



City Planning Division
Gregg Lintern, Acting Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number:	A0344/12TEY	Zoning	R1 Z0.35 and R1 Z0.65 By-law 12-0672 (ZZC)
Owner:	MICHELLE SIMONE GORDON	Ward:	St. Paul's (21)
Agent:	MICHAEL GOLDBERG	Community:	
Property Address:	15 BURTON RD		
Legal Description:	PLAN M408 PT LOT 79		

Notice was given and a Public Hearing was held on **Wednesday, June 27, 2012**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the existing 2½-storey detached dwelling and to construct a new three-storey detached dwelling with rear one-storey projection, a below-grade garage, a rear ground floor covered terrace, a rear second floor deck, and a rear third floor deck.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.35 times the area of the lot (292.2 m²).
Section 2, By-law 12-0672
The maximum permitted residential gross floor area is 0.65 times the area of the lot (542.41 m²).
The new 2½-storey dwelling will have a residential gross floor area equal to 0.794 times the area of the lot (662.5 m²).
- Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback for the portion of the dwelling exceeding a depth of 17.0 m is 7.5 m.
The 9.67 m portion of the new dwelling, exceeding the 17 m depth, will be setback 1.2 m on the east side and 1.85 m on the west side, measured to the portion of the terrace closest to the rear property line.
- Section 6(3) Part IV 3(II), By-law 438-86**
An integral garage in a building where the floor level of the garage is located below grade and the vehicle access to the garage is located in a wall facing the front lot line is not permitted.
The integral garage will be below grade.

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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Gillian Burton

David Pond

DISSENTED


Yim Chan

John Tassiopoulos

DATE DECISION MAILED ON: **Tuesday, July 3, 2012**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, July 17, 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.