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

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

File Number:	A0162/11TEY	Zoning	R2 Z0.6 (WAIVER)
Owner:	1399550 ONTARIO LIMITED	Ward:	Beaches-East York (32)
Agent:	BRIAN LEE		
Property Address:	**17 KIPPENDAVIE AVE (PARTS 1, 4 & 5)**	Community**:**	
Legal Description:	E 198 PT LOT 34		

Notice was given and a Public Hearing was held on **Wednesday, December 14, 2011**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the existing dwellings and to construct a new three-storey single family detached dwelling, with a parking space below a rear deck.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

1. Section 6.(3), Part I.1, By-law 438-86
The maximum permitted gross floor area is 0.6 times the area of the lot (100.2 m²).
The new dwelling will have a gross floor area equal to 1.22 times the area of the lot (203.51 m²).

2. Section 6.(3), Part II.2.(III), By-law 438-86
The minimum required front yard setback is 6.94 m.
The new dwelling will be located 1.83 m from the front lot line.

3. Section 6.(3), Part II.3.(I), By-law 438-86
The minimum required setback from the side wall of an adjacent building that contains no openings is 0.9 m.
The new dwelling will be located 0.48 m from the north adjacent building (21 Kippendavie Avenue).

4. Section 6.(3), Part II.3.A.(II), By-law 438-86
The minimum required side yard setback flanking a street is 6 m.
The new dwelling will be located 0.25 m from the flanking street (Kewbeach Avenue).

5. Section 6.(3), Part II.4, By-law 438-86
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 2.32 m from the rear lot line.

6. Section 6.(3), Part III.1.(A), By-law 438-86
Not less than 30% of the area of the lot shall be maintained as landscaped open space (50.1 m²).
A total of 27.28% of the lot area will be maintained as landscaped open space (45.6 m²).

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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		DISSENTED
Barbara Leonhardt (signed)	Donna McCormick (signed)	Mary Pitsitikas

DISSENTED	
Christian Chan	Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, December 20, 2011**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 3, 2012**

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.