TORONTO

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

Committee of Adjustment
Toronto and East York District

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Toronto, Ontario M5H 2N2
Tel: 416-392-7565
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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0912/12TEY	Zoning	R2 Z0.6 (PPR)
Owners:	NUNO VEIGA JOANNE GIANNONE	Ward:	Trinity-Spadina (19)
Agent:	GIANCARLO DIGIAMBATTISTA		
Property Address:	**43 SHANNON ST**	Community:	Toronto
Legal Description:	PLAN 746 PT LOT K PT LOT L		

Notice was given and a Public Hearing was held on **Wednesday, February 20, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and to maintain the rear second storey addition, rear deck, rear staircase, front basement entrance, rear basement entrance, and two dwelling units constructed to the two-storey row house without permits.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

1. **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 (90.63 m²).
   The dwelling has a gross floor area equal to 0.78 times the area of the lot (118.42 m²).

2. **Section 6(3) Part II 3.(i), By-law 438-86**
   The minimum required setback from the side wall of an adjacent building that does not contain openings is 0.9 m.
   The second storey addition is located 0.05 m from the side wall of the adjacent building to the east (41 Shannon Street).

3. **Section 6(3) Part II 3.F., By-law 438-86**
   The minimum required side yard setback is 0.45 m where the side walls contain no openings.
   The second storey addition is located 0.05 m from the east side lot line.

4. **Section 6(3) Part II 3.F., By-law 438-86**
   The minimum required side yard setback is 0.45 m where the side walls contain no openings.
   The rear stair addition is located 0.28 m from the west side lot line.

5. **Section 6(3) Part II 5.(I), By-law 438-86**
   The maximum permitted depth for a row house is 14.0 m.
   The dwelling has a depth of 21.82 m, measured to the rear stair addition.

SIGNATURE PAGE

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DISSENTED

Barbara Leonhardt

DISSENTED

Donna McCormick

Mary Pitsitikas

Christian Chan

Robert Brown

DATE DECISION MAILED ON: **Tuesday, February 26, 2013**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 12, 2013**

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.

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.