

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0513/15TEY	Zoning	R(d0.6) & R2 Z0.6 (Waiver)
Owner(s):	ADA CHAN	Ward:	Toronto-Danforth (30)
	TREVOR CHAN		
Agent:	DAVID FOOTMAN		
Property Address:	433 ASHDALE AVE	Community:	Toronto
Legal Description:	PLAN 1345 PT LOT 74		

Notice was given and a Public Hearing was held on **Wednesday, July 8, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling.

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 0.6 times the area of the lot (104.91 m²)
The new three-storey detached dwelling will have a floor space index equal to 1.027 times the area of the lot (107.74 m²).
- Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5 m.
The height of the side exterior main walls facing a side lot line is 9.56 m.
- Chapter 10.10.40.70.(4)(A), By-law 569-2013**
The minimum required side yard setback is 0.45 m.
The new three-storey detached dwelling will be located 0.36 m from the north side lot line and 0.0 m from the south side lot line.
- Chapter 10.5.40.60.(1)(A), By-law 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach 0.915 m into the required front yard setback, if it is no closer to a side lot line than the required side yard setback.
The covered front porch will encroach 1.58 m into the required front yard setback and will be located 0.59 m from the north lot line and 0.11 m from the south lot line.
- Chapter 10.5.40.60.(2)(A), By-law 569-2013**
A canopy, awing or similar structure above a platform may encroach into a required building setback to the same extent as the platform it is covering.
The front covered porch roof will encroach 0.0 m beyond the platform and will be located 0.28 m from the north side lot line and 0.28 m from the south side lot line.

6. **Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6 m.
The front stairs will be located 0.11 m from the side south lot line and 0.0 m from the front west lot line.
7. **Chapter 10.5.50.10.(1)(D), By-law 569-2013**
On a lot with a detached house, a minimum of 75% of the front yard must be maintained as soft landscaping (6.24 m²).
In this case, 0% of the front yard will be maintained as soft landscaping (0.0 m²).
8. **Chapter 10.5.40.60.(7), By-law 569-2013**
Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
The roof eaves of the new three-storey detached dwelling will project 0.20 m and will be located 0.16 m from the north side lot line.
9. **Chapter 200.5.10.1.(1), By-law 569-2013**
A minimum of one parking space is required to be provided.
In this case, no parking spaces will be provided.
1. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.6 times the area of the lot (104.91 m²).
The new three-storey detached dwelling will have a residential gross floor area equal to 1.027 times the area of the lot (107.74 m²).
2. **Section 6(3) Part II 3(ii), By-law 438-86**
A building is required a minimum of 1.2 m setback from the side wall of the adjacent building that contains openings.
The new three-storey detached dwelling will be located 0.36 m from the side wall of the north adjacent building at, 435 Ashdale Avenue, which contains openings.
The new three-storey detached dwelling will be located 0.83 m from the side wall of the south adjacent building at, 431 Ashdale Avenue, which contains openings.
3. **Section 6(3) Part II 3B(I)(1)(1), By-law 438-86**
A minimum required side yard setback is 0.45 m, where the side wall contains no openings.
The new three-storey detached dwelling will be located 0.36 m from the north side lot line and 0.0 m from the south side lot line, where the side wall contains no openings.
4. **Section 6(3) Part II 8F (III), By-law 438-86**
A roof over a first floor platform is permitted if the roof does not extend beyond the side wall of the building as projected.
The roof of the front covered porch extends 0.15 m beyond the north side wall and 0.17 m beyond the south side of the wall.
5. **Section 6(3) Part III 3(a), By-law 438-86**
A minimum of 50% (4.16 m²) of the front yard shall be landscaped open space.
In this case, 0% (0.0 m²), of the front yard will be maintained as landscaped open space.
6. **Section 6(3) Part III 3(b), By-law 438-86**
A minimum of 30% (1.25 m²) of the front yard landscape shall be maintained as soft landscaping.
In this case, 0% (0.0 m²) of the front yard shall be maintained as soft landscaping.

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.