

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:

A0735/14TEY

Zoning

R(d1.0)(x848) & R3 Z1.0 (ZZC)

Owner(s):

ANDREW SASKIN

Ward:

Trinity-Spadina (20)

Agent:

**EVAN SASKIN** TAE RYUCK

Property Address:

**188 LIPPINCOTT ST** 

Community:

Toronto

PLAN 93 PT LOT 288 Legal Description:

Notice was given and a Public Hearing was held on Thursday, October 9, 2014, as required by the Planning Act.

### PURPOSE OF THE APPLICATION:

To construct a new three-storey residential building containing three dwelling units.

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

#### Chapter 10.10.40.30.(1)(B), By-law 569-2013 1.

The maximum permitted building depth is 14.0 m.

The new dwelling will have a depth of 20 m.

#### 2. . Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 1.0 times the area of the lot (376.5 m<sup>2</sup>).

The new three-storey dwelling will have a floor space index equal to 1.18 times the area of the lot (444.5 m²).

#### Chapter 10.5.50.10.(3)(A), By-law 569-2013 3.

A minimum of 50% of the rear yard shall be maintained as soft landscaping (80.86 m<sup>2</sup>).

In this case, 49.47% of the rear yard shall be maintained as soft landscaping (80.0 m<sup>2</sup>).

#### Chapter 10.10.40.70.(4)(F), By-law 569-2013 4.

The minimum required side yard setback is 0.45 m, where the side wall contains no openings.

The new three-storey dwelling will be located 0 m from the north side lot line and 0 m from the south side lot line.

#### 5. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of all side exterior main walls not facing a street is 9.5 m. In this case, the side exterior main walls of the new three-storey dwelling will have a height of 10.75 m.

#### Section 6(3) Part II 5, By-law 438-86 1.

The maximum permitted dwelling depth is 14.0 m.

The new dwelling will have a depth of 20 m.

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## 2. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area is 1.0 times the area of the lot (376.5 m<sup>2</sup>). The new three-storey dwelling will have a residential gross floor area equal to 1.59 times the area of the lot (598.91 m<sup>2</sup>).

# 3. Section 6(3) Part II 3.F(I)(1)(a), By-law 438-86

The minimum required side yard setback is 0.45 m, where the side wall contains no openings. The new three-storey dwelling will be located 0 m from the north side lot line and 0 m from the south side lot line.

## 4. Section 6(3) Part III 1(b), By-law 438-86

A minimum of 50% of the lot area shall be landscaped open space ( $188.25 \text{ m}^2$ ). In this case, 34.9% of the lot area will be landscaped open space ( $131.60 \text{ m}^2$ ).

# IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

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## The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to <u>NOT</u> 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.

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### SIGNATURE PAGE

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Zoning Ward:

R(d1.0)(x848) & R3 Z1.0 (ZZC)

Trinity-Spadina (20)

Agent:

EVAN SASKIN TAE RYUCK

Property Address: Legal Description: 188 LIPPINCOTT ST

PLAN 93 PT LOT 288

Community:

Toronto

Gillian Burton

**David Pond** 

Yim Chan

John Tassiopoulos

DATE DECISION MAILED ON: Tuesday, October 14, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, October 29, 2014

CERTIFIED TRUE COPY

Anita M. MacLeo

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 <a href="https://www.omb.gov.on.ca">www.omb.gov.on.ca</a>.

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