

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

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

File Number: A0235/21TEY
Property Address: 36 ALBERTA AVE
Legal Description: PLAN M355 LOT 314
Agent: GIL NATAN KOMET
Owner(s): SOPHIA GALPER KOMET
GIL NATAN KOMET
Zoning: (R d0.6 H10.0m x730) (ZZC)
Ward: Davenport (09)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, July 7, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the 2 ½-storey semi-detached dwelling by constructing a third storey dormer addition, and converting the existing one-storey detached ancillary structure with a basement, containing a garage, into storage space.

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

- 1. Chapter 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% (52.8 m²) of the rear yard must be maintained as soft landscaping.
In this case, 36% (38 m²) of the rear yard will be maintained as soft landscaping.
- 2. Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index of a semi-detached dwelling is 0.6 times the area of the lot (139.74 m²).
The altered semi-detached dwelling will have a floor space index equal to 0.81 times the area of the lot (188.64 m²).
- 3. Chapter 10.10.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 7.5 m.
The height of the front exterior main walls will be 9.79 m.

4. **Chapter 10.10.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of all rear exterior main walls is 7.5 m.
The height of the rear exterior main walls will be 9.79 m.
5. **Chapter 10.5.60.20.(2)(C), By-law 569-2013**
The minimum required rear yard setback for an ancillary building or structure is 0.3 m.
The converted detached shed will be located 0 m from the rear (west) lot line.
6. **Chapter 10.5.60.40.(2)(B), By-law 569-2013**
The maximum permitted height of an ancillary building is 4.0 m.
The converted detached shed will have a height of 5.04 m.
7. **Chapter 10.5.60.40.(3), By-law 569-2013**
An ancillary building or structure is permitted a maximum height of one storey.
The converted detached shed will have a height of two storeys.
8. **Chapter 10.5.60.50.(2)(B), By-law 569-2013**
The maximum permitted total floor area of all ancillary buildings or structures on the lot is 40 m².
The converted detached shed will have a floor area of 60.8 m².
9. **Chapter 10.5.60.70.(1), By-law 569-2013**
The area of the lot covered by all ancillary buildings and structures may not exceed 10% of the lot area (23.29 m²).
The converted detached shed will have a lot coverage of 13% (30.4 m²).
10. **Chapter 200.5.10.1.(1), By-law 569-2013**
A minimum of one parking space is required to be provided on site.
In this case, zero on-site parking spaces will be provided.

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:

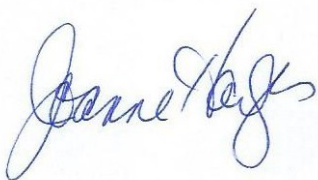
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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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JOANNE HAYES



LISA VALENTINI



ZAHEER BHAYAT



AARON CHENG



BRUCE MULLOCK (CHAIR)

DATE DECISION MAILED ON: **Tuesday, July 13, 2021**

LAST DATE OF APPEAL: **Tuesday, July 27, 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 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 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.

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 [Application Information Centre](#) 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.