



City Planning Division
Gary Wright, Acting, Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	A0191/09TEY	Zoning	R2 Z0.6 (PAL)
Owner(s):	SHARON SALSBERG	Ward:	Trinity-Spadina (19)
Agent:	DIMITRE KOLAROV		
Property Address:	1031 SHAW ST	Community:	
Legal Description:	PL 1088 PT LT236		

Notice was given and a Public Hearing was held on **Wednesday, March 25, 2009**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the existing dwelling and to construct a new three-storey detached dwelling.

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

1. **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 (139.8 m²).
The new dwelling will have a residential gross floor area equal to 0.9 times the area of the lot (209.2 m²).
2. **Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required setback from a side lot line for the portion of a building not exceeding 17.0 m in depth is 0.45 m.
The new dwelling will be located 0.11 m from the north lot line.
3. **Section 6(3) Part II 3(I), By-law 438-86**
The minimum required setback from the side wall of an adjacent dwelling that contains no openings is 0.9 m.
The new dwelling will be located 0.8 m from the adjacent dwelling at 1033 Shaw Street.
4. **Section 6(3) Part II 3(II), By-law 438-86**
The minimum required setback from the side wall of an adjacent dwelling that contains openings is 1.2 m.
The new dwelling will be located 0.85 m from the adjacent dwelling at 1029 Shaw Street.
5. **Section 6(3) Part III 4, By-law 438-86**
The maximum permitted width of a walkway between the front lot line and any wall of the building face the front lot line is 1.06 m.



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In this case, the walkway will have a width equal to 1.82 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



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SIGNATURE PAGE

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Legal Description: PL 1088 PT LT236

Zoning: R2 Z0.6 (PAL)
Ward: Trinity-Spadina (19)
Community:


Robert Brown


Gillian Burton


George Vasilopoulos


DISSENTED


Kay Gardner

DATE DECISION MAILED ON: Tuesday, March 31, 2009

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, April 14, 2009

CERTIFIED TRUE COPY


Grant Munday
Acting 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.