

Wednesday, April 14, 2010

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

File Number:	A0028/10NY	Zoning	R1Z0.35 (WAIVER)
Owner(s):	GREGORY HABER MICHELE HABER	Ward:	Don Valley West (25)
Agent:	MICHELE HABER		
Property Address:	65 BUCKINGHAM AVE	Community:	Toronto
Legal Description:	PLAN 1534 LOT 807		

Notice was given and a Public Hearing was held on Wednesday, April 14, 2010, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the above noted property. Also proposed is the construction of a detached garage in the rear yard. The existing dwelling and detached garage would be demolished.

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

1. Proposed Gross Floor Area of 390.19m² (0.56 times the area of the lot)
WHEREAS a maximum Gross Floor Area of 242.61m² (0.35 times the area of the lot) is permitted.

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

1. Proposed Gross Floor Area of **346.58m²** (0.5 times the area of the lot)
WHEREAS a maximum Gross Floor Area of 242.61m² (0.35 times the area of the lot) is permitted.

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.

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

1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. 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.
3. The owner shall submit a Tree Security Deposit (in the form of a certified cheque or letter of credit only) and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.

SIGNATURE PAGE

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David Gurin (signed)

Donald Di Prospero
(signed)

Robert Pletsch (signed)

Shima Mirkarimi (signed)

DATE DECISION MAILED ON: Thursday, April 22, 2010

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, May 4, 2010

CERTIFIED TRUE COPY

Denise Rundle (signed)
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.