



City Planning Division
Gary Wright, 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, September 17, 2008

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

File Number:	A0753/08TEY	Zoning	R1 Z0.6 (PPR)
Owner(s):	DEREK ARCHER	Ward:	St. Paul's (21)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	410 ROSEMARY RD	Community:	
Legal Description:	PL M335 LT100		

Notice was given and a Public Hearing was held on Wednesday, September 17, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the existing dwelling and to construct a three-storey detached dwelling with an integral, two-car garage, below grade.

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

- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.6 times the area of the lot (283.25 m²).
The new dwelling will have a residential gross floor area equal to 0.864 times the area of the lot (407.84m²).
- Section 6(3) Part IV 3(II), By-law 438-86**
An integral below-grade garage with vehicle access located in a wall facing the front lot line is not permitted.
The new dwelling will have an integral below-grade garage with access in the wall facing the front lot line.
- Section 6(3) Part II 8 D(I), By-law 438-86**
The maximum permitted above grade height of an uncovered platform that projects into the required setbacks is 1.2 m.
In this case, the front porch will have an above grade height of 1.512 m.
- Section 6(3) Part II 3.B(II)**
The minimum required side lot line setback for the portion of the building exceeding 17.0 m in depth is 7.5 m.
The rear 0.6 m of the dwelling exceeding the depth of 17.0 m will be located 0.91 m from the south side lot line and 0.91 m from the north side lot line.

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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Heather Gardiner (signed)

Fernando Costa (signed)

Kay Gardner (signed)

Corinne Muccilli (signed)

Sandeep Agrawal (signed)

DATE DECISION MAILED ON: Tuesday, September 23, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, October 7, 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.