

Thursday, July 9, 2015

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

File Number:	A0499/15NY	Zoning	RD/R1 Z0.6 (ZZC)
Owner(s):	FRANCES VIRGINIA RICHARDSON DAVID LLOYD WOOD RICHARDSON	Ward:	Eglinton-Lawrence (16)
Agent:	DREW LASZCO ARCHITECT INC		
Property Address:	455 CASTLEFIELD AVE	Community:	Toronto
Legal Description:	PLAN 734 RANGE 3 PT LOT 47		

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 dwelling with an integral garage. The existing dwelling would be demolished.

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

- Chapter 10.5.40.10.(5), By-law No. 569-2013**
A minimum of 10.00m² of the first floor area must be within 4.00m of the main front wall.
The proposed has 0.00m² of the first floor area within 4.00m of the front main wall.
- Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted building height is 9.00m.
The proposed building height is 10.29m.
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.00m.
The proposed height of the west side exterior main wall is 9.83m.
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.00m.
The proposed height of the east side exterior main wall is 9.83m.
- 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.00m.
The proposed building length is 18.75m.

6. **Chapter 10.20.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.60 times the lot area.
The proposed floor space index is 0.7377 times the lot area.
7. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 0.90m.
The proposed east side yard setback is 0.45m.
8. **Chapter 10.5.40.60.(7), By-law No. 569-2013**
Roof eaves may project a maximum of 0.90m provided that they are no closer to a lot line than 0.30m.
The proposed eaves project 0.30m and are 0.15m from the east lot line.
9. **Chapter 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 0.90m.
The proposed east side yard setback is 0.45m.
10. **Chapter 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 7.50m for the portion of the dwelling exceeding 17.00m in depth.
The proposed east side yard setback is 0.45m.
11. **Chapter 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 7.50m for the portion of the dwelling exceeding 17.00m in depth.
The proposed west side yard setback is 0.96m.
12. **Chapter 6(3) Part IV 3(II), By-law No. 438-86**
The by-law does not permit an integral garage in a building where the floor level of the garage is located below grade and the vehicle access to the garage is located in a wall facing the front lot line.
The proposed integral garage is below grade.
13. **Chapter 6(3) Part I, 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.60 times the lot area.
The proposed gross floor area is 0.7377 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.