

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

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|--------------------|------------------------|------------|---|
| File Number: | A0533/14TEY | Zoning | R(f4.5; d1.0)(x835) & R3 Z1.0 (Waiver) |
| Owner(s): | 512899 ONTARIO LIMITED | Ward: | Trinity-Spadina (20) |
| Agent: | JAMES TRAN | | |
| Property Address: | 241 BEVERLEY ST | Community: | Toronto |
| Legal Description: | CON 1 FB PT LOTS 13 14 | | |

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

PURPOSE OF THE APPLICATION:

To alter the existing three-storey converted building containing three dwelling units by constructing a front basement walkout, and converting the basement into a fourth dwelling unit.

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

- 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 (279.0 m²).
The converted dwelling will have a floor space index equal to 1.39 times the area of the lot (386.2 m²).
- Chapter 200.5.1.10.(1), By-law 569-2013**
A minimum of four parking spaces are to be provided on the lot.
In this case, only three parking spaces will be provided on the lot.
- Chapter 10.5.50.10.(1)(D), By-law 569-2013**
A minimum of 75% of the required front yard landscaping must be maintained as soft landscaping (22.8 m²).
In this case, **25% (9.5 m²)** of the front yard will be maintained as soft landscaping.
- Chapter 200.5.1.10.(2)(a)(iv), By-law 569-2013**
A parking space which is obstructed on one side must have minimum dimensions of 2.9 m in width by 5.9 m in length.
The existing parking spaces have a width of 2.53 m and a length of 5.9 m.
- Chapter 150.10.40.1.(3)(A), By-law 569-2013**
An addition to accommodate a secondary suite is permitted, provided it does not alter or add to a main wall facing a street.
In this case, the front stair to the basement will alter the main wall facing a street.

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 (279.0 m²).

The converted dwelling will have a residential gross floor area equal to 1.39 times the area of the lot (386.2 m²).

2. Section 4(5)(B), By-law 438-86

A minimum of four parking spaces are to be provided on the lot.

In this case, only three parking spaces will be provided on the lot.

3. Section 6(3) Part III 3(d)(i)D, By-law 438-86

A minimum of 75% of the required front yard landscaping must be maintained as soft landscaping (22.8 m²).

In this case, **25% (9.5 m²)** of the front yard will be maintained as soft landscaping.

4. Section 4(17)(a), By-law 438-86

A parking space which is obstructed on one side must have minimum dimensions of 2.9 m in width by 5.9 m in length.

The existing parking spaces have a width of 2.53 m and a length of 5.9 m.

5. Section 6(2) 1(iii), By-law 438-86

An addition to accommodate a secondary suite is permitted, provided it does not alter or add to a main wall facing a street.

In this case, the front stair to the basement will alter the main wall facing a street.

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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DECLARED AN INTEREST

DISSENTED

Barbara Leonhardt

Donna McCormick (signed)

Mary Pitsitikas

Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, October 28, 2014**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, November 12, 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.