

Wednesday, September 10, 2008

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

File Number:	A0445/08NY	Zoning	R7 (Waiver)
Owner(s):	LUIS FILIPE MATIAS	Ward:	Eglinton-Lawrence (15)
Agent:	NICK SACCONI		
Property Address:	397 GLEN PARK AVE – PART 2	Community:	North York
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 0.5 m
WHEREAS a minimum side yard setback of 1.2 m is required;
3. Proposed east side yard setback of 0.91 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 m²)
WHEREAS a maximum lot coverage equal to 35% of the lot area is permitted (107.3 m²);
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 width of 3.09 m is permitted;

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 **NOT** 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.

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 www.omb.gov.on.ca.