

Thursday, January 19, 2012

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

File Number:	A620/11NY	Zoning:	R6 (ZZC)
Owner(s):	DIANE TSANG & SIMON YAU	Ward:	Willowdale (23)
Agent:	SUSTAINABLE TO		
Property Address:	233 ELMWOOD AVE	Community:	North York
Legal Description:	PLAN 1801 LOT 404 PT LOT 403 PT LOT 405		

Notice was given and a Public Hearing was held on Thursday, January 19, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is proposing to construct a new two storey dwelling with an integral, at-grade, single-car garage on the above noted property. The existing dwelling would be demolished.

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

1. Proposed lot coverage of 34.20% of the lot area
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted;
2. Proposed building length of 17.78m
WHEREAS a maximum building length of 15.30m is permitted;
3. Proposed building height of **8.91m**
WHEREAS a maximum building height of 8.80m is permitted;
4. Proposed finished first floor height of 1.72m
WHEREAS a maximum finished first floor height of 1.50m is permitted;
5. Proposed landscaping of 41.00%
WHEREAS a minimum landscaping of 50.00% is required; and
6. Proposed rear deck area of 43.57m² (8.49% of the lot area)
WHEREAS a maximum rear deck of 25.62m² (5.00% of the lot area) is permitted.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

It is the decision of the Committee of Adjustment to **APPROVE** the following variance(s):

North York Zoning By-law No. 7625

2. Proposed building length of 17.78m
WHEREAS a maximum building length of 15.30m is permitted;
3. Proposed building height of **8.91m**
WHEREAS a maximum building height of 8.80m is permitted;
4. Proposed finished first floor height of 1.72m
WHEREAS a maximum finished first floor height of 1.50m is permitted;
5. Proposed landscaping of 41.00%
WHEREAS a minimum landscaping of 50.00% is required; and
6. Proposed rear deck area of 43.57m² (8.49% of the lot area)
WHEREAS a maximum rear deck of 25.62m² (5.00% of the lot area) 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.

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

North York Zoning By-law No. 7625

1. Proposed lot coverage of 34.20% of the lot area
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted;

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.

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

1. Where no street tree exists, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting the site to the satisfaction of the General Manager of Parks, Forestry and Recreation.

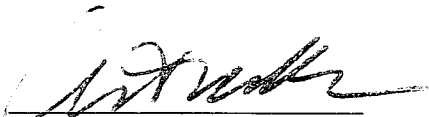
SIGNATURE PAGE

File Number: A620/11NY Zoning R6 (ZZC)
Owner: DIANE TSANG & SIMON YAU Ward: Willowdale (23)
Agent: SUSTAINABLE TO
Property Address: **233 ELMWOOD AVE** Community: North York
Legal Description: PLAN 1801 LOT 404 PT LOT 403 PT LOT 405

Isaac Lallouz (signed)



Richard Ross (signed)



Astra Burka (signed)

DATE DECISION MAILED ON: Friday, January 27, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, February 7, 2012

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.

MEMORANDUM

Date: January 19th, 2012

To: Chair and Members of the
Committee of Adjustment, North Panel

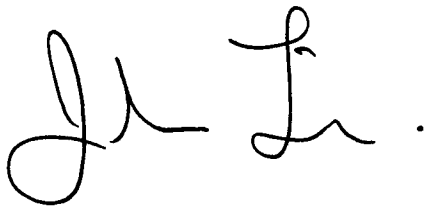
From: Councillor John Filion
Ward 23, Willowdale

Re: 233 Elmwood Avenue
A620/11NY

I am writing to request that the Committee give consideration to decreasing the proposed lot coverage to 32%, in order to be more in keeping with character of the surrounding neighbourhood and the intent of the zoning bylaws.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Filion", followed by a period.

Councillor John Filion
Ward 23, Willowdale

Toronto City Hall, 100 Queen Street West, Suite B-36, Toronto, ON M5H 2N2
Tel: (416) 392-0210 Fax: (416)392-7388. Email:councillor_filion@toronto.ca

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City Planning Division
Gary Wright, Chief Planner and Executive Director

City Planning

North York Civic Centre
5100 Yonge Street
North York, Ontario
Canada, M2N 5V7
Tel.: (416) 395-7100
Fax: (416) 395-7200

Mailed on/before: Friday, January 6, 2012

PUBLIC HEARING NOTICE
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

MEETING DATE AND TIME: Thursday, January 19, 2012 at 11:00 a.m.

LOCATION: Council Chamber, North York Civic Centre, 5100 Yonge St., M2N 5V7

File Number:	A620/11NY	Zoning	R6 (ZZC)
Owner(s):	DIANE TSANG & SIMON YAU	Ward:	Willowdale (23)
Agent:	SUSTAINABLE TO		
Property Address:	233 ELMWOOD AVE	Community:	North York
Legal Description:	PLAN 1801 LOT 404 PT LOT 403 PT LOT 405		

PURPOSE OF THE APPLICATION:

The applicant is proposing to construct a new two storey dwelling with an integral, at-grade, single-car garage on the above noted property. The existing dwelling would be demolished.

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

North York Zoning By-law No. 7625

1. Proposed east side yard setback of 0.00m to the rear deck only
WHEREAS a minimum east side yard setback of 1.20m is required;
2. Proposed lot coverage of 34.20% of the lot area
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted;
3. Proposed building length of 17.78m
WHEREAS a maximum building length of 15.30m is permitted;
4. Proposed building height of 9.74m
WHEREAS a maximum building height of 8.80m is permitted;
5. Proposed finished first floor height of 1.72m
WHEREAS a maximum finished first floor height of 1.50m is permitted;
6. Proposed landscaping of 41.00%
WHEREAS a minimum landscaping of 50.00% is required; and

7. Proposed rear deck area of 43.57m² (8.49% of the lot area)
WHEREAS a maximum rear deck of 25.62m² (5.00% of the lot area) is permitted.

Denise Rundle (signed)
Manager and Deputy Secretary-Treasurer
North York Panel
:bc