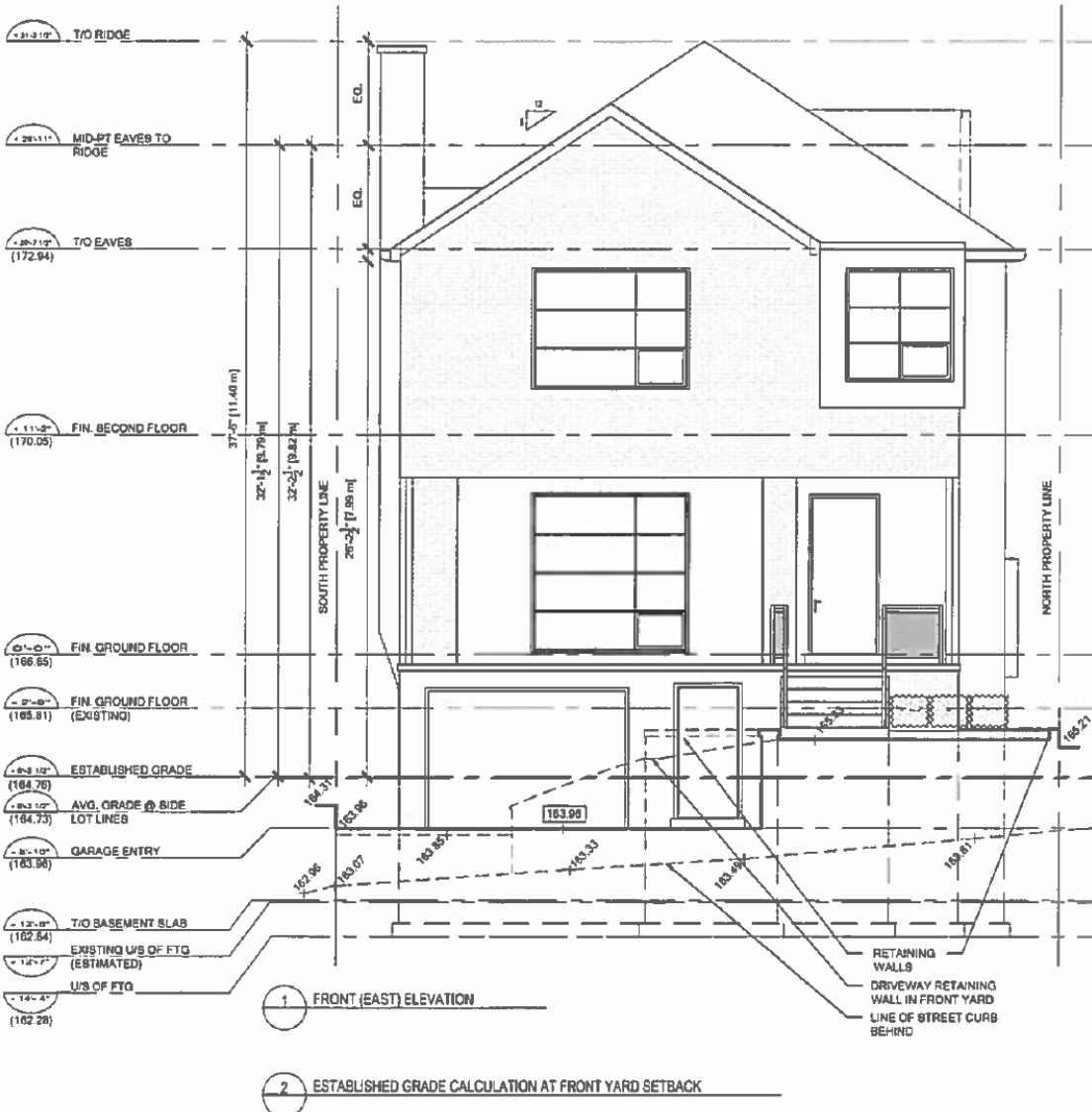
DRAWN BY: CHECKED BY: DATE SCALE
 PC PC 27 FEB 2017 3/16" = 1'-0"



RECEIVED

FEB 28 2017

COMMITTEE OF ADJUSTMENT



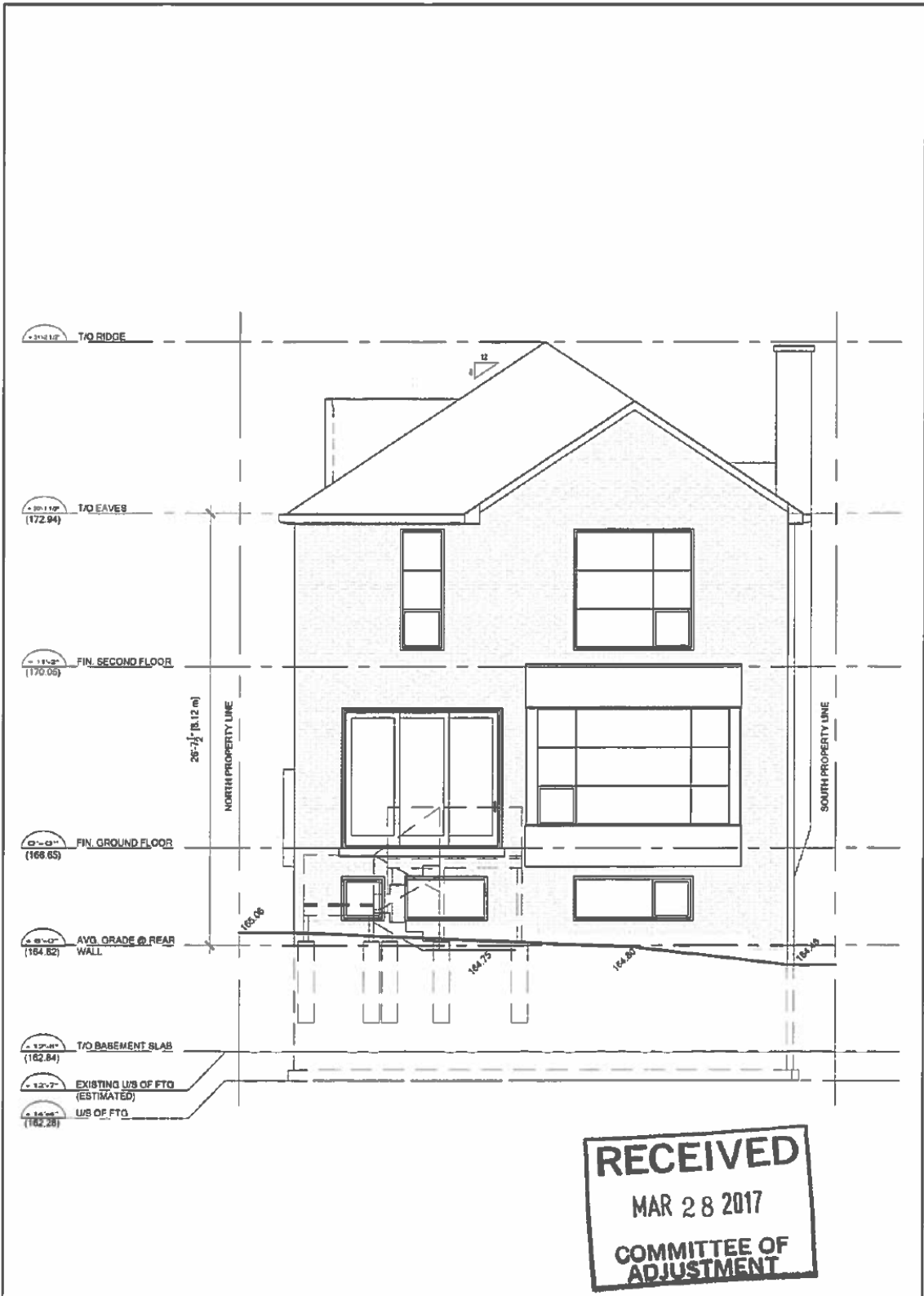
PEGGY CHIU ARCHITECT INC.
133 WILSON STREET SUITE 402 TORONTO ONTARIO CANADA M5A 1Z7
416 967 4333 F. 416 441 6330 www.peggychiu.com/office

PROJECT TITLE:
PROPOSED 2-STORY CUSTOM RESIDENCE
4 TARLTON ROAD, TORONTO, ONTARIO

SHEET TITLE:
PROPOSED FRONT (EAST) ELEVATION

PROJECT NO. DWG. NO.
16-02 A2.0

DRAWN BY: CHECKED BY: DATE: SCALE:
PC PC 27 FEB 2017 3/16" = 1'-0"



PEGGY CHIU ARCHITECT INC.
 154 WYNDEN STREET SUITE 100 TORONTO ONTARIO CANADA M6J 2T7
 T: 416-467-6343 F: 416-467-6328 www.peggychiuarchitect.com

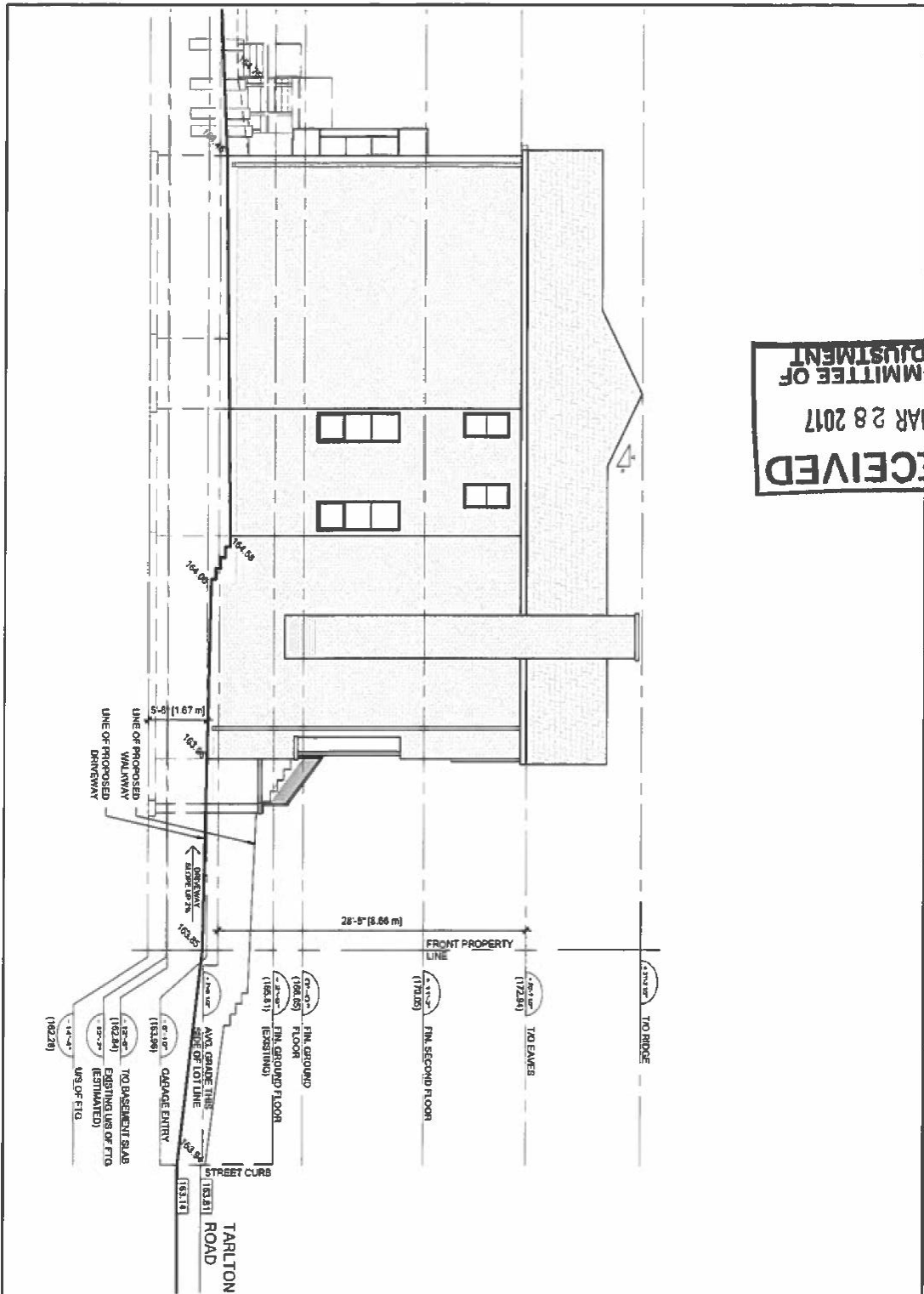
PROJECT TITLE:
PROPOSED 2-STOREY CUSTOM RESIDENCE
4 TARLTON ROAD, TORONTO, ONTARIO

SHEET TITLE:
PROPOSED REAR (WEST) ELEVATION

PROJECT NO. DWG. NO.
16-02 A2.1

DRAWN BY: PC DESIGNED BY: PC DATE: 27 FEB 2017 SCALE: 3/16" = 1'-0"

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 MAR 28 2017
 COMMITTEE OF
 ADJUSTMENT



PEGGY CHIU ARCHITECT INC.
 134 ARLINGTON STREET SUITE 801C TORONTO ONTARIO CANADA M5V 1Z9
 T 416 481 8322 F 416 487 8826 WWW.PEGGYCHIUARCHITECT.COM

PROJECT TITLE		PROPOSED 2-STORY CUSTOM RESIDENCE	
		4 TARLTON ROAD, TORONTO, ONTARIO	
SHEET TITLE		PROJECT NO	DWG NO.
PROPOSED SIDE (SOUTH) ELEVATION		16-02	A2.3
DRAWN BY:	CHECKED BY:	DATE	SCALE
PC	PC	27 FEB 2017	1/8" = 1'-0"

SIGNATURE PAGE

File Number:	A1165/16TEY	Zoning	RD (f10.5; d0.6) & R1 Z0.6 (ZZC)
Owner(s):	GIULIO FAZZOLARI LUCIANNA CICCOCIOPPO	Ward:	St. Paul's (22)
Agent:	PEGGY CHIU	Heritage:	Not Applicable
Property Address:	4 TARLTON RD	Community:	Toronto
Legal Description:	PLAN 2350 PT LOTS 47 & 48		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

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

File Number:	A1166/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (ZPR)
Owner(s):	NISHA SARIN NITIN SARIN	Ward:	Trinity-Spadina (19)
Agent:	DEEPAK KHULLAR	Heritage:	Not Applicable
Property Address:	734 SHAW ST	Community:	Toronto
Legal Description:	PLAN 198D BLK 2 PT LOT 104		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the existing 2½ -storey semi-detached dwelling containing two dwelling units into three dwelling units by constructing a rear third-storey addition, a rear third floor balcony, a front second floor deck, and to reconstruct the front porch enclosure.

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

- 1. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted depth is 14 m.
The converted dwelling will have a depth of 15.98 m.
- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (124.86 m²).
The converted dwelling will have a floor space index equal to 1.32 times the area of the lot (274.06 m²).
- 3. Chapter 10.5.40.70.(1)(B), By-law 569-2013**
The minimum required front yard setback is 6.32 m.
The converted dwelling will be located 4.04 m from the east front lot line.
- 4. Chapter 10.10.40.70.(4)(B), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The converted dwelling will be located 0 m from the south side lot line.

5. Chapter 10.5.40.60.(1)(B), By-law 569-2013

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

The front second floor deck will encroach 2.59 m into the required front yard setback.

6. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013

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

The height of the side exterior main walls facing a side lot line will be 9.51 m.

1. Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86

The minimum required side lot line setback is 0.45 m where the side wall contains no openings.

The converted dwelling will be located 0 m from the south side lot line, measured to the rear third-storey addition.

2. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted depth is 14.0 m.

The converted dwelling will have a depth of 16.89 m.

3. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area is 0.6 times the area of the lot (124.86 m²).

The converted dwelling will have a gross floor area equal to 1.32 times the area of the lot (274.06 m²).

4. Section 6(2)(1)(iii)(A), By-law 438-86

The maximum permitted floor space of an addition to a converted house is 0.15 times the area of the lot (31.22 m²).

The additions will have an area equal to 0.16 times the area of the lot (34.11 m²).

5. Section 6(2)(1)(v), By-law 438-86

A converted dwelling is permitted provided that there is no substantial change in the appearance of the dwelling as the result of the conversion.

In this case, the rear third-storey addition will substantially change the appearance of the dwelling.

6. Section 6(3) Part II 2(II), By-law 438-86

The minimum required front yard setback of a building on an inside lot is 6.32 m.

The converted dwelling will be located 4.04 m from the east front lot line.

7. Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86

The minimum required side lot line setback is 0.45 m where the side wall contains no openings.

The converted dwelling will be located 0 m from the south side lot line, measured to the front first-storey addition and front second floor deck.

8. Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86

The minimum required side lot line setback is 0.45 m where the side wall contains no openings.

The converted dwelling will be located 0 m from the south side lot line, measured to the rear third-storey balcony.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1166/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (ZPR)
Owner(s):	NISHA SARIN NITIN SARIN	Ward:	Trinity-Spadina (19)
Agent:	DEEPAK KHULLAR	Heritage:	Not Applicable
Property Address:	734 SHAW ST	Community:	Toronto
Legal Description:	PLAN 198D BLK 2 PT LOT 104		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1169/16TEY	Zoning	R(d0.6)(x905) & R2 Z0.6 (WAIVER)
Owner(s):	MICHELLE ANN ARRIZZA VALENTINE ANDREW STOCK	Ward:	St. Paul's (22)
Agent:	RUSS GREGORY	Heritage:	Not Applicable
Property Address:	30 ORIOLE RD	Community:	Toronto
Legal Description:	PLAN 890 PT LOT 52 RP 63R1590 PARTS 1 & 2		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new rear ground floor deck.

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

Chapter 10.10.40.30.(1), By-law 569-2013

The maximum permitted depth of a semi-detached dwelling is 17.0 m.
The altered semi-detached dwelling will have a depth of 26.0 m.

Section 6(3) Part II 5(II), By-law 438-86

The maximum permitted depth of a semi-detached dwelling is 17.0 m.
The altered semi-detached dwelling will have a depth of 26.0 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) The rear deck shall be constructed with opaque privacy screening or fencing that is permanent, located on the north and south edges of the deck, a minimum height of 1.5 m, measured from the floor of the deck and extending 3.2 m from the rear wall of the dwelling.

(1) SIGNATURE PAGE

File Number:	A1169/16TEY	Zoning	R(d0.6)(x905) & R2 Z0.6 (WAIVER)
Owner(s):	MICHELLE ANN ARRIZZA VALENTINE ANDREW STOCK	Ward:	St. Paul's (22)
Agent:	RUSS GREGORY	Heritage:	Not Applicable
Property Address:	30 ORIOLE RD	Community:	Toronto
Legal Description:	PLAN 890 PT LOT 52 RP 63R1590 PARTS 1 & 2		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	A1170/16TEY	Zoning	R(d0.6)(x930) & R2 Z0.6 (PPR)
Owner(s):	WOLFGANG BERGER WINIFER LAM	Ward:	St. Paul's (22)
Agent:	WOLFGANG BERGER	Heritage:	Not Applicable
Property Address:	633 MILLWOOD RD	Community:	Toronto
Legal Description:	PLAN 590E PT LOT 157		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and maintain an 'as built' rear deck constructed larger and higher than shown on approved building permit plans.

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

- 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 stairs will be 0.27 m from the west side lot line.
- Section 6(3) Part II 3.C(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m where an attached structure is without walls.
The east side lot line setback to the rear deck will be 0.0 m.
- Section 6(3) Part II 5(II), By-law 438-86**
The maximum permitted building depth is 17.0 m.
The building depth of the semi-detached dwelling will be 19.0 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1170/16TEY	Zoning	R(d0.6)(x930) & R2 Z0.6 (PPR)
Owner(s):	WOLFGANG BERGER WINIFER LAM	Ward:	St. Paul's (22)
Agent:	WOLFGANG BERGER	Heritage:	Not Applicable
Property Address:	633 MILLWOOD RD	Community:	Toronto
Legal Description:	PLAN 590E PT LOT 157		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1171/16TEY	Zoning	RS (f10.5; a325; d0.75) & R2A (ZZC)
Owner(s):	PANAYIOTIS PANAGAKOS	Ward:	Toronto-Danforth (29)
Agent:	MARK MIDDLETON	Heritage:	Not Applicable
Property Address:	103 MARLOW AVE	Community:	East York
Legal Description:	PLAN 1955 LOT 59		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition and a rear ground floor deck.

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

Chapter 10.5.30.40.(2)(A), By-law 569-2013

The maximum permitted lot coverage is 35% of the lot area (56.21 m²).

The lot coverage will be equal to 43% of the lot area (68.91 m²).

Section 7.5.3, By-law 6752

The maximum permitted lot coverage is 35% of the lot area (56.21 m²).

The lot coverage will be equal to 41.6% of the lot area (66.91 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1171/16TEY	Zoning	RS (f10.5; a325; d0.75) & R2A (ZZC)
Owner(s):	PANAYIOTIS PANAGAKOS	Ward:	Toronto-Danforth (29)
Agent:	MARK MIDDLETON	Heritage:	Not Applicable
Property Address:	103 MARLOW AVE	Community:	East York
Legal Description:	PLAN 1955 LOT 59		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1172/16TEY	Zoning	R & R2 (ZZC)
Owner(s):	ROBERT KISS	Ward:	Toronto-Danforth (30)
Agent:	ALBERT YERUSHALMI	Heritage:	Not Applicable
Property Address:	37 GRANDVIEW AVE	Community:	Toronto
Legal Description:	PLAN 60E PT LOT 22		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing: a rear two-storey addition, a front two-storey addition and a full third-storey addition.

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

- 1. Chapter 10.10.40.10.(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.
The height of the side exterior main walls facing a side lot line will be 10.00 m.
- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (154.29 m²).
The altered detached dwelling will have a floor space index equal to 0.91 times the area of the lot (233.86 m²).
- 3. Chapter 10.10.40.30.(1)(A), By-law 569-2013**
The maximum permitted building depth for a detached house is 17.0 m.
The altered detached dwelling will have a building depth of 18.48 m.
- 4. Chapter 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% (52.24 m²), of the rear yard shall be maintained as soft landscaping.
In this case, 31.6% (33.09 m²), of the rear yard will be maintained as soft landscaping.
- 1. Section 6(3) Part II 2(II), By-law 438-86**
The minimum required building front lot line setback on an inside lot is 3.16 m.
The altered dwelling will be located 2.67 m from the front lot line.

2. Section 6(3) Part II 3(II), By-law 438-86

The minimum required side wall setback from an adjacent building that contains openings is 1.2 m. The altered detached dwelling will be located 0.92 m from the east adjacent building, 39 Grandview Avenue, which contains openings.

3. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback for the portion of the building not exceeding 17.0 m in depth is 0.9 m, where the side wall contains openings. The altered building will be located 0.0 m from the east side lot line, where the side all contains openings.

4. Section 6(3) Part II 3.(II), By-law 438-86

The minimum required side lot line setback for the portion of the building exceeding 17.0 m in depth is 7.5 m.

The portion of the dwelling exceeding a building depth of 17.0 m will be located 1.60 m from the west side lot line and 0.0 m from the east side lot line.

5. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 0.6 times the area of the lot (154.29 m²).

The altered detached dwelling will have a residential gross floor area equal to 0.91 times the area of the lot (233.86 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A1172/16TEY	Zoning	R & R2 (ZZC)
Owner(s):	ROBERT KISS	Ward:	Toronto-Danforth (30)
Agent:	ALBERT YERUSHALMI	Heritage:	Not Applicable
Property Address:	37 GRANDVIEW AVE	Community:	Toronto
Legal Description:	PLAN 60E PT LOT 22		

DISSENTED

DISSENTED

Alex Bednar (signed)

Michael Clark

Donald Granatstein

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

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

File Number:	A1173/16TEY	Zoning:	RD & R1A (ZZC)
Owner(s):	1753376 ONTARIO LIMITED	Ward:	Toronto-Danforth (29)
Agent:	WILLIAM JOANNOU	Heritage:	Not Applicable
Property Address:	4 DIEPPE RD	Community:	East York
Legal Description:	PLAN 3219 PT LOT 7 PT LOT 8		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To amend the proposal to a one-storey detached dwelling approved by Minor Variance Application A0228/15TEY, by constructing a rear first floor extension under the rear second storey addition and by constructing a rear deck.

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

1. Chapter 10.5.40.60.(1)(C), By-law 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 rear yard setback 2.5 m if it is no closer to a side lot line than 1.26 m.

In this case, the platform will encroach 0.60 m into the required rear yard setback and will be located 0.60 m from the north side lot line.

2. Chapter 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.45 times the area of the lot (128.80 m²).

The altered dwelling will have a floor space index equal to 0.74 times the area of the lot (212.09 m²). (Minor Variance A0228/15TEY permitted a floor space index equal to 0.65 times the area of the lot (185.91 m²).

1. Section 7.2.3, By-law 6752

The maximum permitted floor space index 0.45 times the area of the lot (128.80 m²).

The altered dwelling will have a floor space index equal to 0.74 times the area of the lot (212.09 m²). (Minor Variance A0228/15TEY permitted a floor space index equal to 0.65 times the area of the lot (185.91 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1173/16TEY	Zoning	RD & R1A (ZZC)
Owner(s):	1753376 ONTARIO LIMITED	Ward:	Toronto-Danforth (29)
Agent:	WILLIAM JOANNOU	Heritage:	Not Applicable
Property Address:	4 DIEPPE RD	Community:	East York
Legal Description:	PLAN 3219 PT LOT 7 PT LOT 8		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1175/16TEY	Zoning	RD (f15.0; d0.6)(x1435) & R1 Z0.6 (ZZC)
Owner(s):	CLIVE VICTOR ALLEN	Ward:	Toronto Centre-Rosedale (27)
Agent:	WERNER KRAM	Heritage:	Designated
Property Address:	14 PINE HILL RD	Community:	Toronto
Legal Description:	PLAN M181 BLK B LOT 1		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey detached dwelling by enclosing the rear third floor deck.

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

- 1. Chapter 10.10.40.10.(1), By-law 569-2013**
The maximum permitted building or structure height is 10.0 m.
The altered detached dwelling will have a height of 11.5 m.
- 2. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.
The height of the side exterior main walls facing the side lot lines will be 10.09 m.
- 3. Chapter 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length for a dwelling is 17.0 m.
The altered detached dwelling will have a building length of 21.56 m.
- 4. Chapter 10.20.40.30.(1), By-law 569-2013**
The maximum permitted building depth for a dwelling is 19.0 m.
The altered detached dwelling will have a building depth of 21.95 m.
- 5. Chapter 900.3.10(1435)(E)(i), By-law 569-2013**
The maximum permitted floor space index is 0.69 times the area of the lot (245.83 m²).
The altered detached dwelling will have a floor space index equal to 1.18 times the area of the lot (420.0 m²).

1. Section 6(3) Part VI 1(I), By-law 438-86

Additions to the rear of a detached house erected before October 15, 1953, or to a converted house, are permitted provided the residential gross floor area of the building, as enlarged, does not exceed 0.69 times the area of the lot (245.83 m²).

The altered detached dwelling will have a gross floor area equal to 1.18 times the area of the lot (420.0 m²).

2. Section 6(3) Part VI 1(V), By-law 438-86

Additions to the rear of a detached house erected before October 15, 1953, or to a converted house, are permitted provided the depth of the residential building including the addition or additions does not exceed 17.0 m.

The altered detached dwelling will have a depth of 21.56 m.

3. Section 6(3) Part VI 1(VII), By-law 438-86

An addition to the rear of detached dwelling is permitted provided that the height of the addition or additions does not exceed 10.0 m.

The altered detached dwelling will have a height of 11.5 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1175/16TEY	Zoning	RD (f15.0; d0.6)(x1435) & R1 Z0.6 (ZZC)
Owner(s):	CLIVE VICTOR ALLEN	Ward:	Toronto Centre-Rosedale (27)
Agent:	WERNER KRAM	Heritage:	Designated
Property Address:	14 PINE HILL RD	Community:	Toronto
Legal Description:	PLAN M181 BLK B LOT 1		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1176/16TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	CHARLES DOUGLAS MALCOLMSON MARK KAJIN	Ward:	Beaches-East York (32)
Agent:	MARK KAJIN	Heritage:	Not Applicable
Property Address:	46 KENILWORTH AVE	Community:	Toronto
Legal Description:	PLAN M37 PT LOT 103		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey semi-detached dwelling by constructing a rear third storey addition, rear third storey deck, and front second storey deck.

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

- 1. Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of all rear exterior main walls is 7.5 m.
The height of the rear exterior main walls will be 8.78 m.
- 2. Chapter 10.10.40.10.(2)(B)(i), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.0 m.
The height of the side exterior main walls facing a side lot line will be 9.66 m.
- 3. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index of a semi-detached dwelling is 0.6 times the area of the lot (167.24 m²).
The altered semi-detached dwelling will have a floor space index equal to 0.79 times the area of the lot (219.84 m²).
- 4. Chapter 10.5.40.60.(1)(B), By-law 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor higher than the first floor of the building above established grade may encroach into the required front yard setback 1.5 m if it is no closer to a side lot line than the required side yard setback.
The front second floor deck will encroach 1.83 m into the required front yard setback.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area of a semi-detached dwelling is 0.6 times the area of the lot (167.24 m²).

The altered semi-detached dwelling will have a gross floor area equal to 0.79 times the area of the lot (219.84 m²).

2. Section 6(3) Part II 2(II), By-law 438-86

The minimum required front yard setback is 4.65 m.

The altered semi-detached dwelling will be located 2.88 m from the front lot line.

3. Section 6(3) Part II 3.C(I), By-law 438-86

The minimum required side lot line setback of a semi-detached dwelling is 0.45 m where the side wall contains no openings.

The altered semi-detached dwelling will be located 0.0 m from the south side lot line.

4. Section 6(3) Part II 3(I), By-law 438-86

The minimum required setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.

The altered semi-detached dwelling will be located 0.0 m from the side wall of the south adjacent building.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1176/16TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	CHARLES DOUGLAS MALCOLMSON MARK KAJIN	Ward:	Beaches-East York (32)
Agent:	MARK KAJIN	Heritage:	Not Applicable
Property Address:	46 KENILWORTH AVE	Community:	Toronto
Legal Description:	PLAN M37 PT LOT 103		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1177/16TEY	Zoning	R (d0.6)(x990) & R2 Z0.6 (ZZC)
Owner(s):	RUTHINA HILL MARK OLIVER HILL	Ward:	Beaches-East York (32)
Agent:	MARK OLIVER HILL	Heritage:	Not Applicable
Property Address:	382 WOODBINE AVE	Community:	Toronto
Legal Description:	PLAN E427 PT LOT 1		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing 2½-storey semi-detached dwelling by constructing a rear three-storey addition and a third storey addition above the existing rear two-storey portion, a rear third storey deck, and a secondary suite.

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

1. Chapter 10.10.40.40.(2)(A), By-law 569-2013

Additions to the rear of a semi-detached dwelling erected before October 15, 1953 are permitted provided the residential floor space index of the building, as enlarged, does not exceed 0.69 times the area of the lot (140.07 m²).

The altered semi-detached dwelling will have a floor space index equal to 1.11 times the area of the lot (224.74 m²).

1. Section 6(2) 1(iii)A, By-law 438-86

The maximum permitted floor space of an addition to a converted house is 0.15 times the area of the lot (30.45 m²).

The rear three-storey addition and third storey addition will have an area equal to 0.2853 times the area of the lot (57.91 m²).

2. Section 6(3) Part VI 1(I), By-law 438-86

Additions to the rear of a semi-detached dwelling erected before October 15, 1953, or to a converted house, are permitted provided the residential gross floor area of the building, as enlarged, does not exceed 0.69 times the area of the lot (140.07 m²).

The altered semi-detached dwelling will have a gross floor area equal to 1.11 times the area of the lot (224.74 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1177/16TEY	Zoning	R (d0.6)(x990) & R2 Z0.6 (ZZC)
Owner(s):	RUTHINA HILL MARK OLIVER HILL	Ward:	Beaches-East York (32)
Agent:	MARK OLIVER HILL	Heritage:	Not Applicable
Property Address:	382 WOODBINE AVE	Community:	Toronto
Legal Description:	PLAN E427 PT LOT 1		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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

File Number:	A1179/16TEY	Zoning	R (f5.0; d0.6) (x892) & R2 Z0.6 (ZZC)
Owner(s):	BILL BOBEY COURTNEY WARD	Ward:	Toronto Centre-Rosedale (27)
Agent:	ARON IDOINE	Heritage:	Not Applicable
Property Address:	82 MACPHERSON AVE	Community:	Toronto
Legal Description:	PLAN 309 PT LOT 70		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing 2½-storey detached dwelling by constructing a first floor addition on the west side of the dwelling which was previously a courtyard.

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

- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (170.57 m²).
The altered dwelling will have a floor space index equal to 1.092 times the area of the lot (310.43 m²).
- Section 6(3) Part I 1, By-law 438-86**
The maximum gross floor area is 0.6 times the area of the lot (170.57 m²).
The altered dwelling will have a gross floor area equal to 1.092 times the area of the lot (310.43 m²).
- Section 6(3) Part II 3 E (II), By-law 438-86**
The minimum required side lot line setback is 1.2 m where the side wall contains openings.
The altered dwelling will be located 0.48 m to the west side lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1179/16TEY	Zoning	R (f5.0; d0.6) (x892) & R2 Z0.6 (ZZC)
Owner(s):	BILL BOBEY COURTNEY WARD	Ward:	Toronto Centre-Rosedale (27)
Agent:	ARON IDOINE	Heritage:	Not Applicable
Property Address:	82 MACPHERSON AVE	Community:	Toronto
Legal Description:	PLAN 309 PT LOT 70		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1180/16TEY	Zoning	R (d1.0) (x869) & R3 Z1.0 (ZZC)
Owner(s):	NADIA THOMAS NICOS FASSLER	Ward:	Trinity-Spadina (19)
Agent:	KYRA CLARKSON	Heritage:	Not Applicable
Property Address:	226 NIAGARA ST	Community:	Toronto
Legal Description:	PLAN 148 PT LOTS 94 TO 96 RP63R3068 PART 4		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling.

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

- Chapter 10.5.40.70.(1)(A), By-law 569-2013**
The minimum required front yard setback is the front yard setback of the building on the abutting lot which, in this case, is 1.03 m.
The new detached dwelling will be located 0.0 m from the front lot line.
- Chapter 10.10.40.70.(2), By-law 569-2013**
A minimum required rear yard setback is 7.5 m.
The new detached dwelling will be located 3.62 m from the rear lot line.
- Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.9 m
The new detached dwelling will be located 0.0 m from the south side lot line.
- Chapter 10.10.40.70.(4)(A), By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.45 m
The new detached dwelling will be located 0.0 m from the north side lot line.
- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1.00 times the area of the lot (97.57 m²).
The new detached dwelling will have a floor space index equal to 1.89 times the area of the lot (184.80 m²).

6. **Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m.
The height of the side exterior main walls facing the side lot lines will be 10.90 m.
7. **Chapter 200.5.1.10(2)(A)(ii), By-law 569-2013**
A minimum of one parking space is required with dimensions of 5.6 m in length and 2.6 m in width.
In this case, one parking space will be provided with a length of 5.0 m.
1. **Section 6(3) Part II 2(III), By-law 438-86**
The minimum required front yard setback shall be equal to the shortest distance by which the front wall of the only adjacent building is setback from its front lot line, which in this case, is 1.03 m.
The new dwelling will be located 0.0 m from the front lot line.
2. **Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 3.62 m from the rear lot line.
3. **Section 6(3) Part II 3.A(I), By-law 438-86**
The minimum required setback from a flanking street is 1.44 m.
The new dwelling will be located 0.0 m from the south flanking street (Adelaide Street West).
4. **Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback for a detached house in an R3 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The new dwelling will be located 0.0 m from the north side lot line.
5. **Section 6(3) Part II 3(I), By-law 438-86**
The minimum required side lot line setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.
The new detached dwelling will be setback 0.0 m from the side wall of the adjacent building on the north side.
6. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area is 1.0 times the area of the lot (97.57 m²).
The new dwelling will have a residential gross floor area equal to 1.89 times the area of the lot (184.80 m²).
7. **Section 6(3) Part III 1(a), By-law 438-86**
A minimum of 30% of the lot area (28.29 m²) shall be landscaped open space.
In this case, 10% of the lot area (9.90 m²) will be landscaped open space.
8. **Section 4.17(a), By-law 438-86**
A minimum of parking space shall be provided with minimum dimensions of 5.6 m by 2.6 m.
In this case, one parking will be provided with a length of 5.0 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1180/16TEY	Zoning	R (d1.0) (x869) & R3 Z1.0 (ZZC)
Owner(s):	NADIA THOMAS NICOS FASSLER	Ward:	Trinity-Spadina (19)
Agent:	KYRA CLARKSON	Heritage:	Not Applicable
Property Address:	226 NIAGARA ST	Community:	Toronto
Legal Description:	PLAN 148 PT LOTS 94 TO 96 RP63R3068 PART 4		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1181/16TEY	Zoning	R(d1.0)(x869) & R3 Z1.0 (ZZC)
Owner(s):	MODERNEST INC.	Ward:	Trinity-Spadina (19)
Agent:	KYRA CLARKSON	Heritage:	Not Applicable
Property Address:	228 NIAGARA ST	Community:	Toronto
Legal Description:	PLAN 148 PT LOTS 94 TO 96 RP63R3068 PART 3		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling.

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

- Chapter 10.10.40.70.(2), By-law 569-2013**
A minimum required rear yard setback is 7.5 m.
The new detached dwelling will be located 3.61 m from the rear lot line.
- Chapter 10.10.40.70.(4)(A), By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.45 m
The new detached dwelling will be located 0.0 m from the north side lot line.
- Chapter 10.10.40.70.(4)(A), By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.45 m
The new detached dwelling will be located 0.0 m from the south side lot line.
- Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m.
The height of the side exterior main walls facing the side lot lines will be 10.72 m.
- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1.0 times the area of the lot (91.5 m²).
The new detached dwelling will have a floor space index equal to 1.82 times the area of the lot (166.44 m²).

6. **Chapter 200.5.10.1.(1), By-law 569-2013**
A minimum of one parking space is required.
In this case, no parking space will be provided on-site.
1. **Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 3.61 m from the rear lot line.
2. **Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback for a detached house in an R3 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The new dwelling will be located 0.0 m from the south side lot line.
3. **Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback for a detached house in an R3 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The new dwelling will be located 0.0 m from the north side lot line.
4. **Section 6(3) Part II 3(I), By-law 438-86**
The minimum required side lot line setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.
The new detached dwelling will be setback 0.0 m from the side wall of the adjacent building on the south side.
5. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area is 1.0 times the area of the lot (91.5 m²).
The new dwelling will have a residential gross floor area equal to 1.82 times the area of the lot (166.44 m²).
6. **Section 6(3) Part III 1(a), By-law 438-86**
A minimum of 30% of the lot area (27.45 m²) shall be landscaped open space.
In this case, 27% of the lot area (25.03 m²) will be landscaped open space.
7. **Section 4(5)(B), By-law 438-86**
A minimum of parking space shall be provided.
In this case, no parking space will be provided on-site.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1181/16TEY	Zoning	R(d1.0)(x869) & R3 Z1.0 (ZZC)
Owner(s):	MODERNEST INC.	Ward:	Trinity-Spadina (19)
Agent:	KYRA CLARKSON	Heritage:	Not Applicable
Property Address:	228 NIAGARA ST	Community:	Toronto
Legal Description:	PLAN 148 PT LOTS 94 TO 96 RP63R3068 PART 3		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1196/16TEY	Zoning	RD (9.0; a280; d0.45) & R1A (ZZC)
Owner(s):	JOHN MITSILIOS DESPINA MITSILIOS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTANDREA	Heritage:	Not Applicable
Property Address:	19 NORTHBROOK RD	Community:	East York
Legal Description:	PLAN 3094 PT LOT 32		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing one-storey detached dwelling by constructing a rear one-storey addition, a rear ground floor deck, and a front covered porch.

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

1. Chapter 10.5.40.60.(2)(A), By-law 569-2013

A canopy, awning, or similar structure above a platform is permitted to encroach into a required building setback to the same extent as the platform it is covering.
The canopy will encroach 0.31 m beyond the platform it is covering.

2. Chapter 10.5.40.60.(3)(A)(i), By-law 569-2013

Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback provided the stairs are no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure.
The stairs will have a length equal to 1.56 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure.

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

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
The roof eaves will project 0.41 m and be located 0.18 m from the north side lot line.

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

A minimum of 50% (53.67 m²) of the rear yard must be maintained as soft landscaping.
In this case, 46.7% (50.15 m²) of the rear yard will be maintained as soft landscaping.

5. Chapter 10.20.30.40.(1)(A), By-law 569-2013

The maximum permitted lot coverage is 35% of the lot area (98.22 m²).
The lot coverage will be equal to 41.1% of the lot area (115.53 m²).

1. Section 7.2.3, By-law 6752

The maximum permitted lot coverage is 35% of the lot area (98.22 m²).
The lot coverage will be equal to 39.3% of the lot area (110.49 m²).

2. Section 5.6.(a), By-law 6752

Eaves and gutters are permitted to project a maximum of 0.61 m beyond the main rear wall of a building.
The rear eaves will project 0.71 m beyond the main rear wall of the building.

3. Section 5.6.(b)(i), By-law 6752

Canopies are permitted to project a maximum of 2.5 m beyond a main front wall of a building.
The front canopy will project 2.77 m beyond the main front wall of the building.

4. Section 5.6.(b)(iii), By-law 6752

Steps or stairs required for access to the first storey of a building may encroach into any yard, provided the steps or stairs are set back a minimum of 1.5 m from any lot line adjacent to the street.
The front steps will be located 1.31 m from the west front lot line adjacent to a street.

5. Section 7.1.4.(1).(a), By-law 6752

The maximum permitted driveway width is 2.6 m.
In this case, the driveway width will be 2.15 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1196/16TEY	Zoning	RD (9.0; a280; d0.45) & R1A (ZZC)
Owner(s):	JOHN MITSILIOS DESPINA MITSILIOS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTANDREA	Heritage:	Not Applicable
Property Address:	19 NORTHBROOK RD	Community:	East York
Legal Description:	PLAN 3094 PT LOT 32		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1182/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (PPR)
Owner(s):	GENEVIEVE BOUCHARD-FORTIER SAMUEL VAILLANCOURT	Ward:	Trinity-Spadina (19)
Agent:	EDDIE PERES	Heritage:	Not Applicable
Property Address:	409 MARKHAM ST	Community:	Toronto
Legal Description:	PLAN 574 BLK H PT LOT 305		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a three-storey semi-detached dwelling by constructing a rooftop deck.

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

- Chapter 10.10.40.10.(1)(A), By-law 569-2013**
The maximum permitted height of a building or structure is 10.00 m.
The height of the roof deck railing will be 12.66 m.
- Section 6(3) Part II 3.C(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m where the side wall contains no openings.
The roof deck will be setback 0.34 m on the south side.
- Section 6(3) Part II 5(II), By-law 438-86**
The maximum permitted building depth is 17.00 m.
The roof deck depth will be 22.54 m.
- Section 4(2)(a), By-law 438-86**
No person shall erect or use a building or structure on a lot having a height greater than 10.00 m.
The roof deck railing will be 12.66 m in height.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1182/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (PPR)
Owner(s):	GENEVIEVE BOUCHARD-FORTIER SAMUEL VAILLANCOURT	Ward:	Trinity-Spadina (19)
Agent:	EDDIE PERES	Heritage:	Not Applicable
Property Address:	409 MARKHAM ST	Community:	Toronto
Legal Description:	PLAN 574 BLK H PT LOT 305		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1183/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (BLD)
Owner(s):	BARRY AYOW GEORGIA ATHANASIOU	Ward:	Beaches-East York (31)
Agent:	GEORGIA ATHANASIOU	Heritage:	Not Applicable
Property Address:	85 BARKER AVE	Community:	East York
Legal Description:	PLAN 1587 LOT 151 PT LOT 150		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition.

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

- 1. Chapter 10.5.100, By-law 569-2013**
The minimum required driveway width is 2.0 m.
In this case, the driveway width will be 1.86 m.
- 2. Chapter 10.20.40.10.(1)(A), By-law 569-2013**
The maximum permitted building height is 8.5 m.
The altered detached dwelling will have a height of 8.53 m.
- 1. Section 7.5.3, By-law 6752**
The maximum permitted lot coverage is 35% times the area of the lot (130.97 m²).
The lot coverage will be equal to 37.49% times the area of the lot (140.28 m²).
- 2. Section 7.5.3, By-law 6752**
The maximum permitted building height is 8.5 m.
The altered detached dwelling will have a height of 8.53 m.
- 3. Section 7.1.4, By-law 6752**
The minimum required driveway width is 2.60 m.
In this case, the driveway width will be 1.86 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1183/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (BLD)
Owner(s):	BARRY AYOW GEORGIA ATHANASIOU	Ward:	Beaches-East York (31)
Agent:	GEORGIA ATHANASIOU	Heritage:	Not Applicable
Property Address:	85 BARKER AVE	Community:	East York
Legal Description:	PLAN 1587 LOT 151 PT LOT 150		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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

File Number:	A1184/16TEY	Zoning	R (d0.6) & R2 Z0.6 (BLD)
Owner(s):	JOSEPH SIAHOU EMMA HUNT	Ward:	Beaches-East York (32)
Agent:	DANIEL ALLAN	Heritage:	Not Applicable
Property Address:	142 KENILWORTH AVE	Community:	Toronto
Legal Description:	CON 1 FB E PT LOT 5		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey detached dwelling by constructing a north side dormer addition.

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

- 1. Chapter 10.10.40.70.(3), By-law 569-2013**
The minimum required side yard setback for a detached house is 0.9 m.
The altered dwelling will be located 0.44 m from the north side lot line.
- 2. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.50 m.
The height of the side exterior main walls facing a side lot line is 8.67 m.
- 3. Chapter 10.10.40.40.(1), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (203.04 m²).
The altered detached dwelling will have a floor space index equal to 0.65 times the area of the lot (219.31 m²).
- 1. Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback for a portion of the building not exceeding 17.0 m in depth is 0.9 m, where the side wall contains openings.
The altered dwelling will be located 0.44m from the north side lot line, where the side wall contains openings.
- 2. Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.6 times the area of the lot (203.04 m²).
The altered detached dwelling will have a residential gross floor area equal to (219.31 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1184/16TEY	Zoning	R (d0.6) & R2 Z0.6 (BLD)
Owner(s):	JOSEPH SIAHOU EMMA HUNT	Ward:	Beaches-East York (32)
Agent:	DANIEL ALLAN	Heritage:	Not Applicable
Property Address:	142 KENILWORTH AVE	Community:	Toronto
Legal Description:	CON 1 FB E PT LOT 5		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

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

File Number:	A1185/16TEY	Zoning	R(d1.0)(x804) & R4 Z1.0 (ZZC)
Owner(s):	EVAN SASKIN	Ward:	Trinity-Spadina (19)
Agent:	EVAN SASKIN	Heritage:	Not Applicable
Property Address:	14 ROLYAT ST	Community:	Toronto
Legal Description:	PLAN 346 PT LOTS 8 TO 9		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing one-storey townhouse by constructing second and third storey additions, a rear third storey addition, and a rear third floor deck.

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

- 1. Chapter 10.10.40.10.(2)(A(i)&(ii), By-law 569-2013**
The maximum permitted height of all front and rear exterior main walls is 7.5 m.
The height of the front and rear exterior main walls will be 9.88 m.
- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index of a townhouse is 1.0 times the area of the lot (234.0 m²).
The altered townhouse will have a floor space index equal to 1.17 times the area of the lot (274.0 m²).
- 3. 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 stairs will be located 0.15 m from the front lot line.
- 4. Chapter 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% (55.0 m²) of the rear yard must be maintained as soft landscaping.
In this case, 41% (45.0 m²) of the rear yard will be maintained as soft landscaping.

5. Chapter 10.5.40.50.(3), By-law 569-2013

The level of the floor of a platform located at or above the second storey of a residential building is not permitted to be higher than the level of the floor of the storey from which it gains access.

The rear third storey deck is higher than the level of the floor of the storey from which it gains access.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area of a townhouse is 1.0 times the area of the lot (234.0 m²).

The new townhouse will have a gross floor area equal to 1.17 times the area of the lot (274.0 m²).

2. Section 6(3) Part II 3.C(I), By-law 438-86

The minimum required side lot line setback is 0.45 m where the side wall contains no openings.

The altered townhouse will be located 0.0 m from the east and west side lot lines.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A1185/16TEY	Zoning	R(d1.0)(x804) & R4 Z1.0 (ZZC)
Owner(s):	EVAN SASKIN	Ward:	Trinity-Spadina (19)
Agent:	EVAN SASKIN	Heritage:	Not Applicable
Property Address:	14 ROLYAT ST	Community:	Toronto
Legal Description:	PLAN 346 PT LOTS 8 TO 9		

DISSENTED

DISSENTED

Alex Bednar

Michael Clark

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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30. 1 ADELAIDE ST E

File Number:	A1186/16TEY	Zoning	CR12.0 (c8.0; r11.7) SS1 (x2327) & CR T7.0 C5.5 R 5.5 & Site Specific By-law 996-88 (WAIVER)
Owner(s):	OMERS REALTY CORPORATION	Ward:	Toronto Centre-Rosedale (28)
Agent:	ANDREW FERANCIK	Heritage:	Designated
Property Address:	1 ADELAIDE ST E	Community:	Toronto
Legal Description:	PLAN TOWN OF YORK PT LOT 1 WITH ROW		

PURPOSE OF THE APPLICATION:

To construct two outdoor patios to be associated with restaurant uses in the east courtyard area.

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

1. Section 1.5(c) By-law 996-88

The minimum amount of Common Outdoor Space to be provided and maintained on the Yonge, Adelaide, Victoria Lands is 2263 m² including landscaping, and at grade continuous public pedestrian walkways, extending from Adelaide Street East to the south limits of the Yonge, Adelaide, Victoria Lands.

In this case, the amount of Common Outdoor Space to be provided and maintained on the Yonge, Adelaide, Victoria Lands will be not less than 2087.96 m².

2. Section 1.5(g) By-law 996-88

The owners of the Yonge, Adelaide, Victoria Lands must provide and maintain one or more works of art in publicly accessible portions of such lands of a value not less than one percent of the cost of construction of all buildings and structures erected on such lands on or after August 12, 1988.

No additional public art will be provided as a result of the construction of the patios.

The Committee had before it the following communication:

- Copy of plan of survey, site plan, floor plans and elevations.
- Covering letter from Andrew Ferancik agent, received March 8, 2017.
- Copy of By-law 996-88 affecting subject property.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- David Bronskill, solicitor, appeared and requested that the hearing of the application be deferred in order to provide an opportunity to discuss the proposal with planning staff and to revise the proposal.
- No other person appeared before Committee in interest.

MOTION

It was moved by Carl Knipfel, seconded by Donald Granatstein and carried unanimously that the application be **deferred, for a maximum of 3 months**. The deferral would provide the applicant with an opportunity to revise the application to address the concerns of the neighbour. The matter would be rescheduled to a Committee of Adjustment Toronto & East York, **Panel B**.

31. 1 MARIBETH AVE

File Number:	A1187/16TEY	Zoning	R (d1.0)(x82) & R3 Z1.0 (ZZC)
Owner(s):	ELIZABETH DAKERS SCOTT TAVIS	Ward:	Toronto Centre-Rosedale (27)
Agent:	ALFREDO TANTALO	Heritage:	Not Applicable
Property Address:	1 MARIBETH AVE	Community:	Toronto
Legal Description:	PLAN D30 PT LOTS 90 & 91		

PURPOSE OF THE APPLICATION:

To construct a new three-storey semi-detached dwelling containing two dwelling units.

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

- 1. Chapter 10.10.40.70.(3)(B)(iii), By-law 569-2013**
The minimum required side yard setback is 1.20 m.
The new semi-detached dwelling will be located 0.24 m from the west side yard lot line.
 - 2. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.50 m.
The height of all side exterior main walls facing a side lot line will be 9.94 m.
 - 3. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted building depth is 14.0 m.
The new semi-detached dwelling will have a building depth of 15.49 m.
 - 4. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1.0 times the area of the lot (145.67 m²).
The new semi-detached dwelling will have a floor space index equal to 1.99 times the area of the lot (289.65 m²).
 - 5. Chapter 10.10.40.70.(4)(D), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The new second floor rear balcony will be located 0.29 m from the west side lot line.
 - 6. Chapter 200.5.10.1.(1), By-law 569-2013**
The minimum required number of parking spaces is two.
In this case, zero parking spaces will be provided.
- 1. Section 6(3) Part II 3.E(I), By-law 438-86**
The minimum required side lot line setback is 1.20 m, where the side wall contains openings.
The new semi-detached dwelling will be located 0.24 m from the west side lot line, where the side wall contains openings.
 - 2. Section 6(3) Part II 5(I), By-law 438-86**
The maximum permitted building depth is 14.0 m.
The new semi-detached dwelling will have a building depth of 18.85 m.

3. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 1.0 times the area of the lot (145.67 m²).
The new semi-detached dwelling will have a residential gross floor area equal to 1.99 times the area of the lot (289.65 m²).
4. **Section 4(5)(B), By-law 438-86**
The minimum required number of parking spaces is two.
In this case, zero parking spaces will be provided.
5. **Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new semi-detached dwelling will be located 4.40 m from the south rear lot line, measured from the second floor rear balcony.
6. **Section 6(3) Part II 3.E(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m, where the side wall contains no openings.
The new semi-detached dwelling will be located 0.08 m from the east side lot line and 0.29 m from the west side lot line, measured from the second floor rear balcony.

The Committee had before it the following communication:

- Copy of plan of survey, site plan, floor plans and elevations.
- Letter requesting deferral from TJ Cieciora, agent, received March 24, 2017.

Commenting Agency Reports/Email

- Staff Reports from:
 - Director, Community Planning, City Planning, Toronto and East York District, received March 24, 2017.
 - Acting Supervisor, Tree Protection and Plan Review, Urban Forestry, received March 23, 2017.

Opposition

- Correspondence in opposition from Brian Sambourne, 33A Homewood Avenue, received March 27, 2017.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Brandon Kashin, agent, appeared and requested the hearing of the application be deferred in order to provide an opportunity to discuss the proposal with the Councillor, planning staff and concerned neighbour.
- Brian Samborne, 33A Homewood Avenue, appeared in opposition to the application.

MOTION

It was moved by Carl Knipfel, seconded by Lisa Valentini and carried unanimously that the application be **deferred, for a maximum of 3 months**. The deferral would provide the applicant with an opportunity to discuss the proposal with the Ward Councillor, planning staff and neighbour. The matter would be rescheduled to a Committee of Adjustment Toronto & East York, **Panel B**.

32. 3 MARIBETH AVE

File Number:	A1188/16TEY	Zoning	R (d1.0)(x82) & R3 Z1.0 (ZZC)
Owner(s):	SCOTT TAVIS	Ward:	Toronto Centre-Rosedale (27)
Agent:	ALFREDO TANTALO	Heritage:	Not Applicable
Property Address:	3 MARIBETH AVE	Community:	Toronto
Legal Description:	PLAN D30 PT LOTS 90 & 91		

PURPOSE OF THE APPLICATION:

To construct a new three-storey semi-detached dwelling containing two dwelling units.

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

- 1. Chapter 10.10.40.70.(2), By-law 569-2013**
The minimum required rear yard setback is 7.50 m.
The new semi-detached dwelling will be located 7.34 m from the south rear lot line.
- 2. Chapter 10.10.40.70.(3)(B)(iii), By-law 569-2013**
The minimum required side yard setback is 1.20 m.
The new semi-detached dwelling will be located 0.36 m from the east side yard lot line.
- 3. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 9.50 m.
The height of all side exterior main walls facing a side lot line will be 9.94 m.
- 4. Chapter 10.10.40.30.(1)(B), By-law 569-2013**
The maximum permitted building depth is 14.0 m.
The new semi-detached dwelling will have a building depth of 15.49 m.
- 5. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1.0 times the area of the lot (144.90 m²).
The new semi-detached dwelling will have a floor space index equal to 2.0 times the area of the lot (289.65 m²).
- 6. Chapter 10.10.40.70.(4)(D), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The new second floor rear balcony will be located 0.36 m from the east side lot line.
- 7. Chapter 200.5.10.1.(1), By-law 569-2013**
The minimum required number of parking spaces is two.
In this case, zero parking spaces will be provided.
- 1. Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new semi-detached dwelling will be located 4.10 m from the south rear lot line, measured from the second floor rear balcony.

2. **Section 6(3) Part II 3.E(I), By-law 438-86**
The minimum required side lot line setback is 1.20 m, where the side wall contains openings.
The new semi-detached dwelling will be located 0.36 m from the east side lot line, where the side wall contains openings.
3. **Section 6(3) Part II 5(I), By-law 438-86**
The maximum permitted building depth is 14.0 m.
The new semi-detached dwelling will have a building depth of 18.85 m.
4. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 1.0 times the area of the lot (144.90 m²).
The new semi-detached dwelling will have a residential gross floor area equal to 2.0 times the area of the lot (289.65 m²).
5. **Section 4(5)(B), By-law 438-86**
The minimum required number of parking spaces is two.
In this case, zero parking spaces will be provided.
6. **Section 6(3) Part II 3.E(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m, where the side wall contains no openings.
The new semi-detached dwelling will be located 0.08 m from the west side lot line and 0.36 m from the east side lot line, measured from the second floor rear balcony.

The Committee had before it the following communication:

- Copy of plan of survey, site plan, floor plans and elevations.
- Letter requesting deferral from TJ Cieciora, agent, received March 24, 2017.

Commenting Agency Reports/Email

- Staff Reports from:
 - Director, Community Planning, City Planning, Toronto and East York District, received March 24, 2017.
 - Acting Supervisor, Tree Protection and Plan Review, Urban Forestry, received March 23, 2017.

Opposition

- Correspondence in opposition from Brian Sambourne, 33A Homewood Avenue, received March 27, 2017.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Brandon Kashin, agent, appeared and requested the hearing of the application be deferred in order to provide an opportunity to discuss the proposal with the Councillor, planning staff and concerned neighbour.
- Brian Samborne, 33A Homewood Avenue, appeared in opposition to the application.

MOTION

It was moved by Carl Knipfel, seconded by Lisa Valentini and carried unanimously that the application be **deferred, for a maximum of 3 months**. The deferral would provide the applicant with an opportunity to discuss the proposal with the Ward Councillor, planning staff and neighbour. The matter would be rescheduled to a Committee of Adjustment Toronto & East York, **Panel B**.

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

File Number:	A1189/16TEY	Zoning	CR 2.5 (c1.0,r2.0)SS2 (x1579) & MCR T2.5, c1.0, R2.0 (PPR)
Owner(s):	ISLINGTON VILLAGE CORPORATION	Ward:	Trinity-Spadina (19)
Agent:	EDWARD LEE	Heritage:	Not Applicable
Property Address:	794 DUNDAS ST W	Community:	Toronto
Legal Description:	PLAN 74 PT LOT 93		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a mixed-use two-storey building by converting the second floor residential unit to a restaurant with thirty-two seats and a second floor patio with twelve seats.

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

1. Chapter 10.5.40.40.(1), By-law 569-2013

The maximum permitted floor space index for non residential uses on the lot is 1.0 times the area of the lot (179.86 m²).

The non-residential floor space index of the building will be 1.36 times the area of the lot (245.49 m²).

2. Chapter 40.10.20.100.(21)(E), By-law 569-2013

An outdoor patio is a permitted use provided that if it is located above the first storey of the building, it is at least 40.0 m from a lot in the Residential Zone category or Residential Apartment Zone category.

The second floor outdoor patio at front will be approximately 35.1 m from a lot in the Residential Zone category.

1. Section 8(3) Part I 2, By-law 438-86

It is required that the non-residential gross floor area of the building be not more than 1.0 times the area of the lot (179.86 m²).

The non-residential gross floor area of the building will be 1.36 times the area of the lot (245.49 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) The operating hours for the second floor patio shall be restricted to 11:00 a.m. to 11:00 p.m.
- (2) No music, artificial or amplified sound shall be played on, or projected into, the second floor patio area.
- (3) The second floor patio shall be limited to the area as shown on the plans received by Committee of Adjustment on December 5, 2016.

SIGNATURE PAGE

File Number:	A1189/16TEY	Zoning	CR 2.5 (c1.0,r2.0)SS2 (x1579) & MCR T2.5, c1.0, R2.0 (PPR)
Owner(s):	ISLINGTON VILLAGE CORPORATION	Ward:	Trinity-Spadina (19)
Agent:	EDWARD LEE	Heritage:	Not Applicable
Property Address:	794 DUNDAS ST W	Community:	Toronto
Legal Description:	PLAN 74 PT LOT 93		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

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

File Number:	A1190/16TEY	Zoning	R(d0.6 H10.0 m x735) & R2 Z0.6 H10.0 m (ZZC)
Owner(s):	JAMES DUDLEY MACGILLIVRAY WEI-HAN VIVIAN LEE	Ward:	Trinity-Spadina (19)
Agent:	JAMES DUDLEY MACGILLIVRAY	Heritage:	Not Applicable
Property Address:	264 MONTROSE AVE	Community:	Toronto
Legal Description:	PLAN 1054 PT LOT 66		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear one-storey addition, south side first-storey bay window addition, and to convert the attic into habitable space.

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

- Chapter 10.10.40.40.(2)(A), By-law 569-2013**
Additions to the rear of a detached dwelling erected before October 15, 1953 are permitted provided the residential floor space index of the building, as enlarged, does not exceed 0.69 times the area of the lot (133.86 m²).
The altered dwelling will have a floor space index equal to 1.02 times the area of the lot (197.5 m²).
- 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 3.73 m from the northwest rear lot line.
- Chapter 10.5.40.60.(6)(B)(ii), By-law 569-2013**
A bay window may encroach into the required side yard setback 0.6 m if it is no closer to a side lot line than 0.6 m.
The side bay window addition will encroach 0.69 m into the required side yard setback, and will be located 0.3 m from the south side lot line.
- Chapter 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% (15.5 m²) of the rear yard must be maintained as soft landscaping.
In this case, 0% (0 m²) of the rear yard will be maintained as soft landscaping.

1. Section 6(3) Part VI 1(I), By-law 438-86

Additions to the rear of a detached dwelling erected before October 15, 1953 are permitted provided the residential gross floor area of the building, as enlarged, does not exceed 0.69 times the area of the lot (133.86 m²).

The altered dwelling will have a gross floor area equal to 1.02 times the area of the lot (197.5 m²).

2. Section 6(3) Part VI 1(III), By-law 438-86

Additions to the rear of detached houses erected before October 15, 1953, or to a converted house are permitted provided no part of the addition is located closer to the rear lot line than 7.5 m.

The rear one-storey addition will be located 3.73 m from the northwest rear lot line.

3. Section 6(3) Part VI 1(IV), By-law 438-86

Additions to the rear of detached houses erected before October 15, 1953, or to a converted house are permitted provided no part of the addition is located closer to the side lot line than 0.95 m.

The rear one-storey addition will be located 0.3 m from the south side lot line.

4. Section 6(3) Part II 3.A(II), By-law 438-86

The minimum required setback from a flanking street is 6.0 m.

The altered dwelling will be located 0.3 m from the south flanking street, Crawford Street.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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 approve 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

File Number:	A1190/16TEY	Zoning	R(d0.6 H10.0 m x735) & R2 Z0.6 H10.0 m (ZZC)
Owner(s):	JAMES DUDLEY MACGILLIVRAY WEI-HAN VIVIAN LEE	Ward:	Trinity-Spadina (19)
Agent:	JAMES DUDLEY MACGILLIVRAY	Heritage:	Not Applicable
Property Address:	264 MONTROSE AVE	Community:	Toronto
Legal Description:	PLAN 1054 PT LOT 66		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1191/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (PPR)
Owner(s):	ANTONIO IOZZO	Ward:	Trinity-Spadina (19)
Agent:	APHRODITE LIAGHAT	Heritage:	Not Applicable
Property Address:	633 SHAW ST	Community:	Toronto
Legal Description:	PLAN 430 BLK C PT LOT 21		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a two-storey semi-detached dwelling by constructing a rear two-storey addition with deck and basement stairs and make interior alterations to create habitable space in the attic; resulting, in conversion to a two unit dwelling.

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

- Chapter 10.10.40.40, By-law 569-2015**
The maximum permitted floor space index is 0.6 times the area of the lot (179.4 m²).
The floor space index will be 0.86 times the area of the lot (257.69 m²).
- Chapter 10.5.50.10.(3), By-law 569-2013**
A minimum of 50% (73.2 m²) is required to be rear yard soft landscaping.
The rear yard soft landscaping will be 34.0% (50.54 m²).
- Chapter 150.10.40.1(3)(A), By-law 569-2013**
The addition and exterior alteration to the front wall of the building is not permitted.
In this case, an addition/exterior alteration is being proposed.
- Chapter 10.5.40.50.(3), By-Law 569-2013**
The level of the floor of a platform, such as a deck or balcony, located at or above the second storey of a residential building other than an apartment building, may be no higher than the level of the floor of the storey from which it gains access.
The third floor roof deck will be higher than the level of the floor of the storey from which it gains access.

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

The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.
The height of the side exterior main walls facing a side lot line will be 9.6 m.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 0.6 times the area of the lot (179.4 m²).
The residential gross floor area will be 0.86 times the area of the lot (257.69 m²).

2. Section 6(3) Part II 3(I), By-law 438-86

A building is required to be located a minimum separation distance of 0.90 m to the side wall of an adjacent building that contains no openings.

The building will be setback 0.45 m from 631 Shaw Street.

3. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted building depth is 14.0 m.

The building depth will be 17.0 m.

4. Section 6(2)1, By-law 438-86

An addition or exterior alteration to the front wall of a converted house is not permitted.

One addition is permitted at the time of conversion or thereafter, in this case more than one addition is contemplated.

5. Section 6(2) 1, By-law 438-86

The maximum permitted residential gross floor area of all additions is 44.85 m².

The residential gross floor area of the contemplated additions will be 127.97 m².

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) The rear third storey deck shall be constructed with permanent opaque screening or fencing along the north and south edges of the deck to a minimum height of 1.5 m, measured from the floor of the deck.
- (2) The rear third floor deck shall have a 2.43 m setback from the second floor rear wall.

SIGNATURE PAGE

File Number:	A1191/16TEY	Zoning	R(d0.6)(x735) & R2 Z0.6 (PPR)
Owner(s):	ANTONIO IOZZO	Ward:	Trinity-Spadina (19)
Agent:	APHRODITE LIAGHAT	Heritage:	Not Applicable
Property Address:	633 SHAW ST	Community:	Toronto
Legal Description:	PLAN 430 BLK C PT LOT 21		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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36. 269, 271 & 273 RICHMOND ST W

File Number:	A1192/16TEY	Zoning	CRE(x74) & RA (ZZC)
Owner(s):	2254298 ONTARIO LIMITED	Ward:	Trinity-Spadina (20)
Agent:	SAM SPAGNUOLO	Heritage:	Designated
Property Address:	269, 271 & 273 RICHMOND ST W	Community:	Toronto
Legal Description:	PLAN 471 LOTS 11 TO 13		

PURPOSE OF THE APPLICATION:

To alter the existing three-storey rowhouse complex currently containing office uses by constructing a rear third-storey addition, and the addition of an internal elevator and staircase within the existing internal courtyard.

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

- 1. Chapter 200.5.10.1.(1), By-law 569-2013**
The minimum required number of parking spaces is 8.
In this case, 0 parking spaces will be provided.
- 2. Chapter 230.5.10.1.(1), By-law 569-2013**
The minimum required number of bicycle parking spaces for the additional office uses is 4.
In this case, 0 bicycle parking spaces will be provided.
- 3. Chapter 50.10.40.70.(1), By-law 569-2013**
The minimum required building setback from a side and rear lot line is 7.5 m.
The altered building will be located 0.0 m to the west side lot line.
- 4. Chapter 50.10.40.70.(3), By-law 569-2013**
Where a lot abuts a lane, the minimum building setback from a side lot line or rear lot line that abuts the lane is 7.5 m measured from the original centreline of the lane.
The altered building will be setback 1.68 m from the original centreline of the lane.
- 1. Section 7(3) Part II 1(I) & 3, By-law 438-86**
The by-law requires the portion of a building located beyond 25 m of a street or a public park to be set back a minimum distance of 7.5 m from the side and rear lot lines.
The altered building will be set back 0.0 m from the west side lot line and 1.68 m from the rear lot line.
- 2. Section 4(5)(B), By-law 438-86**
The minimum required number of parking spaces for the additional office space is 1.
In this case, 0 parking spaces will be provided.
- 3. Section 4(14)(A), By-law 438-86**
The minimum required building setback from the centre line of a public lane is 3.0 m.
The altered building will be setback 1.68 m from the centre line of the public lane.

The Committee had before it the following communication:

- Copy of plan of survey, site plan, floor plans and elevations.

Support

- Correspondence in support/no opposition from Paul Millar, 275 Richmond Street West, received March 3, 2017.

Filed at the public hearing

- Guy Zimmerman, Heritage Preservation Services, City Planning filed a staff report requesting a deferral of the application.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Sam Spagnuolo, agent, outlined the application, referring to material on file.
- Guy Zimmerman, Heritage Preservation Services, City Planning appeared in support of the deferral request.

MOTION

It was moved by Donald Granatstein, seconded by Carl Knipfel and carried that the application be **deferred, for a maximum of 3 months**. The deferral would provide an opportunity for Heritage Preservation Services to research and evaluate the properties in the context of the King-Spadina Heritage Conservation District Study Area. The matter would be rescheduled to a Committee of Adjustment Toronto & East York, **Panel B**.

Dissented: Michael Clark



NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0008/17TEY	Zoning	R (d1.0)(x7) & R4 Z1.0 (Waiver)
Owner(s):	2378880 ONTARIO INC	Ward:	Davenport (18)
Agent:	GREG BETTENCOURT	Heritage:	Not Applicable
Property Address:	826-828 DOVERCOURT RD	Community:	Toronto
Legal Description:	PLAN 622 BLK G PT LOT 40&41 RP 63R4872 PARTS 3 & 4		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots and to create access rights-of-way. A previous consent approved by the Committee of Adjustment Decision Number B-150-90 lapsed.

Retained –Parts 3 & 4, Draft R-Plan

Easement/Right-of-way– Part 3

826 Dovercourt Road

The lot frontage is 10.36 m and the lot area is 418.16 m².

The existing detached dwelling will be maintained.

Part 3 will be subject to a vehicular and pedestrian access right-of-way in favour of the retained lot, Part 4.

Conveyed – Parts 1 and 2, Draft R-Plan

Easement/Right-of-way– Part 2

828 Dovercourt Road

The lot frontage is 10.36 m and the lot area is 417.89 m².

The existing detached dwelling will be maintained.

Part 2 will be subject to a vehicular and pedestrian access right-of-way in favour of the conveyed lot, Part 1.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) An application for the installation of separate stormwater and sanitary connections for each property being submitted to the satisfaction of Toronto Water.
- (3) **One electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be emailed to the Case Manager, Committee of Adjustment.
- (4) **Two copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (5) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act* as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B0008/17TEY	Zoning	R (d1.0)(x7) & R4 Z1.0 (Waiver)
Owner(s):	2378880 ONTARIO INC	Ward:	Davenport (18)
Agent:	GREG BETTENCOURT	Heritage:	Not Applicable
Property Address:	826-828 DOVERCOURT RD	Community:	Toronto
Legal Description:	PLAN 622 BLK G PT LOT 40&41 RP 63R4872 PARTS 3 & 4		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **MONDAY, APRIL 24, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

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City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	B0093/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two lots.

Retained- Part 1, Draft R-Plan
99A Memorial Park

The lot frontage is 6.675 m and the lot area is 183.3 m².

A new two-storey detached dwelling with an integral garage will be constructed and requires variances to the Zoning By-law as outlined in application A1281/16TEY.

Conveyed- Part 2, Draft R-Plan
99B Memorial Park

The lot frontage is 6.675 m and the lot area is 183.3 m².

A new two-storey detached dwelling with an integral garage will be constructed and requires variances to the Zoning By-law as outlined in application A1282/16TEY.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (3) **One electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be emailed to the Case Manager, Committee of Adjustment.
- (4) **Two copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (5) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act* as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B0093/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **MONDAY, APRIL 24, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1281/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE - PART 1	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage and a rear ground floor deck, as described in Consent Application B0093/16TEY.

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

- Chapter 10.5.40.10.(5), By-law 569-2013**
A minimum of 10.0 m² of the first floor must be within 4.0 m of the front main wall.
In this case, 2.92 m² of the first floor will be within 4.0 m of the front main wall.
- Chapter 10.40.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (64.16 m²).
The lot coverage will be equal to 43.28% of the lot area (79.34 m²).
- Chapter 10.40.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The new detached dwelling will be located 0.58 m from the west side lot line, and 0.61 m from the east side lot line.
- Chapter 10.5.40.70.(1), By-law 569-2013**
The minimum required front yard setback is 4.95 m.
The new detached dwelling will be located 4.47 m from the north front lot line.
- Chapter 200.5.1.10.(2)(A)(i), By-law 569-2013**
The required parking space must have a minimum width of 3.2 m.
The parking space will measure 2.72 m in width.

6. **Chapter 900.4.10(312)(A), By-law 569-2013**
The minimum required lot area is 185 m².
The area of the retained lot will be 183.3 m².
1. **Section 5.40, By-law 6752**
The required parking space must have a minimum width of 3.2 m.
The parking space will measure 2.72 m in width.
2. **Section 7.5.3, By-law 6752**
The minimum required front yard setback is 6 m.
The new detached dwelling will be located 4.47 m from the north front lot line.
3. **Section 7.5.3, By-law 6752**
The minimum required lot area is 185 m².
The area of the retained lot will be 183.3 m².
4. **Section 7.5.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (64.16 m²).
The lot coverage will be equal to 41.35% of the lot area (75.79 m²).
5. **Section 7.5.3, By-law 6752**
The minimum required rear yard setback is 9 m.
The new detached dwelling will be located 8.33 m from the south rear lot line.
6. **Section 7.5.3, By-law 6752**
The minimum required west side yard setback is 0.6 m.
The new detached dwelling will be located 0.58 m from the west side lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

Where there are no existing street trees, the owner shall submit a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application or elsewhere in the community if there is no space, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

File Number:	A1281/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE - PART 1	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A1282/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE - PART 2	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage and a rear ground floor deck, as described in Consent Application B0093/16TEY.

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

- 1. Chapter 10.5.40.10.(5), By-law 569-2013**
A minimum of 10.0 m² of the first floor must be within 4.0 m of the front main wall.
In this case, 2.92 m² of the first floor will be within 4.0 m of the front main wall.
- 2. Chapter 10.40.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (64.16 m²).
The lot coverage will be equal to 43.28% of the lot area (79.34 m²).
- 3. Chapter 10.40.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The new detached dwelling will be located 0.58 m from the east side lot line, and 0.61 m from the west side lot line.
- 4. Chapter 10.40.40.70.(2)(A), By-law 569-2013**
The minimum required front yard setback is 4.95 m.
The new detached dwelling will be located 4.47 m from the north front lot line.
- 5. Chapter 200.5.1.10.(2)(A)(i), By-law 569-2013**
The required parking space must have a minimum width of 3.2 m.
The parking space will measure 2.72 m in width.

6. **Chapter 900.4.10(312)(A), By-law 569-2013**
The minimum required lot area is 185 m².
The area of the conveyed lot will be 183.3 m².
1. **Section 5.40, By-law 6752**
The required parking space must have a minimum width of 3.2 m.
The parking space will measure 2.72 m in width.
2. **Section 7.5.3, By-law 6752**
The minimum required front yard setback is 6 m.
The new detached dwelling will be located 4.47 m from the north front lot line.
3. **Section 7.5.3, By-law 6752**
The minimum required lot area is 185 m².
The area of the conveyed lot will be 183.3 m².
4. **Section 7.5.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (64.16 m²).
The lot coverage will be equal to 41.35% of the lot area (75.79 m²).
5. **Section 7.5.3, By-law 6752**
The minimum required rear yard setback is 9 m.
The new detached dwelling will be located 8.31 m from the south rear lot line.
6. **Section 7.5.3, By-law 6752**
The minimum required west side yard setback is 0.6 m.
The new detached dwelling will be located 0.58 m from the east side lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

Where there are no existing street trees, the owner shall submit a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application or elsewhere in the community if there is no space, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

File Number:	A1282/16TEY	Zoning	RS (f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	DIMOSTHENIS GIKAS	Ward:	Toronto-Danforth (29)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	99 MEMORIAL PARK AVE - PART 2	Community:	East York
Legal Description:	PLAN 3800 PT LOT 6 PT LOT 7		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0007/17TEY	Zoning	RD (f12.0, a370, d0.6) & R1B (ZZC)
Owner(s):	DIRK LUBKER	Ward:	Toronto-Danforth (29)
Agent:	WILL HUDSON	Heritage:	Not Applicable
Property Address:	76 DON VALLEY DR	Community:	Toronto
Legal Description:	PLAN 2477 PT LOT 44		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two lots.

Retained- Part 2, Draft R-Plan

76 Don Valley Dr

Part 2 has a lot frontage of 13.78 m and a lot area of 370.3 m².

The existing one-storey detached dwelling will be maintained.

Conveyed- Part 1, Draft R-Plan

Address to be assigned

Part 1 will have a lot frontage of 12.01 m and a lot area of 295.4 m².

A new three-storey detached dwelling with an integral garage will be constructed and requires variances to the Zoning By-law as outlined in application A0026/17TEY.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (3) **One electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be emailed to the Case Manager, Committee of Adjustment.
- (4) **Two copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (5) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act* as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B0007/17TEY	Zoning	RD (f12.0, a370, d0.6) & R1B (ZZC)
Owner(s):	DIRK LUBKER	Ward:	Toronto-Danforth (29)
Agent:	WILL HUDSON	Heritage:	Not Applicable
Property Address:	76 DON VALLEY DR	Community:	Toronto
Legal Description:	PLAN 2477 PT LOT 44		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **MONDAY, APRIL 24, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A0026/17TEY	Zoning	RD (f12.0, a370, d0.6) & R1B (ZZC)
Owner(s):	DIRK LUBKER	Ward:	Toronto-Danforth (29)
Agent:	WILL HUDSON	Heritage:	Not Applicable
Property Address:	76 DON VALLEY DR - PART 1	Community:	East York
Legal Description:	PLAN 2477 PT LOT 44		

Notice was given and a Public Hearing was held on **Tuesday, March 28, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral garage, a rear ground floor deck, and rooftop green roof, as described in Consent Application B0007/17TEY.

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

1. Chapter 10.20.30.10.(1)(A), By-law 569-2013

The minimum required lot area is 370 m².

The area of the conveyed lot will be 296 m².

2. Chapter 10.20.40.10.(1)(4)(A)(C), By-law 569-2013

The maximum permitted building height is 7.2 m.

The new detached dwelling will have a height of 9.64 m.

The maximum permitted number of storeys for a detached dwelling is two.

In this case, the new detached dwelling will be three storeys.

3. Chapter 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (177.6 m²).

The new detached dwelling will have a floor space index equal to 0.79 times the area of the lot (234 m²).

4. Chapter 10.20.40.50.(1)(B), By-law 569-2013

The maximum permitted area of each platform located at or above the second storey of a dwelling is 4.0 m².

The area of the rooftop green roof will be 58.81 m².

5. **Chapter 10.20.40.70.(1), By-law 569-2013**
The minimum required front yard setback is 5.44 m.
The new detached dwelling will be located 3.96 m from the east front lot line.
6. **Chapter 10.20.40.70.(2)(A), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The new detached dwelling will be located 7 m from the west rear lot line.
7. **Chapter 10.20.40.70.(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The new detached dwelling will be located 0.9 m from the north side lot line, and 0.92 m from the south side lot line.
1. **Section 7.3.3, By-law 6752**
The minimum required lot area is 370 m².
The area of the conveyed lot will be 296 m².
2. **Section 7.3.3, By-law 6752**
The minimum required front yard setback is 6 m.
The new detached dwelling will be located 3.96 m from the east front lot line.
3. **Section 7.3.3, By-law 6752**
The minimum required rear yard setback is 7.5 m.
The new detached dwelling will be located 7 m from the west rear lot line.
4. **Section 7.3.3, By-law 6752**
The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (177.6 m²).
The new detached dwelling will have a floor space index equal to 0.79 times the area of the lot (234 m²).
5. **Section 7.3.3, By-law 6752**
The maximum permitted building height is 8.5 m.
The new detached dwelling will have a height of 9.64 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve 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.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) Where there are no existing street trees, the owner shall submit a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application or elsewhere in the community if there is no space, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (3) Additional approvals may be required from Urban Forestry, and which shall be to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

File Number:	A0026/17TEY	Zoning	RD (f12.0, a370, d0.6) & R1B (ZZC)
Owner(s):	DIRK LUBKER	Ward:	Toronto-Danforth (29)
Agent:	WILL HUDSON	Heritage:	Not Applicable
Property Address:	76 DON VALLEY DR - PART 1	Community:	East York
Legal Description:	PLAN 2477 PT LOT 44		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, APRIL 3, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, APRIL 18, 2017**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.