



City Planning Division
Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner & Executive Director

Committee of Adjustment
Toronto and East York District

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

File Number:	A0437/12TEY	Zoning	R1 Z0.6 (ZZC)
Owner:	S MAKOW HOLDINGS LIMITED	Ward:	St. Paul's (22)
Agent:	JAMES PFEFFER		
Property Address:	0 POPLAR PLAINS RD (204 BALMORAL AVE) (PART 2)	Community:	
Legal Description:	PLAN 810Y PT LOTS 35 AND 36 RP 64R16396 PART 1		

Notice was given and a Public Hearing was held on **Wednesday, November 14, 2012**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the north portion of the existing dwelling and to construct a one-storey addition at the basement level, including a garage, along the south side of the existing dwelling. A partial second level will be constructed over the new one-storey addition.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Section 6.(3), Part I.1, By-law 438-86**
The maximum permitted gross floor area is 0.6 times the area of the lot (278.64 m²).
The altered dwelling will have a gross floor area equal to 0.96 times the area of the lot (444.85 m²).
- Section 6.(3), Part II.3B(H), By-law 438-86**
The minimum required side yard setback is 0.9 m.
The altered dwelling will be located 0 m from the south side lot line.
- Section 6.(3), Part II.3B(II), By-law 438-86**
The minimum required side yard setback is 7.5 m, for the portion of the dwelling exceeding a depth of 17 m.
The existing roof overhang over the existing covered porch is 4.49 m beyond the 17 m depth.
The 2.5 m portion of the proposed addition beyond a depth of 17 m will be located 3.2 m from the south side lot line and 5.78 m from the north side lot line.
- Section 6.(3), Part IV.3(II), By-law 438-86**
An integral garage in a building where the floor level of the garage is located below grade and the vehicle access to the garage is located in a wall facing the front lot line is not permitted.
An integral below grade garage is proposed.

5. Section 4(17)(a)&(e), By-law 438-86

The minimum required width of a parking space is 3.2 m.

The parking space within the garage will have a width of 3 m.

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)

Christian Chan (signed)

Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, November 20, 2012**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, December 4, 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.