

Thursday, January 12, 2012

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

File Number:	A494/11NY	Zoning	R4 - Single Family Detached Dwelling Zone (ZZC)
Owner(s):	JOSE SANTOS	Ward:	York Centre (09)
Agent:	JOSE SANTOS		
Property Address:	<b>145 SPALDING RD</b>	Community:	North York
Legal Description:	PLAN 1764 PT LOT 190		

Notice was given and a Public Hearing was held on Thursday, January 12, 2012, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

This is an application to permit the existing front yard hard surface and the accessory structure (stone barbeque/fireplace) attached to the rear of the dwelling to be maintained as constructed. Circular driveways are permitted on lots having a frontage greater than 18m. The subject lot has a frontage of 18.28m. Due to the accessory structure being attached to the rear of the dwelling, it is deemed to be part of the dwelling for length and setback requirements. The accessory structures in the rear yard (detached garage and tree house) comply with the By-law requirements.

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

**North York By-law 7625**

1. Front yard landscaping of 55.4%  
WHEREAS a minimum front yard landscaping of 60% is required;
2. West side yard setback of 1.17m to the structure  
WHEREAS a minimum setback of 1.8m is required; and
3. Building length of 17.56m including the rear accessory structure having a  
WHEREAS a maximum building length of 16.8m is 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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Isaac Lallouz (signed)

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Richard Ross (signed)

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Edwin (Ted) Ross Shepherd  
(signed)

DATE DECISION MAILED ON: Friday, January 20, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, January 31, 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).