

CITY COUNCILLOR, WARD 24, CITY OF  
TORONTO  
DAVID SHINER  
or OCCUPANT  
CITY HALL  
100 QUEEN ST SUITE W SUITE B39

Wednesday, November 20, 2013

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

File Number:	A533/13NY	Zoning:	R4 [ZZC]
Owner(s):	DONALD YEON-TAE KIM	Ward:	Willowdale (24)
Agent:	CADAXX DESIGN		
Property Address:	<b>93 CUMMER AVE</b>	Community:	North York
Legal Description:	PLAN 5345 L 324		

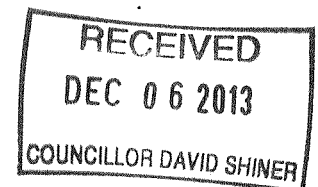
Notice was given and a Public Hearing was held on Wednesday, November 20, 2013, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a second storey addition as well as a two-storey addition to the front of the existing one storey dwelling. Please be advised that this application was previously before the Committee of Adjustment on Wednesday, August 28, 2013. It was the decision of the Committee Members to defer the application SINE DIE, in order to allow the applicant an opportunity to meet with the residents in consultation with the Ward Councillor.

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

- Section 13.2.3(b), By-law No. 7625**  
Existing and proposed east side yard setback of 1.22m  
WHEREAS the minimum required east side yard setback is 1.8m;
- Section 13.2.3(b), By-law No. 7625**  
Existing and proposed west side yard setback of 1.21m  
WHEREAS the minimum required west side yard setback is 1.8m;
- Section 13.2.5A, By-law No. 7625**  
Proposed building length of 17.78m  
WHEREAS the maximum permitted building length is 16.8m;
- Section 13.2.6m By-law No. 7625**  
Proposed building height of 9.10m  
WHEREAS the maximum permitted building height is 8.8m; and
- Section 13.2.6A(a), By-law No. 7625**  
Proposed rear balcony area of 17.1m<sup>2</sup>  
WHEREAS the maximum permitted balcony area is 3.8m<sup>2</sup>.



**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 authorize this variance application 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.

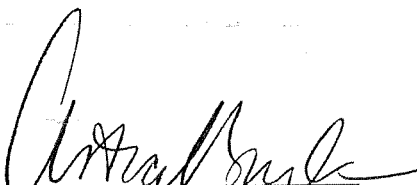
This decision is subject to the following condition(s):

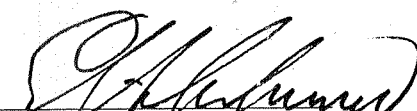
1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article III, with respect to privately owned trees, to 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**

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Arthur Forer (signed)

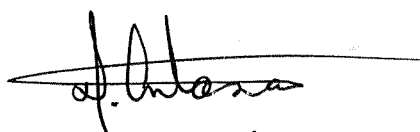
  
Astra Burka (signed)

  
Edwin (Ted) Shepherd  
(signed)

DATE DECISION MAILED ON: Thursday, November 28, 2013

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, December 10, 2013

CERTIFIED TRUE COPY



Dan Antonacci  
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).