

Michael Mizzi
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Toronto and East York
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

416-392-7565
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A1282/19TEY
Property Address: 179 LYNDBURST AVE
Legal Description: PLAN 1282 W PT LOT 39 60FT ON L
Agent: JAMES PFEFFER
Owner(s): PATRICE QUIRION
Zoning: R (f10.5; u2; d0.6) (x929) R1S Z0.6 (ZZC)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, April 28, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with a front integral garage, rear ground floor deck, rear second storey deck, and a rear third storey rooftop deck.

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

- 1. Chapter 10.5.40.60.(3)(A)(ii) By-Law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2.0m. The new front porch stairs are 2.48 m wide.
- 2. Chapter 10.5.100.1.(1) (C)(iii) By-Law 569-2013**
The maximum permitted width of a driveway is 3.2m
The new driveway is 5.52 m wide.
- 3. Chapter 10.10.40.10.(4) By-Law 569-2013**
The maximum permitted roof slope above the second storey is 5.0 vertical units for every 3.0 horizontal units.
The new roof slope above the second storey will be 6.22 vertical units for every 3.0 horizontal units.
- 4. Chapter 10.10.40.30.(1) A) By-Law 569-2013**
The permitted maximum building depth for a detached house is 17.0 m.
The new building will have a depth of 19.81 m.

5. 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 above the top of bank (418.69 m²).

The new floor space index is 0.84 times the area of the lot above the top of bank (588.55 m²).

6. Chapter 10.5.40.70.(1) (B) By-Law 569-2013

The minimum required front yard setback is 9.56 m.

The front yard setback is 6.33

7. Chapter 10.5.40.70.(6) By-Law 569-2013

If the Toronto and Region Conservation Authority determines that a shoreline hazard limit or a stable top-of-bank crosses a lot, a building or structure on that lot must be set back a minimum of 10 m from that shoreline hazard limit or stable top-of-bank.

The new detached dwelling will be located 6.0 m from the stable top-of-bank.

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 Approved on Condition

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

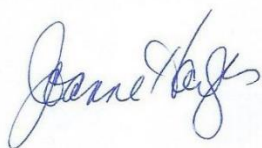
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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

Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove a City owned tree(s) under Municipal Code Chapter 813, Trees Article II, Trees on City Streets, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

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JOANNE HAYES



PETER REED



LARRY CLAY



DONALD GRANATSTEIN
(CHAIR)

DATE DECISION MAILED ON: Tuesday, May 4, 2021

LAST DATE OF APPEAL: Tuesday, May 18, 2021

CERTIFIED TRUE COPY

Barbara Bartosik
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.tey@toronto.ca and Barbara.Bartosik@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 Local Planning Appeal Tribunal (LPAT) 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).
- \$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.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

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

- A completed LPAT Appellant Form (A1) in digital format on a USB stick and in paper format.
- \$400 with an additional reduced fee of \$25 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).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>

*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 **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.