

**EXTRACT FROM THE MINUTES OF THE NORTH YORK DISTRICT  
COMMITTEE OF ADJUSTMENT  
MEETING HELD ON JULY 4, 2013**

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**30. 180 JOICEY BLVD**

File Number:	A273/13NY	Zoning	R7 [WAIVER]
Owner(s):	ENID WEINER	Ward:	Eglinton-Lawrence (16)
Agent:	ALI GOUDARZI		
Property Address:	<b>180 JOICEY BLVD</b>	Community:	North York
Legal Description:	PLAN 2647 PT LOT 73		

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling would be demolished. This application was DEFERRED SINE DIE at the May 23rd hearing at the request of the applicant in order to add a missing variance.

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

- Section 14-B(8)(b), By-law No. 7625**  
Proposed building height of 9.1m  
WHEREAS the maximum permitted building height is 8.8m;
- Section 14-B(9)(ii), By-law No. 7625**  
Proposed building length of 20.31m  
WHEREAS the maximum permitted building length is 15.3m;
- Section 6(30)(a)(i), By-law No. 7625**  
Proposed finished first floor height of 1.8m  
WHEREAS the maximum permitted finished first floor height is 1.5m; and
- Section 14-B(5)c(i)(A), By-law No. 7625**  
Proposed west side yard setback of 0.6m  
WHEREAS the minimum required west side yard setback is 1.2m.

The Committee had before it the following communications:

- A copy of a revised notice of hearing dated June 24, 2013.
- A memorandum dated July 4, 2013, from Harold Moffatt, Supervisor, Tree Protection and Plan Review, Urban Forestry, North York District, outlining their requirements.
- A petition containing 20 signatures from area residents in opposition to this application.

The following persons appeared before the Committee of Adjustment in connection with the foregoing matter:

- Mr. Bill Ross, who spoke on behalf of the Owners of the subject property.
- Mr. Mitonides, 176 Joicey Boulevard, Toronto, Ontario, who spoke in opposition to this application.
- Ms. Shelly Gelder, 182 Joicey Boulevard, Toronto, Ontario, who spoke in opposition to this application.
- Mr. Chris Cannon, 178 Joicey Boulevard, Toronto, Ontario, who spoke in opposition to this application.

Mr. Ross advised the Committee that variance number two with regards to the proposed building length can be revised to 18.31m; and variance number three with regards to the proposed finished first floor height can be eliminated.

**DECISION:** It was moved by Mr. Forer, seconded by Ms. Burka, and carried unanimously that the following variance be APPROVED AS MODIFIED:

2. **Section 14-B(9)(ii), By-law No. 7625**  
Proposed building length of **17.40m**

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

1. **Section 14-B(8)(b), By-law No. 7625**  
Proposed building height of 9.1m
3. **Section 14-B(5)c(i)(A), By-law No. 7625**  
Proposed west side yard setback of 0.6m

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.

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

1. 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
2. Where no street tree exists, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting the site to the satisfaction of the General Manager of Parks, Forestry and Recreation.

Grounds for approval are that the variances are considered to be of a minor nature, are within the general intent of the Zoning By-law and Official Plan, and are an appropriate development of the property.

