

Wednesday, December 17, 2008

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

File Number:	A0278/08NY	Zoning	R5 (PAL)
Owner(s):	1152030 ONTARIO INC	Ward:	Eglinton-Lawrence (15)
Agent:	SALVATOR VESCIO		
Property Address:	10 STAYNER AVE	Community:	North York
Legal Description:	PLAN M360 LOT 48		

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

PURPOSE OF THE 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.

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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David Peacock (signed)

Donna McCormick
(signed)

Isaac Lallouz (signed)

Jason Tsang (signed)

DATE DECISION MAILED ON: Thursday, December 24, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday January 6, 2009

CERTIFIED TRUE COPY

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North 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.