

Wednesday, November 26, 2014

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

File Number:	A589/14NY	Zoning	R2/RD (f21.0; a975) (x70)[ZZC]
Owner(s):	JAWAD HUSSAIN ZADE MOHAMMAD ZARGARZADEH	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	23 BRIAN CLIFF DR	Community:	North York
Legal Description:	PLAN 4831 LOT 33		

Notice was given and a Public Hearing was held on Wednesday, November 26, 2014, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

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

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

- Section 10.5.100.1, By-law No. 569-2013**
The maximum permitted driveway width is 6m.
The proposed driveway width is 8.89m.
- Section 10.20.40.10.(4), By-law No. 569-2013**
The maximum permitted height of the building is 7.2m.
The proposed height of the building is 10.66m.
- Section 900.13.10(70), By-law No. 569-2013**
The minimum required side yard setback is 2.4m.
The proposed north side yard setback is 2.01m.
- Section 900.13.10(70), By-law No. 569-2013**
The minimum required side yard setback is 2.4m.
The proposed south side yard setback is 1.89m and 1.68m to the rear excavated porch.
- Section 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 36.7% of the lot area.

- 6. Section 10.5.40.60.(3), By-law No. 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2.0m.
The proposed front exterior stairs are 3.2m wide.
- 7. Section 10.5.80.40.(1), By-law No. 569-2013**
The maximum permitted combined width of all vehicle entrances through the front main wall of the residential building is 6.0m.
The proposed combined width of all vehicle entrances through the front main wall is 7.32m.
- 8. Section 10.5.50.10.(1), By-law No. 569-2013**
The minimum required front yard landscaping is 60%.
The proposed front yard landscaping is **50.00%**
- 9. Section 11.2.5, By-law No. 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed lot coverage is 36.7% of the lot area.
- 10. Section 11.2.4(b), By-law No. 7625**
The minimum required side yard setback is 2.4m.
The proposed north side yard setback is 2.01m.
- 11. Section 11.2.4(b), By-law No. 7625**
The minimum required side yard setback is 2.4m.
The proposed south side yard setback is 1.89m and 1.68m to the rear excavated porch.
- 12. Section 11.2.6, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.3m.
- 13. Section 7.4A, By-law No. 7625**
The minimum required front yard landscaping is 60%.
The proposed front yard landscaping is **50.00%**.
- 14. Section 6A(5)a, By-law No. 7625**
The maximum permitted driveway width is 6m.
The proposed driveway width is 8.89m.

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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Arthur Forer (signed)

Astra Burka (signed)

Nicholas Sion (signed)

Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, December 4, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, December 16, 2014

CERTIFIED TRUE COPY

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.