



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

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number: A0044/18TEY
Property Address: 13 COLLAHIE ST
Legal Description: PLAN 864 PT LOT 19
Agent: JONATHAN POOLE
Owner(s): ALANA CUNDY
JONATHAN POOLE
Zoning: R (d1.0)(x804) & R4 Z1.0 (ZZC)
Ward: Davenport (18)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, June 13, 2018**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing 2½-storey townhouse by converting the attic to habitable space and by constructing a rear third storey addition, a rear third storey terrace, a rear second storey addition, and a basement secondary suite.

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

- 1. Chapter 10.10.40.80.(1)(C), By-law 569-2013**
The minimum required distance between main walls for a townhouse is 11 m where there are openings to dwelling units in those main walls.
The distance between main walls, for the rear two-storey addition of the altered townhouse, will be 1.82 m on the east side.
- 2. Chapter 10.10.40.80.(1)(A), By-law 569-2013**
The minimum required distance between main walls for a townhouse is 2 m where there are no openings to dwelling units in those main walls.
The distance between main walls, for the rear two-storey addition of the altered townhouse, will be 0 m on the west side.

3. Chapter 10.10.40.30.(1)(B), By-law 569-2013

The maximum permitted depth of a townhouse is 14 m.

The rear two-storey addition of the altered townhouse will have an overall depth of 16.33 m.

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

The maximum permitted floor space index of a townhouse is 1.0 times the area of the lot (160.47 m²).

The rear two-storey addition and rear third storey addition of the altered townhouse will increase the floor space index to 1.05 times the area of the lot (168.55 m²).

5. Chapter 10.10.40.80.(1)(A), By-law 569-2013

The minimum required distance between main walls for a townhouse is 2 m where there are no openings to dwelling units in those main walls.

The distance between main walls, for the rear third storey addition, will be 0 m on the east and west sides.

6. Chapter 10.10.40.10.(1)(A), By-law 569-2013

The maximum permitted building height is 10 m.

The altered townhouse will have a height of 10.77 m.

7. 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 10.27 m.

1. Section 6(3) Part II 3.F(I)(2), By-law 438-86

The minimum required side yard setback is 1.2 m, where the side wall contains openings.

The rear two-storey addition of the altered townhouse will be located 0.98 m from the east side lot line.

2. Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86

The minimum required side yard setback is 0.45 m, where the side wall contains no openings.

The rear two-storey addition of the altered townhouse will be located 0 m from the west side lot line.

3. Section 6(3) Part II 3(I), By-law 438-86

The minimum required setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.

The rear two-storey addition of the altered townhouse will be located 0 m from the side wall of the west adjacent building, 15 Collahie Street.

4. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted depth of a townhouse is 14 m.

The rear two-storey addition of the altered townhouse will have an overall depth of 16.33 m.

5. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area of a townhouse is 1.0 times the area of the lot (160.47 m²).
The rear two-storey addition and the rear third storey addition of the altered townhouse will increase the gross floor area to 1.05 times the area of the lot (168.55 m²).
6. **Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86**
The minimum required side yard setback is 0.45 m, where the side wall contains no openings.
The rear third storey addition of the altered townhouse will be located 0 m from the east and west side lot lines.
7. **Section 6(3) Part II 3(I), By-law 438-86**
The minimum required setback from the side wall of an adjacent building that does not contain any openings is 0.9 m.
The rear third storey addition will be located 0 m from the side wall of the east adjacent building, 11 Collahie Street, and 0 m from the west adjacent building, 15 Collahie Street.
8. **Section 4(2)(a), By-law 438-86**
The maximum permitted building height is 10 m.
The altered townhouse will have a height of 10.77 m.
9. **Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86**
The minimum required side yard setback is 0.45 m, where the side wall contains no openings.
The rear third storey terrace of the altered townhouse will be located 0 m from the west side lot line.
10. **Section 6(2), (1)(iii)(A), By-law 438-86**
A converted house is a permitted use provided an addition to a part (other than to the front wall and, in the case of a corner lot, other than to the side of the house facing the flanking street) of the exterior either of the above mentioned buildings or structures, provided the increase in residential gross floor area does not exceed 0.15 times the area of the lot (24.07 m²).
The new rear two-storey addition and rear third storey addition will increase the existing residential gross floor area of the townhouse by 0.22 times the area of the lot (35.17 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

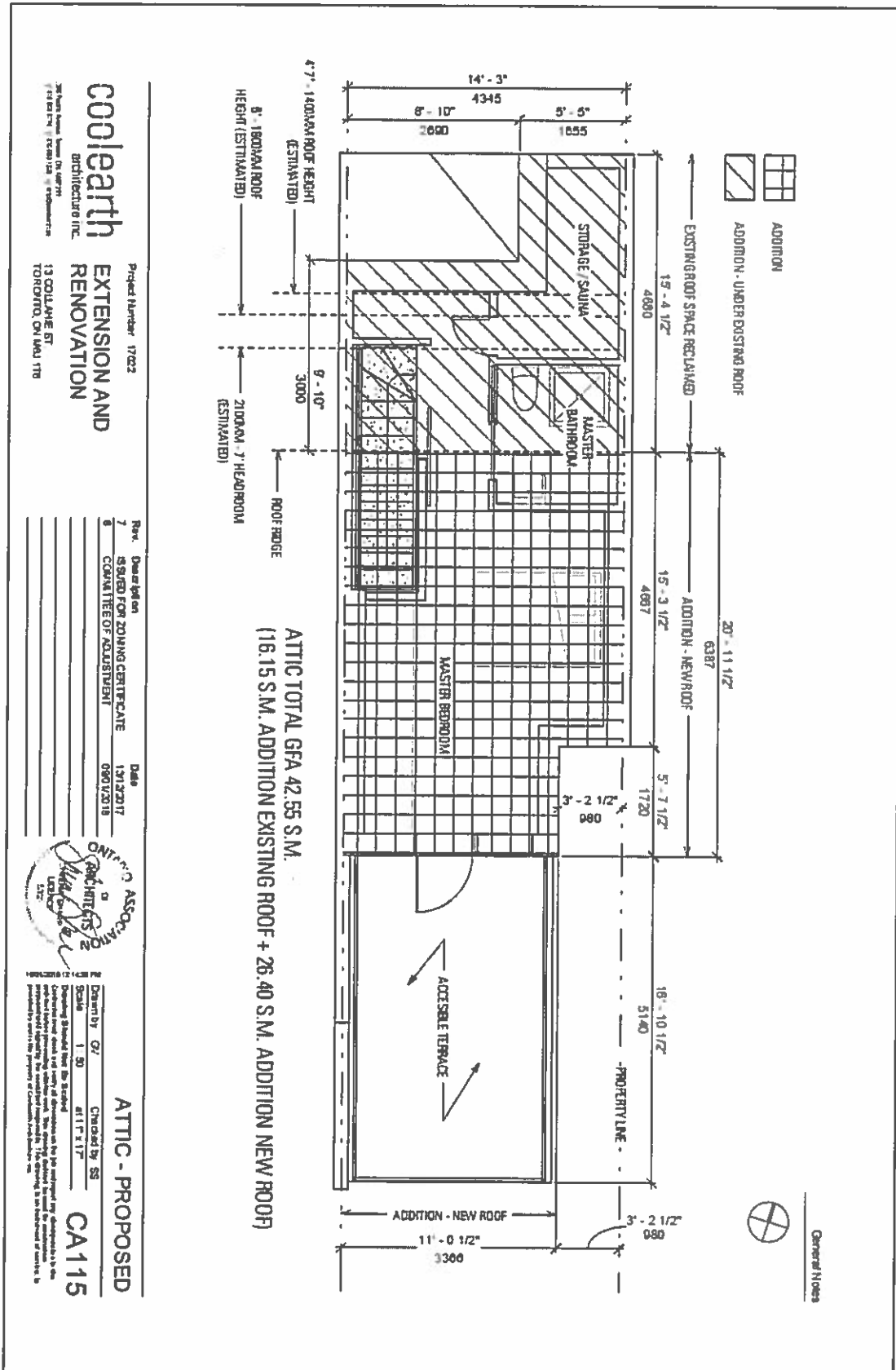
The Minor Variance Application is Approved on Condition

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.


This decision is subject to the following conditions:

- (1) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, Private trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (2) The altered townhouse shall be constructed such that the third floor will have a maximum building length of 11.1 m exclusive of the rear deck, as per the third floor plan received by the Committee of Adjustment on January 18, 2018. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.
- (3) The rear third storey deck shall be constructed with opaque privacy screening or fencing that is permanent, along the east and west edges of the deck to a minimum height of 1.5 m from the floor of the deck.



SIGNATURE PAGE


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Michael Clark



Carl Knipfel



Lisa Valentini



Donald Granatstein

DATE DECISION MAILED ON: TUESDAY, JUNE 19, 2018

LAST DATE OF APPEAL: TUESDAY, JULY 3, 2018

CERTIFIED TRUE COPY



Sylvia Mullaste
Acting Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

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.