

DECISION AND ORDER

Decision Issue Date Friday, July 12, 2019

PROCEEDING COMMENCED UNDER Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): THOMAS MARTIN BAGINSKI

Applicant: MARIA MARREROS

Property Address/Description: 133 GLENMORE ROAD

Committee of Adjustment Case File: 18 230719 STE 32 MV

TLAB Case File Number: 19 114214 S45 19 TLAB

Hearing date: Tuesday, July 02, 2019

DECISION DELIVERED BY JUSTIN LEUNG

APPEARANCES

Name	Role	Representative
Maria Marreros	Applicant	
Jessica Baginski	Owner	
Thomas Baginski	Appellant/Primary Owner	
David Budimir	Participant	
Catherine Strickland	Participant	
Margaret Bachorz	Participant	
Grant Bachorz	Participant	
Garnet Smith	Participant	
Christy Conte	Participant	

Decision of Toronto Local Appeal Body Panel Member: J. LEUNG
TLAB Case File Number: 19 114214 S45 19 TLAB

Name	Role	Representative
Calven Eggert	Participant	
Stephen Ashby	Participant	
Wilma Degraaf	Participant	
Stuart Macneil	Participant	
Esther Ashby	Participant	
Margaret Ure	Participant	
Susan Butler	Participant	
Peter Strickland	Participant	
Patricia Budimir	Participant	
Joann Hunter	Participant	

INTRODUCTION

This is an appeal from a decision of the Toronto East York Committee of Adjustment (COA) pertaining to a request to permit a series of 5 variances for 133 Glenmore Road (subject property).

The variances, if allowed by the Toronto Local Appeal Body (TLAB), would permit the construction of a third storey addition with a rear facing balcony

This property is located in the Woodbine Corridor neighbourhood in the East York district of the City of Toronto (City) which is situated south of Gerrard Street East and bounded by Normandy Boulevard to the west and Woodbine Avenue to the east. The property is located on Glenmore Road, south of Gerrard Street East and north of Duverniet Avenue.

At the beginning of the hearing, I informed all parties in attendance that I had performed a site visit of this subject property and the neighbourhood and had reviewed all materials related to this appeal.

BACKGROUND

The variances which were requested are shown below:

1. 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 (125.04 m²). The floor space index of the altered three-storey semi-detached dwelling will be 0.74 times the area of the lot (153.85 m²).
- 2. Chapter 10.10.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 7.5 m. The height of the front exterior main wall will be 9.65 m.
 - 3. Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of all rear exterior main walls will be 7.5 m. The height of the rear exterior main wall will be 9.65 m.
-
- 1. Section 6(3) Part II 3.C(1), By-law 438-86**
The required side lot line setback is 0.45 m, where the side wall contains no openings. The side yard setback of the altered three-storey semi-detached dwelling will be 0.0 m on the north side.
 - 2. Section 4(3)(a), By-law 438-86**
The maximum permitted height of a building or structure is 10.0 m. The height of the altered three-storey semi-detached building will be 9.65 m.

These variances were heard and refused at the January 23, 2019 Toronto East York COA meeting. Subsequently, an appeal was filed on February 11, 2019 by the minor variance applicant Thomas Baginski within the 20 day appeal period as outlined by the *Planning Act*. The TLAB received the appeal and scheduled a hearing on July 2, 2019 for all relevant parties to attend.

MATTERS IN ISSUE

The applicant is proceeding with a TLAB appeal retaining their minor variance proposal without any changes. Some residents of the neighbourhood contend that such a proposed addition has not yet been done on Glenmore Road. It has been argued that the allowance of this proposal could act to 'destabilize' or change the existing character of the neighbourhood. Further changes to the neighbourhood could also result if this proposal were allowed. The TLAB must assess this proposal within the appropriate planning context to determine whether or not it meets the measure of 'good planning' and as contemplated for within the *Planning Act* and other relevant provincial planning policies.

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 *Planning 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 appellant and applicant, Thomas Baginski, commenced by describing the proposal is for a 300 square feet addition to the existing semi-detached dwelling. It would consist of a bedroom and bathroom with a rear facing balcony. Mr. Baginski states that the denial of their application by Toronto East York COA could be partially due to a less than stellar presentation made by him to the Committee. The existing dwelling was constructed in 1918 and improvements to this house is argued as beneficial for the neighbourhood. He outlines that the immediate street has a varied building type and height. Research on similar additions which had obtained minor variance approval were also referenced by Mr. Baginski to contend that his proposal is compatible with the continued regeneration which is occurring in this area. The building design and style of these additions are also varied in nature. Images showing these other proposals were presented at the hearing. Materials relating to this were entered as an exhibit to the TLAB to form part of this appeal's material. He also indicates that the Committee did reach a split 2-1 decision on this application.

The adjacent main street of Gerrard Street East contains several commercial businesses and the Toronto Transit Commission (TTC) Carlton streetcar line runs along this street as well. Due to a wind storm, one of the large trees on his subject property had come down. Some new tree plantings are being contemplated for on the site. Mr. Baginski states that he has 3 children with one of them currently residing in the basement. The proposed addition is being considered to meet the needs of his growing family. In terms of the roof design, due to the setting back of the addition the visual impact has been minimized. The current views or sightlines of the adjacent properties would not be impacted by this addition being constructed. Due to the location of the plumbing of the existing dwelling, this resulted in the addition's orientation as shown on the submitted plans. In terms of drainage, work has been done to ensure water will run out and towards the front of the property. There would be no water runoff onto adjacent properties. Sunlight to the nearby properties will not be adversely impacted. The street's overall tree canopy has continued to be preserved which also provides sufficient shade and privacy needs for neighbourhood residents. The addition would be similar to alterations to other houses in this Woodbine Corridor area. Moreover, due to the current real estate market, the addition is being proposed as it would be something which is actually financially sensible for the appellant and his family.

Peter Strickland, an elected participant of 135 Glenmore Road, spoke in relation to this appeal. Mr. Strickland believes the decision of the Committee to refuse the application should be retained. In addition, prior to this appeal, no changes to the proposal have been suggested by the appellant. This proposed 'boxed' shaped addition is raised as being incompatible for the neighbourhood. Any potential new tree plantings will not acquiesce the privacy issues for the adjacent properties. If this were approved by TLAB, more proposals of a similar nature could be introduced for the area as a result. He does not immediately oppose an addition but it could be constructed in a different form to this existing dwelling. Structural engineering issues due to this addition do not appear to have been addressed sufficiently by the appellant.

Margaret Ure, an elected participant of 127 Glenmore Road, outlined that the addition's flat roof would impact her property due to potential water runoff. The aesthetics of the neighbourhood would be negatively impacted by this proposal. She stated that when she and her neighbor made alterations to their property, they coordinated with one another to ensure building material and exterior colour were consistent.

Susan Butler, an elected participant of 143 Glenmore Road, described that the street has been stable with relatively few real estate transactions. Ms. Butler stated that she had made alterations to her own home which she articulates were done in a manner which respects the neighbourhood character. The examples of similar additions in the area as presented by the appellant did not include any examples of a similar nature along Glenmore Road. In addition, the appellant does not appear to have made any changes to his proposal prior to filing his TLAB appeal.

Christy Conte, an elected participant of 128 Glenmore Road, is understanding of altering existing properties to meet growing family needs. However, she contends that this subject property is not an appropriate candidate for such an addition. The neighbourhood 'rhythm' could be interrupted as this addition would disrupt the common design aesthetic of the street. The appellant could possibly explore other means of doing this addition without being incompatible with the neighbourhood character.

David Budimir, an elected participant of 119 Glenmore Road, consented to comments made by previous participants. In addition, he states that residents should act to cooperate with one another in terms of any changes to their individual properties. The addition as proposed does not appear to respect the existing design of the semi-detached dwelling which it is proposed for.

Catherine Strickland, an elected participant of 135 Glenmore Road, referenced her earlier submitted letter of concern to COA due to the 'loopsided' appearance of the addition. Not all interested parties were in attendance at the hearing due to the Canada Day long weekend. They would be open to a change in the orientation of the proposed addition in terms of further discussions with the appellant.

In response, Mr. Baginski stated that a structural engineer reviewed the plans of this proposal and did not register concern from a structural perspective. There will be a visual impact to the streetline and adjacent properties. However, the planning process does not mandate building proposals to be 'invisible' to neighbouring properties. He also

outlined that he has subsequently commissioned a shade study which was not part of the formal TLAB appeal submissions. The appellant does not intend to enter this as evidence as it had not been stamped by a Professional Engineer. There will be a shade cast towards 135 Glenmore Road. However, it will not be a substantial change to existing sun-shade conditions which the adjacent properties currently experience. If this proposed construction were to impact the adjoining dwellings, the appellant would undertake to rectify and repair such damage. He did, in consideration of resident comments, make changes by reducing the front wall height, 3 skylights were removed, height in rear was reduced, square footage reduced, rear yard setting back reduced, balcony was removed, introduced sweep roof design in rear portion and the building height was reduced. As such, the appellant comments that changes were made by incorporating resident issues where it was achievable. This proposal is being brought forward as the appellant states they are unable to move into another house due to rising property prices. The proposal at hand is a compromise which his family has found can meet their needs especially as their children grow. There wouldn't be any similar designed house which the appellant can recall along Glenmore Road.

ANALYSIS, FINDINGS, REASONS

It is noted that there are 16 interested parties relating to this appeal, not all of these parties were in attendance at the TLAB hearing. In accordance with practice direction as stipulated for tribunal hearings, their non-attendance results in the TLAB not being able to concretely assess their issues as part of this appeal.

In assessing the materials and submissions which form the balance of this appeal, while the TLAB must give consideration for the decision as rendered by the Toronto East York COA in refusing this minor variance as per Section 2(1) of the *Planning Act*, it must be noted that each TLAB hearing is conducted as a hearing *de novo*. Essentially, the appeal triggers a new hearing where all materials and evidence for this minor variance request must be heard and considered again. The presiding TLAB member would then, acting in an independent and impartial manner, render a new decision relating to this minor variance.

The appellant (who is also the original minor variance applicant), outlines that the 3rd storey addition which he is proposing is consistent with the development pattern which is occurring in his neighbourhood and also for the broader East York district. Exhibit 2, outlining similar additions in the area, was submitted by the appellant at the hearing and subsequently entered as evidence into the relevant TLAB appeal file. This Exhibit 2 features images of houses with 3rd storey additions with a corresponding map showing their relative location. It should be reiterated that minor variances which are approved are not precedent setting and do not act to directly influence the approval of any prospective minor variance applications in future in the surrounding area. However, any potential minor variance which was appealed to TLAB and a decision rendered could be reviewed as relevant case law. In assessing this material, a minor variance proposal which is similar to the current one can be found on 135 Golfview Avenue, a street which is located east of Woodbine Avenue but could still be considered part of same area as that of the subject property. This property applied for a minor variance

which was refused by COA and subsequently appealed to the TLAB where it was approved on April 12, 2019 by TLAB member Burton. Here, the presiding TLAB member was reviewing whether the proposed addition would intrude on the neighbourhood character or would be inconsistent with the development pattern of the area. Member Burton surmises in her Decision and Order, dated April 12, 2019, that:

“I agree with Mr. Greer that are many similar or even larger additions close by. It does not constitute overbuilding in the context of this neighbourhood. I agree that this addition is within the existing physical character of the neighbourhood.”¹

The assessment criteria as expressed by Member Burton provides a relevant planning context for what is currently occurring in the Woodbine Corridor area. Regeneration of the housing stock in this neighbourhood has begun recently. While there is existing, early 20th century housing which is located throughout this area, upgrade and alteration to these houses has been contemplated for in municipal and provincial planning policies. Proposed residential areas, when initially undergoing the planning and development process, are planned and designed by municipal planners to meet the complex needs of residents. However, such areas are rarely contemplated as being ‘static’ or to indefinitely retain their exterior design character. Planners do envision that in the near future socio-economic conditions could shift resulting in evolving familial needs. For example, in the Cornell neighbourhood of the City of Markham, several of the dwellings with rear-facing detached laneway garages were designed and built to allow for a 2nd storey coach house to be built in future, if the property-owner elected to do so. This was done by municipal planners to allow potential families whose children later enter adulthood to potentially reside in such a coach house if they wanted to. If this was not necessary, then the property-owner could also choose not to construct a coach house above the garage. Again, this typifies the *modus operandi* of municipal planners to develop residential communities to meet current and future needs of its residents.

With the Woodbine Corridor area, while there are several semi-detached dwellings here which are of pre-World War II lineage, the area has begun to change as new residents begin to move into many of these homes. As their familial needs have evolved, mirroring the diverse population of Toronto, this often results in making alteration to their existing home to meet such needs. The City’s policies act to support such alterations as this also ensures more people choose to live in a denser, transit-oriented area as opposed to moving to further suburban areas away from the traditional urban centres, which is also accounted for in provincial planning policies such as the *Places to Grow Act*. It also ensures the vibrancy of these existing neighbourhoods as such policies act to encourage young families to consider moving into such areas.

The comments provided by the interested parties in attendance at the hearing could be distilled into the following items:

- 1) Potential loss of privacy and direct sunlight due to the construction of such an addition.

¹ City of Toronto (2019, April 12). Decision and Order: 33 Golfview Avenue. Retrieved from https://www.toronto.ca/wp-content/uploads/2019/04/8d85-TLAB_18-255899-S45-32-TLAB_33-Golfview-Ave_Decision_GBurton.pdf

- 2) A proposed addition which does not act to duplicate the housing style of the neighbourhood.
- 3) Introduction of such a new building type could result in change to the built form of the neighbourhood with potential similar construction being replicated by other property-owners in future.

In assessing these statements, the following conclusions can be made with regards to this proposal:

- 1) It is noted that, although the appellant does not appear to have engaged in initial discussions with neighbouring residents regarding his proposal (which would be voluntary in nature and not stipulated by the *Planning Act*), it appears that revisions to the proposal were made in consultation with City planning staff. As such, the proposed building height was reduced to comply with the building height requirements as per Zoning By-law 438-86. As such, this addition would have a building height similar to some other houses in the area and would not contribute to increased privacy and sunlight loss in relation to the other houses of the area. In addition, as part of the discussions with City staff, the balcony on the rear portion of the addition was removed by the appellant. This would act to address some resident concerns regarding potential loss of enjoyment of their backyards due to a balcony with sightlines into the adjacent properties.
- 2) Again, as this is not a heritage-designated area as per the *Ontario Heritage Act*, exterior building design cannot be regulated by the municipality. Ultimately, it would be up to the individual property-owner in this area who was looking at a potential new build or addition to consider the building material and design they wish to pursue for their property. It should be noted that this addition would be more prominent in terms of appearance in the rear and side of the property and not the front-facing portion. This acts to diminish its impact along Glenmore Road and minimize disruption to the overall character of the streetscape.
- 3) Minor variance proposals do not serve as legal precedence to be used to justify changes to the built form of an area. However, decisions of the TLAB could be referenced in terms of case law by professionals such as lawyers and planners. While this may be so, it would still be up to the presiding TLAB member to determine whether to allow or refuse an appeal through reviewing all material relating to a file, including the specific site context and characteristics, to draw conclusions on whether a proposal is appropriate within a planning framework. As such, even if this proposal were permitted, any potential future proposals for any other properties along Glenmore Road would still be assessed individually and according to that site's unique attributes. For example, while a property was granted approval to construct an addition, another property also on the same street may be refused as there are environmental features on their site. This typifies the due diligence which planners and other relevant staff perform in reviewing proposals on a case-by-case basis.

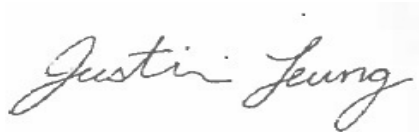
With the material that has been presented, I have chosen to accept the evidence of the appellant and the applicant in arguing for the allowance of this minor variance.

The appellant, through their minor variance and appeal materials, shows that their proposed addition is similar to other builds in the Woodbine Corridor area. Although such construction does not appear to have yet occurred on Glenmore Road, the assessment must be holistic and take into account the development unfolding for the broader area. The issues of sunlight access and privacy loss were not presented in a compelling manner by the interested parties as it does not appear that these two items will deteriorate significantly if this addition were to be built. In addition, the appellant has engaged with City staff to revise their proposal so that it has a more appropriate massing and scale for the neighbourhood that attempts to respect the existing built form while also allowing for evolving familial needs to be met in the process. Proposals such as this ensure that established neighbourhoods can maintain their social 'rhythm' by encouraging new families to move into recently vacated homes. This also ensures that local services such as the public school and community centre can continue to operate into the foreseeable future as there must be a growing, stable local population to support them.

DECISION AND ORDER

The appeal is allowed, and the variances in Appendix 1 are approved subject to the conditions therein and subject to the condition that the building must be constructed substantially in accordance with plans contained in the City staff report in Appendix 2.

X



Justin Leung
Panel Chair, Toronto Local Appeal Body

Appendix 1

List of proposed variances

1. 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 (125.04 m²). The floor space index of the altered three-storey semi-detached dwelling will be 0.74 times the area of the lot (153.85 m²).

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

The maximum permitted height of all front exterior main walls is 7.5 m. The height of the front exterior main wall will be 9.65 m.

3. Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013

The maximum permitted height of all rear exterior main walls will be 7.5 m. The height of the rear exterior main wall will be 9.65 m.

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

The required side lot line setback is 0.45 m, where the side wall contains no openings. The side yard setback of the altered three-storey semi-detached dwelling will be 0.0 m on the north side.

2. Section 4(3)(a), By-law 438-86

The maximum permitted height of a building or structure is 10.0 m. The height of the altered three-storey semi-detached building will be 9.65 m.

List of proposed conditions

- 1) The following variances should be modified to reflect the revised plans, received by Planning staff on January 17, 2019 and attached to this report at Appendix A (the 'Revised Plans;') and the annotated public notice prepared by the applicant, received by Planning staff on January 17, 2019 and attached to this report at Appendix B (together with the Revised Plans, the 'Revised Application'):
 - a) Variance #1 to Zoning By-law 569-2013, related to floor space index, be reduced from 0.75 times the area of the lot (156.16 square metres) to 0.74 times the area of the lot (153.85 square metres);
 - b) Variance #2 to Zoning By-law 569-2013, related to front exterior main wall height, be reduced from 10 metres to 9.65 metres;
 - c) Variance #2 Zoning By-law 569-2013, related to rear exterior main wall height, be reduced from 10 metres to 9.65 metres; and
 - d) Variance #1 to Zoning By-law 438-86, related to building height, be reduced from 10 metres to 9.65 metres; and
- 2) The variances related to front and rear main wall height, as revised, be limited to the proposed third storey addition, provided the addition be constructed substantially in accordance with the dimensions shown in drawings C-1 (site plan), C-13 and C-14 in the Revised Plans.



STAFF REPORT

133 Glenmore Avenue Committee of Adjustment Application

Date: January 17, 2019

To: Chair and Committee Members of the Committee of Adjustment, Toronto and East York District

From: Director, Community Planning, Toronto and East York District

Ward: 19, Beaches-East York (*formerly 32, Beaches-East York*)

File No: A0906/18TEY

Application to be heard: January 23, 2019

RECOMMENDATIONS

Planning staff recommend the following, should the Committee of Adjustment approve Application Number A0906/18TEY:

1. The following variances should be modified to reflect the revised plans, received by Planning staff on January 17, 2019 and attached to this report at Appendix A (the "**Revised Plans**"), and the annotated public notice prepared by the applicant, received by Planning staff on January 17, 2019 and attached to this report at Appendix B (together with the Revised Plans, the "**Revised Application**"):
 - a. Variance #1 to Zoning By-law 569-2013, related to floor space index, be reduced from 0.75 times the area of the lot (156.16 square metres) to 0.74 times the area of the lot (153.85 square metres);
 - b. Variance #2 to Zoning By-law 569-2013, related to front exterior main wall height, be reduced from 10 metres to 9.65 metres;
 - c. Variance #3 to Zoning By-law 569-2013, related to rear exterior main wall height, be reduced from 10 metres to 9.65 metres; and
 - d. Variance #1 to Zoning By-law 438-86, related to building height, be reduced from 10 metres to 9.65 metres; and
2. The variances related to front and rear main wall height, as revised, be limited to the proposed third-storey addition, provided the addition be constructed substantially in accordance with the dimensions shown in drawings C-1 (site plan), C-13 and C-14 in the Revised Plans.

APPLICATION

The applicant is seeking relief from the provisions of the applicable zoning by-laws to alter the existing two-storey semi-detached dwelling by constructing a third-storey addition with rear balcony.

Variances are requested with respect to floor space index, front and rear exterior main wall height, side yard setback and overall building height.

RECEIVED
By Committee of Adjustment at 4:19 pm, Jan 17, 2019

CONTEXT

The subject property is located south of Gerrard Street East and west of Woodbine Avenue. The property is designated *Neighbourhoods* in the Official Plan, as recently amended by Official Plan Amendment 320 ("OPA 320"). OPA 320 was adopted as part of the Official Plan Five-Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. OPA 320 policies are in force for all lands in the City of Toronto, except for certain properties that remain subject to site-specific appeals to OPA 320.

The Official Plan, as amended by OPA 320, requires physical changes to established *Neighbourhoods* to be sensitive, gradual and "fit" the existing physical character. Specifically, new development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, with reference to characteristics including prevailing heights, massing, scale, densities and dwelling types of nearby residential properties.

The property is zoned R (f7.5; d0.6) (x750) in Zoning By-law 569-2013 of the City of Toronto and R2 Z0.6 in Zoning By-law 438-86 of the former City of Toronto. The purpose of the respective zoning by-laws is to respect and reinforce a stable built form and to limit the impact of new development on adjacent properties.

COMMENTS

Planning staff have concerns with the variance related to rear main wall height as requested in the application originally submitted to the Committee. Planning staff have generally recommended incorporating measures such as lowered heights, step-backs, roof angling and other articulations to mitigate the effects of unduly severe main walls.

Planning staff have worked with the applicant to address the above-referenced concerns, and are satisfied with the Revised Application.

CONTACT

Kasia Kmiec, Assistant Planner
Community Planning, Toronto and East York District
416-392-0674
kasia.kmiec@toronto.ca

SIGNATURE



Signed by Kyle Knoeck, Manager, Community Planning on behalf of
Lynda H. Macdonald, MCIP, RPP, OALA
Director, Community Planning, Toronto and East York District

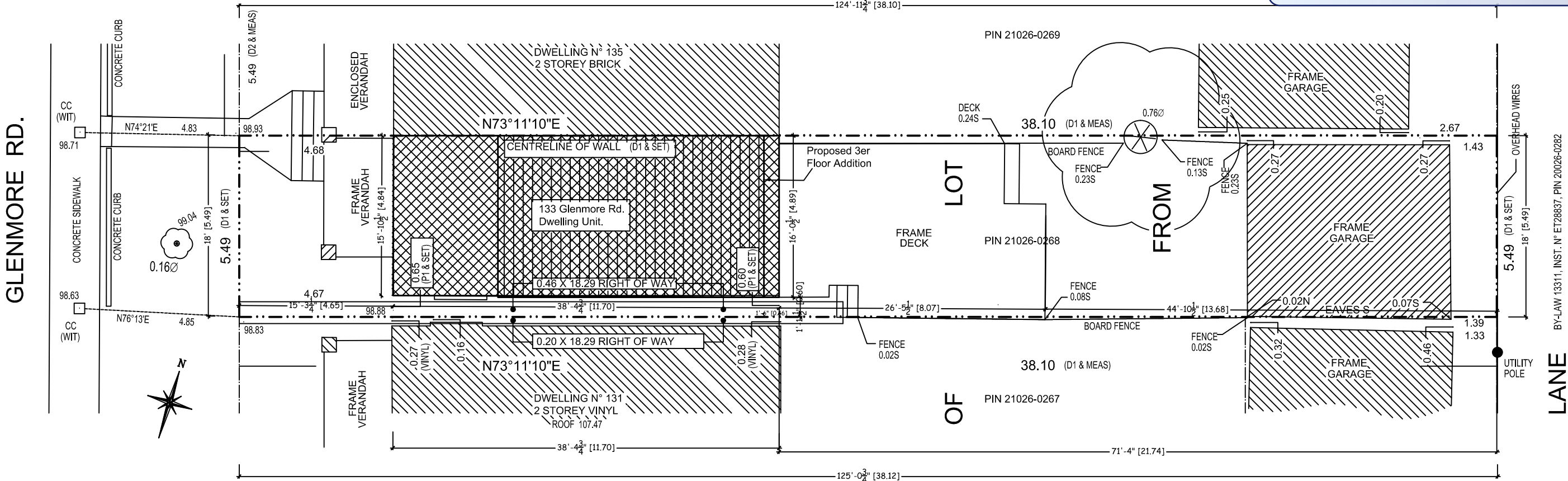
copy: Councillor Brad Bradford, Ward 19
Maria Marreros, Agent

Appendix A – Revised Plans

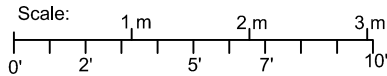
Attached.

RECEIVED

By City Planning at 3:48 pm, Jan 17, 2019



1 SITE PLAN
C-1 SCALE: 3/32 = 1'=0"



SURVEY INFORMATION
PART 1: PLAN OF SURVEY OF LOT 19 & 20
REGISTERED PLAN OF PART OF LOT 6
CONCESSION 1, FROM THE BAY
CITY OF TORONTO
SITE PLAN BASED ON INFORMATION FROM
SURVEY PREPARED BY: E.W. BOWYER B.Sc.,
O.L.S. - TORONTO-ONTARIO
JANUARY 23, 2018

PROJECT DATA MATRIX				
1	PROJECT DESCRIPTION	PROPOSED THIRD FLOOR ADDITION at 133 GLENMORE RD. East York, On.	3 FLOOR SPACE INDEX ALLOWABLE GFA: 60 % = (125.50 m2) 1,350.91 SQ FT	
			EXIST'G GROUND FLOOR	SQ. MT. 57.22 m2
2	SITE INFORMATION	NEW ZONING 569-2013: R (f7.5; d0.6) (x750) OLD ZONING 438-86: R2 Z 0.6 LOT AREA : 209.17 m2 EXIST'G USE: RESIDENTIAL: Single Family PROPOSED USE: RESIDENTIAL - Single Family	EXIST'G SECOND FLOOR	57.22 m2
			PROPOSED 3ER FL. ADDITION	39.41 m2
3	FLOOR SPACE INDEX	ALLOWABLE GFA: 60 % = (125.50 m2) 1,350.91 SQ FT	TOTAL PROPOSED GFA	153.85 m22 73.55 %
			ZBL 569-2013: 10.10.40.40.(2) (A) 69% erected before Oct. 1953	
4	SETBACKS:	ALLOWABLE PROPOSED	ZBL 438-86: Part VI 1.(i) 69% erected before Oct. 1953	
5	BUILDING HEIGHT	10.000 m 32.80'	FRONT	6.00 m 19.68' NM NM
			REAR	9.00 m 29.52' 21.28 m 69.81' (Ok)
6	BUILDING LENGTH	16.75 m 54.95'	NORTH SIDE	0.45 m 1'-5-3/4" 0.00 m 0'-00" Varia.
			SOUTH SIDE	0.45 m 1'-5-3/4" 0.605 m 2'-00" (Ok)
7	BUILDING WIDTH	10.000 m 32.80'	BUILDING HEIGHT	10.000 m 32.80' (Ok)
			BUILDING LENGTH	16.75 m 54.95' NM NM (Ok)

PROJECT:

PROPOSED THIRD FLOOR ADDITION

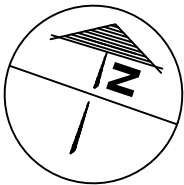
DRAWING TITLE :

SITE PLAN & PROJECT INFORMATION

ADDRESS :

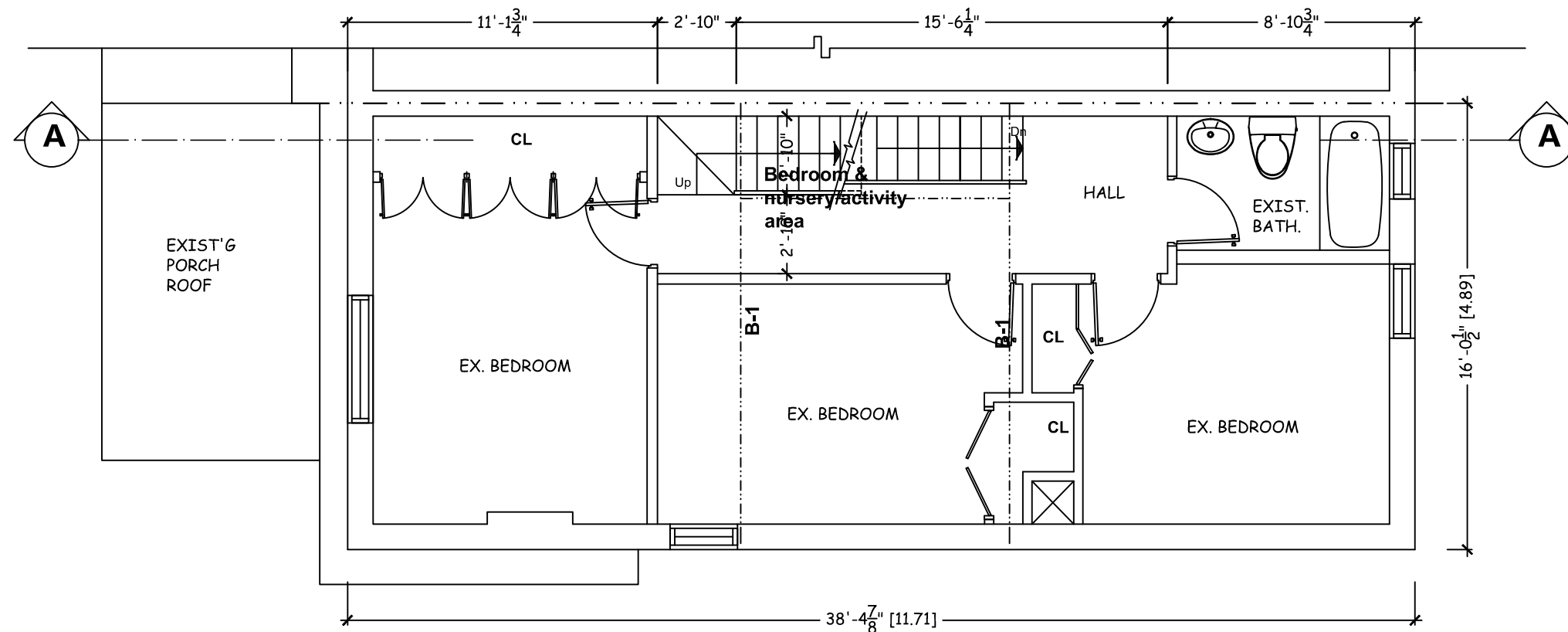
133 Glenmore Road, East York

DATE: January 16, 2019
DRAW BY: AJ
SCALE: 3/32" = 1'-00"
PROJECT No. R-18-18

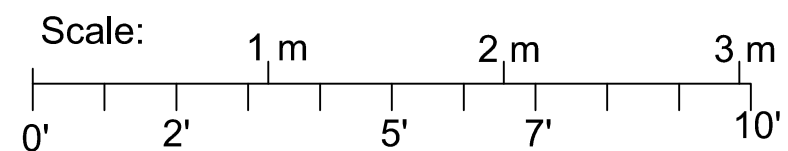


DWG No.

C-1



1
C-10 **PROPOSED SECOND FLOOR PLAN (INT. ALT.)**
SCALE: 3/16" = 1'-00"



PROJECT:

PROPOSED THIRD FLOOR ADDITION

DRAWING TITLE :

PROPOSED SECOND FLOOR PLAN

ADDRESS :

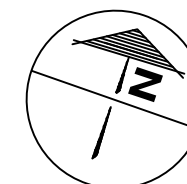
133 Glenmore Road, East York

DATE: Sept 8, 2018

DRAW BY: AJ

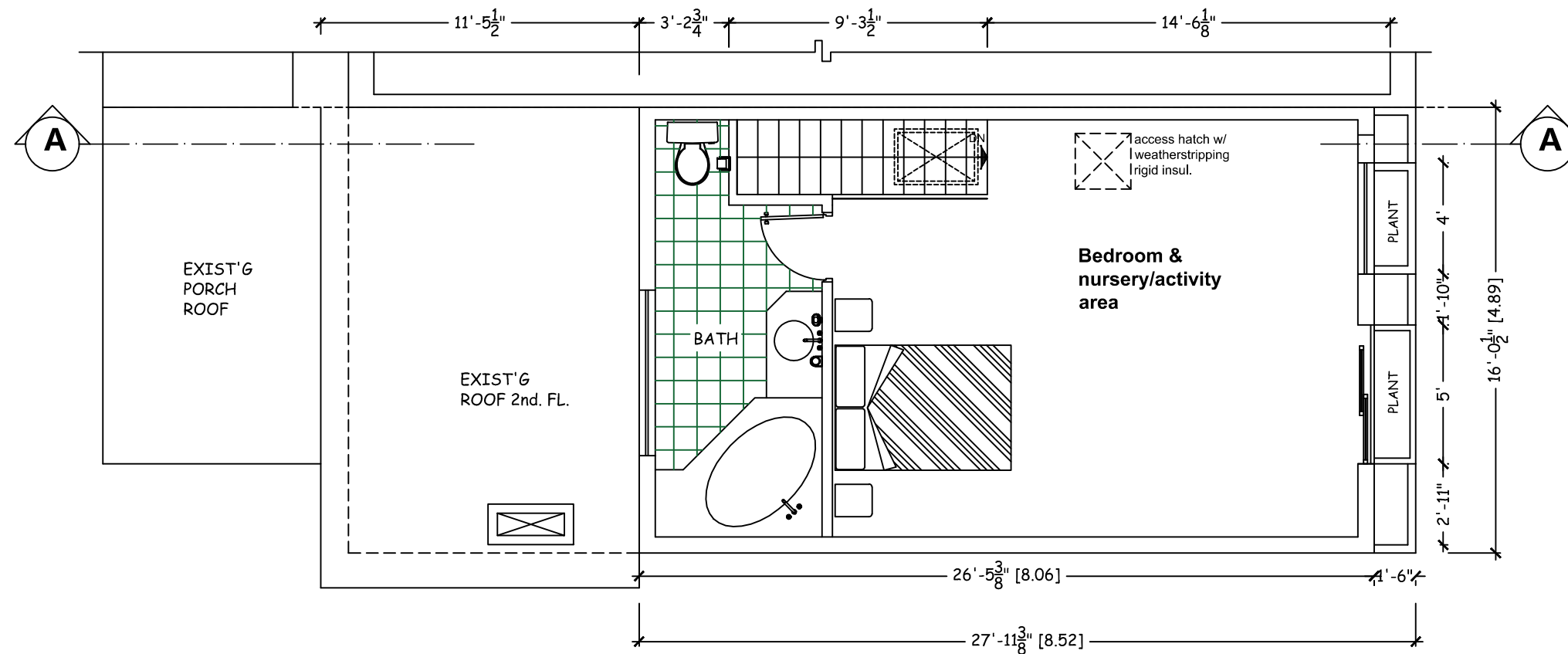
SCALE: 3/16" = 1'-00"

PROJECT No. R-18-18

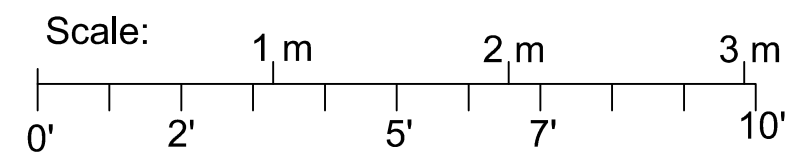


DWG No.

C-10



1 **PROPOSED THIRD FLOOR PLAN (ADDITION)**
C-11 SCALE: 3/16" = 1'-00"



PROJECT:

PROPOSED THIRD FLOOR ADDITION

DRAWING TITLE :

PROPOSED THIRD FLOOR PLAN

ADDRESS :

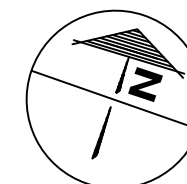
133 Glenmore Road, East York

DATE: Sept 8, 2018

DRAW BY: AJ

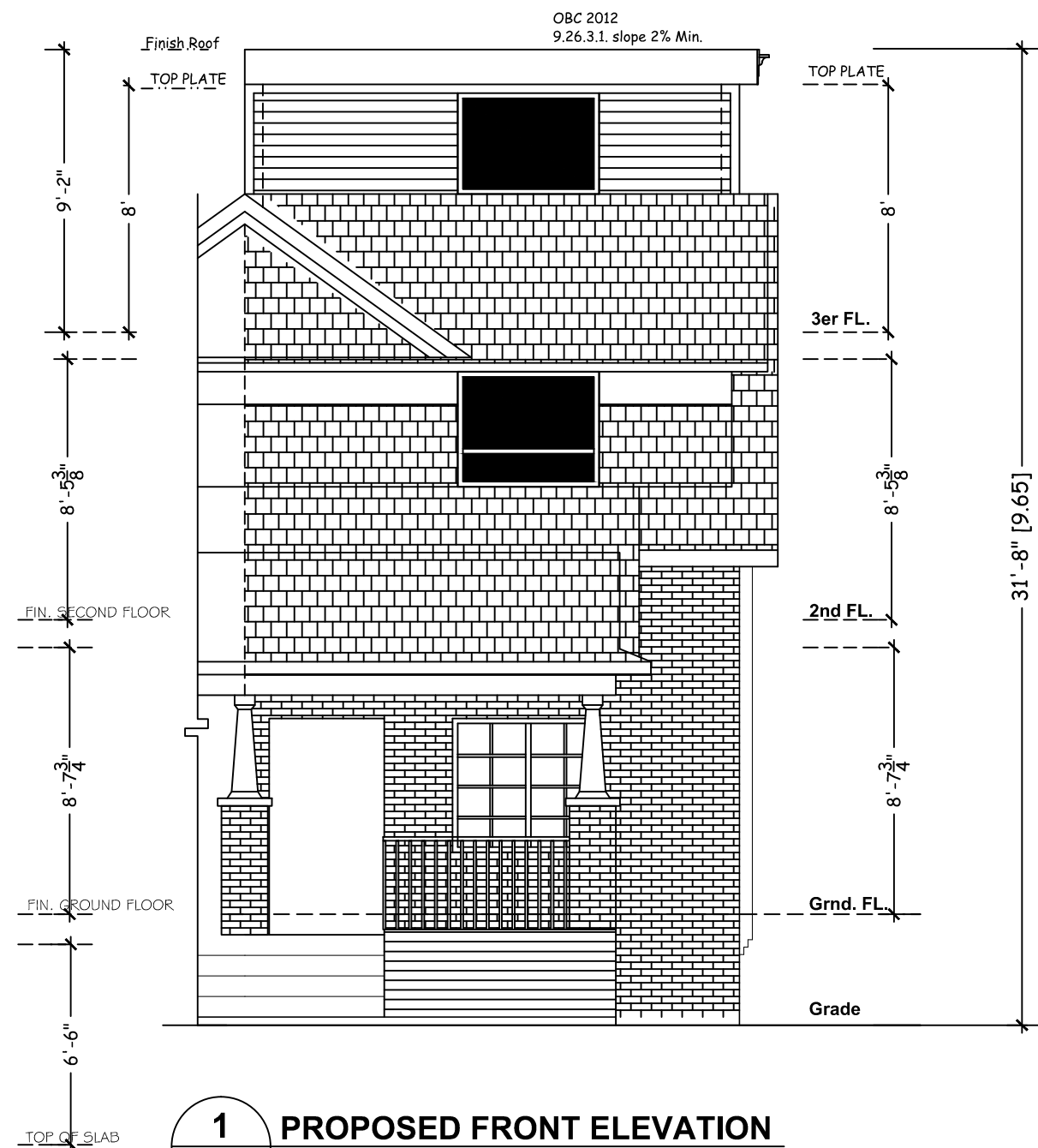
SCALE: 3/16" = 1'-00"

PROJECT No. R-18-18




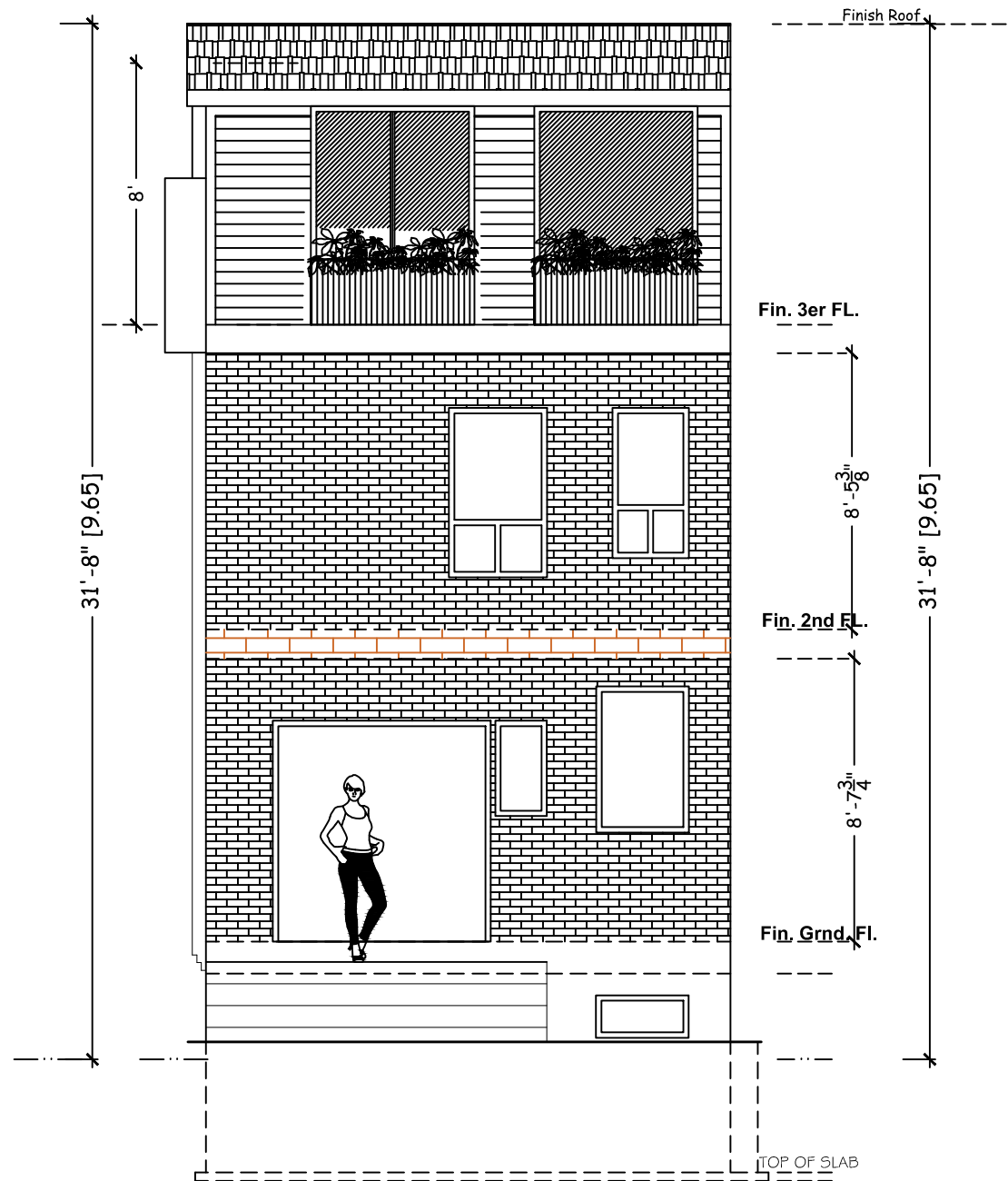
DWG No.

C-11

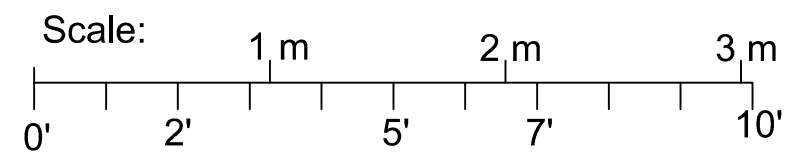


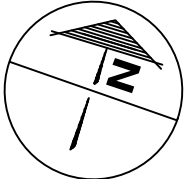
1 **PROPOSED FRONT ELEVATION**
C-12 SCALE: 3/16" = 1'-00"

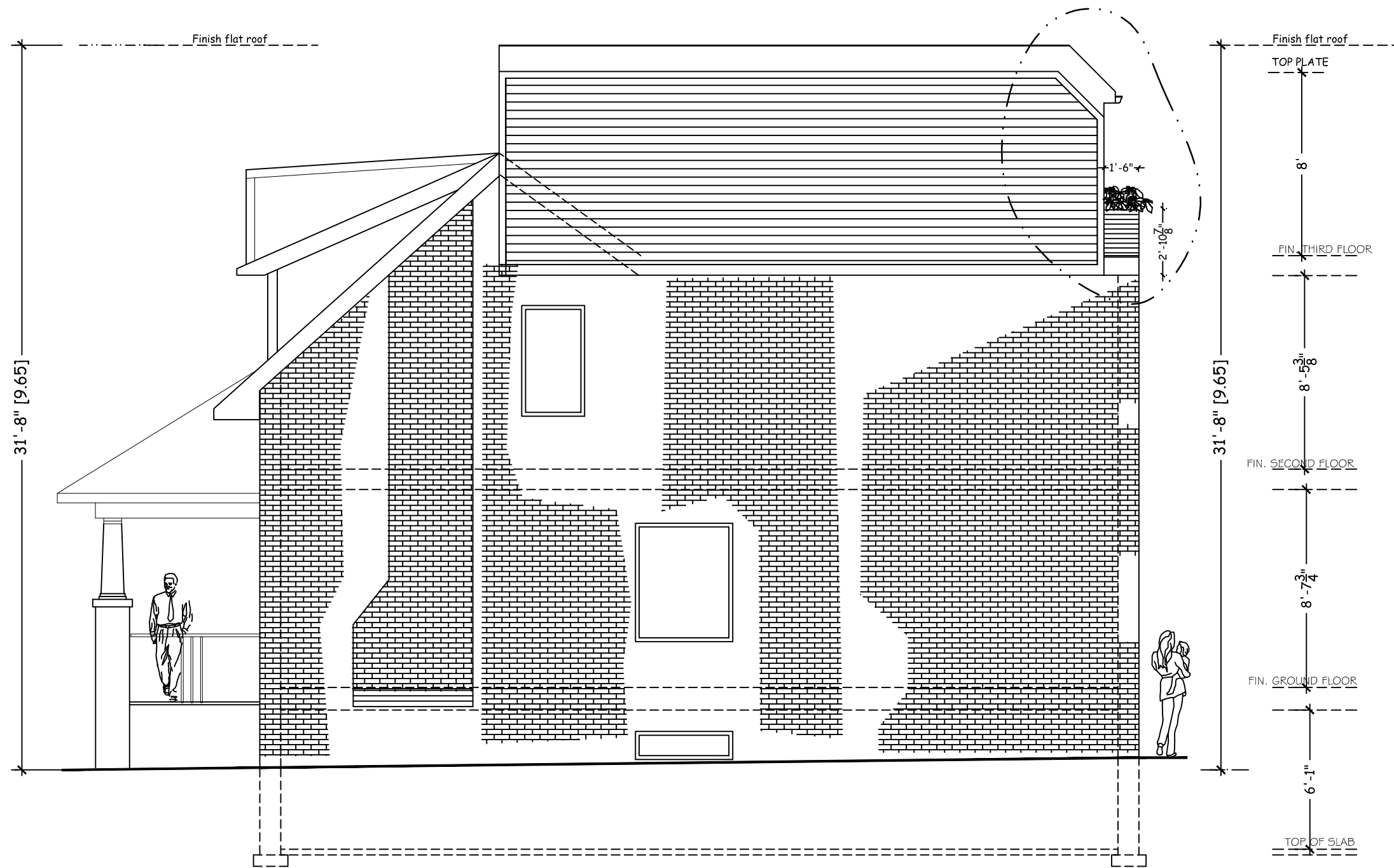
PROJECT: PROPOSED THIRD FLOOR ADDITION	DRAWING TITLE :	DATE:	Sept 8, 2018		DWG No. C-12
	PROPOSED ROOF PLAN	DRAW BY:	AJ		
	ADDRESS :	SCALE:	3/16" = 1'-00"		
	133 Glenmore Road, East York	PROJECT No.	R-18-18		



1
C-13 **PROPOSED REAR ELEVATION**
SCALE: 3/16" = 1'-00"

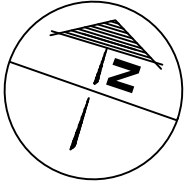


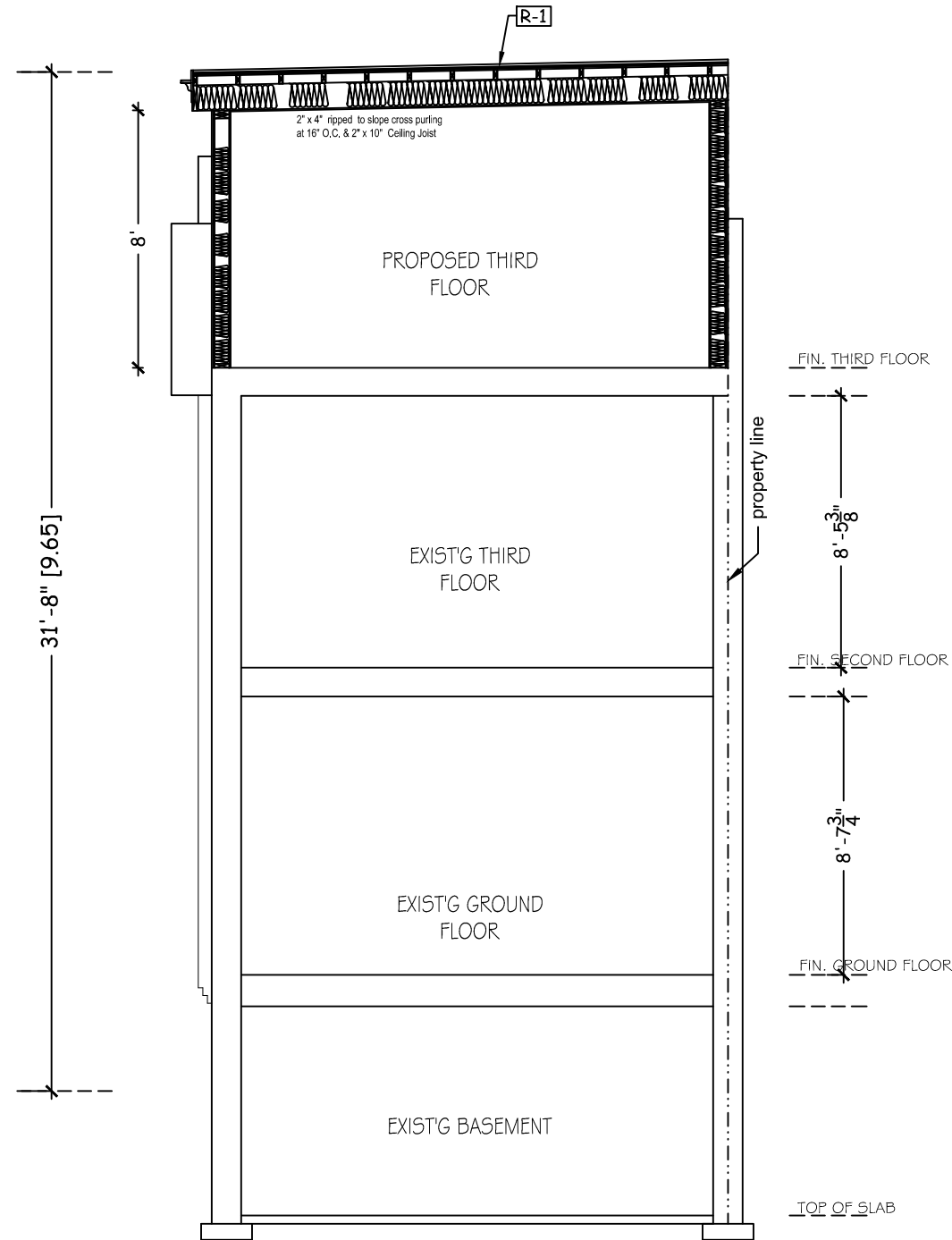
PROJECT: PROPOSED THIRD FLOOR ADDITION	DRAWING TITLE :	DATE: Sept 8, 2018		DWG No. C-13
	PROPOSED REAR ELEVATION	DRAW BY: AJ		
	ADDRESS :	SCALE: 3/16" = 1'-00"		
	133 Glenmore Road, East York	PROJECT No. R-18-18		



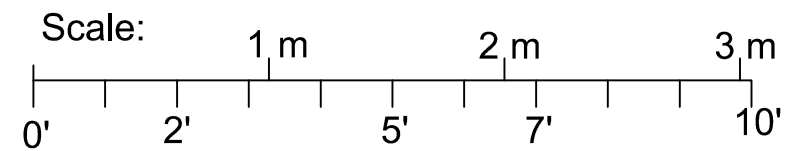
1
C-14 **PROPOSED SOUTH ELEVATION**
SCALE: 3/16" = 1'-00"

Scale: 1 m 2 m 3 m
0' 2' 5' 7' 10'(3.05m)

PROJECT: PROPOSED THIRD FLOOR ADDITION	DRAWING TITLE : PROPOSED SOUTH ELEVATION	DATE: Sept 8, 2018		DWG No. C-14
	ADDRESS : 133 Glenmore Road, East York	DRAW BY: AJ SCALE: 3/16" = 1'-00" PROJECT No. R-18-18		



1
C-16 **PROPOSED BUILDING SECTION PLAN B-B**
SCALE: 3/16" = 1'-00"



PROJECT: PROPOSED THIRD FLOOR ADDITION	DRAWING TITLE :	Sept 8, 2018		C-16
	PROPOSED BUILDING SECTION PLAN B-B	AJ		
	ADDRESS :	3/16" = 1'-00"		
	133 Glenmore Road, East York	R-18-18		

Appendix B – Annotated public notice

Attached.

FILE COPY

Mailed on/before: Sunday, January 13, 2019

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

MEETING DATE AND TIME: Wednesday, January 23, 2019 at 3:30 p.m.**LOCATION:** Committee Room 2, Second Floor, Toronto City Hall, 100 Queen St W, M5H 2N2

File Number: A0906/18TEY
Property Address: 133 GLENMORE RD
Legal Description: CON 1 FB PT LOT 6
Agent: MARIA MARREROS
Owner(s): JESSICA CHRISTENSEN BAGINSKI
THOMAS MARTIN BAGINSKI
Zoning: R (f7.5;d0.6)(x750) & R2 Z0.6 (ZZC)
Ward: Beaches-East York (19)
Beaches-East York (32)
Community: Toronto
Heritage: Not Applicable

PURPOSE OF THE APPLICATION:

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

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 0.6 times the area of the lot (125.04 m²).
The floor space index will be 0.75 times the area of the lot (156.18 m²).
0.74 times (153.85m2)
2. **Chapter 10.10.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 7.5 m.
The height of the front exterior main wall will be 10.0 m. 9.65m

3. Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013

The maximum permitted height of all rear exterior main walls will be 7.5 m.
The height of the rear exterior main wall will be 10.0 m. 9.65m

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

The required side lot line setback is 0.45 m, where the side wall contains no openings.
The side yard setback will be 0.0 m on the north side.

2. Section 4(3)(a), By-law 438-86

The maximum permitted height of a building or structure is 10.0 m.

The height of the semi-detached building will be 10.14 m. 9.65m

THE COMMITTEE OF ADJUSTMENT & MINOR VARIANCES

The role of the Committee of Adjustment is to provide flexibility in dealing with minor adjustments to zoning by-law requirements. To approve such variances, the Committee must be satisfied that:

- the variance requested is minor;
- the proposal is desirable for the appropriate development or use of the land and/or building;
- the general intent and purpose of the City's Zoning Code and/or By-law are maintained; and
- the general intent and purpose of the Official Plan are maintained.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application, letters received, deputations made at the public hearing and results of site inspections.

MAKING YOUR VIEWS KNOWN

The notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing.** Attendant Care Services can be made available with some advance notice.
- **Sending a letter by Mail, E-mail, or Fax.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal

TO VIEW THE MATERIALS IN THE APPLICATION FILE

Application plans and other related materials are available to be viewed **online** by visiting the Application Information Centre at www.toronto.ca/aic

If you are not able to view plans online, copies of application submissions can be obtained, **in**

person, by attending the Committee of Adjustment office at the above address Monday to Friday, 8:30 a.m. to 4:30 p.m. Service fees may apply.

RECEIVING A COPY OF THE COMMITTEE'S DECISION

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, fill out the Decision Request Form at our office or at the Public Hearing or write a letter requesting a copy of the Decision and send it to our office.
- If you wish to appeal a Decision of the Committee, you must file your written request for a decision with the Deputy Secretary-Treasurer.
- Be advised that the appeal body may dismiss an appeal of the consent Decision if the person or public body that filed the appeal did not make a submission to the Committee of Adjustment prior to the Decision having been made.

CONTACT

Aileen Keng, Application Technician

Tel. No.: (416) 338-5913

E-mail: Aileen.Keng@toronto.ca