

ity Planning Division

Committee of Adjustment Etobicoke York Panel 2 Civic Centre Crt, 4th Terente ON M9C 5A3 Tel 416-394-8060 Fax 416-394-6042

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Thursday, January 29, 2015

NOTICE OF DECISION

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

File Number:

A753/14EYK

Zoning

RD & R1

Owner(s):

MARIANNA BASTA

Ward:

Parkdate-High Park (13)

Agent:

LUKAS SIRVINSKAS **LUKAS SIRVINSKAS**

Community:

Property Address:

130 WINDERMERE AVE

PLAN 2226 PT LOT 236 AND PT WINDERMERE AVE Legal Description:

Notice was given and a Public Hearing was held on Thursday, January 29, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 6(3) Part I 1, By-law 438-86 1. The maximum permitted gross floor area is 0.6 times the lot area (210.14 m²). The proposed dwelling will have a gross floor area of 0.8 times the lot area (279.77 m²).
- Section 10.20.40.70.(1)(B), By-law 569-2013 & Section 6(3) Part II 2(II), By-law 438-86 2. The minimum required front yard setback is 4.47 m. The proposed dwelling will be located 1.8 m from the front lot line.
- Section 10.20.40.70.(3)(B), By-law 569-2013 & Section 6(3) Part II 3.B(II) 1, By-law 438-86 3. The minimum required side yard setback is 0.9 m. The proposed dwelling will be located 0.61 m from the south side lot line and 0.83 m from the north side lot line.
- Section 10.20.40.20(1), By-law 569-2013 4. The maximum permitted building length is 17 m. The proposed dwelling will be 17.88 m in length.
- Section 6(3) Part H 3.B(II) 2, By-law 438-86 5. The minimum required side yard setback is 7.5 m for the portion of a building exceeding 17 m. The proposed dwelling will be located 1.6 m from the north side lot line and 5.89 m from the south side.
- Section 10.20.40.10.(4)(A), By-law 569-2013 6. The maximum permitted height is 7.2 m. The proposed dwelling will be 9.75 m in height. Section 4(2), By-law 438-86 The maximum permitted height is 9 m. The proposed dwelling will be 10 m in height.

- 7. Section 10.20.40.10.(4)(C), Bv-law 569-2013
 The maximum permitted number of storeys is 2.
 The proposed dwelling will be 3 storeys.
- 8. Section 10.20.40.50.(1)(B), By-law 569-2013
 The maximum permitted area of a platform at or above the second storey is 4 m².
 The proposed rear balcony will be 5.81 m.

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 <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.

SIGNATURE PAGE

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PLAN 2226 PT LOT 236 AND PT WINDERMERE AVE

Douglas S. Colbourne (signed)

Fred Dominelli (signed)

Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, February 6, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, February 18, 2015

CERTIFIED TRUE COPY

-Susanne Pringle

Manager & Deputy Secretary Treasurer

Etobicoke York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (Δ1) 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.

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