



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
Fax: 416-392-0580

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

File Number:	A0700/13TEY	Zoning	RD (f12.0;d0.35) (x1389) HT 10.0 & R1 Z0.35(PPR)
Owner:	ARCANGELA HOMEM	Ward:	St. Paul's (21)
Agent:	JOE HOMEM		
Property Address:	41 TURNER RD	Community:	Toronto
Legal Description:	PLAN D1366 LOT 90		

Notice was given and a Public Hearing was held on **Wednesday, October 23, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a three-storey detached dwelling with an integral two car garage.

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

- 1. Chapter 10.1.40.40.(1), By-law 569-2013**
The permitted maximum floor space index is 0.35 times the area of the lot (204.61 m²).
The new three-storey detached dwelling will have a floor space index equal to 0.5951 times the area of the lot (347.88 m²).
- 2. Chapter 10.10.40.70.(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The new three-storey detached dwelling will be located 0.9 m from the north side lot line.
- 3. Chapter 10.10.40.70.(1), By-law 569-2013**
The minimum front yard setback is 7.67 m.
The new three-storey detached dwelling will be located 6.19 m from the front lot line.
- 1. Section 6 (3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.35 times the area of the lot (204.61 m²).
The new three-storey detached dwelling will be located will have a residential gross floor area equal to 0.59 times the area of the lot (347.88 m²).
- 2. Section 6(3) Part II 2(II), By-law 38-86**
A building located on an inside lot is required to have a minimum front lot line setback of 7.69 m.
In this case the new dwelling has a front lot line setback of 6.19 m

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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Barbara Leonhardt (signed)

Donna McCormick (signed)

Mary Pitsitikas (signed)

Christian Chan (signed)

Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, October 29, 2013**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, November 12, 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.