

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

File Numbers:	A0179/09TEY-A0181/09TEY	Zoning	R1C (PPR)
Owner(s):	MARIE PIERRE-LOUIS GILLES BEAUDIN	Ward:	Beaches-East York (31)
Agent:	MARIE PIERRE-LOUIS		
Property Address:	4 MIDBURN AVE	Community:	East York
Legal Description:	PL 1193 PT BLK B PL 781 PT LT45		

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

PURPOSE OF THE APPLICATIONS:

To construct two new 3-storey detached dwellings on undersized lots and retain the existing 2½-storey detached dwelling on a reduced size lot.

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

File No. A0179/09TEY - PART 1 (Lot 100.2 m²)
To construct a three-storey detached dwelling.

- Section 7.4.3, Zoning By-law No. 6752**
The minimum required front yard setback is 6.0 m.
The proposed front yard setback is 3.35 m.
- Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted floor space index is 0.75 times the lot area (74.13 m²).
The proposed floor space index is 1.61 times the lot area (160.1 m²).
- Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted lot coverage is 35.0% of the lot area (34.55 m²)
The proposed lot coverage is 61.6% of the lot area (60.95 m²).
- Section 7.4.3, Zoning By-law No. 6752**
The minimum required rear yard setback is 9.0 m.
The proposed rear yard setback is 1.22 m.
- Section 7.4.3, Zoning By-law No. 6752**

The minimum required west side yard set back is 0.60 m.
The proposed west side yard set back is 0.30 m.

6. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required lot frontage is 6.0 m.
The proposed lot frontage is 5.98 m.
7. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required lot area is 185.0 m².
The proposed lot area is 100.2 m².
8. **Section 7.8, Zoning By-law No. 6752**
Parking beyond the main front wall is not permitted.
The proposed parking is beyond the main front wall.
9. **Section 7.8, Zoning By-law No. 6752**
The required parking is 1 parking space.
In this case, 0 parking will be provided.

File No. A0180/09TEY- PART 2 (Lot 97.5 m²)
To construct a three-storey detached dwelling.

1. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required front yard setback is 6.0 m.
The proposed front yard setback is 3.35 m.
2. **Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted floor space index is 0.75 times the lot area (74.13 m²).
The proposed floor space index is 1.61 times the lot area (160.1 m²).
3. **Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted lot coverage is 35.0% of the lot area (34.55 m²)
The proposed lot coverage is 61.6% of the lot area (60.95 m²).
4. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required rear yard setback is 9.0 m.
The proposed rear yard setback is 1.22 m.
5. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required east side yard setback is 0.60 m.
The proposed east side yard setback is 0.30 m.
6. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required lot frontage is 6.0 m.
The proposed lot frontage is 5.82 m.



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

Committee of Adjustment
100 Queen Street West
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7. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required lot area is 185.0 m².
The proposed lot area is 97.5 m².
8. **Section 7.8, Zoning By-law No. 6752**
Parking beyond the main front wall is not permitted.
The proposed parking is beyond the main front wall.
9. **Section 7.8, Zoning By-law No. 6752**
The required parking is 1 parking space.
In this case, 0 parking will be provided.

File No. A0181/09TEY - PART 3 (Lot 129.21 m²) 4 Midburn Avenue.
To retain the existing 2½ storey detached dwelling on a reduced sized lot

1. **Section 7.4.3, Zoning By-law No. 6752**
The minimum required lot area is 185.0 m².
The proposed lot area is 129.21 m².
2. **Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted lot coverage is 35.0% of the lot area (45.15 m²)
The proposed lot coverage is 53.0% of the lot area (67.44 m²).
3. **Section 7.4.3, Zoning By-law No. 6752**
The maximum permitted floor space index is 0.75 times the lot area (96.80 m²).
The proposed floor space index is 1.23 times the lot area (159.42 m²).
4. **Section 7.8, Zoning By-law No. 6752**
The required parking is 1 parking space.
In this case, 0 parking will be provided.
5. **Section 7.8, Zoning By-law No. 6752**
Parking beyond the main front wall is not permitted.
The proposed parking is beyond the main front wall.

The Committee will consider jointly applications: B0022/09TEY, A0179/09TEY, A0180/09TEY and A0181/09TEY.

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.



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- 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

File Numbers:	A0179/09TEY-A0181/09TEY	Zoning	R1C (PPR)
Owner(s):	MARIE PIERRE-LOUIS GILLES BEAUDIN	Ward:	Beaches-East York (31)
Agent:	MARIE PIERRE-LOUIS		
Property Address:	4 MIDBURN AVE	Community:	East York
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Robert Brown

Gillian Burton

George Vasiliopoulos

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.

