

Wednesday, November 7, 2012

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

File Number:	A694/12NY	Zoning	R4 [WAIVER]
Owner(s):	DWIGHT F DISHAW	Ward:	Willowdale (23)
	ALEXIS M DISHAW		
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	<b>109 ELMWOOD AVE</b>	Community:	North York
Legal Description:	PLAN 1801 LOT 345		

Notice was given and a Public Hearing was held on Wednesday, November 7, 2012, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

The applicant is proposing to construct a two-storey dwelling with an integral, at-grade, two 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. Existing lot frontage and width of 10.67m  
WHEREAS a minimum lot frontage and width of 15.00m is required;
2. Existing lot area of 427.84m<sup>2</sup>  
WHEREAS a minimum lot area of 550.00m<sup>2</sup> is required;
3. Proposed east side yard setback of 1.22m  
WHEREAS a minimum east side yard setback of 1.50m is required;
4. Proposed lot coverage of 32.00% of the lot area  
WHEREAS a maximum lot coverage of 30.00% of the lot area is permitted;
5. Proposed finished first floor height of 1.80m  
WHEREAS a maximum finished first floor height of 1.50m is permitted;
6. Proposed building height of 9.10m  
WHEREAS a maximum building height of 8.80m is permitted;
7. Proposed front yard hard surface area of 56.70%  
WHEREAS a maximum front yard hard surface area of 50.00% is permitted; and

8. Proposed building length of 17.40m  
WHEREAS a maximum building length of 16.80m is permitted.

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Minor Variance Application is Approved on Condition**

It is the decision of the Committee of Adjustment to authorize this variance application 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.

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

1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. The owner shall submit a Tree Security Deposit (in the form of a certified cheque or letter of credit only) and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.
3. The driveway to be constructed of permeable materials.

## SIGNATURE PAGE

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Isaac Lallouz (signed)

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Edwin (Ted) Shepherd  
(signed)

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Astra Burka (signed)

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Arthur Forer (signed)

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Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, November 15, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, November 27, 2012

CERTIFIED TRUE COPY

Dan Antonacci  
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](http://www.omb.gov.on.ca).



## STAFF REPORT

### Committee of Adjustment Application

<b>Date:</b>	Tuesday, October 30, 2012
<b>To:</b>	<b>Chair and Committee Members of the Committee of Adjustment North York District</b>
<b>From:</b>	Allen Appleby, Director, Community Planning, North York District
<b>Wards:</b>	Ward 23 (Willowdale)
<b>Reference:</b>	File No. A694/12NY Address: <b>109 ELMWOOD AVENUE</b> Application to be heard: Wednesday, November 7, 2012 at 11:30 a.m.

## RECOMMENDATION

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Staff recommend that the proposed west side yard setback be increased to better reflect the neighbourhood character.

## APPLICATION

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The applicant is proposing to construct a two-storey dwelling with an integral, at-grade, two 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

- Existing lot frontage and width of 10.67m  
WHEREAS a minimum lot frontage and width of 15.00m is required;
- Existing lot area of 427.84m<sup>2</sup>  
WHEREAS a minimum lot area of 550.00m<sup>2</sup> is required;
- Proposed west side yard setback of 0.90m  
WHEREAS a minimum west side yard setback of 1.50m is required;
- Proposed east side yard setback of 1.22m  
WHEREAS a minimum east side yard setback of 1.50m is required;

Should the Committee chose to approve this application, planning staff recommend the west side yard setback be increased to better reflect the neighbourhood character.

Respectfully submitted,

**CONTACT**

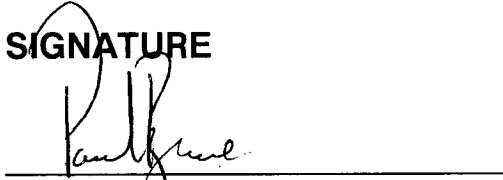
Vanessa Covello, Assistant Planner

Tel: 416-395-7104

Fax: 416-395-7200

E-mail: [vcovell@toronto.ca](mailto:vcovell@toronto.ca)

**SIGNATURE**

A handwritten signature in black ink, appearing to read 'Allen Appleby', is written over a horizontal line.

*for* Allen Appleby  
Director, Community Planning, North York District

A694/12NY - 109 ELMWOOD AVENUE



City Planning Division  
Jennifer Keesmaat, MES MCIP RPP  
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, October 26, 2012

## PUBLIC HEARING NOTICE

### MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

**MEETING DATE AND TIME:** Wednesday, November 7, 2012 at 1:30 p.m.

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

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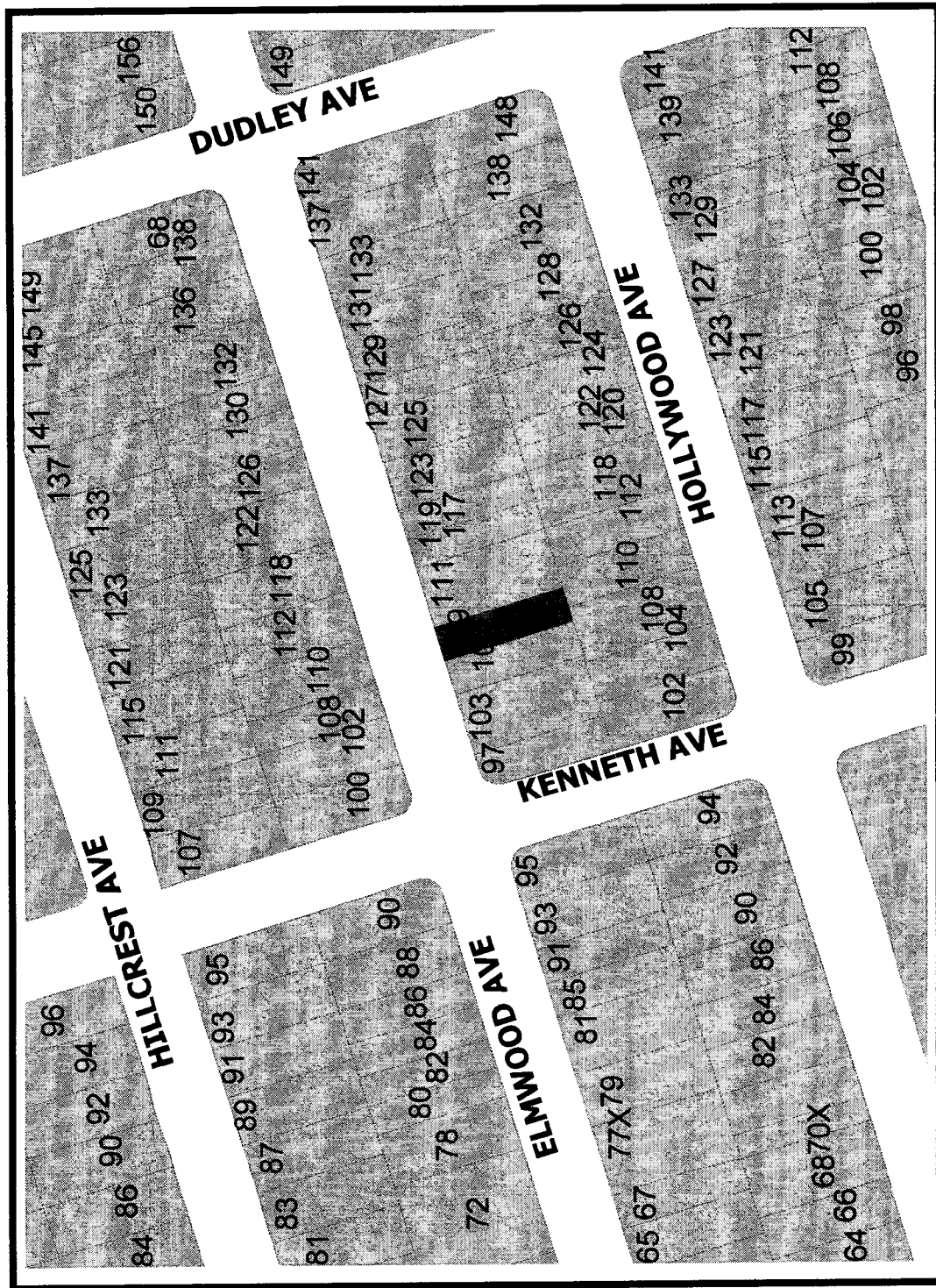
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Dan Antonacci (signed)  
Manager and Deputy Secretary-Treasurer  
North York Panel  
:bc



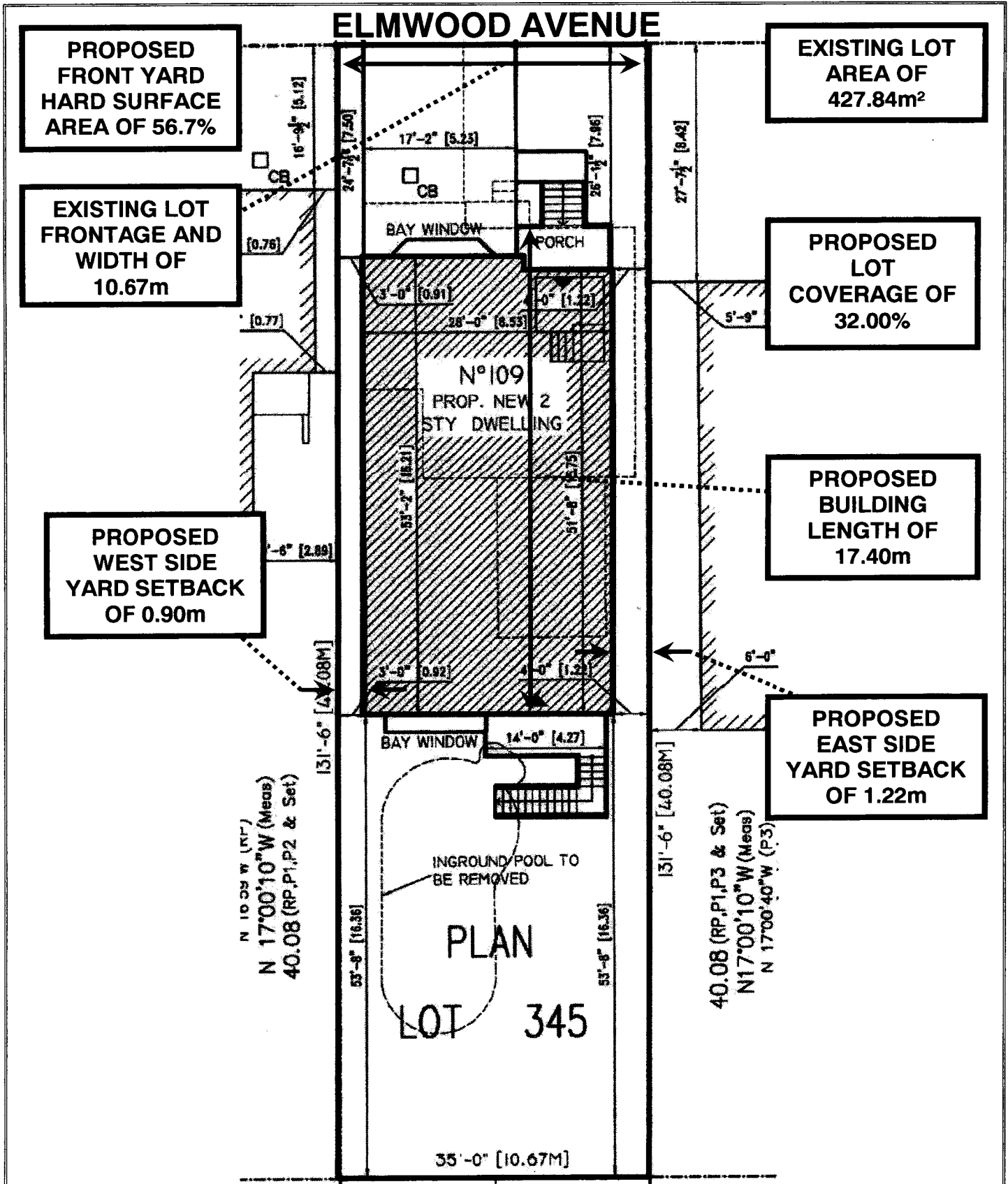
# 109 ELMWOOD AVENUE

A694/12NY





**Address: 109 ELMWOOD AVENUE**





Address: 109 ELMWOOD AVENUE

North  
(Plans Only)



**FRONT ELEVATION**