



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: A0129/10TEY
Owner(s): JOSEPH DASON
Agent: GLENN RUBINOFF
Property Address: 8 HIGBOURNE RD
Legal Description: PL 569E PT LT167 PL 2369 LT9 PT LT8
Zoning: R2 Z1.0 (PPR)
Ward: St. Paul's (22)
Community:

Notice was given and a Public Hearing was held on **Wednesday, March 10, 2010**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the existing 2 ½ storey duplex and to construct a new three-storey detached residential building containing four dwelling units. The residential building will contain a front verandah on the first floor, two rear balconies on the first floor, two front bay windows on the second floor, two rear balconies on the second floor, and two rear terraces on the third floor, a two-way operation driveway, and four (4) rear parking spaces.

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

- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area of a dwelling in a R2 Z1.0 Zone is 1.0 times the area of the lot (575.91 m²).
The new dwelling will have a residential gross floor area equal to 1.04 times the area of the lot (599.3 m²).
- Section 6(3) Part II 5(I), By-law 438-86**
The maximum permitted depth of a dwelling is 14.0 m.
The new dwelling will have a depth of 19.81 m.
- Section 6(3) Part II 2, By-law 438-86**
A bay window of a dwelling shall not be located closer than 6.05 m from the front lot line.
In this case, the bay windows will be located 5.5 m from the front lot line.
- Section 6(3) Part II 2, By-law 438-86**
A verandah of a dwelling shall not be located closer than 6.05 m from the front lot line.
In this case, the verandah will be located 4.9 m from the front lot line.

A0129/10TEY

2

5. **Section 6(3) Part II 5(I), By-law 438-86**
The maximum permitted depth of a dwelling is 14.0 m.
The new dwelling including rear balconies will have a depth of 21.34 m.
6. **Section 6(3) Part II 3, By-law 438-86**
The minimum required side lot line setback is 1.2 m.
The new dwelling will be located 0.91 m from the north side lot line.
7. **Section 6(3) Part III 1. (B), By-law 438-86**
A minimum of 50% of the lot area (287.51 m²) shall be landscaped open space.
In this case, 21.11% of the lot area (121.59 m²) will be landscaped open space.
8. **Section 4(4)(b), By-law 438-86**
A minimum of five (5) on-site parking spaces are required.
In this case, four (4) on-site parking spaces will be provided.
9. **Section 4(4)(c)(ii), By-law 438-86**
The minimum required width of an access driveway (two-way operation) leading to the parking space is 5.5 m.
In this case, the two-way access driveway will have a width of 2.74 m.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

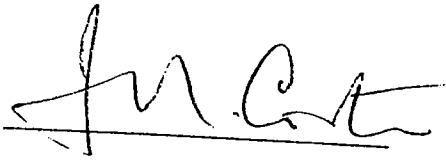
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to NOT approve this variance application for the following reasons:

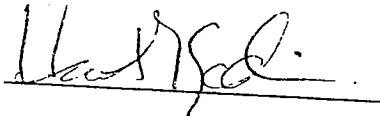
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

File Number: A0129/10TEY
Owner(s): JOSEPH DASON
Agent: GLENN RUBINOFF
Property Address: 8 HIGBOURNE RD
Legal Description: PL 569E PT LT167 PL 2369 LT9 PT LT8
Zoning: R2 Z1.0 (PPR)
Ward: St. Paul's (22)
Community:



Fernando Costa



Heather Gardiner



Kay Gardner



Corinne Muccilli

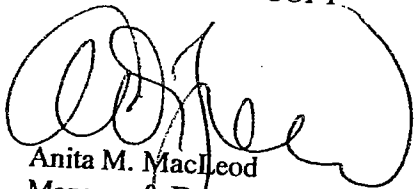
DISSENTED

Sandeep Agrawal

DATE DECISION MAILED ON: **Tuesday, March 16, 2010**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 30, 2010**

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.