

Kyle Knoeck
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Toronto and East York
Toronto City Hall
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Toronto, Ontario M5H 2N2

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Wednesday, October 4, 2023

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

File Number: A0658/23TEY
Property Address: 169 PARKMOUNT RD
Legal Description: PL 411E PT LOT 24
Agent: KRUPALI AHIR
Owner(s): DYLAN JOHN ROSS
Zoning: R (d0.6) (x736) (ZAP)
Ward: Toronto-Danforth (14)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, October 4, 2023**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey ancillary building (garden suite with an integral garage), in the rear yard, abutting Craven Avenue and Mountjoy Avenue. The existing two-storey dwelling will be maintained and unaltered.

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

- 1. Chapter 150.7.60.20.(3)(B), By-law 569-2013**
The minimum required rear yard setback for an ancillary building containing a garden suite is 1.5 m.
The new ancillary building containing a garden suite will be located 0 m from the rear (east) lot line.
- 2. Chapter 150.7.60.20.(6)(A), By-law 569-2013**
The minimum required side yard setback for an ancillary building containing a garden suite is 6 m.
The new ancillary building containing a garden suite will be located 0.38 m from the side (north) lot line.

3. Chapter 150.7.60.20.(6)(B), By-law 569-2013

The minimum required side yard setback for an ancillary building containing a garden suite on a corner lot is 1.5 m.

The new ancillary building containing a garden suite on a corner lot will be located **0.31 m** from the side (south) lot line.

4. Chapter 150.7.60.30.(2)(A)(ii), By-law 569-2013

No part of an ancillary building containing a garden suite may penetrate a 45 degree angular plane projected towards the front lot line beginning from a height of 4 m from the required rear yard setback.

The new ancillary building containing a garden suite will penetrate the 45 degree angular plane.

5. Chapter 150.7.60.30.(2)(A)(iii), By-law 569-2013

No part of an ancillary building containing a garden suite may penetrate a 45 degree angular plane projected towards the opposite side lot line beginning from a height of 4 m from the required side yard setback.

The new ancillary building containing a garden suite will penetrate the 45 degree angular plane.

6. Chapter 150.7.60.70.(1)(B), By-law 569-2013

The area of the lot covered by an ancillary building containing a garden suite may not exceed 20% (47.53 m²) of the lot area.

In this case, the area covered by the ancillary building containing a garden suite will be **27% (64.07 m²)** of the lot area.

7. Chapter 150.7.60.70.(1)(C)(i)(a), By-law 569-2013

The area of the lot covered by an ancillary building containing a garden suite may not exceed 40% (56.67 m²) of the area between all rear main walls of the residential building on the lot and the rear lot line.

In this case, the area covered by the ancillary building containing a garden suite will be **45% (64.07 m²)** of the area between all rear main walls of the residential building on the lot and the rear lot line.

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) are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) are not minor.

SIGNATURE PAGE

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NANCY OOMEN (CHAIR)



LARRY CLAY



AARON CHENG

DATE DECISION MAILED ON: **Thursday, October 12, 2023**

LAST DATE OF APPEAL: **Tuesday, October 24, 2023**

CERTIFIED TRUE COPY



Sabrina Salatino
Manager and Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.tey@toronto.ca and Sabrina.Salatino@toronto.ca by the last date of appeal as shown on the signature page.

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

A related appeal is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB, you must submit the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary-Treasurer you will receive payment instructions.

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

ONTARIO LAND TRIBUNAL (OLT) APPEAL INSTRUCTIONS

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>