

CITY OF TORONTO
COUNCILLOR JOHN FILION
or OCCUPANT
NORTH YORK CIVIC CENTRE -
COUNCILLOR
5100 YONGE ST

Wednesday, November 20, 2013

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

File Number:	A706/13NY	Zoning	R4 / RD (f15.0; a550) (x5)[ZZC]
Owner(s):	ECO FRIENDLY CONSTRUCTION INC.	Ward:	Willowdale (23)
Agent:	INTEGRAL DESIGN ASSOCIATES		
Property Address:	148 MCKEE AVE	Community:	North York
Legal Description:	PLAN 2633 LOT 31		

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 new three-storey dwelling with an integral garage on vacant land.

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

- Section 13.2.1, By-law No. 7625 and Section 6(8), By-law No. 7625**
Existing lot frontage and width of 7.62m
WHEREAS the minimum required lot frontage and width is 15m;
- Section 13.2.2, By-law No. 7625**
Existing lot area is 295.62m²
WHEREAS the minimum required lot area is 550m²;
- Section 13.2.3(b), By-law No. 7625 and Section 1.20.3(3), By-law No. 569-2013**
Proposed east side yard setback of 0.61m
WHEREAS the minimum required east side yard setback is 1.8m;
- Section 13.2.3(b), By-law No. 7625 and Section 1.20.3(3), By-law No. 569-2013**
Proposed west side yard setback of 1.22m
WHEREAS the minimum required west side yard setback is 1.8m;
- Section 13.2.3(b), By-law No. 7625 and Section 10.20.30.40.(1), By-law No. 569-2013**
Proposed lot coverage of 31.74% of the lot area
WHEREAS the maximum permitted lot coverage is 30% of the lot area;

6. **Section 13.2.6, By-law No. 7625**
Proposed building height of 9.1m
WHEREAS the maximum permitted building height is 8.8m;
7. **Section 10.20.40.10.(2), By-law No. 569-2013**
Proposed height of the side exterior main walls facing a side lot line of 7.98m
WHEREAS the maximum permitted height of all side exterior main walls facing a side lot line is 7.5m;
8. **Section 10.20.40.10.(3), By-law No. 569-2013**
Proposed number of storeys is 3
WHEREAS the maximum permitted number of storeys is 2; and
9. **Section 10.5.40.70(1)(B), By-law No. 569-2013**
Proposed front yard setback of 5.5m
WHEREAS the minimum required front yard setback is 7.62m.

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):

1. **Section 13.2.1, By-law No. 7625 and Section 6(8), By-law No. 7625**
Existing lot frontage and width of 7.62m
WHEREAS the minimum required lot frontage and width is 15m;
2. **Section 13.2.2, By-law No. 7625**
Existing lot area is 295.62m²
WHEREAS the minimum required lot area is 550m²;

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):

3. **Section 13.2.3(b), By-law No. 7625 and Section 1.20.3(3), By-law No. 569-2013**
Proposed east side yard setback of 0.61m
WHEREAS the minimum required east side yard setback is 1.8m;
4. **Section 13.2.3(b), By-law No. 7625 and Section 1.20.3(3), By-law No. 569-2013**
Proposed west side yard setback of 1.22m
WHEREAS the minimum required west side yard setback is 1.8m;
5. **Section 13.2.3(b), By-law No. 7625 and Section 10.20.30.40.(1), By-law No. 569-2013**
Proposed lot coverage of 31.74% of the lot area
WHEREAS the maximum permitted lot coverage is 30% of the lot area;

6. **Section 13.2.6, By-law No. 7625**
Proposed building height of 9.1m
WHEREAS the maximum permitted building height is 8.8m;
7. **Section 10.20.40.10.(2), By-law No. 569-2013**
Proposed height of the side exterior main walls facing a side lot line of 7.98m
WHEREAS the maximum permitted height of all side exterior main walls facing a side lot line is 7.5m;
8. **Section 10.20.40.10.(3), By-law No. 569-2013**
Proposed number of storeys is 3
WHEREAS the maximum permitted number of storeys is 2; and
9. **Section 10.5.40.70(1)(B), By-law No. 569-2013**
Proposed front yard setback of 5.5m
WHEREAS the minimum required front yard setback is 7.62m.

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

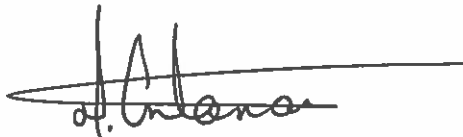
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Arthur Forer (signed)
Nicholas Sion (signed)
Edwin (Ted) Shepherd
(signed)
Isaac Lallouz (signed)

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.