

CITY OF TORONTO
COUNCILLOR FILION
OF OCCUPANT
NORTH YORK CIVIC CENTRE
5100 YONGE ST
TORONTO ON

Wednesday, April 22, 2015

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

File Number:	A0202/15NY	Zoning	RD (f15.0; a550) (x5) / R4 [ZZC]
Owner(s):	CATIA CREATURA ALFREDO AMELIO	Ward:	Willowdale (23)
Agent:	JOSEPH N CAMPITELLI ARCHITECT INC		
Property Address:	421 HORSHAM AVE	Community:	North York
Legal Description:	PLAN 2057 WPT EPT 152		

Notice was given and a Public Hearing was held on Wednesday, April 22, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling would be demolished.

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

- Chapter Exception 900.3.10.(5), By-law No. 569-2013**
The minimum required east side yard setback is 1.8m.
The proposed east side yard setback is 1.67m.
- Chapter 10.2.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front wall.
The proposed first floor (mudroom) is 7.35m from the front wall and is 9.6m².
- Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted building height is 10m.
The proposed building height is 10.30m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 17.33m.
- Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.00% of the lot area.

6. **Chapter 10.5.40.60.(2), By-law No. 569-2013**
A canopy, awning or similar structure above a platform may encroach in a front yard or rear yard 2.5m, if it is no closer to a side lot line than the minimum required side yard setback (1.8m).
The proposed canopy is set back from the west side 1.42m.
7. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.80m.
The proposed building height is 8.88m.
8. **Section 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 17.61m.
9. **Section 13.2.3(b), By-law No. 7625**
The minimum required east side yard setback is 1.8m.
The proposed east side yard setback is 1.67m.
10. **Section 13.2.3(b), By-law No. 7625**
The minimum required west side yard setback is 1.8m.
The proposed west side yard setback is 1.5m.
11. **Section 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.3% of the lot area.
12. **Section 6(90(a), By-law No. 7625**
Belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills shall be permitted to project into any minimum yard setback not more than 0.5m.
The proposed eaves project 0.76m.

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 **APPROVE** the following variance(s):

1. **Chapter Exception 900.3.10.(5), By-law No. 569-2013**
The minimum required east side yard setback is 1.8m.
The proposed east side yard setback is 1.67m.
2. **Chapter 10.2.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front wall.
The proposed first floor (mudroom) is 7.35m from the front wall and is 9.6m².
4. **Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 17.33m.
5. **Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.00% of the lot area.

6. **Chapter 10.5.40.60.(2), By-law No. 569-2013**
A canopy, awning or similar structure above a platform may encroach in a front yard or rear yard 2.5m, if it is no closer to a side lot line than the minimum required side yard setback (1.8m).
The proposed canopy is set back from the west side 1.42m.
7. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.80m.
The proposed building height is 8.88m.
8. **Section 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 17.61m.
9. **Section 13.2.3(b), By-law No. 7625**
The minimum required east side yard setback is 1.8m.
The proposed east side yard setback is 1.67m.
10. **Section 13.2.3(b), By-law No. 7625**
The minimum required west side yard setback is 1.8m.
The proposed west side yard setback is 1.5m.
12. **Section 6(90(a), By-law No. 7625**
Belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills shall be permitted to project into any minimum yard setback not more than 0.5m.
The proposed eaves project 0.76m.

It is the decision of the Committee of Adjustment to **MODIFY** and **APPROVE** the following variance(s):

11. **Section 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 32.00% of the lot area.

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.

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

3. **Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted building height is 10m.
The proposed building height is 10.30m.

For the following reasons:

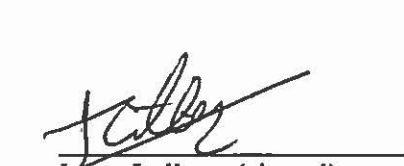
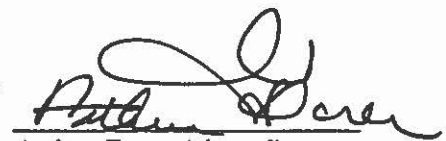
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

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

- 1) City of Toronto Municipal Code Chapter 813, Article II, City-owned trees
www.toronto.ca/trees/city_trees.htm
- 2) City of Toronto Municipal Code Chapter 813, Article III, Privately-owned trees
www.toronto.ca/trees/private_trees.htm

SIGNATURE PAGE

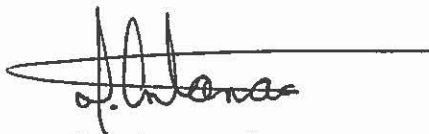
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Isaac Lallouz (signed)
Astra Burka (signed)
Arthur Forer (signed)

DATE DECISION MAILED ON: Wednesday, April 29, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, May 12, 2015

CERTIFIED TRUE COPY



Dan Antonacci
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.

