

Wednesday, May 18, 2011

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

File Number:	A0702/10NY	Zoning:	R1 Z0.6 / RD (ZZC)
Owner(s):	KAMBIZ BOLOURIAN	Ward:	Eglinton-Lawrence (16)
Agent:	GLENN RUBINOFF		
Property Address:	WEST 7.62m OF 507 ST CLEMENTS AVE (PART 1)	Community:	Toronto
Legal Description:	PLAN M25 PT LOT 196		

Notice was given and a Public Hearing was held on Wednesday, May 18, 2011, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant proposed to construction a two storey dwelling on the west 7.62m of the above noted property, known as Part 1. The existing dwelling would be demolished. Please note, a portion of the basement has been included in the calculation of gross floor area under City of Toronto Zoning By-law No. 1156-2010. This accounts for the difference in GFA between the two Zoning By-laws.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**Toronto Zoning By-law No. 438-86**

1. Proposed lot frontage of 7.62m
WHEREAS a minimum lot frontage of 9m is required;
2. Proposed east side yard building setback of 0.46m
WHEREAS a minimum of 0.9m is required for the portion of the building not exceeding 17m in length;
3. Proposed east side yard building setback of 0.46m
WHEREAS a minimum of 7.5m is required for the portion of the building exceeding 17m in length;
4. Proposed height of the uncovered platform (rear deck) of 2.93m
WHEREAS a maximum height 1.2m is permitted for an uncovered platform that projects into a required setback; and
5. Proposed gross floor area of 0.64 times the lot area (201.7m²)
WHEREAS a maximum gross floor area of 0.6 times the lot area (187.9m²) is permitted.

City of Toronto Zoning By-law No. 1156-2010

6. Proposed lot frontage of 7.62m
WHEREAS a minimum lot frontage of 9m is required;
7. Proposed gross floor area of 0.91 times the lot area (284.8m²)
WHEREAS a maximum gross floor area of 0.6 times the lot area (187.9m²) is permitted;
8. Proposed east side yard building setback of 0.46m
WHEREAS a minimum of 0.9m is required;
9. Proposed main wall height of 8.27m
WHEREAS a maximum main wall height of 8m is permitted; and
10. Proposed balcony (rear deck) area of 6.37m²
WHEREAS a maximum balcony area of 4m² is permitted.

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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David Peacock (signed)

Isaac Lallouz (signed)

Ronald Forbes (signed)

DATE DECISION MAILED ON: Thursday, May 26, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, June 6, 2011

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.