

Wednesday, April 28, 2010

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

File Number:	A0108/10NY	Zoning	R1 Z0.35 (PPR)
Owner(s):	JOAN DONNELLY	Ward:	Don Valley West (25)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	79 DAWLISH AVE	Community:	Toronto
Legal Description:	PLAN 1485 LOT 13		

Notice was given and a Public Hearing was held on Wednesday, April 28, 2010, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new three storey dwelling. The existing dwelling is to be demolished.

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

1. Proposed Gross Floor Area of 51% of the lot area (379.06m²)
WHEREAS a maximum Gross Floor Area of 35% of the lot area (260.14m²) is permitted;
2. Proposed west side yard setback of 2.34m for the portion of the dwelling exceeding 17m in length (the rear two storey bump out and deck)
WHEREAS a maximum side yard setback of 7.5m is required for the portion of the dwelling exceeding 17m in length;
3. Proposed east side yard setback of 3.4m for the portion of the dwelling exceeding 17m in length (the rear three storey bump out)
WHEREAS a maximum side yard setback of 7.5m is required for the portion of the dwelling exceeding 17m in length;
4. Proposed height of the uncovered platform at the front of the dwelling of 2.07m
WHEREAS a maximum of height of 1.2m is permitted for an uncovered platform which projects into the required setbacks;
5. Proposed height of the uncovered platform at the rear of the dwelling of 2.07m
WHEREAS a maximum of height of 1.2m is permitted for an uncovered platform which projects into the required setbacks.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.


This decision is subject to the following condition(s):

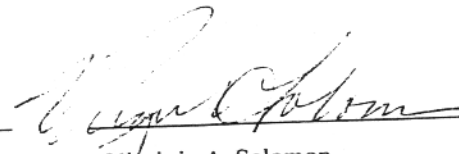
1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article III, with respect to privately owned trees, to the satisfaction of the Urban Forestry Division.
3. The owner shall submit a Tree Security Deposit (in the form of a certified cheque or letter of credit only) and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.
4. A minimum 1.5m privacy screen to be erected on the east and west side of any proposed rear un-covered platform.

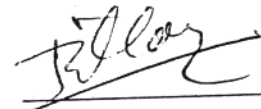
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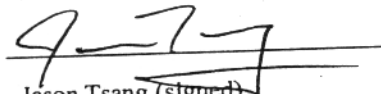
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Zoning: R1 Z0.35 (PPR)
Ward: Don Valley West (25)
Community: Toronto


David Peacock (signed)


Virginia A. Solomon
(signed)


Isaac Lallouz (signed)


Jason Tsang (signed)

DATE DECISION MAILED ON: Thursday, May 6, 2010

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, May 18, 2010

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.