



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
CONSENT
(Section 53 of the Planning Act)

File Number:	B0048/10TEY	Zoning	R2 Z0.6 (PAL)
Owner(s):	AHMAD FATEHISOMEH	Ward:	St. Paul's (22)
Agent:	YASHAR FATEHI		
Property Address:	53 BALMORAL AVE	Community:	Toronto
Legal Description:	PL 703Y LT23		

Notice was given and a Public Hearing was held on **Wednesday, May 26, 2010**, as required by the Planning Act.

THE CONSENT REQUESTED:

To sever the property into two residential lots.

Retained - Part 1, Draft R-Plan

53 Balmoral Avenue

The lot frontage is 7.56 m and the depth is 32.77 m and a lot area 247.74 m². The lot will be redeveloped with a three-storey semi-detached dwelling requiring variances from the Zoning By-law as outlined in application A0372/10TEY.

Conveyed - Part 2, Draft R-Plan

(Address to be assigned)

The lot frontage is 7.62 m and a depth is 32.77 m of the lot area 249.71 m². The lot will be redeveloped with a three-storey semi-detached dwelling requiring variances from the Zoning By-law as outlined in application A0371/10TEY.

The Committee of Adjustment will consider jointly applications B0048/10TEY, A0371/10TEY and A0372/10TEY.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.



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

File Number:	A0371/10TEY & A0372/10TEY	Zoning	R2 Z0.6 (PAL)
Owner(s):	AHMAD FATEHISOMEH	Ward:	St. Paul's (22)
Agent:	YASHAR FATEHI		
Property Address:	53 BALMORAL AVE	Community:	Toronto
Legal Description:	PL 703Y LT23		

Notice was given and a Public Hearing was held on **Wednesday, May 26, 2010**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct on each of the new lots a three-storey semi-detached house with an integral garage, **at grade**, and a basement walkout and a rear deck.

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

A0372/10TEY – Part 1 (West Lot)
53 Balmoral Avenue (to be assigned)

- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area of a semi-detached dwelling is 0.6 times the area of the lot (149.37 m²).
The new semi-detached dwelling will have a residential gross floor area equal to 1.01 times the area of the lot (252.23 m²).
- Section 4(2) (a), By-law 438-86**
The maximum permitted building height is 11 m.
The new semi-detached dwelling will have a height of 11.61 m.
- Section 6(3) Part II 3(i) & (ii), By-law 438-86**
The minimum required side lot line setback from the side wall of an adjacent building that does contain openings is 1.21 m.
The semi-dwelling will be setback 0.82 m from the side wall of the adjacent building at 55 Balmoral Avenue, which contains openings.

A0371/10TEY & A 0372/10TEY

2

4. Section 6(3) Part III 3(C), By-law 438-86

A minimum of 75% (8.21 m²) of the required front yard landscaped open space shall be in the form of soft landscaping.

In this case, 51% (5.58 m²) of the required front yard landscaped open space will be in the form of soft landscaping.

A0371/10TEY – Part 2 (East Lot)**53 Balmoral Avenue (to be assigned)****1. Section 6(3) Part I 1, By-law 438-86**

The maximum permitted gross floor area of a semi-detached dwelling is 0.6 times the area of the lot (149.82 m²).

The new semi-detached dwelling will have a residential gross floor area equal to 1.01 times the area of the lot (252.23 m²).

2. Section 4(2) (a), By-law 438-86

The maximum permitted building height is 11 m.

The new semi-detached dwelling will have a height of 11.61 m.

3. Section 6(3) Part III 3(C), By-law 438-86

A minimum of 75% (6.97 m²) of the required front yard landscaped open space shall be in the form of soft landscaping.

In this case, 58% (5.37 m²) of the required front yard landscaped open space will be in the form of soft landscaping.

The Committee of Adjustment considered jointly applications B0048/10TEY, A0371/10TEY and A0372/10TEY.

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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