



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

File Number:	A0676/09TEY	Zoning	R1 Z0.6 (PAL)
Owner(s):	MARCIA RUBIN WENUS	Ward:	St. Paul's (21)
Agent:	JAY PAI		
Property Address:	7 AVA RD	Community:	Toronto
Legal Description:	PL M502 PT LT39 PT LT40 PCL 39-1 SEC M502		

Notice was given and a Public Hearing was held on **Wednesday, November 18, 2009**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a 2 1/2 storey addition to the rear and east side of the existing dwelling, as well as one-storey bay window addition to the front of the dwelling.

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

- Section 6(3) I(1), By-law 438-86**
The maximum permitted gross floor area is 0.6 times the area of the lot (401.6 m²).
The altered dwelling will have a gross floor area equal to **0.88** times the area of the lot (588.89 m²).
- Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback for the portion of the dwelling that exceeds a dept of 17 m is 7.5 m.
The 3.06 m portion of the dwelling that exceeds the 17 m depth will be located 1.2 m from the west side lot line and **1.35 m** from the east side lot line.
- Section 6(3) Part II 2 (II), By-law 438-86**
The minimum required front yard setback is 7.89 m.
The altered dwelling will be located **7.04 m** from the front lot line.

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

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ABSENT

Fernando Costa**DISSENTED**

Heather Gardiner

Kay Gardner (Signed)

Corinne Muccilli (Signed)DATE DECISION MAILED ON: **Tuesday, November 24, 2009**LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, December 8, 2009**

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.