Toronto Local Appeal Body

40 Orchard View Blvd, Suite 211
Toronto, Ontario M4R 1B9

Telephone: 416-392-4697
Fax: 416-696-4307
Email: tlab@toronto.ca
Website: www.toronto.ca/tlab

DECISION AND ORDER

Decision Issue Date: Monday, September 13, 2021

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

Appellant(s): IAN GOODWIN

Applicant(s): CZC BUILDING CONSULTANTS LTD

Property Address/Description: 33 CATALINA DR

Committee of Adjustment File

Number(s): 20 178060 ESC 24 MV (A0195/20SC)

TLAB Case File Number(s): 20 213747 S45 24 TLAB

Hearing date: May 26, 2021

Deadline Date for Closing Submissions/Undertakings:

DECISION DELIVERED BY STANLEY MAKUCH

REGISTERED PARTIES AND PARTICIPANTS

Name	Role	Representative
CZC Building Consultants Ltd.	Applicant	
Jo-Ann Wong	Owner	
Cale Duguay	Primary Owner	
Ian Goodwin	Appellant	

INTRODUCTION

This is an an appeal by an adjacent neighbour of the Committee of Adjustment decision approving a minor variance for a front, second story, and rear addition.The variance is as follows:

Chapter 10.20.40.20.(1), By-law No. 569-2013.
The maximum permitted building length is 17 m. The proposed building length is 20.73 m.

BACKGROUND

The neighbour was concerned only about certain elements of the design which were addressed and he was satisfied with the submission of revised plans.

MATTERS IN ISSUE

There were no matters is issue as a result of the revised plans. Moreover, it was clear that the variance for an extension of the building by 3.73 m. met the four tests of the *Planning Act* and did not conflict with any provincial requirements, provided the building was constructed in accordance with the revised plans.

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 for the Greater Golden Horseshoe for the subject area (‘Growth Plan’).

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 evidence presented clearly described the basis of the settlement and the plans prepared by Seven K Design filed on May 25, 2021 by H. Zhou demonstrated conformity with the *Planning Act* and provincial requirements.

ANALYSIS, FINDINGS, REASONS

Based on the plans submitted the variance should be approved on condition that construction is in accordance with the revised plans referred to above.

DECISION AND ORDER

The variance set out above is approved on condition that construction is in accordance with the plans contained in Appendix 1.

X

S. Makuch
Panel Chair, Toronto Local Appeal

APPENDIX 1

33 CATALINA DRIVE, SCARBOROUGH ON M1M 1K5 | BUILDING PERMIT APPLICATION

PROJECT DESCRIPTION
RESIDENTIAL: DETACHED BUNGALOW
REAR YARD & SECOND FLOOR ADDITION

ZONING
RD (f15.0;a557)(x117)

LEGAL DESCRIPTION
CITY OF TORONTO

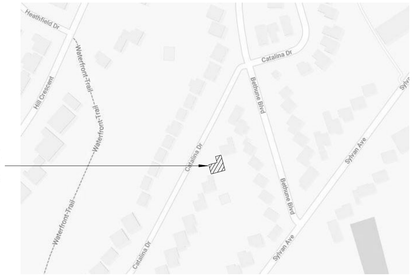
LOT FRONTAGE
71' - 3 7/8" [21.74 m]

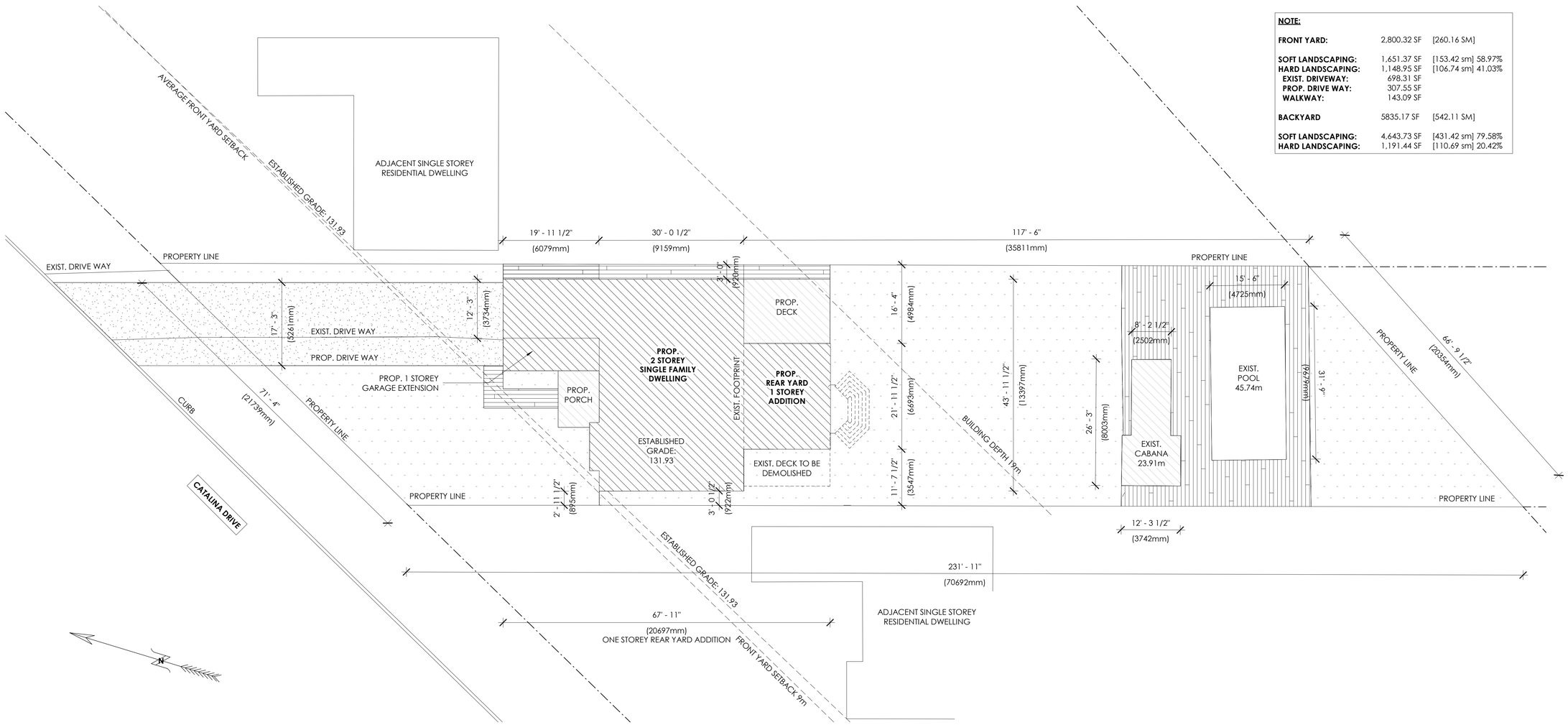
BUILDING LOCATION
33 CATALINA DRIVE,
SCARBOROUGH ON, M1M 1K5

LOT AREA
11,618.84 SF [1,079.43 sm]

	EXISTING	PROPOSED	ALLOWED
HEIGHT	16' - 5 1/2" [5.01 m]	27' - 10 1/2" [8.50 m]	29' - 6" [9.00 m]
COVERAGE			
BUILDING FOOTPRINT	1,562.52 SF [145.16 sm]	1,991.12 SF [184.98 sm]	[N/A]
DECK/CANOPY FOOTPRINT	803.29 SF [74.63 sm]	262.74 SF [24.41 sm]	[N/A]
TOTAL	2,365.81 SF [219.79 sm]	2,253.86 SF [209.39 sm]	3,834.21 [356.21 sm]
FLOOR SPACE			
GROUND FLOOR	1,278.75 SF [118.80 sm]	1,612.91 SF [149.84 sm]	[N/A]
SECOND FLOOR	0.00 SF [0.00 sm]	1,701.33 SF [158.06 sm]	[N/A]
TOTAL	1,278.75 SF [118.80 sm]	3,314.24 SF [307.90 sm]	[N/A]

SUBJECT PROPERTY
33 CATALINA DRIVE
SCARBOROUGH, ON M1M 1K5





NOTE:

FRONT YARD:	2,800.32 SF	[260.16 SM]
SOFT LANDSCAPING:	1,651.37 SF	[153.42 sm] 58.97%
HARD LANDSCAPING:	1,148.95 SF	[106.74 sm] 41.03%
EXIST. DRIVEWAY:	698.31 SF	
PROP. DRIVE WAY:	307.55 SF	
WALKWAY:	143.09 SF	
BACKYARD	5835.17 SF	[542.11 SM]
SOFT LANDSCAPING:	4,643.73 SF	[431.42 sm] 79.58%
HARD LANDSCAPING:	1,191.44 SF	[110.69 sm] 20.42%

① **SITE PLAN**
3/32" = 1'-0"

SEVEN K DESIGN
40 Vogell Road | Unit# 5
Richmond Hill ON Canada
Info@sevenkdesign.com
www.sevenkdesign.com
+ 1 647.969.3918

B.C.I.N.

The undersigned has reviewed and takes responsibility for the design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the O.B.C

Name	Signature	B.C.I.N.
Ronald R. G. Cao		104190

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.4.1 of the O.B.C

7K Design Ltd	119789
Design Firm	B.C.I.N.

EXISTING DOOR
NEW DOOR
EXISTING WALL TO REMAIN
EXISTING WALL TO REMOVE
PROPOSED WALL

GENERAL NOTES:

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPENCIES TO ENGINEER & DESIGNER BEFORE PROCEEDING WITH THE WORKS.

DIMENSIONS ARE CLEAR TO THE FACE OF COLUMNS AND PARTITIONS UNLESS INDICATED OTHERWISE.

NO WORK MAY PROCEED UNTIL SEVEN K DESIGN LTD. STAMPED, SIGNED AND APPROVED DRAWINGS. THOSE DRAWINGS ARE TO BE AVAILABLE ON SITE UPON REQUEST.

ALL DRAWINGS, SPECIFICATIONS AND DETAILS REMAIN THE PROPERTY OF SEVEN K DESIGN LTD. AND MUST BE RETURNED AT THE COMPLETION OF ALL WORK.

No.	REVISION	DATE
1	ISSUED FOR BUILDING PERMIT	MAY 2021

Project Address
33 Catalina Drive

Drawing Name
Project Info & Site Plan

Project number	21 - 008
Date	MAY 2021
Drawn by	HZ
Check by	HZ
Scale	3/32" = 1'-0"

A000

ESTABLISHED GRADE:
131.98 + 131.87 / 2

= 131.93

MAIN WALL HEIGHT:

OVERALL WIDTH OF WALL:	43' - 9"	[13.34m]
WIDTH OF WALL ABOVE 7.00m:	11' - 6 ¼"	[3.51m]

3.51 / 13.34 = 26.31%

1 **PROPOSED NORTH (FRONT) ELEVATION**
3/8" = 1'-0"

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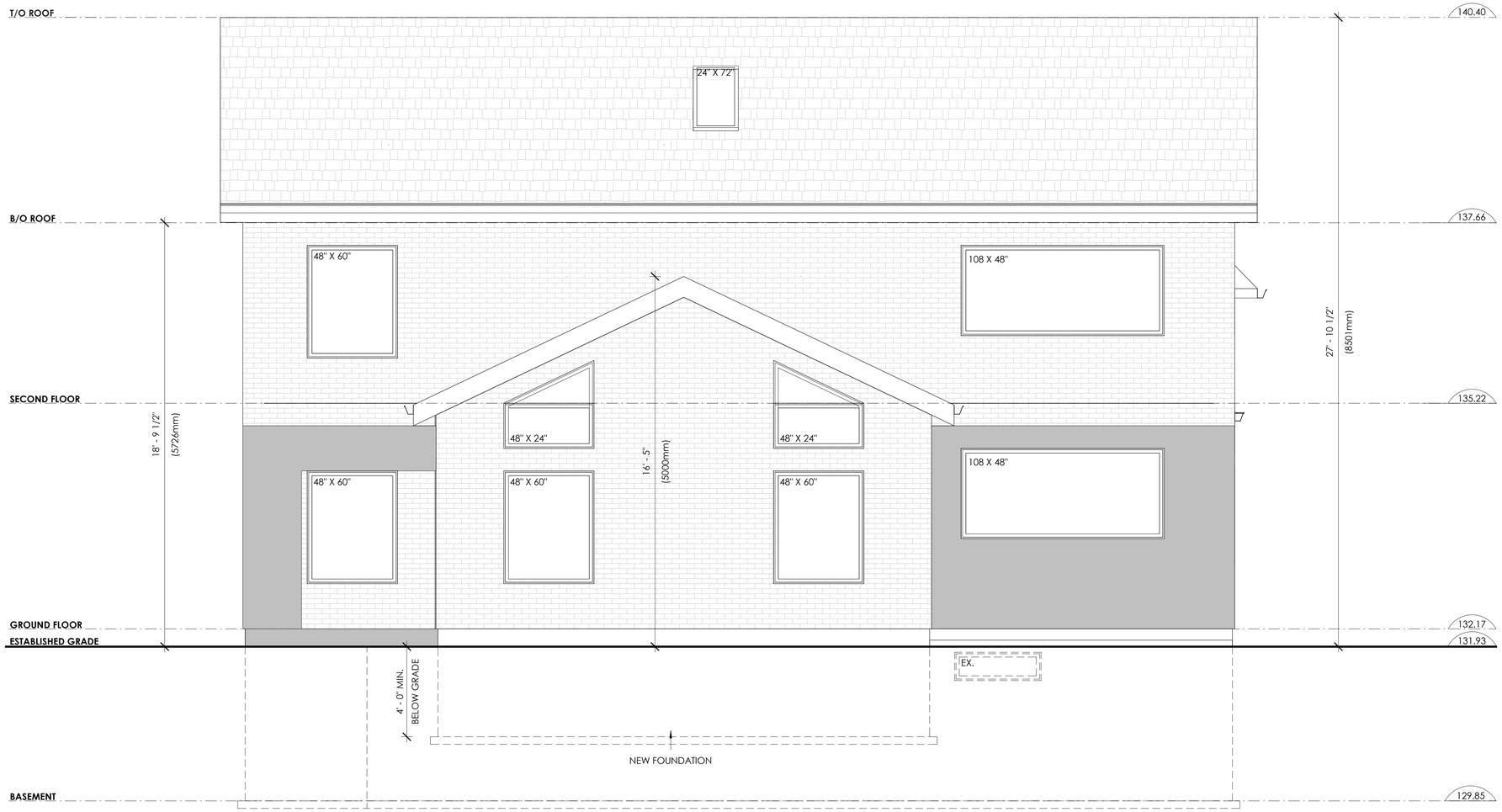
No.	REVISION	DATE
1	ISSUED FOR BUILDING PERMIT	MAY 2021

Project Address
33 Catalina Drive

Drawing Name
Proposed North Elevation

Project number	21 - 008
Date	MAY 2021
Drawn by	HZ
Check by	HZ
Scale	3/8" = 1'-0"

A204



1 **PROPOSED SOUTH (REAR) ELEVATION**
3/8" = 1'-0"

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7K Design Ltd	119789
Design Firm	B.C.I.N.

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NEW DOOR
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EXISTING WALL TO REMOVE
PROPOSED WALL

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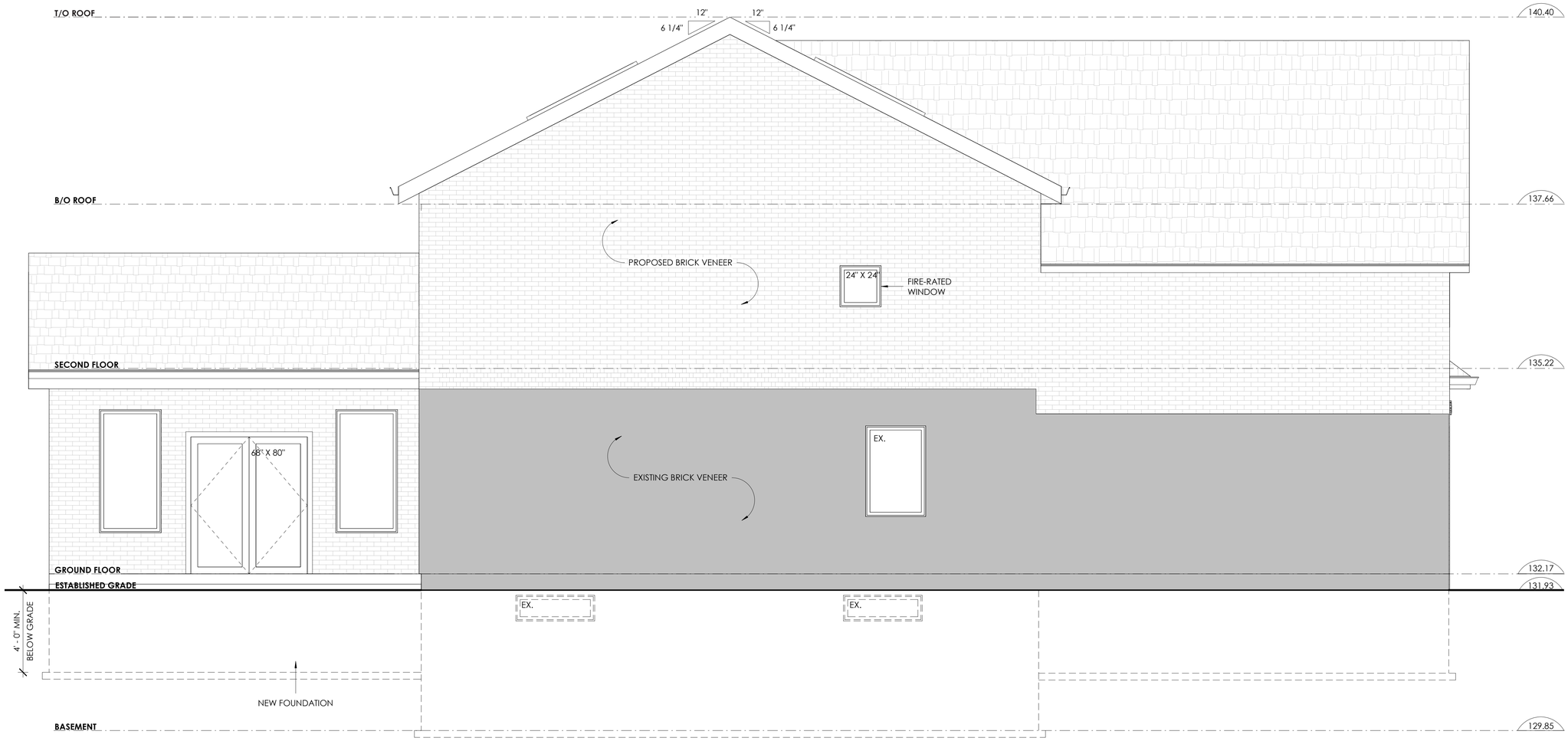
No.	REVISION	DATE
1	ISSUED FOR BUILDING PERMIT	MAY 2021

Project Address
33 Catalina Drive

Drawing Name
Proposed South Elevaiton

Project number	21 - 008
Date	MAY 2021
Drawn by	HZ
Check by	HZ
Scale	3/8" = 1'-0"

A205



1 **PROPOSED EAST (SIDE) ELEVATION**
3/8" = 1'-0"

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Design Firm	B.C.I.N.

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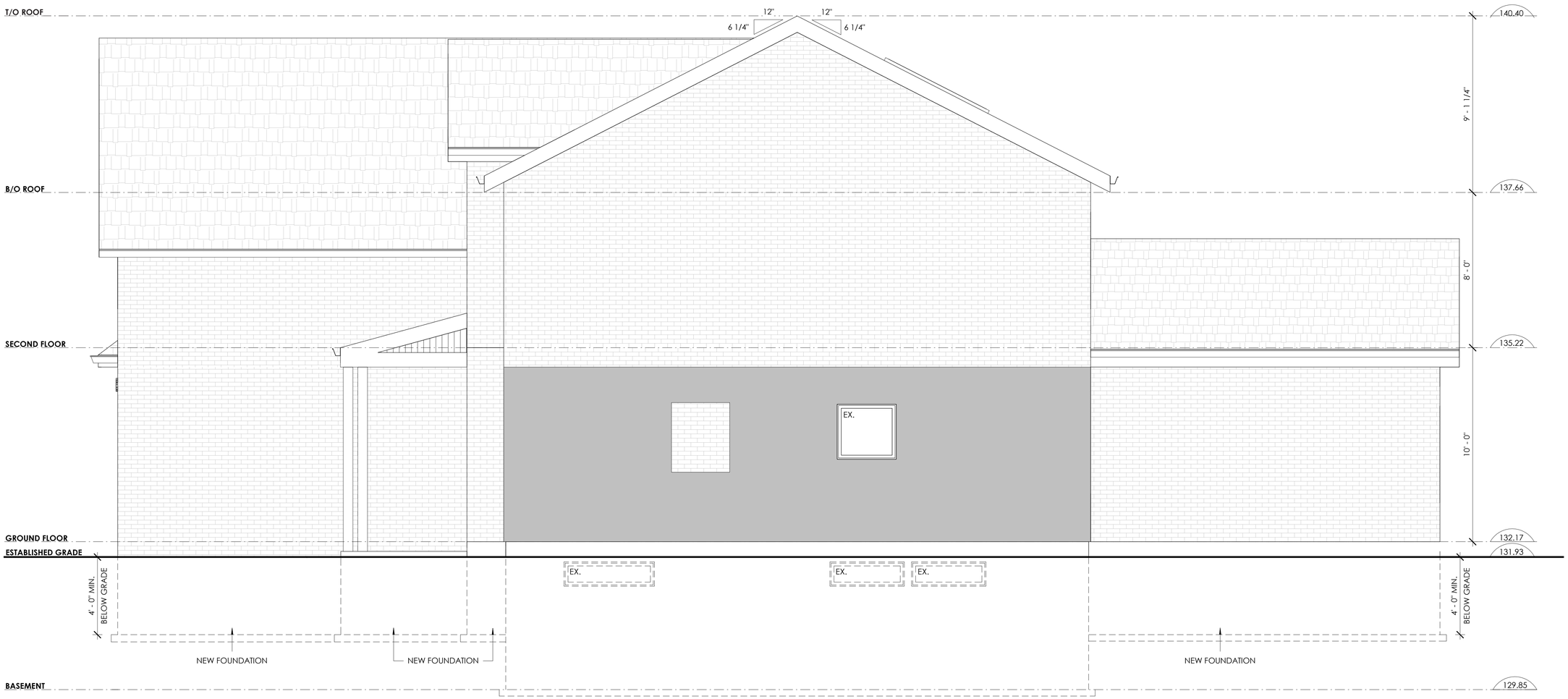
No.	REVISION	DATE
1	ISSUED FOR BUILDING PERMIT	MAY 2021

Project Address
33 Catalina Drive

Drawing Name
Proposed East Elevation

Project number	21 - 008
Date	MAY 2021
Drawn by	HZ
Check by	HZ
Scale	3/8" = 1'-0"

A206



1 **PROPOSED WEST (SIDE) ELEVATION**
3/8" = 1'-0"

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No.	REVISION	DATE
1	ISSUED FOR BUILDING PERMIT	MAY 2021

Project Address
33 Catalina Drive

Drawing Name
Proposed West Elevation

Project number	21 - 008
Date	MAY 2021
Drawn by	HZ
Check by	HZ
Scale	3/8" = 1'-0"

A207