

**EXTRACT FROM THE MINUTES OF THE NORTH YORK DISTRICT  
COMMITTEE OF ADJUSTMENT  
MEETING HELD ON DECEMBER 17, 2008**

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**A0278/08NY**                      **1152030 ONTARIO INC.**  
Plan M360, Lot 48  
10 Stayner Avenue  
R5  
Eglinton-Lawrence (15)

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**APPLICATION:**

To permit the construction of a second storey above the existing dwelling, a two-storey rear addition and a two-storey addition to the east side of the dwelling. The altered building will maintain 50% of the existing walls.

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

1.      Proposed lot coverage of 40% of the lot area  
         WHEREAS a maximum lot coverage of 35% is permitted;
2.      Proposed front yard setback of 5.13 m  
         WHEREAS a minimum front yard setback of 6.5 m is required;
3.      Proposed east side yard setback of 1.64 m  
         WHEREAS a minimum side yard setback of 1.8 m is required;
4.      Proposed west side yard setback of 0.68 m  
         WHEREAS a minimum side yard setback of 1.8 m is required;
5.      Proposed dwelling length of 17.59 m  
         WHEREAS a maximum dwelling length of 16.8 m is permitted;
6.      Proposed dwelling height of 9 m  
         WHEREAS a maximum dwelling height of 8 m is permitted;
7.      Proposed finished first floor height of 1.55 m  
         WHEREAS a maximum finished first floor height of 1.5 m is permitted; and
8.      Proposed front yard hard surface equal to 58.6% of the front yard  
         WHEREAS a maximum of 50% of the front yard shall be hard surface.

The Committee had before it the following communications:

- A copy of the notice of hearing dated December 5, 2008.
- A staff report dated December 10, 2008, from Thomas C. Keefe, Director, Community Planning, North York District, commenting on this application.
- A communication dated December 11, 2008, from Mr. George Popper, c/o George Popper Architect, 344 Bloor Street West, Suite 508, Toronto, Ontario, M5S 3A7, forwarding revised drawings.
- A petition containing 17 signatures from area residents in opposition to this application.

- A communication dated December 17, 2008, from Claudio Sera, 12 Benner Avenue, Toronto, Ontario, M6B 3G8, in opposition to this application.
- Photographs for the Committee's perusal.
- A request for a copy of the Committee's Decision from Alex Davis, 18 Benner Avenue, Toronto, Ontario, M6B 3G8.
- A request for a copy of the Committee's Decision from Nicola Caravaggio, 15 Stayner Avenue, Toronto, Ontario, M6B 1N3.
- A request for a copy of the Committee's Decision from Antonio Schiavo, 16 Stayner Avenue, Toronto, Ontario, M6B 1N4.
- A request for a copy of the Committee's Decision from Antonio E Velia Ferrari, 19 Stayner Avenue, Toronto, Ontario, M6B 1N3.
- A request for a copy of the Committee's Decision from Fiore Petosa, 12 Stayner Avenue, Toronto, Ontario, M6B 1N4.
- A request for a copy of the Committee's Decision from Vincenzo Bavosa, 10 Benner Avenue, Toronto, Ontario, M6B 3G8.
- A request for a copy of the Committee's Decision from Cecil Wills, 11 Romar Crescent, Toronto, Ontario, M6B 1R7.
- A request for a copy of the Committee's Decision from Claudio Sera, 12 Benner Avenue, Toronto, Ontario, M6B 3G8.

The following person(s) appeared before the Committee of Adjustment in connection with the foregoing matter:

- Mr. George Popper, Architect, 344 Bloor Street West, Suite 508, Toronto, Ontario, M5S 3A7, who spoke on behalf of the applicant and explained this application.
- Mr. Claudio Sera, 12 Benner Avenue, Toronto, Ontario, M6B 3G8, who spoke in opposition to this application.
- Ms. Maria Rizzo, Executive Assistant to Councillor Howard Moscoe, who spoke in opposition to this application.

**DECISION:** It was moved by Mr. Peacock, seconded by Mr. Tsang and carried that the application be REFUSED.

Grounds for refusal are that the variance is not minor, is not within the intent of the Zoning By-law and Official Plan and is not an appropriate development of the property.