



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
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:	A0617/13TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owners:	NICHOLAS WHISTLER KAREN CLARKE-WHISTLER	Ward:	Trinity-Spadina (20)
Agent:	GABRIELE GUIDUCCI		
Property Address:	59 BARTON AVE	Community:	Toronto
Legal Description:	PLAN 219Y PT LOT 109 NOW RP 64R16062 PART 2		

Notice was given and a Public Hearing was held on **Wednesday, September 25, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a second storey addition over the existing one-storey semi-detached dwelling.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Chapter 10.10.40.40.(1), By-law 569-2013**
The permitted maximum floor space index is 0.6 times the area of the lot (68.44 m²).
The altered dwelling will have a floor space index equal to 1.71 times the area of the lot (195.2 m²).
- Chapter 10.10.40.70.(1), By-law 569-2013**
The required minimum front yard setback is 6.0 m.
The altered dwelling will be setback 0.13 m from the north front lot line.
- Chapter 10.10.40.70.(2), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The altered dwelling will be located 0.0 m from the rear south lot line.
- Chapter 10.10.40.70.(4), By-law 569-2013**
The required minimum side yard setback is 0.45 m.
The altered dwelling will be located 0.0 m from the east side lot line.
- 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 (68.44 m²).
The altered dwelling will have a residential gross floor area equal to 1.71 times the area of the lot (195.2 m²).
- Section 6(3) Part II 2(III), By-law 438-86**
The minimum required front lot line setback is 6.0 m.
The altered dwelling will be setback 0.13 m from the north front lot line.

3. **Section 6(3) Part II 4, By-law 438-86**
The minimum required rear yard setback is 7.5 m.
The altered dwelling will be located 0.0 m from the rear south lot line.
4. **Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback for a detached house in an R2 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings.
The altered dwelling will be located 0.0 m from the east side lot line.

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

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Ward: Trinity-Spadina (20)
Community: Toronto

Barbara Leonhardt

Christian Chan

Robert Brown

DATE DECISION MAILED ON: Tuesday, October 1, 2013

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, October 15, 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.