

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

File Number:	A0756/13TEY	Zoning	R(f9.0,u2;d0.6)(x956)(HT 9m) & R1S Z0.6 (ZZC)
Owner:	FARDIN POURDEILAMI	Ward:	St. Paul's (22)
Agent:	GLENN RUBINOFF		
Property Address:	26 FAIRFIELD RD	Community:	Toronto
Legal Description:	PLAN 1071 LOT 156		

Notice was given and a Public Hearing was held on **Wednesday, November 6, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral below-grade garage.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- 1. Chapter 10.10.40.40.(1), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (155.3 m²).
The new two-storey detached dwelling will have a floor space index of **0.74** times the area of the lot (**191.63 m²**).
- 2. Chapter 10.10.40.10.(1), By-law 569-2013**
The maximum permitted height is 9.0 m.
The new two-storey detached dwelling will have a height of **9.5 m**.
- 3. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of the front exterior main wall is 7.0 m.
The front exterior main wall of the new two-storey detached dwelling will have a height of 9.6 m.
- 4. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of the rear exterior main wall is 7.0 m.
The rear exterior main wall of the new two-storey detached dwelling will have a height of 8.69 m.
- 5. Chapter 10.10.40.10.(2), By-law 569-2013**
The maximum permitted height of the side exterior main wall facing a side lot line is 7.0 m.
The east and west side exterior main walls of the new two-storey detached dwelling will have a height of 7.96 m.
- 6. Chapter 10.10.40.10.(6), By-law 569-2013**
The maximum permitted height of the first floor above established grade is 1.2 m.
The first floor of the new two-storey detached dwelling will be located 2.59 m above established grade.

7. **Chapter 10.5.50.10.(1), By-law 569-2013**
A lot with frontage greater than 6.0 m must have a minimum of 50% (29.5 m²) of the front yard maintained as landscaping.
A total of **38% (22.42 m²)** of the front yard will be maintained as landscaping.
8. **Chapter 10.5.50.10.(1), By-law 569-2013**
A minimum of 75% (22.15 m²) of the front yard landscaping must be maintained as soft landscaping.
A total of **50% (15.29 m²)** of the front yard landscaping will be maintained as soft landscaping.
1. **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 (155.3 m²).
The new two-storey detached dwelling will have a gross floor area of **0.74** times the area of the lot (**191.63 m²**).
2. **Section 6(3) Part II 3.B (II), By-law 438-86**
The minimum required side lot line setback for the portion of the dwelling not exceeding a depth of 17 m is 0.9 m.
The new two-storey detached dwelling will be located 0.46 m from the east side lot line.
3. **Section 6(3) Part II 8 D(I), By-law 438-86**
The maximum permitted height of an uncovered platform which projects into the required setbacks is 1.2 m above grade.
The new deck will have a height of 2.4 m above grade.
4. **Section 4(2)(a), By-law 438-86**
The maximum permitted height is 9 m.
The new two-storey detached dwelling will have a height of **9.9 m** measured to the midpoint of the sloped roof.
5. **Section 6(3) Part IV 3 (II), By-law 438-86**
An integral garage is not permitted in a building where the floor level of the garage is located below grade.
The new two-storey detached dwelling will have an integral garage located 0.5 m below grade.
6. **Section 6(3) Part III 3(A), By-law 438-86**
A minimum of 50% (29.5 m²) of the front yard area located between the front lot line and the main front wall of the dwelling shall be maintained as open space.
A total of **38% (22.428 m²)** of the front yard area will be maintained as open space.
7. **Section 6(3) Part III 3(d)(i)D, By-law 438-86**
A minimum of 75% (23.76 m²) of the front yard area located between the front lot line and the main front wall shall be maintained as soft landscaping.
A total of **50% (15.29 m²)** of the front yard area will be maintained as soft landscaping.

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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Gillian Burton (signed)

David Pond (signed)

Yim Chan (signed)

John Tassiopoulos (signed)

DATE DECISION MAILED ON: **Tuesday, November 12, 2013**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, November 26, 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.