

Sabrina Salatino

coa.tey@toronto.ca

Manager and Deputy Secretary-Treasurer

416-392-0413

Kyle Knoeck

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

Wednesday, July 27, 2022

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

File Number: A0237/21TEY

Property Address: 44 WILSON PARK RD
Legal Description: PLAN 956 PT LOT D
Agent: TIMOTHY MITANIDIS
Owner(s): 44 WILSON PARK INC
Zoning: R (d1.0)(x313) (ZZC)
Ward: Parkdale-High Park (04)

Community: Toronto

Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **July 27, 2022**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey detached dwelling by removing the existing rear and side additions and constructing: a complete third storey addition, a rear three-storey addition; front and rear third storey terraces; and front and rear basement walkouts. This alteration will increase the number of dwelling units from 4 units to 6 units (1 primary unit and 5 secondary suites). Also, to construct a one-storey ancillary building (detached garage) for a total of 4 parking spaces (2 of which will be below-grade) and a two-storey ancillary building (laneway suite) with one surface parking space, in the rear yard, abutting the laneway.

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

1. Chapter 10.5.40.70.(1)(B), By-law 569-2013

The minimum required front yard setback is 8.3 m.

The altered dwelling will be located 4.5 m from the front (east) lot line.

2. Chapter 150.10.40.1.(2), By-law 569-2013

A secondary suite is a permitted use provided that an exterior alteration to a building to accommodate a secondary suite does not alter a main wall or roof that faces a street.

The secondary suites will alter the front wall of this detached house.

3. Chapter 150.10.40.40.(1), By-law 569-2013

A secondary suite is a permitted use provided that the interior floor area of all secondary suites, if more than one is permitted, is no more than 45% (314.2 m²) of the interior floor area of the dwelling unit within which it is located. In this case, the total interior floor area of all the secondary suites will be 75% (523.9 m²) of the interior floor area of the dwelling unit within which they are located.

4. Chapter 10.10.40.10.(1)(A), By-law 569-2013

The maximum permitted building height is 10 m.

The altered dwelling will have a height of 10.98 m.

5. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of all front and rear main walls facing a side lot line is 7.5 m.

The height of the front and rear main walls facing a side lot line will be 10.35 m.

6. Chapter 10.5.40.60.(1)(B), By-law 569-2013

A platform without main walls, attached to or less than 0.3 m from a building, with a floor higher than the first floor of the building above established grade may encroach into the required front yard setback 1.5 m if it is no closer to a side lot line than the required side yard setback.

The front third storey terrace will encroach 6.2 m into the required front yard setback.

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

The maximum permitted building height is 10 m.

The altered dwelling will have a height of 11.33 m.

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:

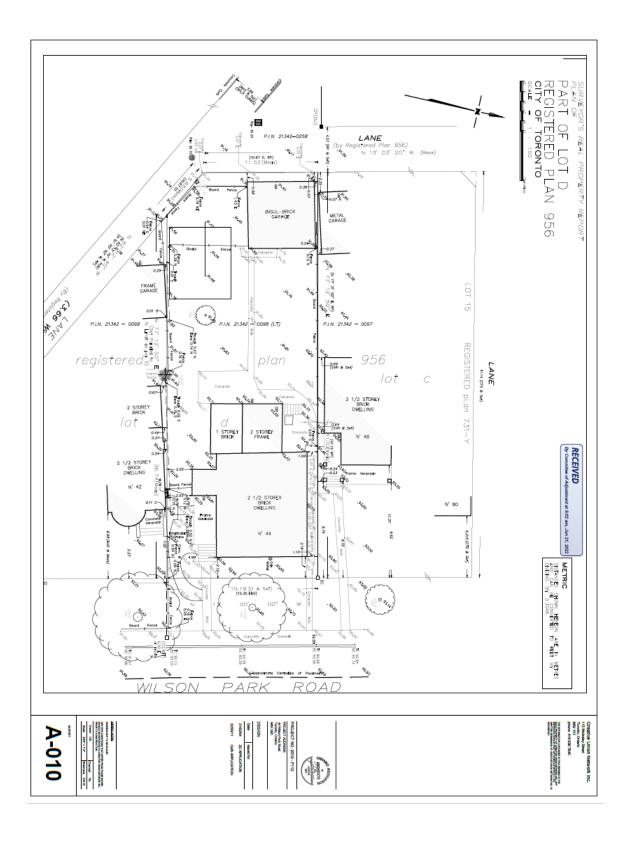
The Minor Variance Application is Approved on Condition

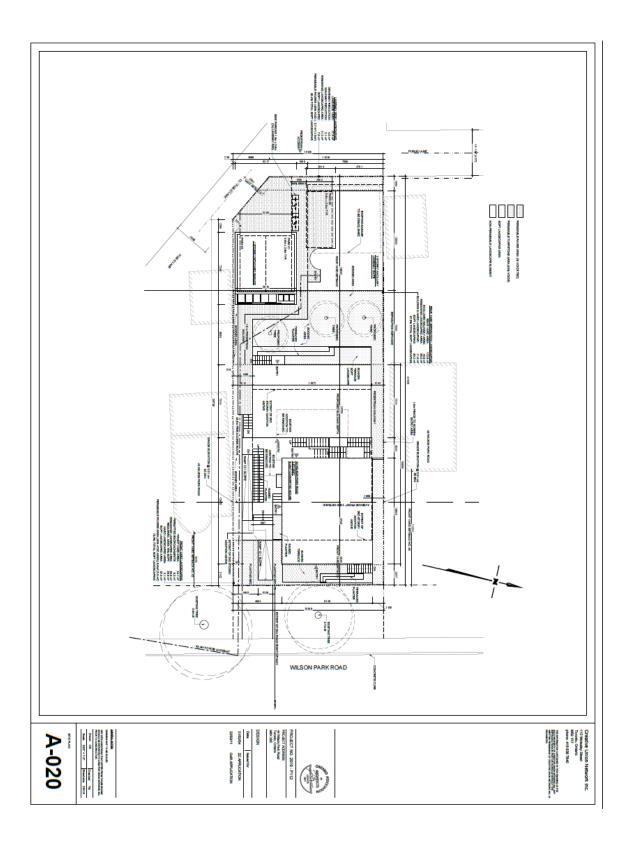
It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

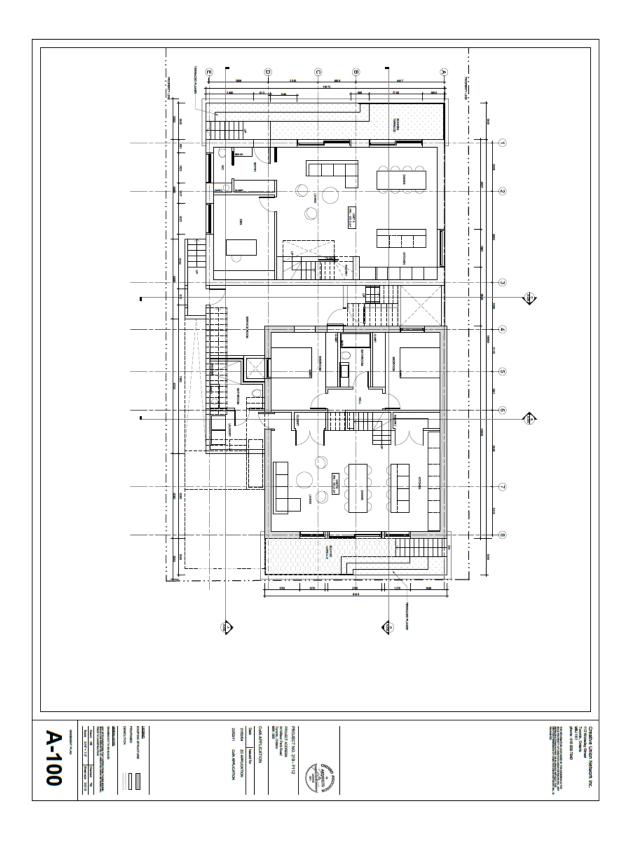
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

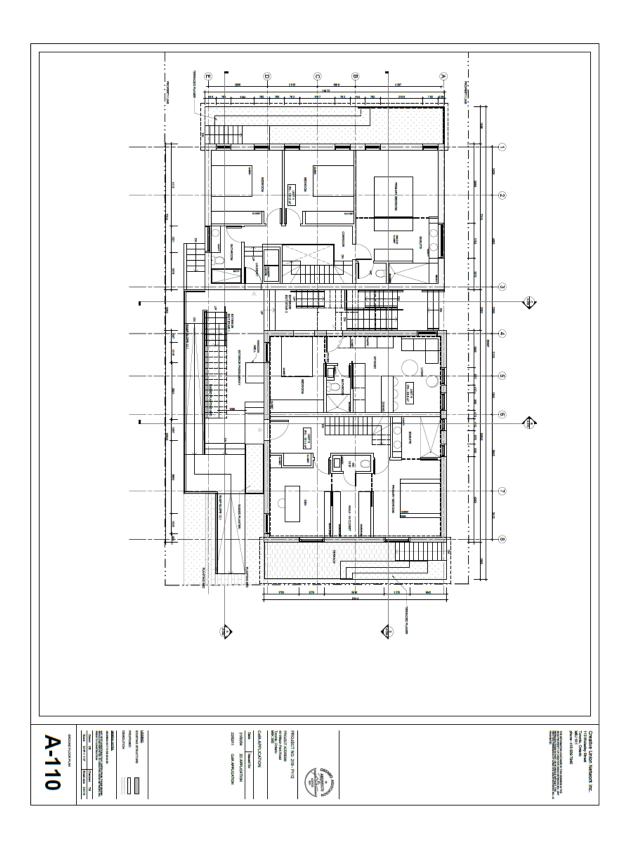
The decision is subject to the following condition(s):

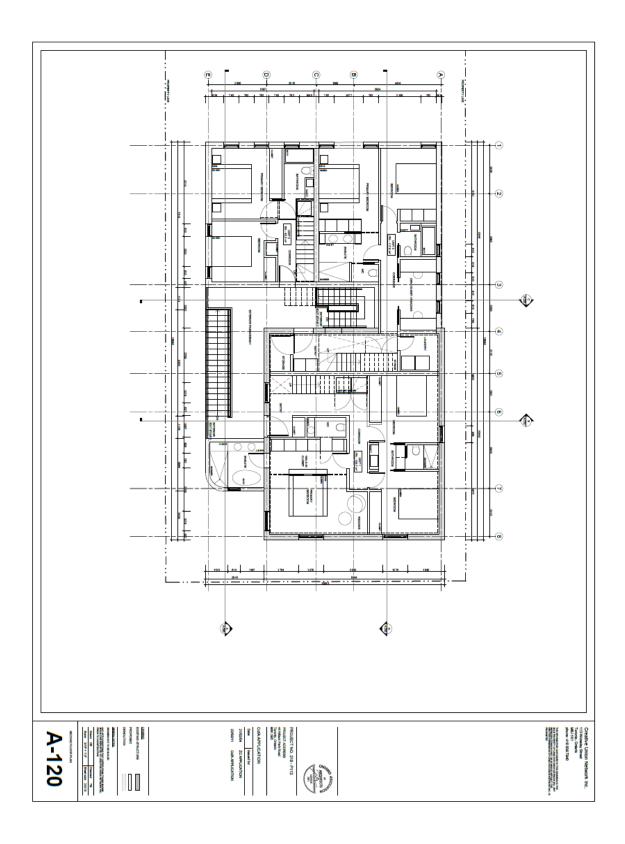
- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove a City owned tree(s) under Municipal Code Chapter 813, Trees Article II, Trees on City Streets, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) All terraces above grade shall be constructed with opaque privacy screening or fencing that is permanent, on the north and south sides of the deck to a minimum height of 1.5 m, measured from the floor of the deck.
- (3) The altered dwelling shall be constructed substantially in accordance with the drawings, date stamped received by Committee on June 21, 2022, and prepared by Creative Union Network.

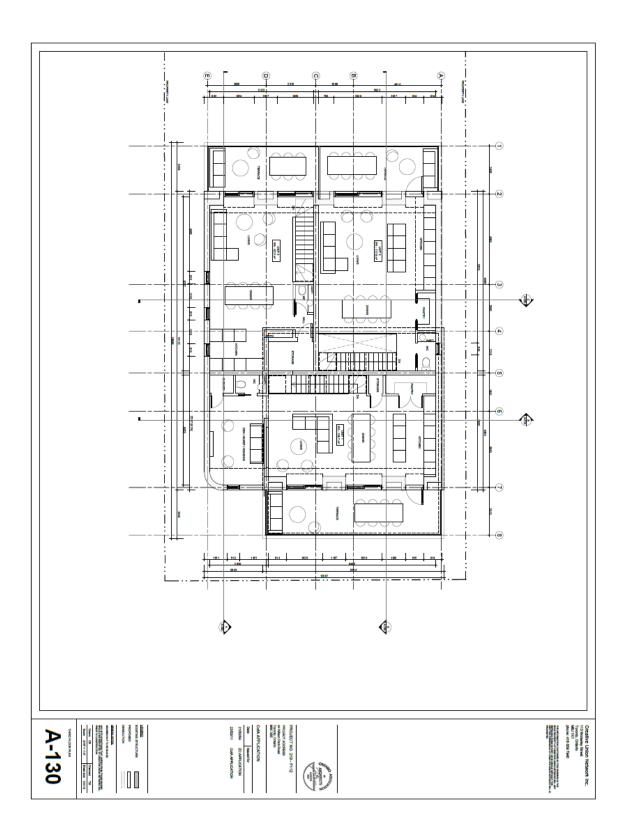


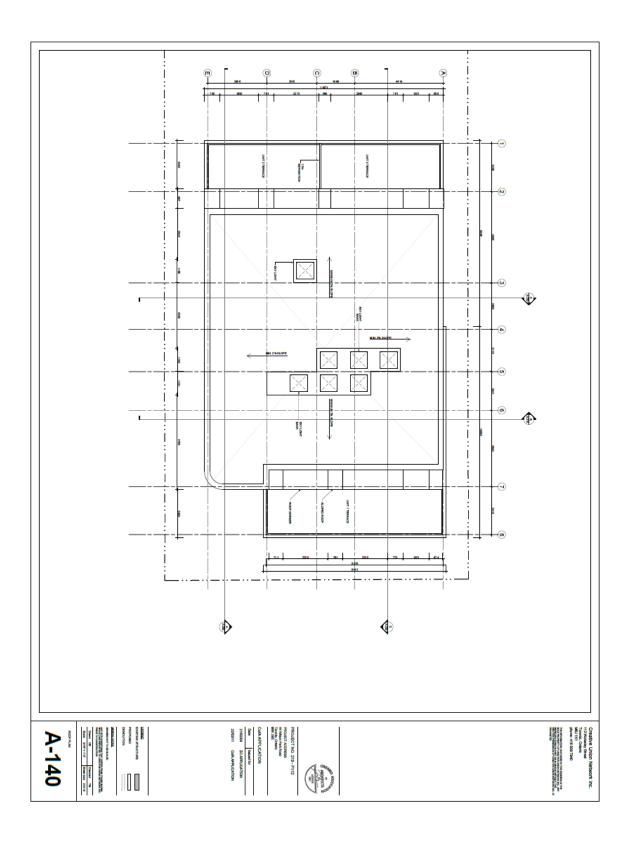


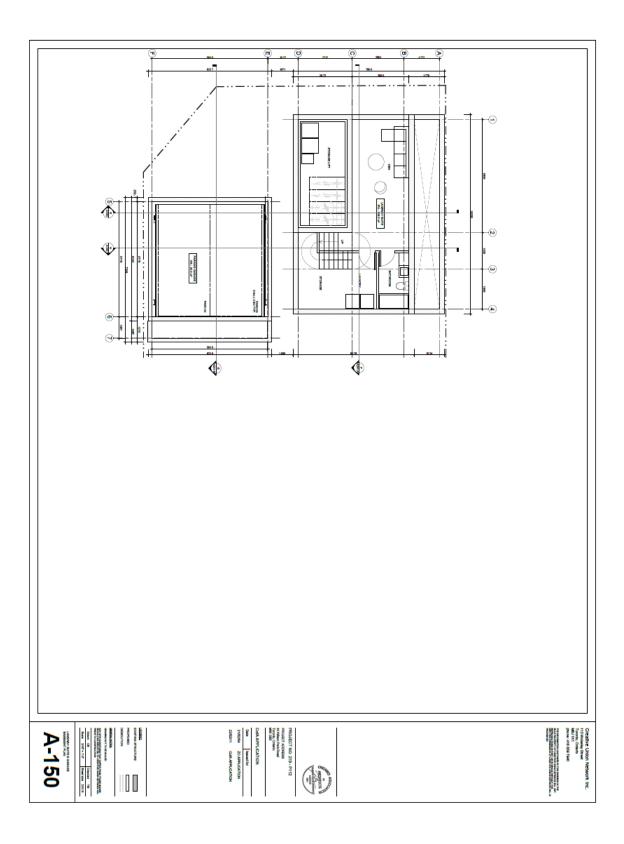


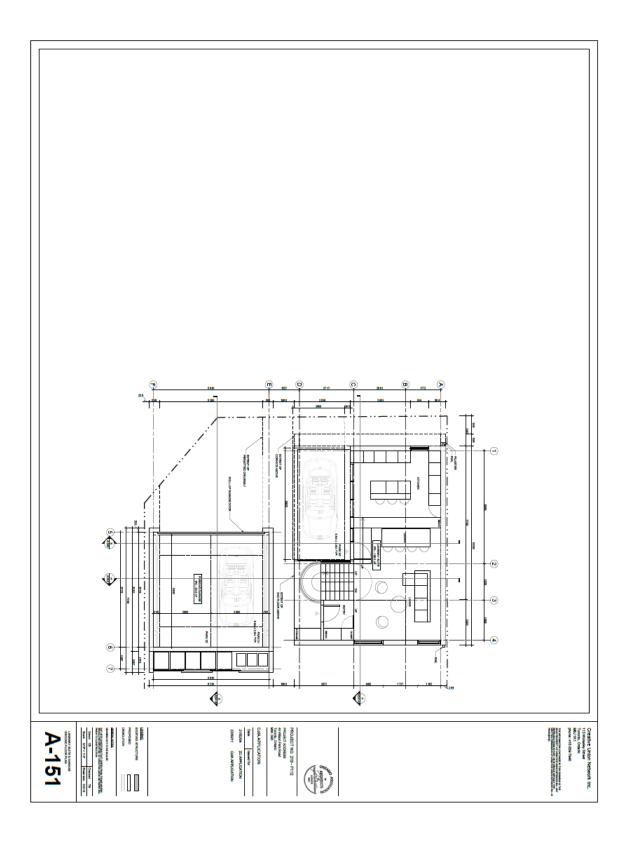


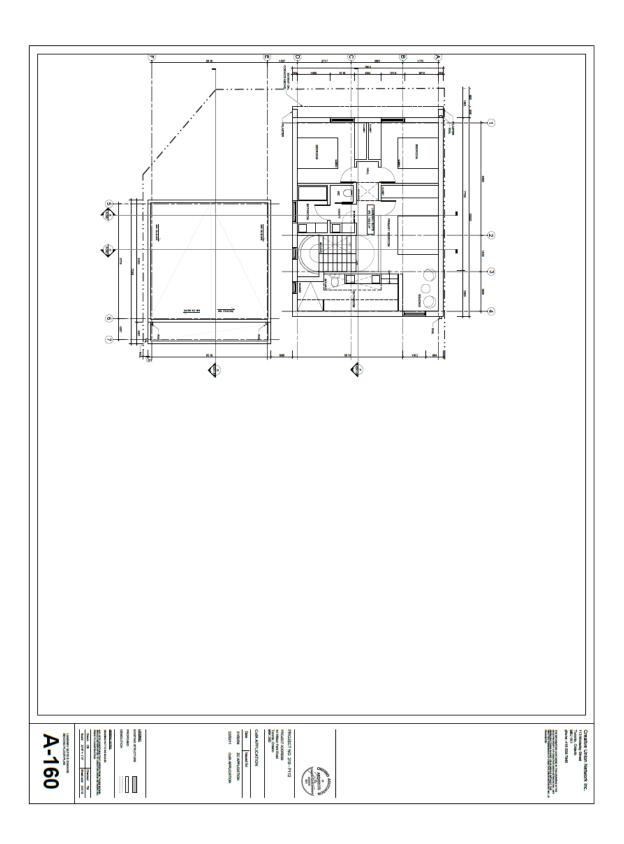


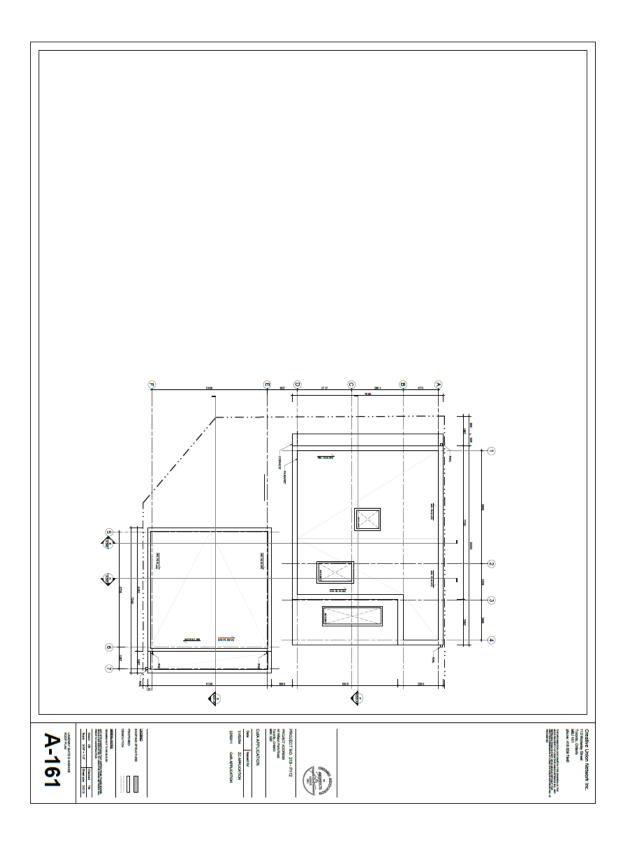


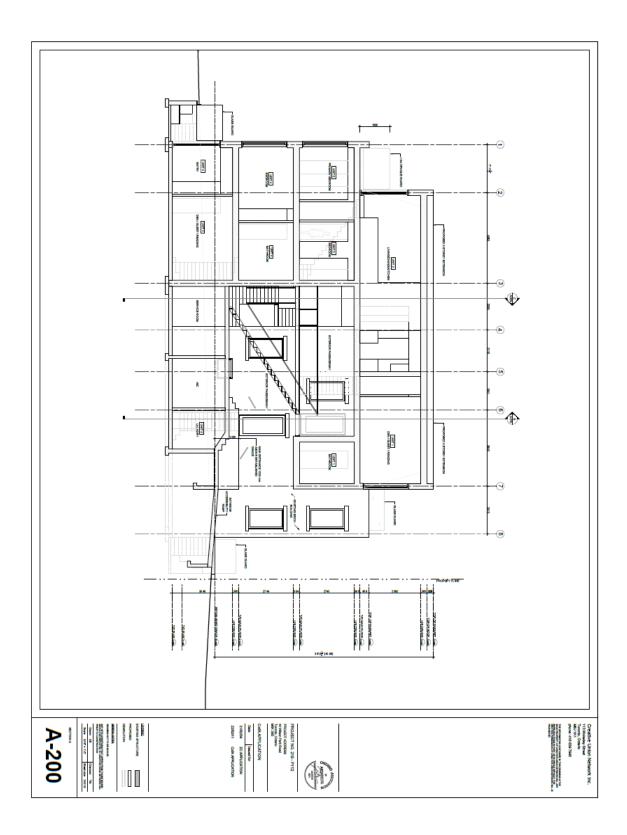


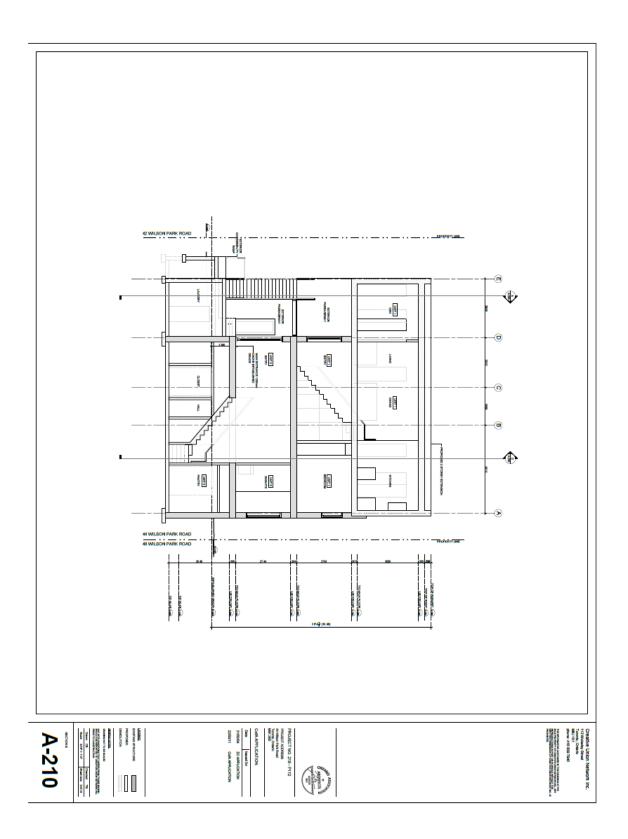


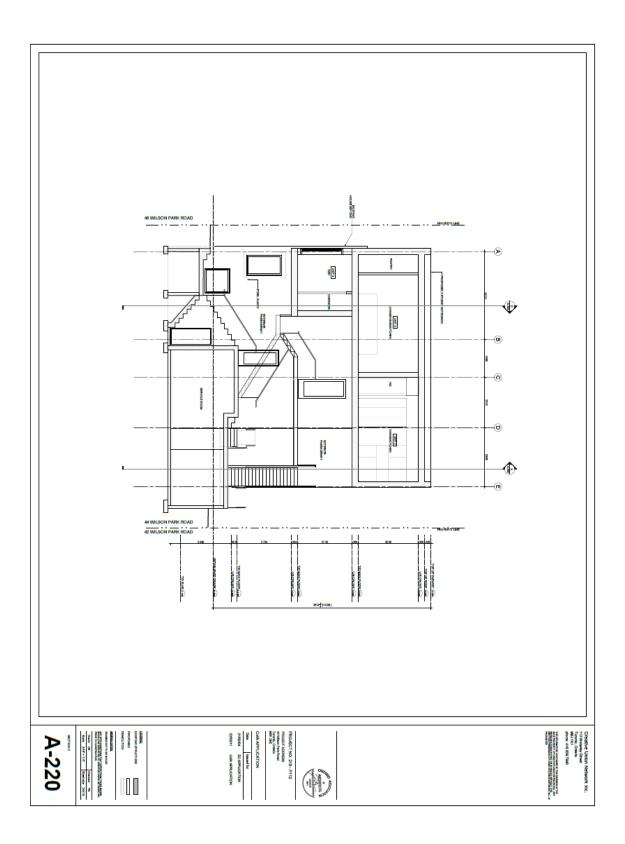


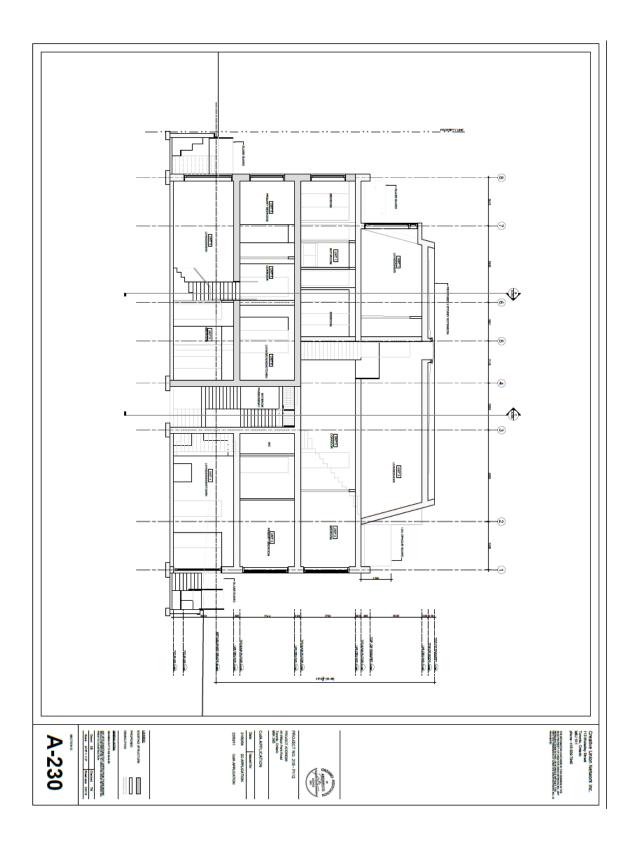


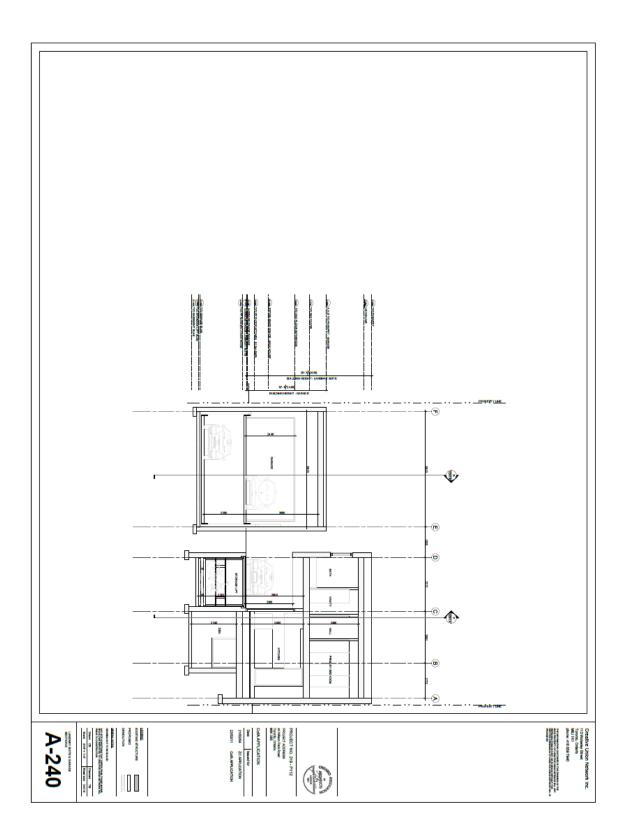


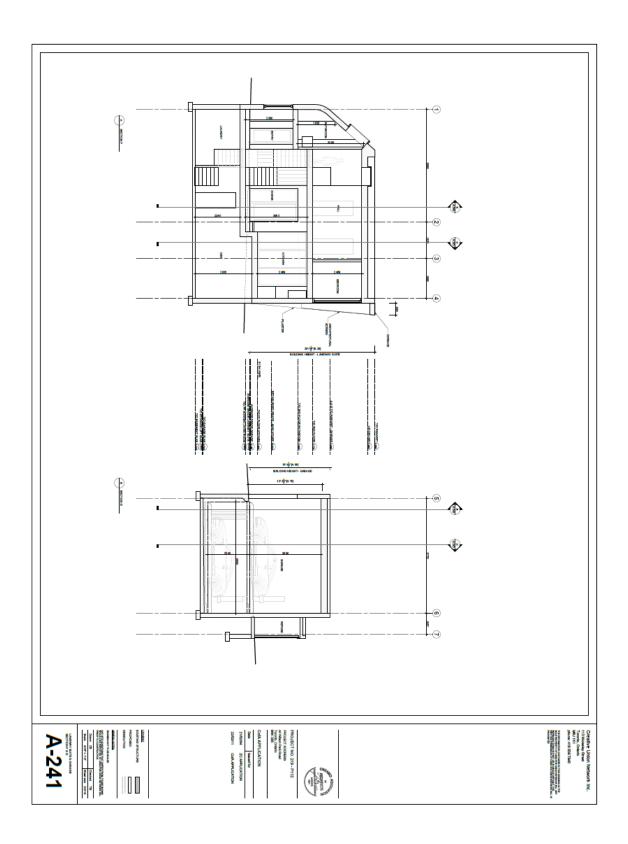


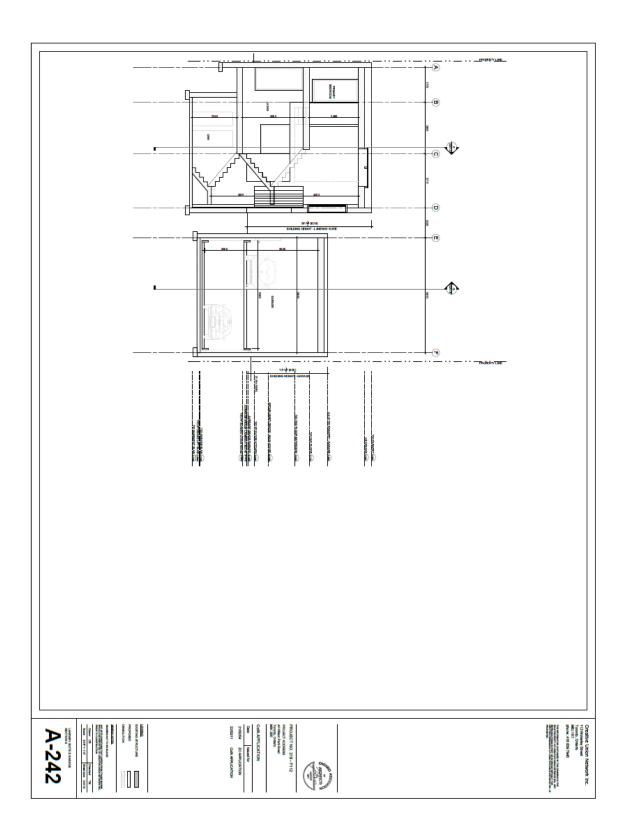


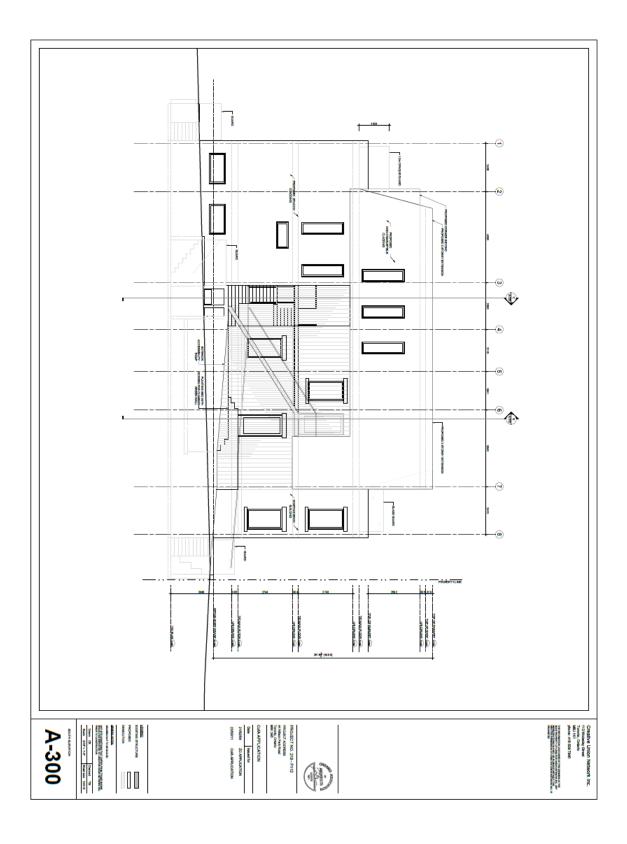


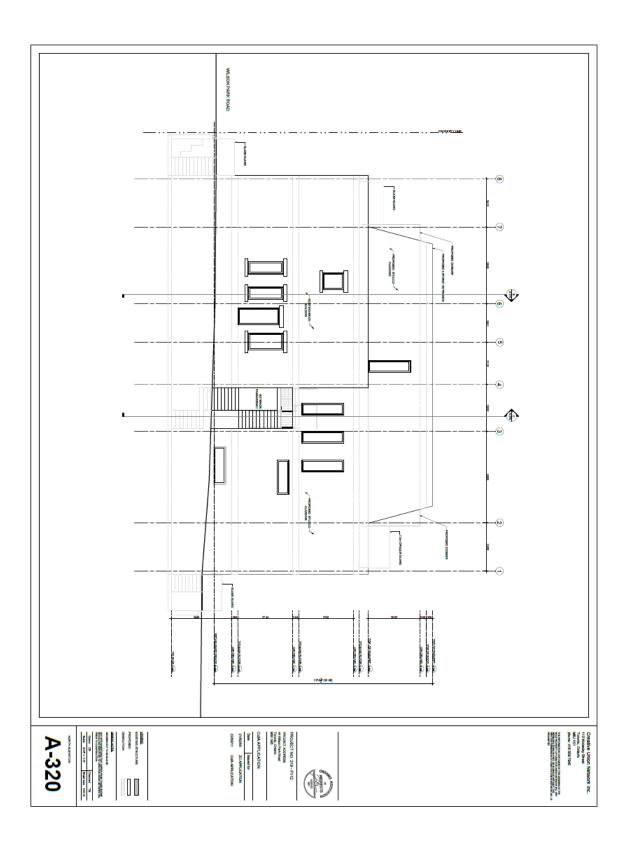


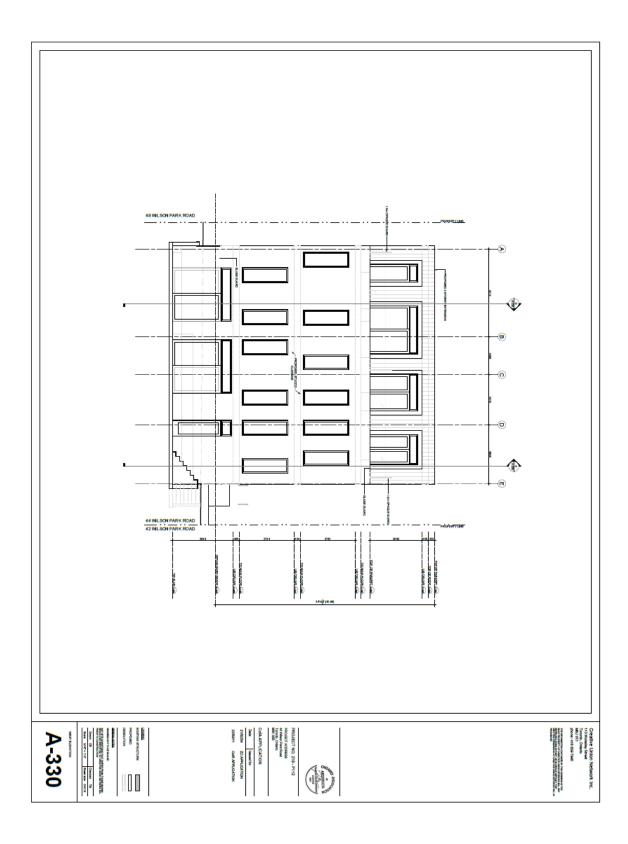


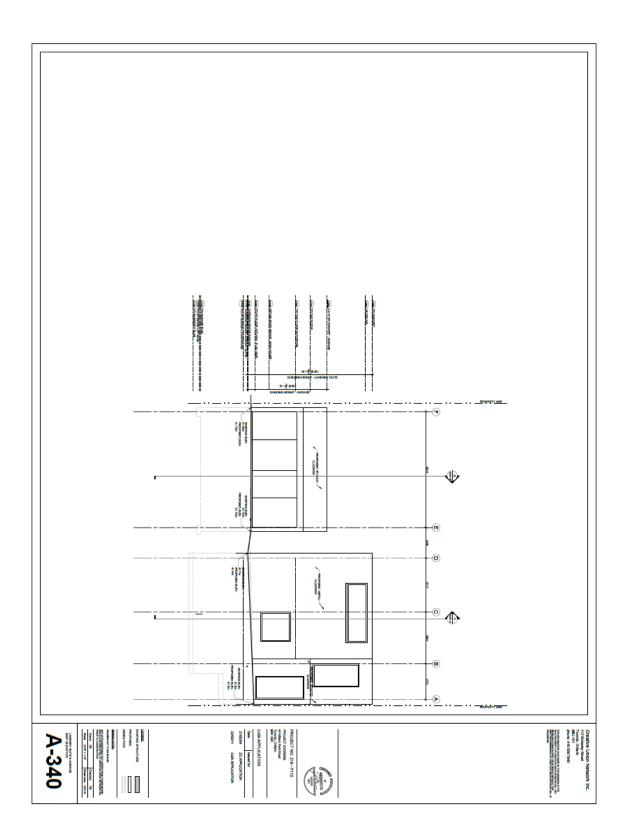


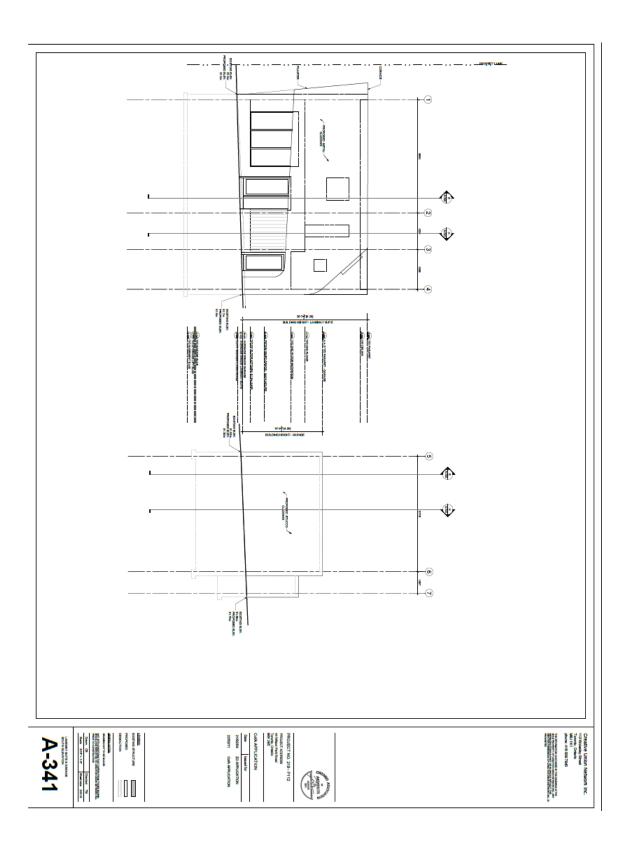


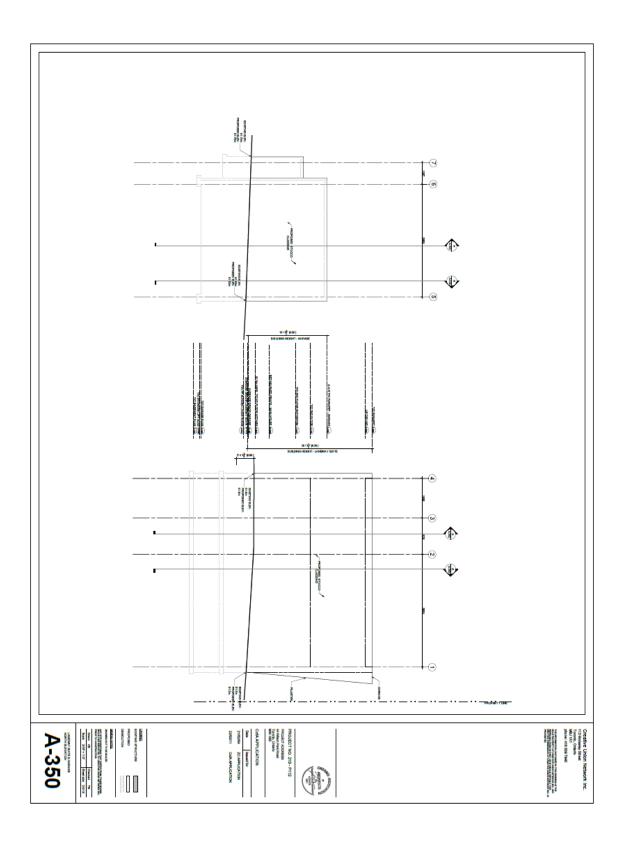


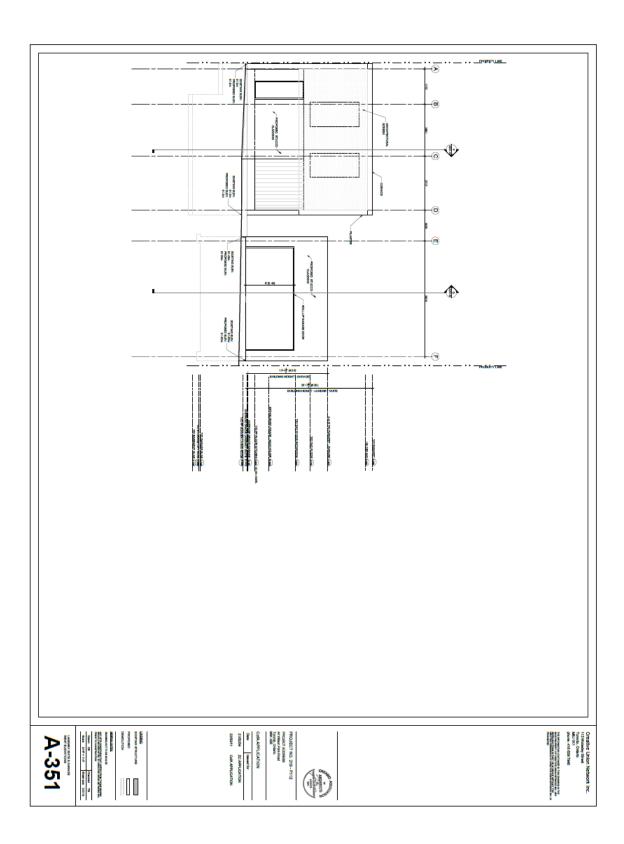












SIGNATURE PAGE

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NANCY OOMEN (CHAIR)

JOANNE HAYES

CARL KNIPFEL

LARRY CLAY

DATE DECISION MAILED ON: Tuesday, August 2, 2022

LAST DATE OF APPEAL: Tuesday, August 16, 2022

CERTIFIED TRUE COPY

Sabrina Salatino

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 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 <u>unless</u> there is a related appeal* to the Ontario Land Tribunal (OLT) 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 <u>each</u> 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) INSTRUCTIONS

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

- A completed OLT 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 Ontario Land Tribunal (OLT) website at https://olt.gov.on.ca/appeals-process/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 <u>Application Information Centre</u> and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Land Tribunal (OLT)** should be submitted in accordance with the instructions above.