



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

Committee of Adjustment
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Toronto, Ontario M5H 2N2
Tel: 416-392-7565
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NOTICE OF DECISION MINOR VARIANCE/PERMISSION (Section 45 of the Planning Act)

File Number:	A0495/12TEY	Zoning	R2 Z1.0 (PPR)
Owner:	YOULANDE SOLLBACH	Ward:	Parkdale-High Park (14)
Agent:	ED SOLLBACH		
Property Address:	62 MELBOURNE AVE	Community:	
Legal Description:	PLAN 418 BLK A LOT 19		

Notice was given and a Public Hearing was held on **Wednesday, September 5, 2012**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and to maintain the existing two-storey detached garage with a rear deck built on the lot containing the 2½-storey semi-detached dwelling without a building permit.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Section 4(2)(d)(i), By-law 438-86**
The maximum permitted height of an accessory structure is 4.0 m.
The two-storey detached garage will have a height of 5.86 m.
- Section 6(3) Part I 2, By-law 438-86**
The maximum permitted floor area of an accessory building is 5% of the area of the lot (29.30 m²).
The existing two-storey detached garage has a floor area of 15% of the area of the lot (90.56 m²).
- Section 6(3) Part II 7(I), By-law 438-86**
The minimum required side lot line setback of an accessory structure is 3.0 m.
The existing two-storey detached garage is setback 0.33 m from the east side lot line.
- Section 6 (3) Part II 7(II) A, By-law 438-86**
An accessory structure shall have a minimum setback of 4.5 m to an adjacent residential building.
The existing two-storey detached garage is setback 2.84 m from the adjacent building at 58 Melbourne Avenue.
- Section 6(3) Part II 7(III), By-law 438-86**
The maximum permitted setback for an accessory structure from the main building is 1.5 m.
The existing two-storey detached garage is setback 1.47 m from the main building.

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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Barbara Leonhardt (signed)

Donna McCormick (signed)

Mary Pitsitikas (signed)

Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, September 11, 2012**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, September 25, 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.