

FILE COPY

Wednesday, January 22, 2014

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

File Number:	A842/13NY	Zoning	R1B / RD (f12.0; a370; d0.6) [WAIVER]
Owner(s):	ARSALAN POORSINA	Ward:	Don Valley West (26)
Agent:	ARSALAN POORSINA		
Property Address:	73 DONEGALL DR	Community:	East York
Legal Description:	PLAN 2121 PT LOT 102 PT LOT 103		

Notice was given and a Public Hearing was held on Wednesday, January 22, 2014, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral, at grade garage. The existing dwelling would be demolished.

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

- Section 6.3.3 & 6.9, By-law No. 1916**
The maximum permitted floor space index is 0.6 times the lot area.
The proposed floor space index is 0.65 times the lot area.
- Section 6.3.3 & 6.9, By-law No. 1916**
The minimum required side yard setback is 0.9m.
The proposed south side yard setback is 0.75m.
- Section 6.3.3 & 6.9, By-law No. 1916**
The maximum permitted building length is 16.75m.
The proposed building length is **17.85m**, including the rear landing for stairs.
- Section 10.20.40.40, By-law No. 569-2013**
The maximum permitted floor space index is 0.6 times the lot area.
The proposed floor space index is 0.65 times the lot area.
- Section 10.20.40.10, By-law No. 569-2013**
The maximum permitted wall height is 7.0m.
The proposed wall height is 7.85m.
- Section 10.20.40.7c, By-law No. 569-2013**
The minimum required side yard setback is 1.2m.
The proposed south side yard setback is 0.75m.

7. **Section 10.20.40.7c, By-law No. 569-2013**
The minimum required side yard setback is 1.2m.
The proposed north side yard setback is 1.07m.
8. **Section 10.20.40.20, By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is **17.85m**, including the rear landing for stairs.

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)


Isaac Lallouz (signed)

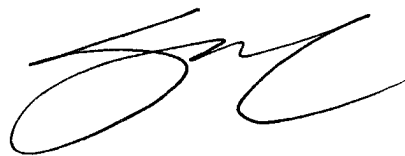

Nicholas Sion (signed)


Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, January 30, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, February 11, 2014

CERTIFIED TRUE COPY



for
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.