

Mailed on/before: Friday, March 30, 2012

PUBLIC HEARING NOTICE
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

MEETING DATE AND TIME: Wednesday, April 11, 2012 at 11:00 a.m.

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

File Number:	A930/11NY	Zoning:	R4 [Waiver]
Owner(s):	FATHOLLAH NIKBAKSH	Ward:	Willowdale (23)
Agent:	MEHDI HOSSEINI		
Property Address:	283 DUNFOREST AVE	Community:	North York
Legal Description:	PLAN 3691 E PT LOT 66		

PURPOSE OF THE APPLICATION:

The purpose of this application is to permit the construction of a new two storey dwelling with an integral 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. Proposed balcony projecting from the front wall of the second floor has an area of 5.9m²
WHEREAS a maximum balcony area of 3.8m² is permitted;
2. Proposed front yard landscaping is 56.1%
WHEREAS a minimum front yard landscaping of 60% is required;
3. Proposed driveway width is 10.6m
WHEREAS a maximum driveway width of 6.0m is permitted; and
4. Proposed rear deck has a height of 1.37m and projects 2.9m beyond the rear wall
WHEREAS the maximum permitted projection beyond a rear wall for a deck exceeding 1.00m in height is 2.10m.

Denise Rundle (signed)
Manager and Deputy Secretary-Treasurer
North York Panel
:sc

John filion

Wednesday, April 11, 2012

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

File Number:	A930/11NY	Zoning	R4 [Waiver]
Owner(s):	FATHOLLAH NIKBAKHS	Ward:	Willowdale (23)
Agent:	MEHDI HOSSEINI		
Property Address:	283 DUNFOREST AVE	Community:	North York
Legal Description:	PLAN 3691 E PT LOT 66		

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

PURPOSE OF THE APPLICATION:

The purpose of this application is to permit the construction of a new two storey dwelling with an integral 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. Proposed balcony projecting from the front wall of the second floor has an area of 5.9m²
WHEREAS a maximum balcony area of 3.8m² is permitted;
2. Proposed front yard landscaping is 56.1%
WHEREAS a minimum front yard landscaping of 60% is required;
3. Proposed driveway width is 10.6m
WHEREAS a maximum driveway width of 6.0m is permitted; and
4. Proposed rear deck has a height of 1.37m and projects 2.9m beyond the rear wall
WHEREAS the maximum permitted projection beyond a rear wall for a deck exceeding 1.00m in height is 2.10m.

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):

North York Zoning By-law No. 7625

1. Proposed balcony projecting from the front wall of the second floor has an area of 5.9m²

WHEREAS a maximum balcony area of 3.8m² is permitted;

2. Proposed front yard landscaping is 56.1%
WHEREAS a minimum front yard landscaping of 60% is required;
4. Proposed rear deck has a height of 1.37m and projects 2.9m beyond the rear wall
WHEREAS the maximum permitted projection beyond a rear wall for a deck exceeding 1.00m in height is 2.10m.

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.

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

North York Zoning By-law No. 7625

3. Proposed driveway width is 10.6m
WHEREAS a maximum driveway width of 6.0m is permitted; and

For the following reasons:

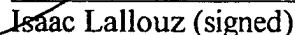
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.


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 satisfy the City of Toronto Municipal Code Chapter 813, Article III, with respect to privately owned trees, to the satisfaction of the Urban Forestry Division.
3. 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.

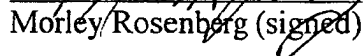
SIGNATURE PAGE

File Number:	A930/11NY	Zoning	R4 [Waiver]
Owner:	FATHOLLAH NIKBAKSH	Ward:	Willowdale (23)
Agent:	MEHDI HOSSEINI		
Property Address:	283 DUNFOREST AVE	Community:	North York
Legal Description:	PLAN 3691 E PT LOT 66		


Isaac Lallouz (signed)


Richard Ross (signed)


Astra Burka (signed)


Morley/Rosenberg (signed)

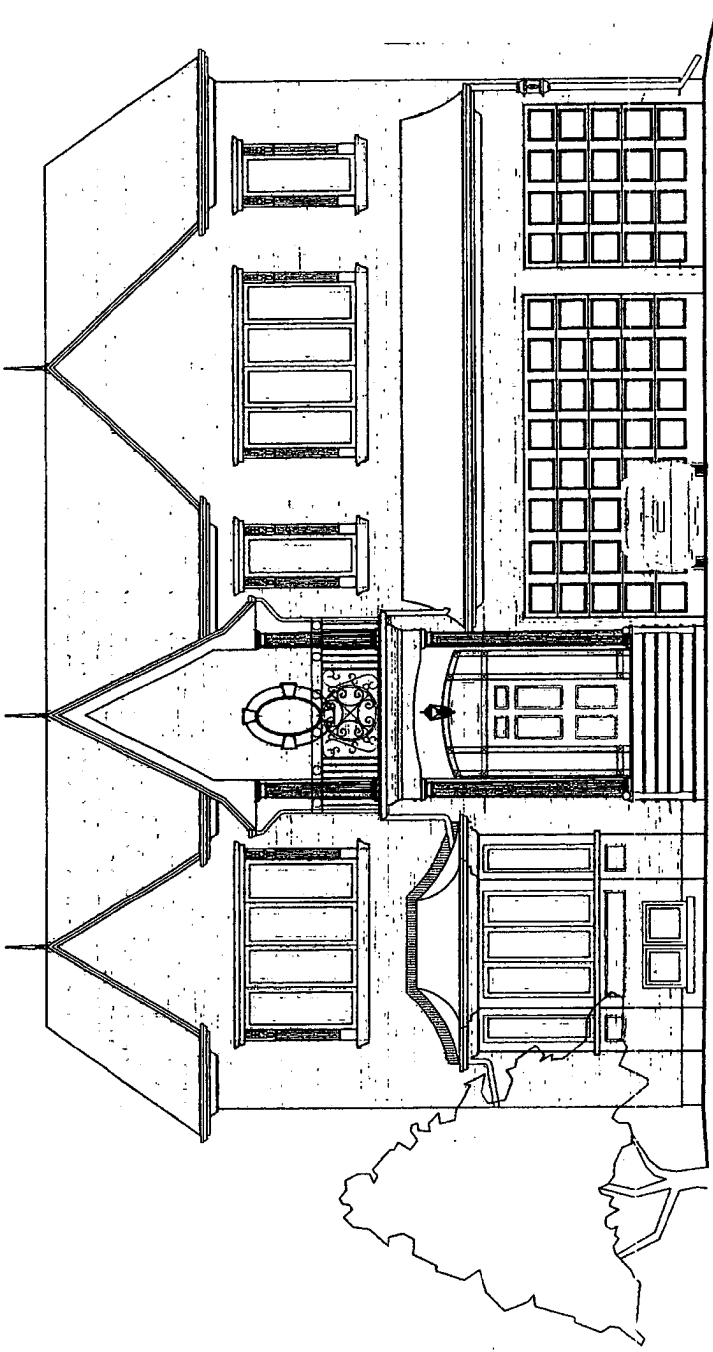
DATE DECISION MAILED ON: Thursday, April 19, 2012

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.



NIKBAKHAH RESIDENCE
 283 DUNFORD Avenue
 NORTH YORK, ON

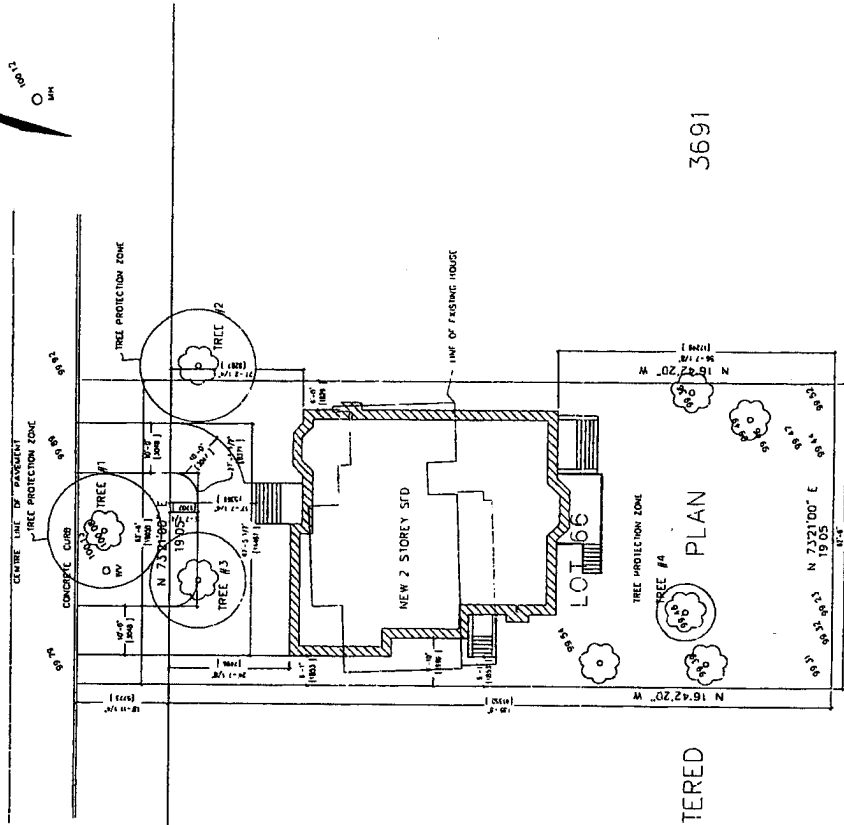
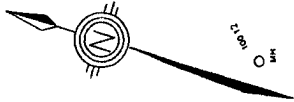
DRAWINGS INDEX	
A00	COVER PAGE
A01	SITE PLAN
A02	BASEMENT PLAN
A03	FIRST FLOOR PLAN
A04	SECOND FLOOR PLAN
A05	ROOF PLAN
A06	NORTHSOUTH ELEVATION
A07	EASTWEST ELEVATION
A08	BUILDING SECTIONS
A09	WALL SECTIONS
A10	DETAILS

Contact Info

Mehdi Hosseini
 P.O. BOX 69587,
 5845 YONGE ST,
 WILLOWDALE, ON
 M2M 4K3
 TEL: (416)-720-6673
 FAX: (416)-792-0272

PART OF LOT 66
 REGISTERED PLAN 3691
 CITY OF TORONTO
 (FORMERLY CITY OF NORTH YORK)
 SCALE 1:250

DUNFONEST AVENUE
 BY REGISTERED PLAN 3691
 PIN 10069-0.000 (1.7)



3691

REGISTERED

NOTE:
 FOR MORE INFO RE TO SURVEY

NOTE:
 ALL THE SITE MEASUREMENTS
 ARE BASED ON A COPY OF
 THE SURVEY DRAWING
 DONE BY MITSCHE & KZT INC. OLS
 SURVEYING COMPANY IN 2011

Existing
 LOT AREA
 6479sqf = 787.7sqm
 1500sqf = 144.8sqm

LEGAL SITE DESIGNATION
 PLAN OF SURVEY OF
 LOT 66
 REGISTERED PLAN NO. 3691
 CITY OF TORONTO
 FORMERLY CITY OF NORTH YORK

Proposed New House
 Lot Area
 8479sqf = 787.7sqm
 G.F.A.
 First Floor
 1963sqf = 181.4sqm
 Second floor
 2423sqf = 225.5sqm
 Total G.F.A.
 4376sqf = 406.9sqm
 Basement
 1770sqf = 164.3sqm
 Lot Coverage
 30% = 2543.7sqf/236.2sqm
 Lot Covered
 2513sqf/230.8sqm

Front Yard Landscape Calculation
 FRONT YARD AREA
 1416sqf = 108.7sqm
 DRIVE WAY AREA
 796sqf = 66.0sqm
 LANDSCAPING REQ
 1089sqf = 101.7sqm
 (86% OF FRONT YARD AREA)
 LANDSCAPING PROPOSED
 1020sqf = 94.7sqm
 (% 55.1)
 FRONT YARD - DRIVE WAY
 765sqf = 71.7sqm
 SOFT LANDSCAPE REQ
 (75% OF FRONT YARD - DRIVE WAY)
 SOFT LANDSCAPING PROPOSED
 641.6sqf = 64.3sqm