

**Mailed on/before:** Sunday, January 31, 2016

**PUBLIC HEARING NOTICE**  
**MINOR VARIANCE/PERMISSION**  
**(Section 45 of the Planning Act)**

**MEETING DATE AND TIME:** Wednesday, February 10, 2016 at 1:30 p.m.

**LOCATION:** Committee Room 2, Second Floor, Toronto City Hall, 100 Queen St W, M5H 2N2

File Number:	A1091/15TEY	Zoning	R(d0.6) & R2 Z0.6 (ZZC)
Owner(s):	GIUSEPPE FERA ROBYN FERA	Ward:	Trinity-Spadina (19)
Agent:	RAYMOND LIU	Heritage:	Not Applicable
Property Address:	<b>45 PENDRITH ST</b>	Community:	Toronto
Legal Description:	PLAN 616 PT LOT 40		

**PURPOSE OF THE APPLICATION:**

To legalize and maintain the one-storey front addition, front basement walkout, and front second floor balcony which were constructed without a building permit.

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

- 1. Chapter 150.10.40.1.(3)(A), By-law 569-2013**  
A secondary suite is a permitted use provided that an exterior alteration to a building to accommodate a secondary suite does not alter a main wall or roof that faces a street.  
The addition to the building has altered a main wall that faces the street.
- 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 (118.97 m<sup>2</sup>).  
The altered building has floor space index equal to 0.61 times the area of the lot (120.57 m<sup>2</sup>).
- 3. Chapter 10.5.40.70.(1)(B), By-law 569-2013**  
The minimum required front yard setback is 3.59 m.  
The altered building is located 1.44 m from the north front lot line.
- 4. Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013**  
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6 m.  
The front stairs are located 0.0 m from the north front lot line.

5. **Chapter 10.5.40.60.(8)(D)(ii), By-law 569-2013**  
 A wall mounted air conditioner may encroach into the side yard setback 0.9 m if it is no closer to a lot line than 0.3 m and not located above the first storey.  
 The air conditioner is located 0.0 m from the east side lot line.
  
1. **Section 6(2), 1(iii)A, By-law 438-86**  
 The maximum permitted floor space of an addition to a converted house is 0.15 times the area of the lot (29.74 m<sup>2</sup>) and only one addition may be erected either at the time of conversion or thereafter.  
 The additions have an area equal to 0.20 times the area of the lot (40.0 m<sup>2</sup>) and more than one addition has been constructed at the time of conversion.
  
2. **Section 6(2) 1(v), By-law 438-86**  
 A converted dwelling is permitted provided that there is no substantial change in the appearance of the dwelling as the result of the conversion.  
 In this case, substantial change has occurred in the appearance of the dwelling.
  
3. **Section 6(3) Part II 5(I), By-law 438-86**  
 The maximum permitted depth of a building is 14.0 m.  
 The building has a depth of 16.86 m, measured from the front second floor balcony to the rear main wall).
  
4. **Section 6(3) Part I 1, By-law 438-86**  
 The maximum permitted gross floor area of a semi-detached dwelling is 0.6 times the area of the lot (118.97 m<sup>2</sup>).  
 The altered building has a gross floor area equal to 0.61 times the area of the lot (120.57 m<sup>2</sup>).
  
5. **Section 6(3) Part II 2(II), By-law 438-86**  
 The minimum required front yard setback is 3.59 m.  
 The altered building is located 0.84 m from the north front lot line, measured to the second floor front balcony.
  
6. **Section 6(3) Part II 3.F(I)(1)(a), By-law 438-86**  
 The minimum required side lot line setback is 0.45 m where the side walls contain no openings.  
 The altered building is located 0.0 m from the west side lot line.
  
7. **Section 6(3) Part II 3.F(I)(2), By-law 438-86**  
 The minimum required side lot line setback is 1.2 m where the side walls contain openings.  
 The altered building is located 0.6 m from the east side lot line.
  
8. **Section 6(3) Part II 3(II), By-law 438-86**  
 The minimum required setback from the side wall of an adjacent building that contains openings is 1.2 m.  
 The altered building will be located 0.97 m from the side wall of the east adjacent building.

**PLEASE EMAIL, FAX OR MAIL YOUR WRITTEN COMMENTS TO THE CONTACT NAMED AT THE BOTTOM OF THIS NOTICE NO LATER THAN 4:00 PM, THURSDAY, FEBRUARY 4, 2016.**

**THE COMMITTEE OF ADJUSTMENT & MINOR VARIANCES**

The role of the Committee of Adjustment is to provide flexibility in dealing with minor adjustments to zoning by-law requirements. To approve such variances, the Committee must be satisfied that:

- the variance requested is minor;
- the proposal is desirable for the appropriate development or use of the land and/or building;
- the general intent and purpose of the City's Zoning Code and/or By-law are maintained; and
- the general intent and purpose of the Official Plan are maintained.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application, letters received, deputations made at the public hearing and results of site inspections.

### **MAKING YOUR VIEWS KNOWN**

The notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing.** Attendant Care Services can be made available with some advance notice.
- **Sending a letter by Mail, E-mail, or Fax.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal

### **TO VIEW THE MATERIALS IN THE APPLICATION FILE**

Attend the Committee of Adjustment office at the above address Monday to Friday, 8:30 a.m. to 4:30 p.m. The standard fee will apply to any materials photocopied.

### **RECEIVING A COPY OF THE COMMITTEE'S DECISION**

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, fill out the Decision Request Form at our office or at the Public Hearing or write a letter requesting a copy of the Decision and send it to our office.
- If you wish to appeal a Decision of the Committee to the Ontario Municipal Board, you must file your written request for a decision with the Deputy Secretary-Treasurer.

### **CONTACT**

Jason Bragg, Application Technician

Tel. No.: 416-392-0097

Email: [jbragg2@toronto.ca](mailto:jbragg2@toronto.ca)