

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

File Number:	A0020/13TEY	Zoning:	R3 Z1.0 (Waiver)
Owner:	JAMES ALBERTO OH	Ward:	Trinity-Spadina (19)
Agent:	JOSEPH MAZZITELLI		
Property Address:	146 STRACHAN AVE (PART 1)	Community:	Toronto
Legal Description:	ORD RES PT LOT 21		

Notice was given and a Public Hearing was held on **Wednesday, June 5, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing one-storey row house by constructing a complete second storey addition, a complete third storey addition, two front porches, a front basement walkout, front bay windows, and a rear deck. Also, to convert the dwelling into two units.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Section 6(2) 1.(iii), By-law 438-86**
The maximum permitted gross floor area of an addition to a converted house is 0.15 times the area of the lot (22.72 m²).
The second and third storey additions will have a gross floor area equal to 0.79 times the area of the lot (120 m²).
- Section 6(2) 1.(v), By-law 438-86**
An addition to a converted house is permitted provided there is no substantial change in the appearance of the dwelling as the result of the conversion.
The second storey addition, third storey addition, and front entrances are considered a substantial change in the appearance of the dwelling.
- Section 6(2) 1.(vi), By-law 438-86**
A converted house is permitted to contain two dwelling units provided the gross floor area of the dwelling unit to be created, including any floor area below grade, is less than the gross floor area of the remaining dwelling unit.
The dwelling unit to be created will have a gross floor area that exceeds the gross floor of the remaining dwelling unit by 26.0 m².
- Section 6(3) Part I 1., By-law 438-86**
The maximum permitted gross floor area is 1.0 times the area of the lot (151.50 m²).
The altered dwelling will have a gross floor area equal to 1.80 times the area of the lot (273.33 m²).

5. **Section 6(3) Part II 2.(ii), By-law 438-86**
The minimum required front yard setback is 0.21 m.
The altered dwelling will be located 0 m from the east front lot line, measured to the new bay windows.
6. **Section 6(3) Part II 3.(i), By-law 438-86**
The minimum required setback from the portion of the side wall of an adjacent building that does not contain openings is 0.9 m.
The second and third storey additions will be constructed in line with the walls of the existing building and will be located 0 m from the side wall of the adjacent building to the south (144 Strachan Avenue).
7. **Section 6(3) Part II 3.(ii), By-law 438-86**
The minimum required setback from the portion of the side wall of an adjacent building that contains openings is 1.2 m.
The second and third storey additions will be constructed in line with the walls of the existing building and will be located 1.04 m from the portion of side wall of the adjacent building to the north that contains openings (148 Strachan Avenue).
8. **Section 6(3) Part II 3.F.(I) 1) a), By-law 438-86**
The minimum required side yard setback is 0.45 m, where the side walls contain no openings.
The second and third storey additions will be constructed in line with the walls of the existing building and will be located 0 m from the south side lot line and 0 m from the north side lot line.
9. **Section 6(3) Part II 4., By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The dwelling will be located 5.75 m from the new rear west lot line.
10. **Section 6(3) Part II 5.(I), By-law 438-86**
The maximum permitted building depth is 14.0 m.
The altered dwelling will have a building depth of 15.09 m.
11. **Section 6(3) Part III 1.(a), By-law 438-86**
The minimum required landscaped open space is 30% of the lot area (45.45 m²).
The proposed landscaped open space will equal 28.3% of the lot area (42.90 m²).
12. **Section 6(3) Part III 3.(b), By-law 438-86**
A minimum of 30% of the required front yard landscaped open space shall be in the form of soft landscaping (0.46 m²).
A total 0% of the required front yard landscaped open space will be in the form of soft landscaping (0 m²).
13. **Section 4(4)(b), By-law 438-86**
A minimum of one parking space shall be provided on the lot.
No parking will be provided on the lot.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Refused

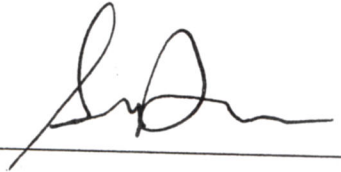
It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

- 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.

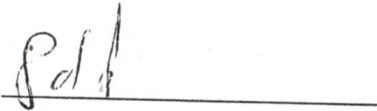
SIGNATURE PAGE

File Number: A0020/13TEY
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Agent: JOSEPH MAZZITELLI
Property Address: 146 STRACHAN AVE
(PART 1)
Legal Description: ORD RES PT LOT 21

Zoning: R3 Z1.0 (Waiver)
Ward: Trinity-Spadina (19)
Community: Toronto



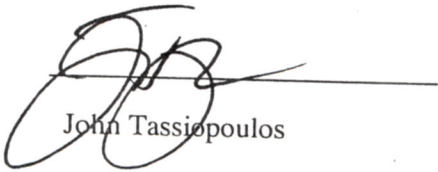
Gillian Burton



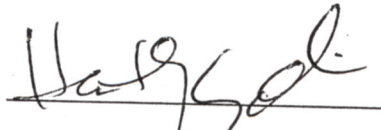
David Pond



Yim Chan



John Tassiopoulos



Heather Gardiner

DATE DECISION MAILED ON: **Tuesday, June 11, 2013**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, June 25, 2013**

CERTIFIED TRUE COPY



Jennifer Stark
Acting 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.



City Planning Division
Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and 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:	A0021/13TEY	Zoning:	R3 Z1.0 (Waiver)
Owner:	JAMES ALBERTO OH	Ward:	Trinity-Spadina (19)
Agent:	JOSEPH MAZZITELLI		
Property Address:	146 STRACHAN AVE (PART 2)	Community:	Toronto
Legal Description:	ORD RES PT LOT 21		

Notice was given and a Public Hearing was held on **Wednesday, June 5, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral single car garage. Note: The new dwelling will front on to Massey Street.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Section 6(3) Part I 1., By-law 438-86**
The maximum permitted gross floor area is 1.0 times the area of the lot (152.13 m²).
The new three-storey dwelling will have a gross floor area equal to 1.42 times the area of the lot (216.08 m²).
- Section 6(3) Part II 3.(i), By-law 438-86**
The minimum required setback from the portion of the side wall of an adjacent building that does not contain openings is 0.9 m.
The new dwelling will be located 0.45 m from the side wall of the adjacent building to the south (77 Massey Street).
- Section 6(3) Part II 3.(ii), By-law 438-86**
The minimum required setback from the portion of the side wall of an adjacent building that contains openings is 1.2 m.
The new dwelling will be located 1.1 m from the portion of the side wall that contains openings on the adjacent building to the north (81 Massey Street).
- Section 6(3) Part II 4., By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The new dwelling will be located 6.82 m from the new rear west lot line.
- Section 6(3) Part IV 3.(i), By-law 438-86**
An integral garage is not permitted in a building on a lot having a frontage less than 7.62 m if vehicle access to the garage is located in a wall facing the front lot line.
The lot frontage is 7.32 m and the new dwelling will have an integral garage with vehicle access located in a wall facing the front lot line.

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 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

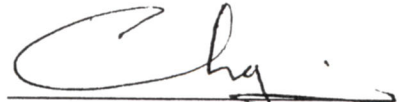
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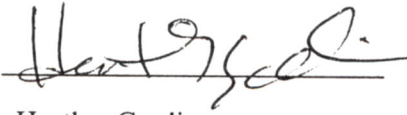
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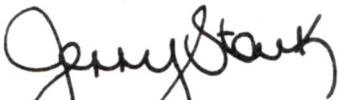


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