

Wednesday, November 5, 2008

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

File Number:	A0759/07TEY	Zoning	R3 Z1.0 (PPR)
Owner(s):	WILLIAM VASILIOU	Ward:	Toronto Centre-Rosedale (28)
Agent:	WILLIAM VASILIOU		
Property Address:	389 BERKELEY ST	Community:	
Legal Description:	PL D138 BLK D PT LT12		

Notice was given and a Public Hearing was held on Wednesday, November 5, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the 2 ½ - storey semi-detached converted dwelling and rooming house (containing one dwelling unit and five dwelling rooms) to a converted house with four self-contained dwelling units by constructing a rear third storey addition and reconstructing the rear one-storey addition.

Note: The existing two-storey detached garage located in the rear yard will remain.

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

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 1 times the area of the lot (321.5 m²).

The four-unit converted house will have a residential gross floor area equal to 1.34 times the area of the lot (431.47 m²).

2. Section 6(3) Part II 5(II), By-law 438-86

The maximum allowable depth of a semi-detached house is 14.0 m.

The four-unit converted house will maintain the existing depth of 22.428 m.

3. Section 4(5)(B), By-law 438-86

The minimum required number of parking spaces to be provided on-site is three.

In this case, two parking spaces will be provided in the detached garage.

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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Corinne Muccilli (signed)

Fernando Costa (signed)

Kay Gardner (signed)

Sandeep Agrawal (signed)

DATE DECISION MAILED ON: Wednesday, November 12, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, November 25, 2008.

CERTIFIED TRUE COPY

Grant Munday
Acting Deputy Secretary Treasurer
Toronto and East 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.