



City Planning Division
Ted Tyndorf, Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

Wednesday, April 2, 2008

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

File Number:	A0215/08TEY	Zoning	R3 Z1.0 (PPR)
Owner(s):	DENNIS KONSTANJELOS	Ward:	Toronto-Danforth (30)
Agent:	TREVOR GAIN		
Property Address:	216 HAMILTON ST PART 3	Community:	
Legal Description:	PL 374 LT66 LT67		

Notice was given and a Public Hearing was held on Wednesday, April 2, 2008, as required by the Planning Act:

PURPOSE OF THE APPLICATIONS:

To demolish the existing detached dwelling (occupying Parts 1, 2 and 3, Draft R-plan) and to redevelop the new undersized lot (**PART 3**) with a three storey row house with rear first and third floor decks and a front integral garage.

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

- Part 6(3) Part VII I (II), By-law 438-86**
The minimum required lot frontage is 6.0 m.
Part 3 will have a lot frontage of 4.96 m.
- Part 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 1.0 times the area of the lot (135.88 m²)
The three storey row house on Part 3 will have a residential gross floor area equal to 1.45 times the area of the lot (196.49 m²).
- Part 6(3) Part II 5(I), By-law 438-86**
The maximum permitted depth of a dwelling is 14.0 m.
In this case, the three storey row house will have a depth of 16.3 m.
- Part 6(3) Part II 3(II), By-law 438-86**
The by-law requires the building be located no closer than 1.2 m to the portion of the side wall of an adjacent building that contains openings or 0.9 m if the adjacent building has no openings.
The row house on Part 3 will be located 0.60 m from the adjacent building to the north.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.
- The adequacy of roads, vehicular access, parking and loading facilities has not been demonstrated.
- The adequacy of utilities and municipal services has not been demonstrated.

SIGNATURE PAGE

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DISSENTED

Sandeep Agrawal

Fernando Costa

Kay Gardner

Corinne Muccilli

DATE DECISION MAILED ON: Tuesday, April 8, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, April 22, 2008.

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary Treasurer
Toronto and East 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.