

Thursday, March 24, 2011

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

File Number:	A606/10EYK	Zoning	RS & RD
Owner(s):	CHRIS ZHI QIANG LI	Ward:	Etobicoke-Lakeshore (06)
Agent:	CHRIS ZHI QIANG LI		
Property Address:	364A LAKE PROMENADE -	Community:	
	PART 1		
Legal Description:	PLAN 2155 LOT 72 RR		

Notice was given and a Public Hearing was held on Thursday, March 24, 2011, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an attached two-car garage.

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

1. **Section 330-23 A.(1)**
The minimum required lot area is 371 m².
Section 10.20.30.10(1), By-law 1156-2010
The minimum required lot area is 370 m².
The proposed lot area is 351.2 m².
2. **Section 330-23 A.(2)**
The minimum required lot frontage is 12 m.
The lot frontage will be 9.39 m.
3. **Section 10.20.40.20(1), By-law 1156-2010**
The maximum permitted building length is 17 m.
The new dwelling will have a building length of 18.9 m.
4. **Section 330-23 A(9) and Section 10.20.40.40.(1), By-law 1156-2010**
The maximum permitted gross floor area, excluding a garage, is 0.35 times the area of the lot (121.92 m²).
The new dwelling will have a gross floor area, excluding the garage, equal to 0.57 times the area of the lot (198.45 m²).
5. **Section 1(b)A(1), By-law 497-2007 and Section 200.5.1.10(2)(A)(i), By-law 1156-2010**
The minimum inside dimensions of a parking space is 5.6 m in length.
The proposed inside dimension of the parking space will be 5.59 m in length.

6. **Section 330-13 A(2)**
The minimum required side yard setback for an eaves overhang, including the eavestrough, is 0.5 m.
The eaves overhang of the new dwelling, including the eavestrough, will be located 0.38 m from the west side lot line and 0.49 m from the east side lot line.
7. **Section 330-23A(7)**
The minimum required side yard setback is 0.9 m.
The new dwelling will be located 0.79 m from the west side lot line.
8. **Section 10.20.40.70(3)(C), By-law 1156-2010**
The minimum required side yard setback is 1.2 m.
The new dwelling will be located 0.79 m from the west side lot line and 0.9 m from the east side lot line.
9. **Section 1.(c)B, By-law 973-2006 and Section 10.5.50.10(1)(B)(D), By-law 1156-2010**
A minimum of 50% of the front yard shall be maintained as landscaping (32.65 m²) and a minimum of 75% of the front yard not covered by driveway to be soft landscaping (18.26 m²).
A total of 37% of the front yard will be maintained as landscaping (24.3 m²) and a total of 47% will be maintained as soft landscaping (8.2 m²).
10. **Section 10.5.100.10(1)(B), By-law 1156-2010**
A corner lot must provide access to the required parking space from the flanking street (Thirty Ninth Street).
The proposed access to the parking space is not off the flanking street.

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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Douglas S. Colbourne
(signed)

Mary-Anne Popescu (signed)

Paul Valenti (signed)

Rick Florio (signed)

DATE DECISION MAILED ON: Friday, April 1, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, April 20, 2011

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.