

NOTICE OF DECISION

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

File Number:	A499/14NY	Zoning	RD (f9.0; d0.35) (x961) / R1 [ZZC]
Owner(s):	JANET HUFFMAN	Ward:	Eglinton-Lawrence (16)
Agent:	M-Arch Design Group Inc.		
Property Address:	154 HILLHURST BLVD	Community:	Toronto
Legal Description:	PLAN M346 LOT 182		

Notice was given and a Public Hearing was held on Thursday, February 5, 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. This application was previously deferred from the Committee of Adjustment hearing of August 7, 2014 to allow the applicant to submit a revised list of variances and a revised set of plans.

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

- 1. Chapter 10.20.40.10.(2), By-law No. 569-2013**
B)(ii) The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the east side exterior main walls facing a side lot line is 8.33m for 16.5% of the east wall and the proposed height of the west side exterior main wall facing a side lot line is 8.33 metres for 32.6% of the west wall.
- 2. Chapter 10.20.40.10.(6), By-law No. 569-2013**
The maximum permitted height of the first floor above established grade is 1.2m.
The proposed height of the first floor above established grade is 2.16m.
- 3. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 18.3m.
- 4. Chapter 10.20.40.40.(1), By-law No. 569-2013**
A) The permitted maximum floor space index is 0.35 times the area of the lot: 217.28m².
The proposed floor space index is 0.95 16 times the area of the lot: 590.76m².
(Please note, the lowest level is included in floor space index as it is the first floor)
- 5. Chapter 10.20.40.50.(1), By-law No. 569-2013**
The permitted maximum area of each platform at or above the second storey of a detached house is 4.0m².
The proposed area of the front platform at or above the second storey is 19.2m² and the proposed area of the rear platform at or above the second storey is 16.86m² and the west side platform at or above the second storey is 10m².

6. **Chapter 10.20.40.70.(1), By-law No. 569-2013**
The minimum required front yard setback is 8.46m.
The proposed front yard setback is 7.54m.
7. **Chapter 10.20.40.50(1), By-law No. 569-2013**
A) The permitted maximum number of platforms at or above the second storey of a detached house is 4 and no more than one on each of the front, rear and each side of the detached house.
The proposed number of platforms at or above the second storey is 4 and there are 2 on the west side.
8. **Section 6(3) Part I 1, By-law No. 438-86**
The by-law limits the residential gross floor area in an area zoned R1 to 0.35 times the area of the lot: 217.28m².
The proposed residential gross floor area of the building is 0.6769 times the area of the lot: 420.17m².
9. **Section 6(3) Part II 2(II), By-law No. 438-86**
The minimum required front lot line setback is 8.46m.
The proposed front lot line setback is 7.54m.
(Please note, the front yard porch is included in length and setbacks as it is greater than 1.2m above grade).
10. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback for that portion of the building exceeding 17.0m in depth is 7.5m.
The proposed east side lot line setback for that portion of the building exceeding 17.0m in depth is 1.21m.
11. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback for that portion of the building exceeding 17.0m in depth is 7.5m.
The proposed west side lot line setback for that portion of the building exceeding 17.0m in depth is 1.21m.
12. **Section 6(3) Part IV 3(II), By-law No. 438-86**
The by-law does not permit an integral garage in a building where the floor level of the garage is located below grade and the vehicle access to the garage is located in a wall facing the front lot line.
The proposed integral garage is below grade.

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.