

Wednesday, March 5, 2014

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

File Number:	A009/14NY	Zoning	RD (f15.0; a550) (x5) / R4 [WAIVER]
Owner(s):	IGOR MARTSENYUK	Ward:	Willowdale (24)
Agent:	HANNA DE LARZAC		
Property Address:	<b>384 RUTH AVE PART B</b>	Community:	North York
Legal Description:	PLAN 1962 PT LOT 24		

Notice was given and a Public Hearing was held on Wednesday, March 5, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey detached dwelling with an integral two car garage. The existing dwelling would be demolished.

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

- Section 10.20.30.20 (1), By-law No. 569-2013**  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 12.75m.
- Section 10.20.40.50 (1), By-law No. 569-2013**  
The maximum permitted area of each platform at or above the second storey of the detached dwelling is 4.0m<sup>2</sup>.  
The proposed area of the platform at the second storey is 8.35m<sup>2</sup>.
- Section 900.3.10, By-law No. 569-2013**  
The minimum required east side yard setback is 1.8m.  
The proposed east side yard setback is 0.94m.
- Section 900.3.10, By-law No. 569-2013**  
The minimum required west side yard setback is 1.8m.  
The proposed west side yard setback is 1.55m.
- Section 10.5.40.70 (1), By-law No. 569-2013**  
The minimum required front yard setback is 12.467m.  
The proposed front yard setback is 7.9m.
- Section 13.2.1, By-law No. 7625**

The minimum required lot frontage is 15m.  
The proposed lot frontage is 12.75m.

**7. Section 6(8), By-law No. 7625**

The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed, in this case 15m.  
The proposed lot width is 12.75m.

**8. Section 13.2.3(b), By-law No. 7625**

The minimum required east side yard setback is 1.8m.  
The proposed east side yard setback is 0.94m.

**9. Section 13.2.3(b), By-law No. 7625**

The minimum required west side yard setback is 1.8m.  
The proposed west side yard setback is 1.55m.

**10. Section 13.2.6A, By-law No. 7625**

The maximum permitted area of each platform at or above the second storey of the detached dwelling is 4.0m<sup>2</sup>.  
The proposed area of the platform area of the platform at the second storey is 8.35m<sup>2</sup>.

**11. Section 13.2.5A, By-law No. 7625**

The maximum permitted building length is 16.8m. The maximum permitted total building length, including a one-storey rear extension of 2.1m, is 18.9m.  
The proposed building length is 17m. The total building length, including the proposed one-storey rear extension of 1.98m, is 18.89m.

**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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Astra Burka (signed)

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Isaac Lallouz (signed)

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Nicholas Sion (signed)

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Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, March 13, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, March 25, 2014

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).