



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

Sabrina Salatino
Manager and Deputy Secretary-Treasurer
416-392-0413
coa.tey@toronto.ca

Wednesday, October 20, 2021

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 53 of the Planning Act)**

File Number: B0086/20TEY
Property Address: 15 HIGHVIEW CRES
Legal Description: PLAN 7312 PT LOT 61 PT LOT 62
Agent: SEAN GALBRAITH
Owner(s): 1829171 ONTARIO INC.
Zoning: (R (d0.6) (x730)(ZZC)
Ward: Davenport (09)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, October 20, 2021**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the lot into two residential lots.

Conveyed - Part 1, Draft R Plan

Address to be Assigned

This lot has a frontage of 21.11 m and an area of 187.17m². A new three-storey detached dwelling with a side basement walkout and a front yard parking space will be constructed and will require variances, as requested through application A1097/20TEY.

Retained - Parts 2 and 3, Draft R Plan

Address to be Assigned

This lot as a frontage of 19.6 m and an area of 256.18 m². The existing three-storey detached dwelling with three secondary suites will be maintained and will require variances, as requested through application A1098/20TEY.

Applications B0086/20TEY, A1097/20TEY and A1098/20TEY were considered jointly.

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 Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the *Planning Act* and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the *Planning Act*, the applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official.
- (2) Municipal numbers for the subject lots indicated on the applicable registered reference plan of survey shall be assigned to the satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services.
- (3) A revised draft R-plan which complies with the City's integration requirement to 3 degree MTM, Zone 10, NAD 83 CSRS, with the coordinate values shown on the face of the main corners of the property, to the satisfaction of Development Engineering, Engineering and Construction Services.
- (4) One electronic copy of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services.
- (5) One electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services shall be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (6) Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the *Planning Act* if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.

- (7) Once all of the other conditions have been satisfied, the applicant shall request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment, issue the Certificate of Official.
- (8) Within ONE YEAR of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions.

SIGNATURE PAGE

File Number: B0086/20TEY

Property Address: 15 HIGHVIEW CRES

Legal Description: PLAN 7312 PT LOT 61 PT LOT 62

Agent: SEAN GALBRAITH

Owner(s): 1829171 ONTARIO INC.

Zoning: (R (d0.6) (x730)(ZZC)

Ward: Davenport (09)

Community: Toronto

Heritage: Not Applicable



DON GRANATSTEIN
(CHAIR)



LISA VALENTINI



YIM CHAN



LARRY CLAY

DATE DECISION MAILED ON: **Tuesday, October 26, 2021**

LAST DATE OF APPEAL: **Wednesday, November 15, 2021**

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 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.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Michael Mizzi
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Toronto and East York
Toronto City Hall
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Toronto, Ontario M5H 2N2

416-392-0413
coa.tey@toronto.ca

Wednesday, October 20, 2021

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

File Number: A1097/20TEY
Property Address: 15 HIGHVIEW CRES (PART 1)
Legal Description: PLAN 7312 PT LOT 61 PT LOT 62
Agent: SEAN GALBRAITH
Owner(s): 1829171 ONTARIO INC.
Zoning: (R (d0.6) (x730)(ZZC)
Ward: Davenport (09)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, October 20, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with a side basement walkout and a front yard parking space, on the Conveyed Lands, (Part 1) created through consent application B0086/20TEY.

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

- 1. Chapter 10.5.80.10.(3) By-law 569-2013**
A parking space may not be located in a front yard or a side yard abutting a street.
In this case, the parking space will be located in the front yard.
- 2. Chapter 10.10.40.70.(2) By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The new detached dwelling will be located 0.76 m from the rear lot line.
- 3. Chapter 10.10.40.70.(1) By-law 569-2013**
The minimum required front yard setback is 5.69 m.
The new detached dwelling will be located 3.79 m from the front lot line.
- 4. Chapter 10.10.40.70.(3)(A)(i) By-law 569-2013**
The minimum required side yard setback for a detached dwelling is 0.9 m.
The new detached dwelling will be located 0.46 m from the south side lot line.

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

The maximum permitted floor space index is 0.6 times the area of the lot (112.2 m²).

In this case, the floor space index will be equal to 0.81 times the area of the lot (150.72 m²)

Applications B0086/20TEY, A1097/20TEY and A1098/20TEY were considered jointly.

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) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove a 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.
- (3) The new three-storey detached dwelling shall be constructed such that any windows located on the north side of dwelling will be frosted windows.
- (4) The driveway/parking space located in the front yard shall be constructed with permeable materials.

SIGNATURE PAGE

File Number: A1097/20TEY

Property Address: 15 HIGHVIEW CRES

Legal Description: PLAN 7312 PT LOT 61 PT LOT 62

Agent: SEAN GALBRAITH

Owner(s): 1829171 ONTARIO INC.

Zoning: (R (d0.6) (x730)(ZZC)

Ward: Davenport (09)

Community: Toronto

Heritage: Not Applicable



DON GRANATSTEIN
(CHAIR)



LISA VALENTINI



YIM CHAN



LARRY CLAY

DATE DECISION MAILED ON: **Tuesday, October 26, 2021**

LAST DATE OF APPEAL: **Tuesday, November 9, 2021**

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.

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TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

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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/>

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Wednesday, October 20, 2021

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

File Number: A1098/20TEY
Property Address: 15 HIGHVIEW CRES (PART 2)
Legal Description: PLAN 7312 PT LOT 61 PT LOT 62
Agent: SEAN GALBRAITH
Owner(s): 1829171 ONTARIO INC.
Zoning: (R (d0.6) (x730)(ZZC)
Ward: Davenport (09)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, October 20, 2021**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing three-storey detached dwelling with three secondary suites on the Retained Lot (Part 2) created through consent application B0086/20TEY.

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

- 1. Chapter 150.10.40.1(1)(B) By-law 569-2013**
A pedestrian entrance leading exclusively to a secondary suite is not permitted in a front wall of a detached house or semi-detached house
In this case, there is an entrance exclusively for the secondary suite located in the front wall.
- 2. Chapter 10.10.40.70.(2) By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
In this case, the rear yard setback will be 2.29 m
- 3. Chapter 10.10.40.70.(3)(A)(i) By-law 569-2013**
The minimum required side yard setback for a detached house is 0.9 m.
In this case, the west side yard setback will be 0.76 m.

4. **Chapter 10.10.40.70.(3)(A)(i) By-law 569-2013**
The minimum required side yard setback for a detached house is 0.9 m.
In this case, the east side yard setback will be 0.62 m.
5. **Chapter 200.5.10.1.(1) By-law 569-2013**
A minimum of three parking spaces are required to be provided.
In this case, one parking space will be provided.
6. **Chapter 10.10.40.40.(1)(A) By-law 569-2013**
The maximum permitted floor space index is equal to 0.6 times the area of the lot (153.60 m²).
In this case, the floor space index will be equal to 0.92 times the area of the lot (226.74 m²).
7. **Section 4(5)(B), By-law 438-86**
A minimum of three parking spaces are required to be provided.
In this case, one parking space will be provided.

Applications B0086/20TEY, A1097/20TEY and A1098/20TEY were considered jointly.

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):

The driveway/parking space shall be constructed of permeable materials.

SIGNATURE PAGE

File Number: A1098/20TEY

Property Address: 15 HIGHVIEW CRES

Legal Description: PLAN 7312 PT LOT 61 PT LOT 62

Agent: SEAN GALBRAITH

Owner(s): 1829171 ONTARIO INC.

Zoning: (R (d0.6) (x730)(ZZC)

Ward: Davenport (09)

Community: Toronto

Heritage: Not Applicable



DON GRANATSTEIN
(CHAIR)



LISA VALENTINI



YIM CHAN



LARRY CLAY

DATE DECISION MAILED ON: **Tuesday, October 26, 2021**

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