

Thursday, July 16, 2015

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

File Number:	A109/15EYK	Zoning	RD & R4
Owner(s):	ISABEL RODRIGUES EDUARDO SOARES	Ward:	York South-Weston (11)
Agent:	TONY EVANGELISTA		
Property Address:	84 PORTAGE AVE PART - 1	Community:	
	& 2		
Legal Description:	PLAN M458 PT LOT 32 RP66R12641 PART 2		

Notice was given and a Public Hearing was held on Thursday, July 16, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling and to maintain the existing detached garage.

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

1. **Section 10.20.30.20.(1)(A), By-law 569-2013 & Section 13.2.1, By-law 7625**
The minimum required lot frontage is 15 m.
The lot frontage will be 12.19 m.
2. **Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 13.2.2, By-law 7625**
The minimum required lot area is 550 m².
The lot area will be 464.6 m².
3. **Section 10.20.30.40.(1)(A), By-law 569-2013 & Section 13.2.4, By-law 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed dwelling will have a lot coverage of 42.7% of the lot area.
4. **Section 6(8), By-law 7625**
The minimum required lot width is 15 m.
The lot will have a width of 12.19 m.
5. **Section 900.3.10(5)(A), By-law 569-2013**
The minimum required side yard setback is 1.8 m.
Section 13.2.3A , By-law 7625
The minimum required side yard setback is 1.51 m.
Section 900.3.10(5)(A), By-law 569-2013 & Section 13.2.3A , By-law 7625
The proposed dwelling will be located 1.53 m from the south side lot line and 1.22 m from the north side lot line.
6. **Section 10.5.60.70.(1), By-law 569-2013 & Section 6(23)(a)(ii)(B), By-law 7625**
The maximum permitted lot coverage for an ancillary building (detached garage) is 10% of the lot area.
The existing detached garage has a lot coverage of 12% of the lot area.

7. **Section 6(23)(a)(iii)(A), By-law 7625**
No accessory building shall be erected prior to the erection of the main building.
The existing detached garage was erected prior to the main dwelling.
8. **Section 10.5.100.1.(2)(B), By-law 569-2013 & Section 6A(5)a, By-law 7625**
The maximum permitted driveway width is 6 m.
The driveway has a width of 8.92 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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Dominic Gulli (signed)

Fred Dominelli (signed)

Mary-Anne Popescu (signed)

DATE DECISION MAILED ON: Friday, July 24, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, August 5, 2015

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.