

FILE COPY

Wednesday, August 28, 2013

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

File Number:	A515/13NY	Zoning:	R1 Z0.35
Owner(s):	LESLEY ALLEYNE THOURET FREDERICK GRAHAM THOURET	Ward:	Don Valley West (25)
Agent:	RICHARD WENGLER ARCHITECT INC		
Property Address:	175 STIBBARD AVE	Community:	Toronto
Legal Description:	PLAN 691 BLK C PT LOT 26		

Notice was given and a Public Hearing was held on Wednesday, August 28, 2013, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling with an integral, at-grade, single car garage. The existing dwelling would be demolished.

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

- Section 6(3) Part I, 1, By-law No. 438-86**
Proposed G.F.A. (Gross Floor Area) of 0.65 times the lot area
WHEREAS a maximum G.F.A. of 0.35 times the lot area is permitted;
- Section 6(3) Part II, 3.B(II), By-law No. 438-86**
Proposed west side yard setback of 1.51m for the 2.13m portion of the dwelling exceeding 17.00m in depth
WHEREAS a minimum west side yard setback of 7.50m is required for portion of the dwelling exceeding 17.00m in depth;
- Section 6(3) Part II, 3.B(II), By-law No. 438-86**
Proposed east side yard setback of 4.62m for the 2.13m portion of the dwelling exceeding 17.00m in depth
WHEREAS a minimum east side yard setback of 7.50m is required for portion of the dwelling exceeding 17.00m in depth;
- Section 6(3) Part II, 3.B(II), By-law No. 438-86**
Proposed west side yard setback of 5.12m for the 3.94m portion of the dwelling (rear deck and stairs) exceeding 17.00m in depth
WHEREAS a minimum west side yard setback of 7.50m is required for portion of the dwelling exceeding 17.00m in depth;

5. **Section 6(3) Part II, 3.B(II), By-law No. 438-86**
Proposed east side yard setback of 0.92m for the 3.94m portion of the dwelling (rear deck and stairs) exceeding 17.00m in depth
WHEREAS a minimum east side yard setback of 7.50m is required for portion of the dwelling exceeding 17.00m in depth; and
6. **Section 4(2)(a), By-law No. 438-86**
Proposed building height of **9.90m**
WHEREAS a maximum building height of 9.00m is permitted.

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: A515/13NY Zoning R1 Z0.35
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FREDERICK GRAHAM
THOURET
Agent: RICHARD WENGLER
ARCHITECT INC
Property Address: 175 STIBBARD AVE Community: Toronto
Legal Description: PLAN 691 BLK C PT LOT 26

Astra Burka (signed)

Richard Ross (signed)

~~_____~~
~~Isaac Lallouz (signed)~~

~~_____~~
~~Morley Rosenberg (signed)~~

DATE DECISION MAILED ON: Thursday, September 5, 2013

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, September 17, 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.