

Thursday, July 9, 2015

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

File Number:	A0479/15NY	Zoning	R1 Z0.35/RD (f15.0; d0.35) (x1409)[ZZC]
Owner(s):	DARLENE FENECH DENNIS DI PASQUALE	Ward:	Eglinton-Lawrence (16)
Agent:	DREW MANDEL		
Property Address:	75 LYTTON BLVD	Community:	Toronto
Legal Description:	PLAN 1532 LOT 185		

Notice was given and a Public Hearing was held on Thursday, July 9, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey addition to the rear south portion of the existing three-storey dwelling. The applicant is also proposing to construct a new detached garage at the rear of the property. The existing rear one-storey addition and detached garage would be demolished.

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

- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all rear exterior main walls is 7.50m.
The proposed height of the rear exterior main wall is 9.71m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The proposed building length is 19.41m.
- Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.00m.
The proposed building depth is 19.61m.
- Chapter 10.20.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.35 times the lot area.
The proposed floor space index is 0.76 times the lot area.
- Chapter 10.20.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.50m.
The existing and proposed west side yard setback is 0.96m.

- 6. Section 6(3), Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback for the portion of the dwelling exceeding 17.00m in depth is 7.50m.
The existing and proposed west side yard setback is 0.96m.
- 7. Section 6(3), Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback for the portion of the dwelling exceeding 17.00m in depth is 7.50m.
The existing and proposed east side yard setback is 2.64m.
- 8. Section 6(3) Part I 2, By-law No. 438-86**
The maximum permitted gross floor area for an accessory structure is 5.00% of the lot area; 30.78m².
The proposed gross floor area of the accessory structure is 37.72m².
- 9. Section 6(3) Part II 7 (i), By-law No. 438-86**
The minimum required setback from all lot lines for an accessory structure is 3.00m.
The proposed accessory structure is setback 0.30m from the east lot line.
- 10. Section 6(3) Part II 7 (i), By-law No. 438-86**
The minimum required setback from all lot lines for an accessory structure is 3.00m.
The proposed accessory structure is setback 0.30m from the south lot line.
- 11. Section 6(3) Part I 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.35 times the lot area.
The proposed gross floor area is 0.76 times the lot area.

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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Edwin (Ted) Shepherd
(signed)

Nicholas Sion (signed)

Astra Burka (signed)

Richard Ross (signed)

Morley Rosenberg (signed)

DATE DECISION MAILED ON: Thursday, July 16, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 29, 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.