TORONTO
City Planning Division
Gary Wright, Acting, Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

# NOTICE OF DECISION

## CONSENT
## (Section 53 of the Planning Act)

| | | | |
|---|---|---|---|
| File Number: | B0099/10TEY | Zoning | R2 Z0.6 (PPR) |
| Owner(s): | GUY SNIR<br>YEHOSHUA SNIR | Ward: | St. Paul's (22) |
| Agent: | JAY PAI | | |
| Property Address: | **110 HEATH ST W** | Community: | |
| Legal Description: | CON 3 FB PT LOT 22 | | |

Notice was given and a Public Hearing was held on **Wednesday, February 9, 2011**, as required by the Planning Act

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into two residential lots.

**Conveyed - Part 1**
**Address to be assigned**
The lot frontage is 6.9 m and the lot area is 477.3 m². The existing dwelling will be demolished and a new three-storey semi-detached dwelling, with an integral garage in the basement level of the building, will be constructed.

**Retained - Part 2**
**Address to be assigned**
The lot frontage is 7.12 m and the lot area is 604.3 m². The existing dwelling will be demolished and a new three-storey semi-detached dwelling, with an integral garage in the basement level of the building, will be constructed.

**File Numbers B0099/10TEY, A0826/10TEY & A0827/10TEY are considered jointly.**

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Consent Application is Refused**
In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.
- The adequacy of roads, vehicular access, parking and loading facilities has not been demonstrated.
- The adequacy of utilities and municipal services has not been demonstrated.

**SIGNATURE PAGE**

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Robert Brown

Gillian Burton

George Vasilopoulos

David Pond

DATE DECISION MAILED ON: **Tuesday, February 15, 2010**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Monday, March 7, 2010**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & 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.

**NOTE:** Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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Gary Wright, Acting, Chief Planner and Executive Director

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

| | | | |
|---|---|---|---|
| File Number: | A0826/10TEY | | |
| Owner(s): | GUY SNIR & YEHOSHUA SNIR | Zoning | R2 Z0.6 (PPR) |
| Agent: | JAY PAI | Ward: | St. Paul's (22) |
| Property Address: | **110 HEATH ST W (PART 2)** | | |
| Legal Description: | CON 3 FB PT LOT 22 | Community: | |

Notice was given and a Public Hearing was held on **Wednesday, February 9, 2011**, as required by the Planning Act

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey semi-detached dwelling with an integral garage in the basement level of the building.

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

1. **Section 6.(3), Part II.2.(III), By-law 438-86 & Chapter 10.5.40.70.(1)(A), By-law 1156-2010**
   The minimum required front yard setback is 7.64 m.
   The new dwelling will be located 7.35 m from the front lot line.

2. **Section 6.(3), Part II.5.(II), By-law 438-86**
   The maximum permitted building depth is 17 m.
   The new dwelling will have a depth of 18.3 m.
   **Chapter 10.10.40.30.(1)(A), By-law 1156-2010**
   The maximum permitted depth is 17 m.
   The new dwelling will have a depth of 18.01 m.

3. **Section 6.(3), Part II.8.D.(I), By-law 438-86**
   The maximum permitted height, of an uncovered platform which projects into the required setbacks, is 1.2 m above grade.
   The rear uncovered platform will be 2.43 m above grade.

4. **Chapter 10.5.40.60.(1)(A), By-law 1156-2010**
   The maximum permitted projection, of an uncovered platform into the required setbacks, is 2.5 m from the front or rear wall of the building.
   The front uncovered platform will project 4.07 m from the front wall of the dwelling.

5. **Section 6.(3), Part II.8.F, By-law 438-86**
A roof over a first floor platform is permitted to project into the required setbacks provided the first floor platform is less than 1.2 m above grade.
The first floor platform will be 2.07 m above grade.

6. **Section 6.(3), Part III.3.(A), By-law 438-86 & Chapter 10.5.50.10.(1)(B), By-law 1156-2010**
Not less than 50% of the front yard area shall be maintained as landscaped open space (26.2 m²).
A total of 48.28% of the front yard area will be maintained as landscaped open space (24.9 m²).

7. **Section 6.(3), Part IV.3.(I), By-law 438-86**
An integral garage, where the lot frontage is less than 7.62 m and the vehicle access is located in a wall facing the front lot line, is not permitted.
**Chapter 10.10.80.40.(2), By-law 1156-2010**
An integral garage, where the lot frontage is less than 7.6 m and the vehicle access is located in a wall facing the front lot line, is not permitted.
The proposed integral garage will face the street and will be located on a lot with a frontage of 7.12 m.

8. **Section 6.(3), Part VII.1.(I), By-law 438-86**
The minimum required lot frontage is 9 m.
**Chapter 900.2.10.(905), By-law 1156-2010**
The minimum required lot frontage is 18 m.
The lot frontage is 7.12 m.

9. **Chapter 10.10.40.10.(1), By-law 1156-2010**
The maximum permitted building height is 11 m.
The new dwelling will have a height of 13.35 m.

10. **Chapter 10.10.40.10.(6), By-law 1156-2010**
The maximum permitted height of a first floor above established grade is 1.2 m.
The first floor of the new dwelling will be 2.6 m above established 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.

**SIGNATURE PAGE**

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| Agent: | JAY PAI | | |
| Property Address: | **110 HEATH ST W (PART 2)** | Community: | |
| Legal Description: | CON 3 FB PT LOT 22 | | |

Robert Brown

Gillian Burton

George Vasilopoulos

David Pond

DATE DECISION MAILED ON: **Tuesday, February 15, 2011**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 1 2011**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary Treasurer
Toronto and East York Panel

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

| | | | |
|---|---|---|---|
| File Number: | A0827/10TEY | Zoning | R2 Z0.6 (PPR) |
| Owner(s): | GUY SNIR & YEHOSHUA SNIR | Ward: | St. Paul's (22) |
| Agent: | JAY PAI | | |
| Property Address: | **110 HEATH ST W (PART 1)** | Community: | |
| Legal Description: | CON 3 FB PT LOT 22 | | |

Notice was given and a Public Hearing was held on **Wednesday, February 9, 2011**, as required by the Planning Act

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey semi-detached dwelling with an integral garage in the basement level of the building.

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

1. **Section 6.(3), Part I.1, By-law 438-86 & Chapter 10.10.40.40.(1), By-law 1156-2010**
The maximum permitted gross floor area/floor space index is 0.6 times the area of the lot (286.41 m²).
The new dwelling will have a gross floor area/floor space index equal to **0.63** times the area of the lot **(302.0 m²)**..

2. **Section 6.(3), Part II.5.(II), By-law 438-86 & Chapter 10.10.40.30.(1)(A), By-law 1156-2010**
The maximum permitted building depth is 17 m.
The new dwelling will have a depth of 18.66 m.

3. **Section 6.(3), Part II.8.D.(I), By-law 438-86**
The maximum permitted height, of an uncovered platform which projects into the required setbacks, is 1.2 m above grade.
The rear uncovered platform will be 2.43 m above grade.

4. **Chapter 10.5.40.60.(1)(A), By-law 1156-2010**
The maximum permitted projection, of an uncovered platform into the required setbacks, is 2.5 m from the front or rear wall of the building.
The front uncovered platform will project 3.81 m from the front wall of the dwelling.

5. **Section 6.(3), Part II.8.F, By-law 438-86**
A roof over a first floor platform is permitted to project into the required setbacks provided the first floor platform is less than 1.2 m above grade.
The first floor platform will be 2.07 m above grade.

6. **Section 6.(3), Part III.3.(A), By-law 438-86 & Chapter 10.5.50.10.(1)(B), By-law 1156-2010**
Not less than 50% of the front yard area shall be maintained as landscaped open space (27.43 m²).
A total of 48.39% of the front yard area will be maintained as landscaped open space (25.55 m²).

7. **Section 6.(3), Part IV.3.(I), By-law 438-86**
An integral garage, where the lot frontage is less than 7.62 m and the vehicle access is located in a wall facing the front lot line, is not permitted.
**Chapter 10.10.80.40.(2), By-law 1156-2010**
An integral garage, where the lot frontage is less than 7.6 m and the vehicle access is located in a wall facing the front lot line, is not permitted.
The proposed integral garage will face the street and will be located on a lot with a frontage of 6.9 m.

8. **Section 6.(3), Part VII.1.(I), By-law 438-86**
The minimum required lot frontage is 9 m.
**Chapter 900.2.10.(905), By-law 1156-2010**
The minimum required lot frontage is 18 m.
The lot frontage is 6.9 m.

9. **Chapter 10.10.40.10.(1), By-law 1156-2010**
The maximum permitted building height is 11 m.
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The maximum permitted height of a first floor above established grade is 1.2 m.
The first floor of the new dwelling will be 2.6 m above established 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.

**SIGNATURE PAGE**

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