

Thursday, October 11, 2018

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

File Number: A0668/18EYK
Property Address: 74 WESTMOUNT AVE
Legal Description: PLAN 1296 S'LY IN WIDTH LOT 40
Agent: IDA EVANGELISTA
Owner(s): MICHAEL MANOCCHIO
Zoning: R & R2
Ward: Davenport (17)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, October 11, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a two-storey rear addition, a partial third storey rear addition, second and third storey rear platforms, a new rear yard deck and to legalize the existing second secondary suite.

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

- 1. Section 10.10.40.40.(2)(A), By-law 569-2013**
The maximum permitted floor space index is 0.69 times the area of the lot (211.13 m²).
The altered dwelling will have a floor space index of 0.73 times the area of the lot (234.95 m²).
- 2. Section 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% of the rear yard shall be maintained as soft landscaping (73.8 m²).
A total of 29.95% of the rear yard will be maintained as soft landscaping (44.21 m²).
- 3. Section 150.10.40.40.(3), By-law 569-2013**
The average interior floor area of the dwelling units in a building or structure being altered, converted or used as a converted house containing more than 2 units must be no less than 65 m².
The third floor secondary suite will have an interior floor area of 53.05 m².

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

It is the decision of the Committee of Adjustment to authorize 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.

SIGNATURE PAGE

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Allan Smithies (signed)
(signed)

Dominic Gulli (signed)

Douglas Colbourne

Michael Clark (signed)

DATE DECISION MAILED ON: Friday, October 19, 2018

LAST DATE OF APPEAL: Wednesday, October 31, 2018

CERTIFIED TRUE COPY

Barbara Bartosik
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary-Treasurer, Committee of Adjustment 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) in **digital format** on a CD/DVD or USB;
- \$300 for each appeal filed regardless if related and submitted by the same appellant;
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds).

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site 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 **paper format**;
- \$300.00 with an additional reduced fee of \$25.00 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).

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.