

Thursday, April 7, 2011

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

File Number:	A462/10EYK	Zoning	R1 and RD (Waiver)
Owner(s):	TIMOTHY MELNICHUK	Ward:	Parkdale-High Park (13)
Agent:	DAVID BROWN DAVID BROWN ASSOCIATES		
Property Address:	155 MORNINGSIDE AVE	Community:	
Legal Description:	PLAN M523 PT LOT 27 RP 66R22926 PART 2		

Notice was given and a Public Hearing was held on Thursday, April 7, 2011, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To allow the two-storey dwelling currently under construction to be completed.

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

- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area is 0.35 times the area of the lot (154.2 m²).
The new dwelling will have a gross floor area equal to 0.41 times the area of the lot (183.1m²).
- Section 6(3) Part II 4, By-law 438-86 and Section 10.20.40.70(2)A By-law 1156-2010**
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 5.19 m from the rear lot line.
- Section 10.20.40.40(1) By-law 1156-2010**
The maximum permitted gross floor area is 0.35 times the area of the lot (154.2 m²).
The new dwelling will have a gross floor area of 0.38 times the lot area (169.1m²).

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

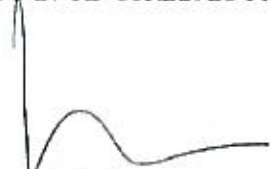
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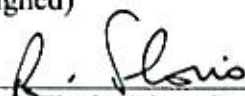
Carlene Whittingham
(signed)




Paul Valenti (signed)



Douglas S. Colbourne
(signed)



Rick Florio (signed)



Mary-Anne Popescu (signed)

DATE DECISION MAILED ON: Friday, April 15, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, April 27, 2011

CERTIFIED TRUE COPY


Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.