

Thursday, August 3, 2017

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

File Number:	A0292/17NY	Zoning	R4/RD[WAV]
Owner(s):	NAVIDI MEHRSHAD	Ward:	Willowdale (23)
Agent:	ARCICA INC	Heritage:	Not Applicable
Property Address:	<b>90 JOHNSTON AVE – PART 2</b>	Community:	North York
Legal Description:	PLAN 1743 LOT 58 TO 59		

Notice was given and a Public Hearing was held on Thursday, August 3, 2017, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey dwelling. The existing dwelling would be demolished.

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

- Chapter 10.20.30.40, By-law No. 569-2013**  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 32% of the lot area.
- Chapter 10.20.40.70, By-law No. 569-2013**  
The minimum required side yard setback is 1.8m.  
The proposed west side yard setback is 0.9m.
- Chapter 10.20.40.70, By-law No. 569-2013**  
The minimum required side yard setback is 1.8m.  
The proposed east side yard setback is 0.9m.
- Chapter 10.5.40.10.(5), By-law No. 569-2013**  
A minimum of 10m<sup>2</sup> of the first floor must be within 4m of the main front wall.  
The proposed first floor within 4m of the main front wall is 2.2m<sup>2</sup>.
- Chapter 10.5.40.60(1), By-law No. 569-2013**  
The minimum required side lot line for the front porch is 1.8m.  
The proposed front porch is 1.15m from the side lot line.
- Chapter 10.20.30.20, By-law No. 569-2013**  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 7.62m.

7. **Chapter 10.20.30.10, By-law No. 569-2013**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 301.3m<sup>2</sup>.
8. **Chapter 10.20.40.10, By-law No. 569-2013**  
The maximum permitted wall height is 7.5m.  
The proposed wall height is 7.8m for 81% and 8.7m for 19% of the side walls.
9. **Section 13.2.1 & 6(8), By-law No. 7625**  
The minimum required lot frontage and width is 15m.  
The proposed lot frontage and width is 7.62m.
10. **Section 13.2.2, By-law No. 7625**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 301.3m<sup>2</sup>.
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% of the lot area.
12. **Section 13.2.3A, By-law No. 7625**  
The minimum required side yard setback is 1.8m.  
The proposed west side yard setback is 0.9m.
13. **Section 13.2.3A, By-law No. 7625**  
The minimum required side yard setback is 1.5m.  
The proposed east side yard setback is 0.9m.
14. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.1m.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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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Denise Graham (signed)

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Giacomo Tonon (signed)

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Rick Ross (signed)

DATE DECISION MAILED ON: Thursday, August 10, 2017

LAST DATE OF APPEAL: Wednesday, August 23, 2017

CERTIFIED TRUE COPY

Dan Antonacci  
Manager & Deputy Secretary Treasurer  
North York Panel

## Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal\* to the Ontario Municipal Board (OMB) for the same matter.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- \$300 for each appeal filed regardless if related and submitted by the same appellant
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at [www.toronto.ca/tlab](http://www.toronto.ca/tlab).

### **ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS**

To appeal this decision to the OMB you need the following:

- a completed OMB Appellant Form (A1) in **paper format**
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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](http://www.omb.gov.on.ca).

\*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.