

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0222/14TEY	Zoning	RD (d0.6)(x1322); R1Z0.6 (ZZC)
Owner(s):	VIKIE KARACHALIOS	Ward:	Beaches-East York (32)
Agent:	TREVOR GAIN		
Property Address:	190 NEVILLE PARK BLVD (PART 1)	Community:	Toronto
Legal Description:	PLAN 502E LOT 54		

Notice was given and a Public Hearing was held on **Wednesday, May 14, 2014**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey dwelling on the south 8.74 m of the property. A portion of the existing dwelling at 192 Neville Park Boulevard will be demolished. A severance is not required to create the lot in this case due to the lands being the whole of a lot on a registered plan of subdivision.

NOTE: The basement level is the closest floor level to established grade and as such is deemed to be the first floor under By-law 569-2013.

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

- Chapter 10.20.40.10(1)(A), By-law 569-2013**
The maximum permitted building height is 10 m.
The three-storey dwelling will have a height of 14.2 m
- Chapter 10.20.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all exterior main walls facing a side lot line is 7.5 m.
The height of the side exterior main walls facing a side lot line will be 14.2 m.
- Chapter 10.210.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (183.39 m²).
The three-storey dwelling will have a floor space index equal to 0.96 times the area of the lot (294.76 m²), which includes the basement level of the dwelling.
- Chapter 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of each platform at or above the second storey is 4 m².
The front porch will have an area of 9.29 m²
The rear balcony will have an area of 24.47 m².

5. Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013

Exterior stairs providing pedestrian access to a building or structure may encroach into a required setback if the stairs are no closer to a lot line than 0.6 m.

The front stairs will be 0 m from the front lot line.

6. Chapter 10.5.40.70.(1)(B), By-law 569-2013

The minimum required front yard setback is 6.24 m.

The three-storey dwelling will have a front yard setback of 3.5 m, measured to the edge of the front covered porch.

1. Section 4(2)(a), By-law 438-863

The maximum permitted building height is 10 m.

The three-storey dwelling will have a building height of 10.81 m.

2. 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 (183.99 m²).

The three-storey dwelling will have a gross floor area equal to 0.928 times the area of the lot (276.79 m²).

3. Section 6(3) Part II 2(II), By-law 438-86

A minimum front lot line setback of 6.24 m is required.

The three-storey dwelling will have a front lot line setback of 3.5 m, measured to the edge of the front covered porch.

4. Section 6(3) Part IV 3(II), By-law 438-86

An integral garage where the floor level of the garage is located below grade and the vehicle access to the garage is located in a wall facing the front lot line is not permitted.

The integral garage is below grade.

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, May 20, 2014**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, June 3, 2014**

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.