



City Planning Division  
Gary Wright, Chief Planner and Executive Director

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CITY COUNCILLOR, WARD 16, CITY OF  
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TORONTO ON M5H 2N2

Wednesday, February 29, 2012

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

File Number:	A767/11NY	Zoning	R6 [WAIVER]
Owner(s):	TSUR MOSES	Ward:	Eglinton-Lawrence (16)
Agent:	TSUR MOSES		
Property Address:	70 OTTER CRES	Community:	North York
Legal Description:	PLAN 1505 PT LOT 17		

Notice was given and a Public Hearing was held on Wednesday, February 29, 2012, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

The applicant is proposing to construct a new two storey dwelling with an integral, below grade, two-car garage on the above noted property. The existing dwelling and detached garage would be demolished.

**REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**

**North York Zoning By-law No. 7625**

1. Proposed north side yard setback of 0.91m  
WHEREAS a minimum north side yard setback of 1.20m is required;
2. Proposed south side yard setback of 0.91m  
WHEREAS a minimum south side yard setback of 1.20m is required;
3. Proposed finished first floor height of 2.11m  
WHEREAS a maximum finished first floor height of 1.50m is permitted;
4. Proposed building length of 22.86m (including the excavated rear porch)  
WHEREAS a maximum building length of 15.30m is permitted; and
5. Proposed below grade garage  
WHEREAS a below grade garage is not permitted.

**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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\_\_\_\_\_  
Richard Ross (signed)

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Nicholas Sion (signed)

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Astra Burka (signed)

DATE DECISION MAILED ON: Thursday, March 8, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, March 20, 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](http://www.omb.gov.on.ca).