

## NOTICE OF DECISION

### MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0223/14TEY	Zoning	RD (d0.6)(x1322); R1Z0.6 (ZZC)
Owner(s):	VIKIE KARACHALIOS	Ward:	Beaches-East York (32)
Agent:	TREVOR GAIN		
Property Address:	<b>192 NEVILLE PARK BLVD (PARTS 2, 3 &amp; 4)</b>	Community:	Toronto
Legal Description:	PLAN 502E LOT 53 PT LOT 52		

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 partial third floor addition and a front and a rear two-storey addition to the existing 2½-storey dwelling. The southerly portion of the dwelling will be demolished to accommodate a new dwelling to the south. The Zoning Review for this proposal is based on a new dwelling due to more than 50% of the existing dwelling being 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 12.64 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 12.64 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 (201.79 m<sup>2</sup>).  
The three-storey dwelling will have a floor space index equal to 1.33 times the area of the lot (447.31 m<sup>2</sup>), 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 m<sup>2</sup>.  
The rear balcony will have an area of 32 m<sup>2</sup>.

5. **Chapter 1020.40.70.(3), By-law 569-2013**  
The minimum required side yard setback is 0.9 m.  
The three-storey dwelling will have a south side yard setback of 0.62 m.
6. **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.
7. **Chapter 10.5.40.70.(1)(B), By-law 569-2013**  
The minimum required front yard setback is 6.88 m.  
The new three-storey dwelling will have a front yard setback of 3.93 m.
8. **Chapter 200.5.10.1.(1), By-law 569-2013**  
A minimum of one parking space is required.  
In this case, no parking space will be provided.
1. **Section 4(2)(a), By-law 438-86**  
The maximum permitted building height is 10 m.  
The three-storey dwelling will have a building height of 11.42 m.
2. **Section 4(4)(b), By-law 438-86**  
One parking space is required.  
In this case, no parking space will be provided.
3. **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 (201.79 m<sup>2</sup>).  
The three-storey dwelling will have a gross floor area equal to 1.03 times the area of the lot (345.38 m<sup>2</sup>).
4. **Section 6(3) Part II 2(II), By-law 438-86**  
A minimum front lot line setback of 6.88 m is required.  
The three-storey dwelling will have a front lot line setback of 3.93 m.
5. **Section 6(3) Part II 3.B(II), By-law 438-86**  
A minimum side lot line setback of 0.9 m is required.  
The three-storey dwelling will have a south side lot line setback of 0.62 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

File Number:	A0223/14TEY	Zoning	RD (d0.6)(x1322); R1Z0.6 (ZZC)
Owner(s):	VIKIE KARACHALIOS	Ward:	Beaches-East York (32)
Agent:	TREVOR GAIN	Community:	Toronto
Property Address:	<b>192 NEVILLE PARK BLVD (PARTS 2, 3 &amp; 4)</b>		
Legal Description:	PLAN 502E LOT 53 PT LOT 52		

---

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](http://www.omb.gov.on.ca).