



City Planning Division

Committee of Adjustment  
Toronto and East York District

100 Queen Street West, 1<sup>st</sup> Floor  
Toronto, Ontario M5H 2N2  
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**NOTICE OF DECISION  
MINOR VARIANCE/PERMISSION  
(Section 45 of the Planning Act)**

File Number:	A1059/14TEY	Zoning:	R (d1.0) & R2 Z1.0 (ZZC)
Owner(s):	SYLVIA BIELAK	Ward:	St. Paul's (22)
Agent:	VICTOR HIPOLITO		
Property Address:	742 AVENUE RD	Community:	Toronto
Legal Description:	PLAN 2232 PT LOT 30		

Notice was given and a Public Hearing was held on **Wednesday, January 28, 2015**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a rear two-storey addition and deck to the existing three-storey detached house.

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

- 1. Chapter 10.5.40.60.(7), By-law 569-2013**  
Roof eaves may project a maximum of 0.9 m into the required building setback provided they are no closer to a lot line than 0.3 m.  
The roof eaves will be 0.2 m from the north side lot line.
- 2. Chapter 10.10.40.40.(1), By-law 569-2013**  
The permitted maximum roof slope above the second storey or higher on a detached house may not be greater than 5.0 vertical units for every 3.0 horizontal units.  
The new two-storey addition will have a roof slope of 16.2 vertical units for every 3.0 horizontal units.
- 3. Chapter 10.10.40.30.(1)(A), By-law 569-2013**  
The permitted maximum building depth is 17.0 m.  
The altered three-storey detached house will have a building depth of 26.17 m.
- 4. Chapter 10.20.40.40.(1), By-law 569-2013**  
The permitted maximum floor space index is 1.0 times the lot area (358.42 m<sup>2</sup>).  
The altered three-storey detached house will have a floor space index equal to 1.72 times the lot area (616.22 m<sup>2</sup>).
- 1. Section 6(3) Part I 1, By-law 438-86**  
The maximum permitted gross floor area is 1.0 times the lot area (358.42 m<sup>2</sup>).  
The altered three-storey detached house will have a residential gross floor area equal to 1.71 times the lot area (612.21 m<sup>2</sup>).

2. **Section 6(3) Part II 3.B(II), By-law 438-86**

The minimum required side lot line setback for the portion of the building exceeding a depth of 17.0 m is 7.5 m.

The 9.17 m portion of the altered three-storey dwelling, exceeding the 17 m depth, will be setback 0.5 m from the north side lot line and 1.0 m from the south 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)

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David Pond (signed)

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Yim Chan (signed)

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John Tassiopoulos (signed)

DATE DECISION MAILED ON: **Tuesday, February 3, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, February 17, 2015**

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](http://www.omb.gov.on.ca).