



Wednesday, October 22, 2008

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

File Numbers:	A0927/08TEY, A0928/08TEY, A0929/08TEY, A0930/08TEY	Zoning	R2 Z0.6
Owner(s):	DARRYL JESSOP	Ward:	Beaches-East York (32)
Agent:	JAEGAP CHUNG		
Property Address:	<b>14 and 16 WINEVA AVE</b>	Community:	
Legal Description:	PL M490 PT LT21		

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 four three-storey detached houses on four newly created lots. Parking will be provided at grade at the rear of the property and access will be provided by a laneway.

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

**A0927/08TEY  
Unit A, (Parts 1, 14 and 15 - 102.19 m<sup>2</sup>)**

- 1. Section 6(3) Part I 1, By-law No. 438-86**  
The by-law limits the residential gross floor area to 0.60 times the area of the lot (61.32 m<sup>2</sup>).  
The new dwelling will have a gross floor area of 1.89 times the area of the lot (192.77 m<sup>2</sup>).
- 2. Section 6(3) Part II 2, By-law No. 438-86**  
The building will be located 1.12 m from the front lot line, instead of the minimum required 6.0 m.
- 3. Section 6(3) Part II 4, By-law No. 438-86**  
The by-law requires a building to have a minimum rear yard setback of 7.5 m.  
The proposed rear yard setback is 2.26 m.
- 4. Section 6(3) Part VII 1(I), By-law No. 438-86**  
The by-law requires the lot to have a minimum lot frontage of 7.5 m.  
The proposed lot frontage is 6.71 m.

5. **Section 6(3) Part III 1(A), By-law No. 438-86**  
The by-law requires a minimum landscaped open space equal to 30.0% of the area of the lot (14.56 m<sup>2</sup>).  
The proposed landscaped open space is 29.0% of the area of the lot (14.30 m<sup>2</sup>).
6. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from the east side lot line, instead of the minimum required 0.45 m.
7. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from Unit B, instead of the minimum required 0.90 m.

<b>A0928/08TEY</b> <b>Unit B, (Parts 2, 11, 12 and 13 - 102.19 m<sup>2</sup>)</b>
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1. **Section 6(3) Part I 1, By-law No. 438-86**  
The by-law limits the residential gross floor area to 0.60 times the area of the lot (61.32 m<sup>2</sup>).  
The new dwelling will have a gross floor area of 1.89 times the area of the lot (192.77 m<sup>2</sup>).
2. **Section 6(3) Part II 2, By-law No. 438-86**  
The building will be located 1.12 m from the front lot line, instead of the minimum required 6.0 m.
3. **Section 6(3) Part II 4, By-law No. 438-86**  
The by-law requires a building to have a minimum rear yard setback of 7.5 m.  
The proposed rear yard setback is 2.26 m.
4. **Section 6(3) Part VII 1(I), By-law No. 438-86**  
The by-law requires the lot to have a minimum lot frontage of 7.5 m.  
The proposed lot frontage is 6.71 m.
5. **Section 6(3) Part III 1(A), By-law No. 438-86**  
The by-law requires a minimum landscaped open space equal to 30.0% of the area of the lot (14.56 m<sup>2</sup>).  
The proposed landscaped open space is 29.0% of the area of the lot (14.30 m<sup>2</sup>).
6. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from the west side lot line, instead of the minimum required 0.45 m.
7. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from Unit A, instead of the minimum required 0.90 m.

<b>A0929/08TEY</b> <b>Unit C, (Parts 3, 8, 9 and 10 - 102.19 m<sup>2</sup>)</b>
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1. **Section 6(3) Part I 1, By-law No. 438-86**  
The by-law limits the residential gross floor area to 0.60 times the area of the lot (61.32 m<sup>2</sup>).  
The new dwelling will have a gross floor area of 1.89 times the area of the lot (192.77 m<sup>2</sup>).

2. **Section 6(3) Part II 2, By-law No. 438-86**  
The building will be located 1.12 m from the front lot line, instead of the minimum required 6.0 m.
3. **Section 6(3) Part II 4, By-law No. 438-86**  
The by-law requires a building to have a minimum rear yard setback of 7.5 m.  
The proposed rear yard setback is 2.26 m.
4. **Section 6(3) Part VII 1(I), By-law No. 438-86**  
The by-law requires the lot to have a minimum lot frontage of 7.5 m.  
The proposed lot frontage is 6.71 m.
5. **Section 6(3) Part III 1(A), By-law No. 438-86**  
The by-law requires a minimum landscaped open space equal to 30.0% of the area of the lot (14.56 m<sup>2</sup>).  
The proposed landscaped open space is 29.0% of the area of the lot (14.30 m<sup>2</sup>).
6. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from the east side lot line, instead of the minimum required 0.45 m.
7. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from Unit D, instead of the minimum required 0.90 m.

<p><b>A0930/08TEY</b> <b>Unit D, (Parts 4, 5, 6 and 7 - 157.9 m<sup>2</sup>)</b></p>
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1. **Section 6(3) Part I 1, By-law No. 438-86**  
The by-law limits the residential gross floor area to 0.60 times the area of the lot (94.8 m<sup>2</sup>).  
The new dwelling will have a gross floor area of 1.23 times the area of the lot (194.63 m<sup>2</sup>).
2. **Section 6(3) Part II 2, By-law No. 438-86**  
The building will be located 1.12 m from the front lot line, instead of the minimum required 6.0 m.
3. **Section 6(3) Part II 4, By-law No. 438-86**  
The by-law requires a building to have a minimum rear yard setback of 7.5 m.  
The proposed rear yard setback is 2.26 m.
4. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 1.62 m from the flanking street Wineva Avenue, instead of the minimum required 6.0 m.
5. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from the west side lot line, instead of the minimum required 0.45 m.
6. **Section 6(3) Part II 3, By-law No. 438-86**  
The building will be located 0.0 m from Unit C, instead of the minimum required 0.90 m.

**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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Agent:	JAEGAP CHUNG	Community:	
Property Address:	<b>14 and 16 WINEVA AVE</b>		
Legal Description:	PL M490 PT LT21		

**DISSENTED**

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Heather Gardiner

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Fernando Costa (Signed)

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Kay Gardner (Signed)

**DISSENTED**

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Corinne Muccilli (Signed)

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Sandeep Agrawal

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](http://www.omb.gov.on.ca).