

Wednesday, June 6, 2012

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

File Number:	A245/12NY	Zoning:	R3 [WAIVER]
Owner(s):	RAHMAN RAHIMI	Ward:	Willowdale (24)
Agent:	MEHDI HOSSEINI		
Property Address:	42 CASWELL DR	Community:	North York
Legal Description:	PLAN 4855 LOT 21		

Notice was given and a Public Hearing was held on Wednesday, June 6, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is proposing to construct a three storey dwelling with an integral, at-grade, three 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 south side yard setback of 1.22m
WHEREAS a minimum south side yard setback of 1.80m is required;
2. Proposed building length of 17.98m
WHEREAS a maximum building length of 16.80m is permitted;
3. Proposed building height of 9.55m
WHEREAS a maximum building height of 8.80m is permitted;
4. Proposed finished first floor height of 2.14m
WHEREAS a maximum finished first floor height of 1.50m is permitted; and

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

File Number: A245/12NY
Owner: RAHMAN RAHIMI
Agent: MEHDI HOSSEINI
Property Address: **42 CASWELL DR**
Legal Description: PLAN 4855 LOT 21

Zoning: R3 [WAIVER]
Ward: Willowdale (24)
Community: North York

Richard Ross (signed)

Arthur Forer (signed)

Isaac Lallouz (signed)

Morley Rosenberg (signed)

DATE DECISION MAILED ON: Thursday, June 14, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 26, 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.