



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

North York Civic Centre
5100 Yonge Street
Toronto, Ontario
M2N 5V7

Phone (416) 395-7000
Fax (416) 395-7200

CITY COUNCILLOR, WARD 16, CITY OF
TORONTO
KAREN STINTZ
or OCCUPANT
CITY HALL
100 QUEEN ST W SUITE B32
Wednesday, April 11, 2012

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

File Number:	A037/12NY	Zoning	RIZ0.35 (WAIVER)
Owner(s):	ROBERT FRANK KLING LAURE VAN KLING	Ward:	Eglinton-Lawrence (16)
Agent:	SARSHAR BABAK		
Property Address:	404 BRIAR HILL AVE	Community:	Toronto
Legal Description:	PLAN M25 PT LOT 117		

Notice was given and a Public Hearing was held on Wednesday, April 11, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the above noted property. The existing dwelling would be demolished.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW.

Toronto By-law 438-86

- Proposed Gross Floor Area of 275.00m² (~~0.67~~ times the area of the lot)
WHEREAS a maximum Gross Floor Area of 145.58m² (0.35 times the area of the lot) is permitted; and
- Proposed front yard landscaped open space of 40%
WHEREAS a minimum front yard landscape open space of 50% is required.

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 APPROVE the following variance(s):

Toronto By-law 438-86

- Proposed front yard landscaped open space of 40%
WHEREAS a minimum front yard landscape open space of 50% is required; and

It is the decision of the Committee of Adjustment to MODIFY and APPROVE the following variance(s):

Toronto By-law 438-86

1. **Proposed Gross Floor Area of 207.97m² (0.50 times the area of the lot)**
WHEREAS a maximum Gross Floor Area of 145.58m² (0.35 times the area of the lot) is permitted; and

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.

SIGNATURE PAGE

File Number:	A037/12NY	Zoning	R1Z0.35 (WAIVER)
Owner:	ROBERT FRANK KLING LAURE VAN KLING	Ward:	Eglinton-Lawrence (16)
Agent:	SARSHAR BABAK		
Property Address:	404 BRIAR HILL AVE	Community:	Toronto
Legal Description:	PLAN M25 PT LOT 117		

Isaac Lallouz (signed)

Richard Ross (signed)

Edwin (Ted) Ross Shepherd
(signed)

Nicholas Sion (signed)

DATE DECISION MAILED ON: Thursday, April 19, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, April 30, 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.