

DECISION AND ORDER

Decision Issue Date Tuesday, November 07, 2017

PROCEEDING COMMENCED UNDER subsection 45 (1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): MOHAMMAD RAZAGHI

Applicant: OE DESIGN

Counsel or Agent: AMBER STEWART (Mohammad Razaghi); ISAIAH BANACH (Mark Nightingale)

Property Address/Description: 150 SANDRINGHAM DR

Committee of Adjustment Case File Number: 17 123414 NNY 10 MV

TLAB Case File Number: 17 188929 S45 10 TLAB

Hearing date: Monday, October 30, 2017

DECISION DELIVERED BY Laurie McPherson

INTRODUCTION

This is an appeal to the Toronto Local Appeal Body (the "TLAB") by the owner ("Applicant") of the decision of the Committee of Adjustment ("Committee") for the City of Toronto ("City") to refuse minor variances to construct a new detached two-storey dwelling at 150 Sandringham Drive ("the subject property").

The subject property is located on the north side of Sandringham Drive, east of Bathurst Street and north of Wilson Avenue. The rear lot line of the subject property abuts Earl Bales Park. The subject property is designated Neighbourhoods in the City of Toronto Official Plan ("Official Plan") and zoned RD (f15; a600)(x5) under Zoning By-law No. 569-2013 ("new City By-law") and R3 under North York Zoning Bylaw No. 7625 ("By-law 7625").

BACKGROUND

The Committee of Adjustment refused the applications on June 8, 2017 and the Applicant has appealed the decision. In addition to the Applicant, two neighbours elected Party status. The City of Toronto did not elect to be a Party to the proceedings.

At the outset of the hearing, the Applicant's representative, Ms. Amber Stewart, advised that a settlement had been reached with the other Parties and revisions to the plans and variances are being proposed which would have the effect of reducing the size of the second floor rear platform (balcony) from 16.95 m² to 6.5 m². These revisions and associated conditions are set out in Minutes of Settlement set out in Exhibit 1 and signed by all of the Parties.

In addition, Ms. Stewart identified two errors in the identification of the variances by the Building Department. These affect Variance 5 and clarify that the variance for the setback of the building from the top-of-bank applies to both stable top-of-bank not on the lot and the stable top-of-bank on the lot. The original variances did not include the variance for the setback from the top-of –bank on the lot and only dealt with the top-of-bank not on the lot. In addition, the original variance was to the corner of the basement foundation and it has been clarified to apply to the closest cantilevered portion of the building, for clarity. The revised variances as a result of these changes are outlined below.

1. Chapter 10.20.40.10. (2), By-law No. 569-2013

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

The proposed height of the side exterior main walls facing a side lot line is 8.1m.

2. Chapter 10.20.40.20. (1), By-law No. 569-2013

The maximum permitted building length is 17.0m.

The proposed building length is 26.04m.

3. Chapter 10.20.40.30. (1), By-law No. 569-2013

The maximum permitted building depth is 19.0m.

The proposed building depth is 25.19m.

4. Chapter 10.20.40.50. (1), By-law No. 569-2013

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

The proposed area of the rear platform at or above the second storey is **6.5m²**.

5. Chapter 5.10.40.70. (6) and 5.10.40.80. (1), By-law No. 569-2013

On lands under the jurisdiction of the Toronto and Region Conservation Authority, a building or structure on a lot must be no closer than 10m from a shoreline hazard limit or a stable top-of-bank on the lot, and 10m from a shoreline hazard limit or a stable top-of-bank not on that lot.

The proposed building or structure is 7.15 m (measured to the closest cantilevered portion of the building) and 6.92 m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank on the lot.

The proposed building or structure is 6.86m (measured to the closest cantilevered portion of the building) and 7.95m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank not on that lot.

6. Section 12.4(b), By-law No. 7625

The minimum required side yard setback is 1.8m.

The proposed west side yard setback is 1.23m.

7. Section 12.7, By-law No. 7625

The maximum permitted building height is 8.8m.

The proposed building height is 9.23m.

8. Section 12.5A, By-law No. 7625

The maximum permitted building length is 16.8m.

The proposed building length is 29.1m.

9. Section 12.7A, By-law No. 7625

The maximum permitted balcony area is 3.8m².

The proposed balcony area is **6.5m²**.

10. Section 6(24), By-law No. 7625

The maximum width of an unexcavated deck in the rear that projects less than 2.1m from the wall and is greater than 1m above all points of the adjacent ground is 50% of the width of the dwelling.

The proposed deck is 74.3% of the width of the dwelling.

I accept that these revisions are minor and were appropriately reviewed and put forward by all Parties. The site design and built form has not changed from what was before the Committee with the exception of a reduced 2nd floor balcony. The revisions regarding the top-of-bank are technical and for the purposes of clarification. No further notice or consideration is required under s. 45 (18.1) of the Planning Act.

MATTERS IN ISSUE

The issue is whether the variances, the revised variances, or otherwise, meet the tests set out under Section 45(1) of the Planning Act and other applicable considerations.

JURISDICTION

Provincial Policy – S. 3

A decision of the Toronto Local Appeal Body ('TLAB') must be consistent with the 2014 Provincial Policy Statement ('PPS') and conform to the Growth Plan of the Greater Golden Horseshoe for the subject area ('Growth Plan').

Minor Variance – S. 45(1)

In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet all of the four tests under s. 45(1) of the Act. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;
- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

EVIDENCE

The TLAB heard from the Applicant's professional land use planner, Franco Romano. Mr. Romano was qualified to provide land use planning opinion evidence (Exhibit 2 – Applicants documents including Expert's Witness Statement and Expert Duty Form). He described the site and the area. The subject property is well vegetated and has a 20 m drop from the street to the rear lot line.

The stable top of slope is located just behind the existing dwelling on the lot. The stable top of slope is oriented towards the front third of the lot and the existing house already traverses part of the stable top of slope. The settlement plans show that part of the sensitivity in the design of the dwelling is the basement foundation being maintained. This position helped secure the Toronto Region Conservation Authority's ("TRCA") support of the project. It is not concerned with the cantilevered portions which don't affect the grade.

The lot has a frontage of 28 m and a depth of 148 m with a total area of 4,383 m². There is an existing pool which will to be retained. The footprint of the existing building would generally be within the footprint of the proposed building. The proposed building is articulated and includes a variety of elements. The front of the house is 2 storeys and the rear of the house has a full basement walkout. The front lot line is angular which create some zoning nuances in terms of interpretation of the front setback line. The building length is measured from the garage knee wall to the rear wall and therefore does not necessarily reflect the building itself which ranges in length from is 12.01 m to 18.4 m. The lot coverage is 11% and the gross floor area is 770 m². The building will have a modern look with contemporary design features.

In terms of the policy framework, the Provincial Policy Statement recognizes a settlement area designation for the subject property and the development would be consistent with the policy thrust of making better more efficient use of existing

infrastructure. In terms of the 2017 Growth Plan, the proposal conforms to the policy thrust to make better use of existing infrastructure.

With respect to the Official Plan, the subject property is designated Neighbourhoods (Tab 4, Exhibit 2). The policies direct that development respects and reinforces the physical characteristic of the neighbourhood and the proposal would achieve that policy thrust. The site design is sensitive and reflects the existing developed portion of the lot as it occupies that area already developed with a bigger footprint. In Mr. Romano's opinion it would not have any negative impacts on the natural features to the rear on and off the subject property. Further, the proposal incorporates site design characteristics in terms of building placement and setbacks and built form elements such as the location of the front entrance, parking and amenity space that are consistent with features found in the neighbourhood. In his opinion the proposal would satisfy all of the built form policies found in section 3.1.2 of the Official Plan and all of the development criteria found in 4.1.5 of the Neighbourhoods designation section. In his opinion the variances individually and cumulatively maintain the intent and purpose of the Official Plan.

In terms of the revised variances, the plans have not changed from the plans that the TRCA reviewed and commented on. Tab 9 of Exhibit 2 includes the letter to the Committee from the TRCA which indicates that it has no objection and the geotechnical report properly identifies the long term stable top of slope has been properly determined and the identified setbacks are appropriate.

In terms of the zoning, the site has a detached dwelling unit zoning category. The intent and purpose is to make sure the site development is orderly and compatible within the site context and that this is being maintained, in his opinion.

There is a main wall height variance. The general intent and purpose is to ensure that the position of the eaves is reasonable and appropriate in relation to grade and does not affect a 3-storey building. The planner opined that intent is being maintained. In terms of building length and depth, the general intent and purpose is to ensure the dwelling is positioned towards the front portion of the lot and is not too deep into the lot and the backyard. That general intent and purpose is maintained for both the length and the depth given the capacity of the lot.

In terms of the size of the platform above the second storey level, the revision-moves from 16.5 m² to 6.5 m². The general intent and purpose is to ensure the platform is subordinate to the dwelling and does permit large gatherings and that intent and purpose is therefore being maintained.

With respect to the setback to the stable top of bank, the general intent and purpose is to ensure that the hazard on or off the site is not being negatively impacted. The

setback being provided maintains part of the existing foundation wall nearest to the shoreline hazard.

The west side yard setback is for a small jut out, on part of wall. Appropriate separation is maintained in Mr. Romano's opinion.

A height variance is required under By-law 7625 as height is measured differently in the former By-law. The rolling topography and changing grades affect this measurement and therefore it is more technical in nature. The purpose and intent is to achieve a low rise built form and that is being maintained.

The final variance relates to the deck width under By-law 7625. This is intended to ensure that the deck is subordinate and reasonably sited in relation to neighbouring properties. The deck is a wraparound deck and in his opinion the intent and purpose is maintained.

In summary, it is Mr. Romano's opinion that, individually and cumulatively, the general intent and purpose of both Zoning By-laws is being maintained.

In his opinion, the proposal facilitates a dwelling and site design that is compatible and complimentary to its surroundings, it has built form features that are well suited to the neighbourhood, and the site design is sensitive to the natural features on the site as well as sensitive to the neighbouring built form siting and character. It is his opinion that the proposal is desirable for the appropriate development and use of the land. In Mr. Romano's opinion the variances individually and cumulatively result in no adverse impact and the order of magnitude of the variances are reflective of site conditions and how other properties have developed in terms of individual site characteristics. The variances individually and cumulatively, he concluded, are minor in nature.

With respect to the proposed condition of approval that the proposed dwelling be constructed substantially in accordance with the site plan, elevations and the excerpt of the 2nd floor plan, it is Mr. Romano's opinion that this is a reasonable and appropriate condition to attach and address the individual nuances and technical aspects of some of the variances sought.

In conclusion, Mr. Romano's opinion that the proposal is reasonable and appropriate, the variances as revised are minor in nature and satisfy all four test for a minor variance and represent good and proper planning. Mr. Romano recommends the revised variances as found in Exhibit 1 with the condition as noted above and included in the Minutes of Settlement.

ANALYSIS, FINDINGS, REASONS

The Parties to the hearing presented Minutes of Settlement which address the concerns of the neighbours regarding privacy and overlook. While the TLAB accepts that the

changes to Variance 5, related to the stable top of bank, are for the purpose of clarification and the plans have not changed in that regard, it is noted that the Applicant would still require a permit from the TRCA to construct the dwelling and therefore the TRCA still has an approval function in terms of the regulated area. Mr. Romano's uncontradicted planning evidence is accepted.

The TLAB finds that the variances, as modified, meet the criteria set out in Section 45(1) of the Planning Act. The general purpose and intent of the Official Plan and Zoning By-laws is maintained. The proposal results in an appropriate and desirable development for subject property and the variances are considered minor in the context.

The TLAB is satisfied that the variances are consistent with the Provincial Policy Statement and conform to the Growth Plan.

DECISION AND ORDER

The TLAB orders that the appeal is allowed and the following variances are authorized subject to the following condition.

1. Chapter 10.20.40.10. (2), By-law No. 569-2013

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

The proposed height of the side exterior main walls facing a side lot line is 8.1m.

2. Chapter 10.20.40.20. (1), By-law No. 569-2013

The maximum permitted building length is 17.0m.

The proposed building length is 26.04m.

3. Chapter 10.20.40.30. (1), By-law No. 569-2013

The maximum permitted building depth is 19.0m.

The proposed building depth is 25.19m.

4. Chapter 10.20.40.50. (1), By-law No. 569-2013

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

The proposed area of the rear platform at or above the second storey is **6.5m²**.

5. Chapter 5.10.40.70. (6) and 5.10.40.80. (1), By-law No. 569-2013

On lands under the jurisdiction of the Toronto and Region Conservation Authority, a building or structure on a lot must be no closer than 10m from a shoreline hazard limit or a stable top-of-bank on the lot, and 10m from a shoreline hazard limit or a stable top-of-bank not on that lot.

The proposed building or structure is 7.15 m (measured to the closest cantilevered portion of the building) and 6.92 m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank on the lot.

The proposed building or structure is 6.86m (measured to the closest cantilevered portion of the building) and 7.95m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank not on that lot.

6. Section 12.4(b), By-law No. 7625

The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.23m.

7. Section 12.7, By-law No. 7625

The maximum permitted building height is 8.8m.
The proposed building height is 9.23m.

8. Section 12.5A, By-law No. 7625

The maximum permitted building length is 16.8m.
The proposed building length is 29.1m.

9. Section 12.7A, By-law No. 7625

The maximum permitted balcony area is 3.8m².
The proposed balcony area is **6.5m²**.

10. Section 6(24), By-law No. 7625

The maximum width of an unexcavated deck in the rear that projects less than 2.1m from the wall and is greater than 1m above all points of the adjacent ground is 50% of the width of the dwelling.
The proposed deck is 74.3% of the width of the dwelling.

Condition of Approval

1. The proposed dwelling shall be constructed substantially in accordance with the Site Plans attached hereto as Attachment 3 to the Minutes of Settlement dated October 29, 2017.

Attachment – Minutes of Settlement, October 29, 2017

X 

L. McPherson
Chair, Toronto Local Appeal Body

Toronto Local Appeal Body

PROCEEDINGS COMMENCED UNDER subsection, subsection 45(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant(s): MOHAMMAD RAZAGHI
Applicant(s): OE DESIGN

Subject(s): 45(12)
Property Address/Description: 150 SANDRINGHAM DR
Committee of Adjustment File
Number(s): 17 123414 NNY 10 MV (A0195/17NY)

TLAB Case File Number(s): 17 188929 S45 10 TLAB

MINUTES OF SETTLEMENT**BETWEEN:****MARK NIGHTINGALE**

-and-

ERIC SILVER

-and-

MOHAMMAD RAZAGHI
(the "Applicant")

WHEREAS Mark Nightingale and Eric Silver (collectively, the "Neighbours") are the respective owners of 156 Sandringham Drive and 146 Sandringham Drive, Toronto (the "Neighbours' Properties");

AND WHEREAS the Applicant is the owner of 150 Sandringham Drive, Toronto (the "Applicant's Property"), immediately adjacent to the Neighbours' Properties;

AND WHEREAS the Applicant made an application to the City of Toronto for minor variances pursuant to section 45 of the *Planning Act*, to facilitate the construction of a new two-storey dwelling on the Applicant's Property (the "Application");

AND WHEREAS on June 8, 2017, the North York panel of the Committee of Adjustment refused the Application. The Notice of Decision is set out in Attachment 1;

AND WHEREAS by letter dated June 28, 2017, the Applicant appealed the Committee of Adjustment's decision to the Toronto Local Appeal Body (the "TLAB");

AND WHEREAS the Applicant has agreed to make certain changes to the proposed dwelling to satisfy the concerns of the Neighbours. Specifically, the Applicant has reduced the size and configuration of the second storey balcony, installed flower boxes to ensure the flat roof area below remains inaccessible, and introduced vegetation and privacy screening to reduce impacts on the Neighbours;

AND WHEREAS the TLAB will hold a Hearing for this matter on October 30, 2017;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Recitals above are true.
2. The Applicant will seek for approval at the Hearing the revised list of variances set out in Attachment 2 (the "Revised Variance List"). Subject to the following, the Revised Variance List contains the same variances as those in the Decision:

- (a) In order to correct errors in the zoning notice, variance 5 has been revised to correctly reflect the setbacks to the stable top-of-bank on the lot and the stable top-of-bank not on the lot (noting that this revision does not arise from changes to the plans);
 - (b) as it relates to variances 4 and 9, maximum permitted balcony area, which has been reduced from 16.95 m² to 6.5 m²; and
 - (c) in variance 10, clarification that the proposed deck is 74.3% of the width of the dwelling.
- 3. The Applicant will seek approval of all variances on condition that the proposed dwelling be constructed substantially in accordance with the revised plans dated October 19, 2017 (the “Revised Plans”), set out in Attachment 3, and will request the TLAB attach the Revised Plans to its decision with such condition.
- 4. The Applicant and the Neighbours will jointly submit at the Hearing that the revisions to the proposal are minor such that further notice does not need to be recirculated, pursuant to s. 45(18.1.1) of the *Planning Act*.
- 5. The Neighbours will support, or not object to, the approval of the Revised Variance List and Revised Plans, subject to the condition set out in paragraph 3, above.
- 6. The Applicant and the Neighbours will provide a copy of the executed Minutes to the TLAB and will ask that they be appended to the Decision.
- 7. The Parties will bear their own costs in respect of this matter.

General

- 8. The Parties agree that they are contractually bound to the terms of these Minutes, and that the obligations and benefits thereof are immediately enforceable by civil action should a Party be in breach of them.
- 9. The Parties agree to act reasonably and with good faith in respect of all dealings between themselves pursuant to these Minutes.

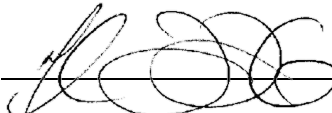
10. Subject to applicable law, the Parties shall execute diligently and expeditiously such further documents and take such further action as may be reasonably required in order to implement and give full legal force and effect to the terms of these Minutes.
11. These Minutes constitute the entire agreement between the Parties and supersede all prior agreements, negotiations and understandings with respect thereto.
12. Any amendment to or waiver of any provision of these Minutes must be in writing and signed by the Parties.
13. These Minutes may be executed in one or more counterparts, which together shall constitute a complete set of these Minutes, and executed counterparts may be delivered by e-mail or facsimile transmission.

IN WITNESS WHEREOF, the Parties have executed these Minutes of Settlement as of the date(s) indicated below:

Date: October , 2017

) **MARK NIGHTINGALE**

)
)
)
)
)
)

_____

ERIC SILVER

)
)
)
)
)
)

Date: October , 2017

_____

MOHAMMAD RAZAGHI

)
) MOHAMMAD RAZAGHI
)
)

Date: October 29, 2017

Attachment 1 – June 8, 2017 Notice of Decision

[This page left blank intentionally. See next page]

Thursday, June 8, 2017

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

File Number:	A0195/17NY	Zoning	RD(f15;a600)(x5)/R3[ZONING]
Owner(s):	MOHAMMAD RAZAGHI	Ward:	York Centre (10)
Agent:	OE DESIGN	Heritage:	Not Applicable
Property Address:	150 SANDRINGHAM DR	Community:	North York
Legal Description:	PLAN 2456 LOT 146		

Notice was given and a Public Hearing was held on Thursday, June 8, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling. The existing dwelling would be demolished.

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

- 1. Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the side exterior main walls facing a side lot line is **8.1m**.
- 2. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 26.04m.
- 3. Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.0m.
The proposed building depth is 25.19m.
- 4. Chapter 10.20.40.50.(1), By-law No. 569-2013**
The maximum permitted area of each platform at or above the second storey of a detached house is 4.0m².
The proposed area of the rear platform at or above the second storey is 16.95m².
- 5. Chapter 5.10.40.80.(1), By-law No. 569-2013**
On lands under the jurisdiction of the Toronto and Region Conservation Authority, a building or structure on a lot must be no closer than 10m from a shoreline hazard limit or a stable top-of-bank not on that lot.
The proposed building or structure is **7.35m** from a shoreline hazard limit or a stable top-of-bank not on that lot.
- 6. Section 12.4(b), By-law No. 7625**

The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.23m.

7. Section 12.7, By-law No. 7625

The maximum permitted building height is 8.8m.
The proposed building height is **9.23m**.

8. Section 12.5A, By-law No. 7625

The maximum permitted building length is 16.8m.
The proposed building length is 29.1m.

9. Section 12.7A, By-law No. 7625

The maximum permitted balcony area is 3.8m².
The proposed balcony area is 16.95m².

10. Section 6(24), By-law No. 7625

The maximum width of an unexcavated deck in the rear that projects less than 2.1m from the wall and is greater than 1m above all points of the adjacent ground is 50% of the width of the dwelling.
The proposed deck is 74.3% of the width.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

The Minor Variance Application is Refused

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

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

File Number:	A0195/17NY	Zoning	RD(f15;a600)(x5)/R3[ZONING]
Owner:	MOHAMMAD RAZAGHI	Ward:	York Centre (10)
Agent:	OE DESIGN	Heritage:	Not Applicable
Property Address:	150 SANDRINGHAM DR	Community:	North York
Legal Description:	PLAN 2456 LOT 146		

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Rick Ross (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Thursday, June 15, 2017

LAST DATE OF APPEAL: Wednesday, June 28, 2017

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal* to the Ontario Municipal Board (OMB) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- ☐ a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- ☐ \$300 for each appeal filed regardless if related and submitted by the same appellant
- ☐ Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS

To appeal this decision to the OMB you need the following:

- ☐ a completed OMB Appellant Form (A1) in **paper format**
- ☐ \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- ☐ Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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.

*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.

Attachment 2 – Modified List of Variances sought for Approval

1. Chapter 10.20.40.10.(2), By-law No. 569-2013

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

The proposed height of the side exterior main walls facing a side lot line is 8.1m.

2. Chapter 10.20.40.20.(1), By-law No. 569-2013

The maximum permitted building length is 17.0m.

The proposed building length is 26.04m.

3. Chapter 10.20.40.30.(1), By-law No. 569-2013

The maximum permitted building depth is 19.0m.

The proposed building depth is 25.19m.

4. Chapter 10.20.40.50.(1), By-law No. 569-2013

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

The proposed area of the rear platform at or above the second storey is **6.5m²**.

5. Chapter 5.10.40.70.(6) and 5.10.40.80.(1), By-law No. 569-2013

On lands under the jurisdiction of the Toronto and Region Conservation Authority, a building or structure on a lot must be no closer than 10m from a shoreline hazard limit or a stable top-of-bank on the lot, and 10m from a shoreline hazard limit or a stable top-of-bank not on that lot.

The proposed building or structure is 7.15 m (measured to the closest cantilevered portion of the building) and 6.92 m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank on the lot.

The proposed building or structure is 6.86m (measured to the closest cantilevered portion of the building) and 7.95m (measured to the rear ground floor deck) from a shoreline hazard limit or a stable top-of-bank not on that lot.

6. Section 12.4(b), By-law No. 7625

The minimum required side yard setback is 1.8m.

The proposed west side yard setback is 1.23m.

7. Section 12.7, By-law No. 7625

The maximum permitted building height is 8.8m.

The proposed building height is 9.23m.

8. Section 12.5A, By-law No. 7625

The maximum permitted building length is 16.8m.

The proposed building length is 29.1m.

9. Section 12.7A, By-law No. 7625

The maximum permitted balcony area is 3.8m².

The proposed balcony area is **6.5m²**.

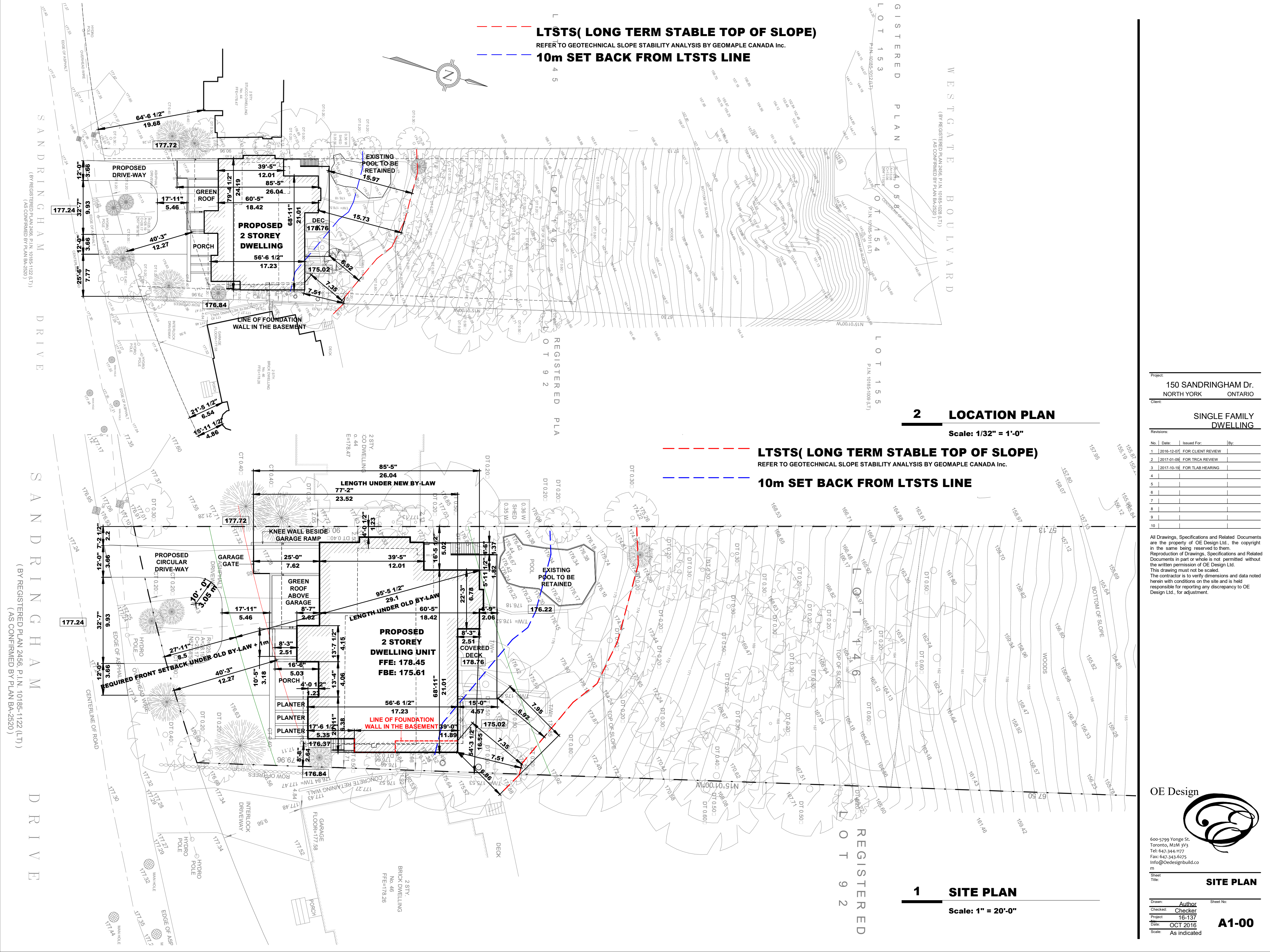
10. Section 6(24), By-law No. 7625

The maximum width of an unexcavated deck in the rear that projects less than 2.1m from the wall and is greater than 1m above all points of the adjacent ground is 50% of the width of the dwelling.

The proposed deck is 74.3% of the width of the dwelling.

Attachment 3 – Revised Plans as Condition of Approval

[This page left blank intentionally. See next page]



LTSTS(LONG TERM STABLE TOP OF SLOPE)

REFER TO GEOTECHNICAL SLOPE STABILITY ANALYSIS BY GEOMAPLE CANADA Inc.

10m SET BACK FROM LTSTS LINE

2 LOCATION PLAN

Scale: 1/32" = 1'-0"

LTSTS(LONG TERM STABLE TOP OF SLOPE)

REFER TO GEOTECHNICAL SLOPE STABILITY ANALYSIS BY GEOMAPLE CANADA Inc.

10m SET BACK FROM LTSTS LINE

1 SITE PLAN

Scale: 1" = 20'-0"

Project: 150 SANDRINGHAM Dr.
NORTH YORK ONTARIO

Client:

SINGLE FAMILY
DWELLING

Revisions:

No.	Date:	Issued For:	By:
1	2016-12-07	FOR CLIENT REVIEW	
2	2017-01-09	FOR TRCA REVIEW	
3	2017-10-19	FOR TLAB HEARING	
4			
5			
6			
7			
8			
9			
10			

All Drawings, Specifications and Related Documents are the property of OE Design Ltd., the copyright in the same being reserved to them. Reproduction of Drawings, Specifications and Related Documents in part or whole is not permitted without the written permission of OE Design Ltd. This drawing must not be scaled. The contractor is to verify dimensions and data noted herein with conditions on the site and is held responsible for reporting any discrepancy to OE Design Ltd., for adjustment.

OE Design

600-5799 Yonge St.
Toronto, M4M 3Y3
Tel: 647-344-1177
Fax: 647-343-6275
Info@Oedesignbuild.co
m

Drawn: Author
Checked: Checker
Project: 16-137
Date: OCT 2016
Scale: As indicated

Sheet Title: SITE PLAN

Sheet No:

A1-00


SINGLE FAMILY
DWELLING

Revisions:			
No.	Date:	Issued For:	By:
1	2016-12-07	FOR CLIENT REVIEW	
2	2017-01-09	FOR TRCA REVIEW	
3	2017-10-19	FOR TLAB HEARING	
4			
5			
6			
7			
8			
9			
10			

All Drawings, Specifications and Related Documents are the property of OE Design Ltd., the copyright in the same being reserved to them. Reproduction of Drawings, Specifications and Related Documents in part or whole is not permitted without the written permission of OE Design Ltd. This drawing must not be scaled. The contractor is to verify dimensions and data noted herein with conditions on the site and is held responsible for reporting any discrepancy to OE Design Ltd., for adjustment.

Scale: 3/16" = 1'-0"

OE Design

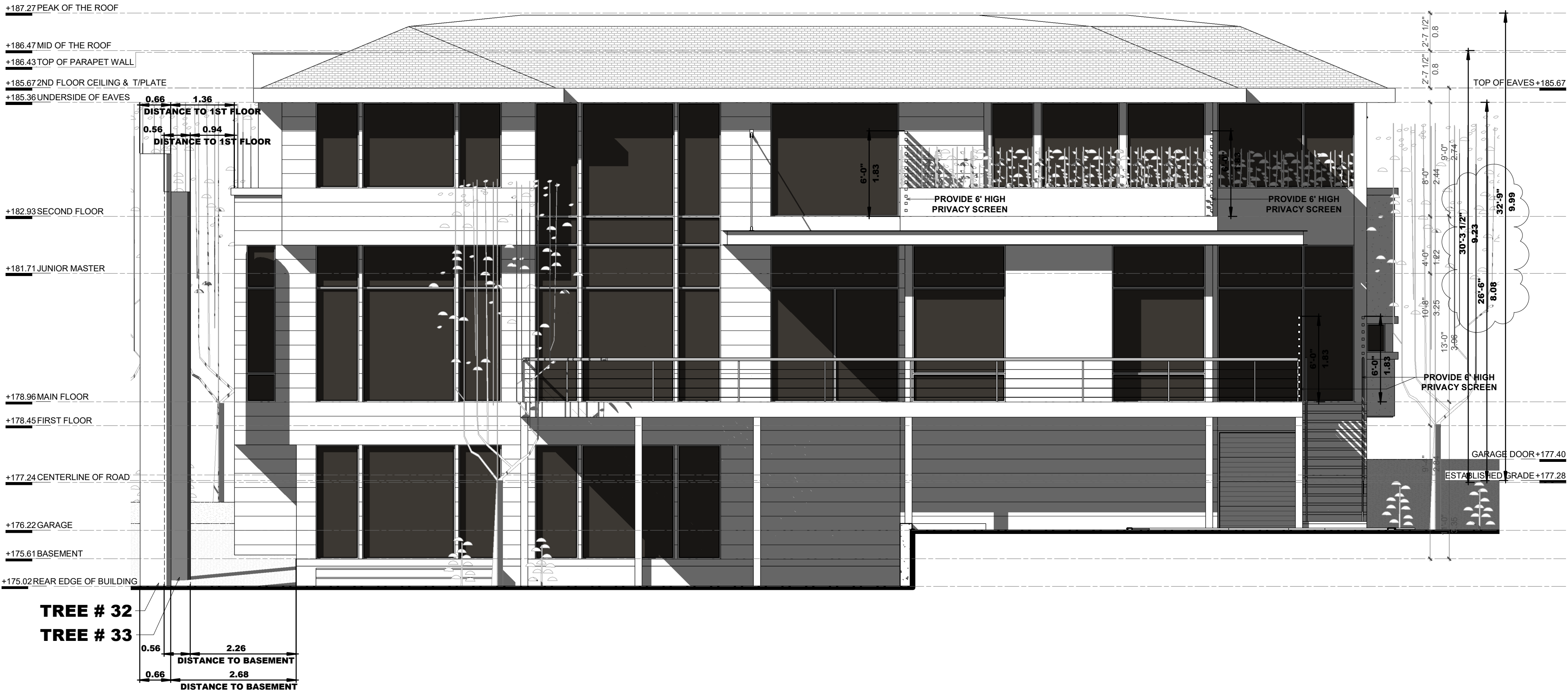


600-5799 Yonge St.
Toronto, M2M 3Y3
Tel: 647-344-1177
Fax: 647-343-675
Info@Oedesignbuild.co
m

Sheet
Title:

MAIN ELEVATION

Drawn:	Author	Sheet No:
Checked:	Checker	
Project	16-137	
Date:	OCT 2016	
Scale:	3/16" = 1'-0"	A2-01



1 NORTH ELEVATION

Scale: 3/16" = 1'-0"

Project: 150 SANDRINGHAM Dr.
NORTH YORK ONTARIO

Client: SINGLE FAMILY DWELLING

Revisions:			
No.	Date:	Issued For:	By:
1	2016-12-07	FOR CLIENT REVIEW	
2	2017-01-09	FOR TRCA REVIEW	
3	2017-10-19	FOR TLAB HEARING	
4			
5			
6			
7			
8			
9			
10			

All Drawings, Specifications and Related Documents are the property of OE Design Ltd., the copyright in the same being reserved to them.
Reproduction of Drawings, Specifications and Related Documents in part or whole is not permitted without the written permission of OE Design Ltd.
This drawing must not be scaled.
The contractor is to verify dimensions and data noted herein with conditions on the site and is held responsible for reporting any discrepancy to OE Design Ltd., for adjustment.

OE Design

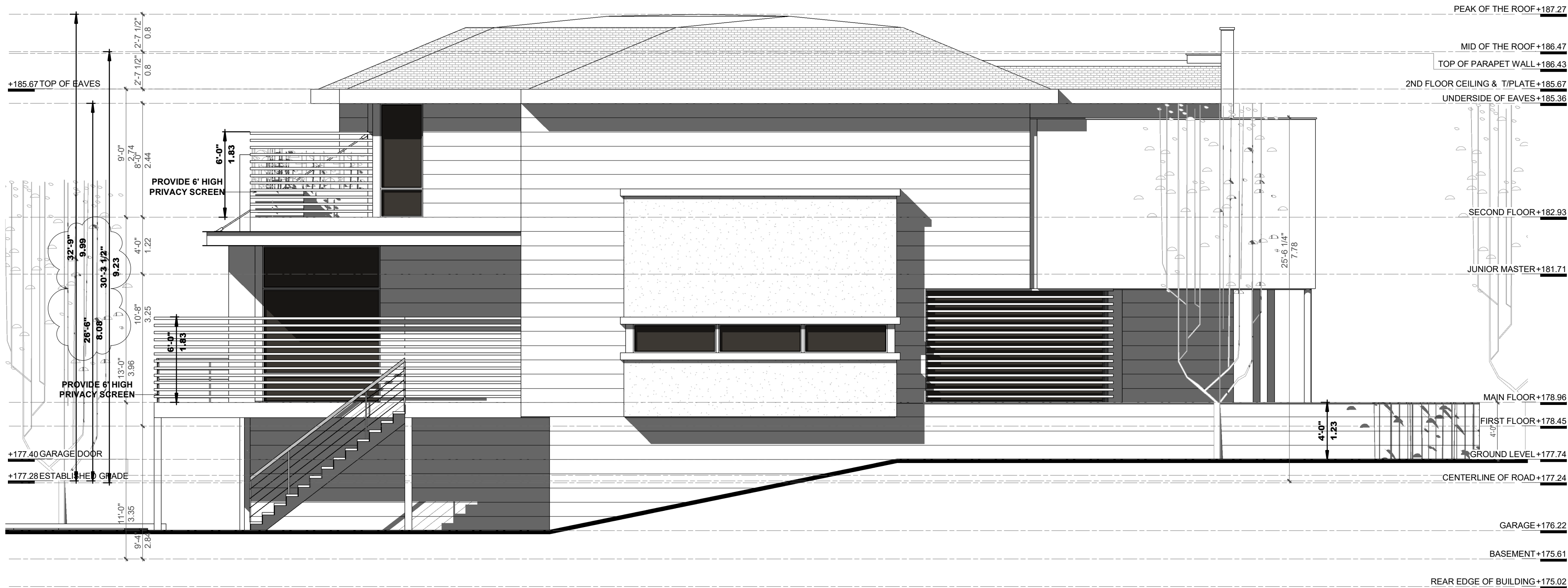
600-5799 Yonge St.
Toronto, M2M 3Y3
Tel: 647-344-1177
Fax: 647-343-6275
Info@Oedesignbuild.co
m

Sheet Title: REAR ELEVATION

Drawn: Author
Checked: Checker
Project: 16-137
Date: OCT 2016
Scale: 3/16" = 1'-0"

Sheet No:

A2-02



1 WEST ELEVATION

Scale: 3/16" = 1'-0"

Project: 150 SANDRINGHAM Dr.
NORTH YORK ONTARIO
Client:

SINGLE FAMILY DWELLING

Revisions:			
No.	Date:	Issued For:	By:
1	2016-12-07	FOR CLIENT REVIEW	
2	2017-01-09	FOR TRCA REVIEW	
3	2017-10-19	FOR TLAB HEARING	
4			
5			
6			
7			
8			
9			
10			

All Drawings, Specifications and Related Documents are the property of OE Design Ltd., the copyright in the same being reserved to them.
Reproduction of Drawings, Specifications and Related Documents in part or whole is not permitted without the written permission of OE Design Ltd.
This drawing must not be scaled.
The contractor is to verify dimensions and data noted herein with conditions on the site and is held responsible for reporting any discrepancy to OE Design Ltd., for adjustment.

OE Design
600-5799 Yonge St.
Toronto, M2M 3Y3
Tel: 647-344-1177
Fax: 647-343-6275
Info@Oedesignbuild.co
m

Drawn: Author
Checked: Checker
Project: 16-137
Date: OCT 2016
Scale: 3/16" = 1'-0"
Sheet No:
SIDE ELEVATION
A2-03



Project: 150 SANDRINGHAM Dr.
NORTH YORK ONTARIO

Client:

SINGLE FAMILY DWELLING

Revisions:			
No.	Date:	Issued For:	By:
1	2016-12-07	FOR CLIENT REVIEW	
2	2017-01-09	FOR TRCA REVIEW	
3	2017-10-19	FOR TLAB HEARING	
4			
5			
6			
7			
8			
9			
10			

All Drawings, Specifications and Related Documents are the property of OE Design Ltd., the copyright in the same being reserved to them.
Reproduction of Drawings, Specifications and Related Documents in part or whole is not permitted without the written permission of OE Design Ltd.
This drawing must not be scaled.
The contractor is to verify dimensions and data noted herein with conditions on the site and is held responsible for reporting any discrepancy to OE Design Ltd., for adjustment.

OE Design

600-5799 Yonge St.
Toronto, M2M 3V3
Tel: 647-344-1177
Fax: 647-343-6275
Info@Oedesignbuild.co
m

Sheet
Title: **SIDE ELEVATION**

Drawn: **Author**
Checked: **Checker**
Project: **16-137**
Date: **OCT 2016**
Scale: **3/16" = 1'-0"**

Sheet No:
A2-04

Detail of Second Floor Plan to Illustrate Rear Balcony Dimensions and Privacy Screens

