

Thursday, February 19, 2015

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

File Number:	A1024/14NY	Zoning	R3/RD (f18.0; a690)[ZZC]
Owner(s):	ZAID AL BARGASH	Ward:	Don Valley West (25)
Agent:	Lorne Rose Rose & Bigauskas Architects		
Property Address:	164 ST LEONARDS AVE	Community:	North York
Legal Description:	PLAN 1534 LOT 547		

Notice was given and a Public Hearing was held on Thursday, February 19, 2015, 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:

- 1. Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted height of a building or structure is 10m.
The proposed height of the building is **10.30m**.
- 2. Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length including a rear one-storey portion is **19.99m**.
- 3. Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.0m.
The proposed building depth is **19.99m**.
- 4. Chapter 10.20.40.7.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.2m.
- 5. Chapter 10.20.40.7.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 0.9m which increases 1.2m.
- 6. Section 12.4(a), By-law No. 7625**
The minimum required front yard setback is 6.5m.
The proposed front yard setback is 5.82m.

7. **Section 12.4(b), By-law No. 7625**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.2m.
8. **Section 12.4(b), By-law No. 7625**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 0.9m which increases 1.2m.
9. **Section 12.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length including a rear one-storey portion and canopy is 23.75m.
10. **Section 12.7, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is **9.08m**.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to **APPROVE** the following variance(s):

1. **Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted height of a building or structure is 10m.
The proposed height of the building is **10.30m**.
2. **Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length including a rear one-storey portion is **19.99m**.
3. **Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.0m.
The proposed building depth is **19.99m**.
4. **Chapter 10.20.40.7.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.2m.
6. **Section 12.4(a), By-law No. 7625**
The minimum required front yard setback is 6.5m.
The proposed front yard setback is 5.82m.
7. **Section 12.4(b), By-law No. 7625**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.2m.
9. **Section 12.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length including a rear one-storey portion and canopy is 23.75m.
10. **Section 12.7, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is **9.08m**.

It is the decision of the Committee of Adjustment to **MODIFY** and **APPROVE** the following variance(s):

5. Chapter 10.20.40.7.(3), By-law No. 569-2013
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is **1.20m**.

8. Section 12.4(b), By-law No. 7625
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is **1.20m**.

For the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- 1) City of Toronto Municipal Code Chapter 813, Article II, City-owned trees
(www.toronto.ca/trees/city_trees.htm)
- 2) City of Toronto Municipal Code Chapter 813, Article III, Privately-owned trees
(www.toronto.ca/trees/private_trees.htm)

SIGNATURE PAGE

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Astra Burka (signed)

Nicholas Sion (signed)

Richard Ross (signed)

Douglas S. Colbourne
(signed)

DATE DECISION MAILED ON: Thursday, February 26, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 11, 2015

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.