

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
coa.tey@toronto.ca

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

File Number: A0100/21TEY
Property Address: 62 AUSTIN TER
Legal Description: PLAN 1219 PT LOT 9 & 10
Agent: SCOTT MANICOM
Owner(s): 2463866 ONTARIO LIMITED
Zoning: R4 Z1.0. (ZZC)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, May 26, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey, three-unit detached house by constructing a fourth storey addition as well as a one-storey addition above the existing attached garage.

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

- 1. Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area of a building is 1 times the area of the lot (330.58 m²).
The altered building will have a gross floor area equal to 1.36 times the area of the lot (450.20 m²).
- 2. Section 6(3) Part II 3.A, By-law 438-86**
The minimum required setback from a flanking street is 6 m.
The altered building will be located 4.76 m from the west flanking street (Bathurst Street).
- 3. Section 6(3) Part II 3.B (ii), By-law 438-86**
The minimum required side lot line setback for the portion of the building exceeding a depth of 17.0 m is 7.5 m.
The portion of the detached house exceeding the 17.0 m depth will be located 6.48 m from the west side lot line and 1.24 from the east side lot line.

4. Section 6(3) Part II 4, By-law 438-86

The minimum required rear yard setback is 7.50 m.

The altered building will be located 2.09 m from the north 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 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 privately owned tree(s) under Municipal Code Chapter 813, Trees Article III, Private Tree Protection, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

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YIM CHAN



PETER REED



CARL KNIPFEL



NIMROD SALAMON



DONALD GRANATSTEIN
(CHAIR)

DATE DECISION MAILED ON: **Tuesday, June 1, 2021**

LAST DATE OF APPEAL: **Tuesday, June 15, 2021**

CERTIFIED TRUE COPY

Sylvia Mullaste
Acting 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.