

FILE COPY

Wednesday, May 18, 2011

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

File Number:	A0384/10NY	Zoning	R1(1)/RD -PAL -
Owner(s):	STEVEN LEYZAC	Ward:	Don Valley West (25)
Agent:	ANTONIO EVANGELISTA		
Property Address:	41 SAINTFIELD AVE	Community:	North York
Legal Description:	PLAN M809 LOT 56		

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

PURPOSE OF THE APPLICATION:

This is an application to permit the existing third storey addition within the existing attic space to be maintained as constructed. Also proposed is the construction of a two storey addition at the north west side of the existing dwelling, and converting the existing garage in to habitable space.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**North York Zoning By-law no.7625**

1. Three storey dwelling
WHEREAS a maximum of two storey dwelling is permitted;
2. Proposed front yard setback of 4.88m to the proposed addition
WHEREAS a minimum of 9.14m is required; and
3. Proposed an accessory building of 6.8%
WHEREAS a maximum of 5% is permitted for an accessory building and shall include the floor area of a garage attached to the main building.

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

1. Three storey dwelling
WHEREAS a maximum of two storey dwelling is permitted;
2. Proposed front yard setback of 4.88m to the proposed addition
WHEREAS a minimum of 9.14m is required;
3. Proposed access from the fronting street
WHEREAS on a corner access to the required parking space must be from the flanking street;

4. Existing dwelling height of 10.42m
WHEREAS a maximum of 10m is permitted; and
5. Existing main wall height of 7.26m
WHEREAS a maximum of 6.5m 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.