

City Planning Division
Gary Wright, Chief Planner and Executive Director

North York Civic Centre 5100 Yonge Street North York, Ontario Canada, M2N 5V7 Tel: (416) 395-7100 Fax: (416) 395-7200

Wednesday, September 10, 2008

## NOTICE OF DECISION

# MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number: A0446/08NY Zoning R7 (Waiver)

Owner(s): LUIS FILIPE MATIAS Ward: Eglinton-Lawrence (15)

Agent: NICK SACCONE

Property Address: 397 GLEN PARK AVE - Community: North York

PART 1

Legal Description: PLAN 1911 LOT 366

Notice was given and a Public Hearing was held on Wednesday, September 10, 2008, as required by the Planning Act.

#### PURPOSE OF THE APPLICATION:

To permit the construction of a two-storey detached dwelling with an integral, below grade garage. The existing dwelling would be demolished.

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

- 1. Proposed lot frontage and width of 7.62 m WHEREAS a minimum lot frontage of 9 m is required;
- 2. Proposed west side yard setback of 0.91 m WHEREAS a minimum side yard setback of 1.2 m is required;
- 3. Proposed east side yard setback of 0.5 m WHEREAS a minimum side yard setback of 1.2 m is required;
- 4. Proposed lot coverage equal to 38.6% of the lot area (118.34 m<sup>2</sup>)
  WHEREAS a maximum lot coverage equal to 35% of the lot area is permitted (107.3 m<sup>2</sup>);
- 5. Proposed dwelling length of 18.36 m WHEREAS a maximum dwelling length of 15.3 m is permitted;
- 6. Proposed deck projection of 2.44 m
  WHEREAS a maximum deck projection of 2.1 m is permitted;
- 7. Proposed deck width of 4.42 m WHEREAS a maximum deck with of 3.09 m is permitted;

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- 8. Proposed garage is below grade WHEREAS a below grade garage is not permitted; and,
- 9. Proposed finished first floor height of 2 m WHEREAS a maximum finished first floor height of 1.5 m is permitted.

#### IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

## The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to <u>NOT</u> approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

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#### **SIGNATURE PAGE**

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David Peacock (signed)	Donna McCormick (signed)	Isaac Lallouz (signed)
Jason Tsang (signed)	Virginia A. Solomon (signed)	

DATE DECISION MAILED ON: Thursday, September 18, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, September 30, 2008

#### **CERTIFIED TRUE COPY**

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$125.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at <a href="https://www.omb.gov.on.ca">www.omb.gov.on.ca</a>.

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