

# Notice of Appeal Form 1

The information collected on this form is considered to be a public record. The legal authority to make the information public is section 1.0.1. of the Planning Act. As stated at Section 27 of the Municipal Freedom of Information and Privacy Act, the privacy provisions of Part 2 of the Act would not apply to any information collected on the form. Questions about this form can be directed to the Manager of Planning & Liaison, Court Services, 137 Edward Street, 2<sup>nd</sup> Floor, Toronto, Ontario M5G 2P1 or by telephone at 416-338-7320.

## Part 1: Appeal Type: A separate Notice of Appeal and additional appeal fee is required for each Subject of Appeal.

Subject of Appeal (check only one)	Type of Appeal (check only the boxes related to your appeal)	Planning Act Reference
<input checked="" type="checkbox"/> <b>Planning Act Section 45 (12)</b>	<input checked="" type="checkbox"/> Appeal a decision on minor variance from the provisions of any bylaw passed under section 34 or 38.	45(1)
	<input type="checkbox"/> Appeal a decision on enlargement or extension of a building or structure that is legal non- conforming	45 (2) (a) (i)
	<input type="checkbox"/> Appeal a decision on enlargement or extension of a building or structure that is legal non-conforming for a purpose that is similar or more compatible to a permitted use	
	<input type="checkbox"/> Appeal the decision on a request to permit or refuse the use of land, building or structure that is legal non-conforming and that is similar to the purpose or more compatible to a permitted use	45 (2) (a) (ii)
	<input type="checkbox"/> Appeal the decision on a request to permit or refuse a use of land, building or structure that is generally defined for any purpose that conforms with the uses permitted in the bylaw	45(2)(b)
<input type="checkbox"/> <b>Planning Act Section 53</b>	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Appeal for failure to make a decision on the application within 90 days	53(14)

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## Part 2: Location Information

Address and/or legal description of property subject to the appeal		
98 Winona Drive		
Street Number	Street Name	Postal Code
98	WINONA DRIVE	M6G 3S7

## Part 3: Estimated Hearing Time

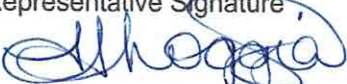
Number of <b>days</b> you anticipate needed for the hearing
1 DAY

## Part 4: Appellant Information

First Name		Last Name	
APOSTOLOS		PROKOS	
<input type="checkbox"/> Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.			
Single Name			
Corporation Name or Association Name (Association must be incorporated), if applicable			
N/A			
Position Title (if applicable)		Email	
HOME OWNER		hloggia@teksavvy.com	
Street Number	Street Name	Suite/Unit Number	
96	WINONA DRIVE		
City/Town	Province	Postal Code	
TORONTO	ONTARIO	M6G 3S7	
Telephone Number		Mobile Number	
(416) 656-5590		N/A	
Date (yyyy-mm-dd)			
2021-04-05			
<b>Please note: You must notify the Toronto Local Appeal Body for each appeal filed of any change of email, address or telephone number in writing via email to <a href="mailto:tlab@toronto.ca">tlab@toronto.ca</a> and include your TLAB Case File Number(s) in the subject line of the email after the Case File Number(s) has been assigned.</b>			

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## Part 5: Representative Information (if applicable)

<b>I hereby authorize the named lawyer, law firm, corporation and/or individual(s) to represent me</b>			
First Name HELEN		Last Name LOGGIA	
<input type="checkbox"/> Check this box if First Name and Last Name do not apply to you because you have either a registered Birth Certificate or Change of Name Certificate bearing a Single Name. Provide your name below.			
Single Name			
Corporation Name or Association Name (Association must be incorporated), if applicable N/A			
Position Title (if applicable)		Email hloggia@teksavvy.com	
Street Number 11	Street Name HUMBER TRAIL		Suite/Unit Number
City/Town CALEDON	Province ONTARIO		Postal Code L7E 0A8
Telephone Number (416) 805-1427		Mobile Number (416) 805-1427	
<p>Please note: If you are representing the appellant and are not a solicitor, please confirm that you have authority as required by the TLAB's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box and signing below.</p> <p><input checked="" type="checkbox"/> I certify that I have authority to act as a representative with respect to this appeal on behalf of the appellant and I understand that I may be asked to produce this authorization at any time.</p>			
Representative Signature 		Date (yyyy-mm-dd) 2021-04-05	

## Part 6: Accessibility

We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible at <a href="mailto:tribunalaccess@toronto.ca">tribunalaccess@toronto.ca</a> .
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## Part 7: Appeal Specific Information

Provide specific information about what you are appealing using numbered paragraphs and include the Committee of Adjustment File Number(s).

Provide the nature of your appeal and the reasons and grounds for your appeal. Be specific and provide only land-use planning reasons. Include the specific provisions, sections and/or policies of the Official Plan or By-law(s) which are the subject of your appeal as applicable.

I am appealing the COA decision (File Number A0967/20TEY) to grant a minor variance for Chapter 10.10.40.40.(1) (A), By-law 569-2013 and allow the construction of a third storey addition with a rear balcony, a rear second-storey addition with a rear balcony, a rear first-storey addition, a rear ground floor deck, a rear basement walkout and adding a secondary suite. The following summarizes the reasons for my appeal:

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

The maximum permitted floor space index of a duplex is 0.60 times the area of the lot (230.01m<sup>2</sup>).

The altered duplex will have a floor space index equal to 0.75 times the area of the lot (289.14m<sup>2</sup>).

Exceeding the permitted floor space index by .15 times (15%) the area of the lot is not a minor variance.

Accentuated by a minimal setback from the street line, the current mass, depth and height of 98 Winona Drive is already noticeably larger than the adjacent properties and existing single-family houses in the neighborhood.

Increasing the floor space index will further accentuate its incompatibility with the established built form of existing dwellings, including the character and aesthetics of the streetscape.

2. Increasing the floor space index to allow an increased total height of 9.18 meters and further adding 3 rear balconies will have a detrimental impact on my long standing amenities of privacy and access to natural light. Requiring that the proposed second and third floor balconies have opaque privacy screening, or fencing, is not sufficient and does not address the additional doors, windows and the increased height of the building.

3. The current owner has owned the property since April 2019 and has yet to occupy the premises. I am concerned that he has no intention to occupy the premises, nor contribute to the community, and that the motives for the proposed construction are to allow for added tenants for financial gain. The approved build will have 7 bedrooms and 4 full bathrooms (one on each floor) and could house more than 2 families. This is out of character for the neighbourhood and there is concern that this overbuild is intended to allow for creation of future units through subdivision.

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## Part 7: Appeal Specific Information (Continued)

☐ Yes ☒ No For this property are there other appeals existing or to be filed with the City of Toronto?

☐ Yes ☒ No For this property are there other approvals applied for under the Planning Act or any other Act?

If you answered 'Yes' to any of the above, please provide Committee of Adjustment and City File Numbers, and the TLAB Case File Number(s), if any.

NOTE: Only decisions of the Committee of Adjustment under s.45 (12), s. 53 of the Planning Act are appealable to the Toronto Local Appeal Body.

NOTE: If there are any related appeals filed with the Local Planning Appeal Tribunal, you must complete the LPAT prescribed Appellant Form (A1 Appeal Form) within any applicable appeal limitation period.

## Part 8: Other Applicable Information

## Part 9: Required Fee

Total Fee Submitted (\$)

Payment Date (yyyy-mm-dd)