



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

Barbara Bartosik
Manager and Deputy Secretary-Treasurer
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A0927/20TEY
Property Address: 1150 DAVENPORT RD
Legal Description: PLAN 355 PT LOT 300
Agent: TEJAS BHATT
Owner(s): DAVENPORT & DOVERCOURT INC
Zoning: R (d1.0) R4 Z1.0 (ZZC)
Ward: Davenport (09)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, March 3, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the existing two-storey lawful non-conforming mixed-use building, containing two dwelling units, into a three-storey mixed-use building containing four dwelling units by constructing a third storey, a rear second storey rooftop terrace, and a rear third storey terrace.

REQUESTED PERMISSION UNDER SUBSECTION 45(2)(a)(i) & (ii) OF THE PLANNING ACT:

The property has lawful non-conforming status under the Planning Act, as the mixed-use building existed prior to the passing of the Zoning By-law, which does not permit the said use in a R(d1.0) zone or R4 Z1.0 Zone. Any change of use, alterations or additions to the building requires the permission of the Committee of Adjustment.

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

- 1. Chapter 200.5.10.1.(1), By-law 569-2013**
A minimum of five parking spaces are required to be provided.
In this case, three parking spaces will be provided.

2. Chapter 200.5.1.10.(2), By-law 569-2013

The required parking space must have a minimum width of 2.6 m.

The parking space will measure 2.45 m in width.

3. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 1.0 times the area of the lot (192.3 m²).

The altered mixed-use building will have a total floor space index equal to 1.56 times the area of the lot (299.85 m²) for residential and commercial uses.

4. Chapter 10.5.40.60.(7), By-law 569-2013

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.

The roof eaves will be located 0.0 m from the east side 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

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.
- is minor; and
- has met the requirements of subsections 45(2)(a)(i)(ii) of the Planning Act.

SIGNATURE PAGE

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YIM CHAN



AARON CHENG



PETER REED



DONALD GRANATSTEIN (CHAIR)

DATE DECISION MAILED ON: **TUESDAY, MARCH 9, 2021**

LAST DATE OF APPEAL: **TUESDAY, MARCH 23, 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.