



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, October 22, 2008

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

File Number:	A0510/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	GEORGE BOBROVSKIS INTRIGUED BY DESIGN		
Property Address:	4 VIOLET AVE PARTS 3 & 4	Community:	
Legal Description:	PL 224E PT LT3		

Notice was given and a Public Hearing was held on Wednesday, October 22, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a third storey addition over the entire existing detached dwelling, a rear second storey addition and a front yard parking pad. The altered dwelling will be maintained on a reduced lot.

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

- 1. Section 6(3) Part I 1, By-law 438-86**
The by-law limits the residential gross floor area to 0.6 times the area of the lot (139.78 m²).
The altered dwelling will have a residential gross floor area equal to 1.0 times the area of the lot (233.23 m²).
- 2. Section 6(3) Part II 3.B(II), By-law 438-86**
The by-law requires a minimum side lot line setback of 0.9 m for that portion of the building not exceeding 17.0 m in depth, where the side wall contains openings.
The altered dwelling will have a side lot line setback of 0.38 m on the west side and 0.38 m on the east side.
- 3. Section 4, By-law 438-86**
The by-law requires the provision of 1 motor vehicle parking space
The site will have 0 motor vehicle parking spaces.

The Committee considered, jointly, Applications B0060/08TEY, A0510/08TEY and A0511/08TEY.

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

File Number:	A0510/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	GEORGE BOBROVSKIS INTRIGUED BY DESIGN		
Property Address:	4 VIOLET AVE PARTS 3&4	Community:	
Legal Description:	PL 224E PT LT3		

Robert Brown (Signed)

Gillian Burton (Signed)

George Vasilopoulos
(Signed)

DATE DECISION MAILED ON: Tuesday, October 28, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, November 12, 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.

Wednesday, October 22, 2008

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

File Number:	A0511/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	GEORGE BOBROVSKIS INTRIGUED BY DESIGN		
Property Address:	2 VIOLET AVE PARTS 1 & 2	Community:	
Legal Description:	PL 224E PT LT3		

Notice was given and a Public Hearing was held on Wednesday, October 22, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construction of a new three-storey detached dwelling on a proposed new lot.

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

- 1. Section 6(3) Part I 1, By-law 438-86**
The by-law limits the residential gross floor area to 0.6 times the area of the lot (139.90 m²).
The new dwelling will have a residential gross floor area equal to 1.0 times the area of the lot (233.17 m²).
- 2. Section 6(3) Part II 3.B(II), By-law 438-86**
The by-law requires a minimum side lot line setback of 0.9 m for that portion of the building not exceeding 17.0 m in depth, where the side wall contains openings.
The new dwelling will have a side lot line setback of 0.45 m on the west side and 0.84 m on the east side.
- 3. Section 6(3) Part II 3.B(II), By-law 438-86**
The by-law requires a building to have a minimum side lot line setback of 7.5 m from the side lot line for that portion of the building exceeding 17.0 m in depth.
The new dwelling will be setback 0.84 m on the east side and 0.45 m on the west side.
- 4. Section 6(3) Part II 2(III), By-law 438-86**
The by-law requires a building to have a minimum front lot line set back equal to the shortest distance by which the front wall of the only adjacent building is set back from its front line: 4.6 m
The proposed front lot line is set back 2.19 m
- 5. Section 6(3) Part II 8 D(I), By-law 438-86**
The by-law limits the height of an uncovered platform which projects into the required setbacks to a maximum of 1.2 m above grade
The rear platform exceeds the 1.2 m height limit by 1.52 m.

The Committee considered, jointly, Applications B0060/08TEY, A0510/08TEY and A0511/08TEY.

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

File Number:	A0511/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	GEORGE BOBROVSKIS INTRIGUED BY DESIGN		
Property Address:	2 VIOLET AVE PARTS 1 & 2	Community:	
Legal Description:	PL 224E PT LT3		

Robert Brown (Signed)

Gillian Burton (Signed)

George Vasilopoulos
(Signed)

DATE DECISION MAILED ON: Tuesday, October 28, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, November 12, 2008

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City Planning Division
Gary Wright, Chief Planner and Executive Director

Committee of Adjustment
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Tel: 416-392-7565
Fax: 416-392-0580

Wednesday, October 22, 2008

NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)

File Number:	B0060/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	KAREN LUCILLE BIRCH		
Property Address:	2 AND 4 VIOLET AVE	Community:	
Legal Description:	PL 224E PT LT3		

Notice was given and a Public Hearing was held on Wednesday, October 22, 2008, as required by the Planning Act.

THE CONSENT REQUESTED:

To sever the subject land into two lots and to create reciprocal rights-of-way.

Conveyed – Parts 1 & 2, Draft R-Plan

2 Violet Avenue

The lot frontage is 7.665 m and the lot area is 233.3 m². The lot will be developed with a three-storey detached dwelling, requiring variances to the Zoning By-law as outlined in Application Number A0511/08TEY.

Easement/Right of Way

Part 2 will be a pedestrian right-of-way in favour of Part 3 & 4 (4 Violet Avenue).

Retained – Part 3 & 4, Draft R-Plan

4 Violet Avenue

The lot frontage is 7.665 m and the lot area is 233.0 m². The existing dwelling is proposed to be altered and will require variances to the Zoning By-law as outlined in Application Number A0510/08TEY.

Easement/Rights of Way

Part 3 will be a pedestrian right-of-way in favour of Part 1 & 2 (2 Violet Avenue).

The Committee considered, jointly, Applications B0060/08TEY, A0510/08TEY and A0511/08TEY.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services.
- (3) **Two copies of the registered reference plan of survey** integrated with the Ontario Coordinate System and listing the Parts and their respective areas, shall be filed with City Surveyor, Survey & Mapping, Technical Services.
- (4) **Three copies of the registered reference plan of survey** satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.
- (5) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B0060/08TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	KAREN LUCILLE BIRCH	Ward:	Beaches-East York (32)
Agent:	KAREN LUCILLE BIRCH		
Property Address:	2 AND 4 VIOLET AVE	Community:	
Legal Description:	PL 224E PT LT3		

Robert Brown (Signed)

Gillian Burton (Signed)

George Vasilopoulos
(Signed)

DATE DECISION MAILED ON: Tuesday, October 28, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday November 17, 2008.

CERTIFIED TRUE COPY

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

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NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.