

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

File Number:	A0865/14TEY	Zoning	R(f5.0;d1.0)(x485) & R3 Z1.0(ZZC)
Owner(s):	OSMAN SHEIKH	Ward:	Toronto Centre-Rosedale (27)
Agent:	ERIK CALHOUN		
Property Address:	44 BELMONT ST	Community:	Toronto
Legal Description:	CON 2 FB PT LOT 21		

Notice was given and a Public Hearing was held on Wednesday, November 5, 2014, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the three-storey townhouse by constructing a rear three-storey addition, a third-storey addition, a rear ground floor deck, and a rear detached garage.

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

- Chapter 10.10.40.30 (1)(B), By-law 569-2013**
The permitted maximum building depth is 14 m.
The altered townhouse will have a depth of 15.18 m.
- Chapter 10.10.40.40 (1)(A), By-law 569-2013**
The permitted maximum floor space index is 1.0 times the area of the lot (121.82 m²).
The altered townhouse will have a floor space index equal to 1.239 times the area of the lot (149.76 m²).
- Chapter 10.5.40.60(3)(A)(ii), By-law 569-2013**
Exterior stairs providing access to a building or structure may encroach into a required minimum building setback if the stairs are no wider than 2.0 m.
The rear stairs to the garage will have a width of 3.12 m.
- Chapter 10.5.40.60(3)(A)(iii), By-law 569-2013**
Exterior stairs providing access to a building or structure may encroach into a required minimum building setback if the stairs are no closer to a lot line than 0.6 m.
The rear stairs to the garage will be located 0.2 m from the west and east side lot line.
- Chapter 10.10.40.10 (2)(A)(ii), By-law 569-2013**
The permitted maximum height of all rear exterior main walls is 7.5 m.
The rear exterior main wall will have a height of 8.92 m.

A0865/14TEY

2

1. **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 (121.82 m²).
The altered townhouse will have a floor space index equal to 1.239 times the area of the lot (149.76 m²).
2. **Section 6(3) Part II 5., By-law 438-86**
The maximum permitted building depth is 14.0 m.
The altered townhouse will have a depth of 15.18 m.
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 altered townhouse will be located 0 m from the east and west side lot line.

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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Gillian Burton (signed)	David Pond (signed)	Yim Chan (signed)
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John Tassiopoulos (signed)

DATE DECISION MAILED ON: Monday, November 10, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, November 25, 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.