

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

File Number:	A0574/15TEY	Zoning	R(d0.6)(x729) & R2 Z0.6 (PPR)
Owner:	RUSSELL PARKER	Ward:	Trinity-Spadina (19)
Agent:	CHRISTOPHER FISCHER		
Property Address:	259 OSSINGTON AVE	Community:	Toronto
Legal Description:	PLAN D29 BLK A PT LOT 8		

Notice was given and a Public Hearing was held on **Wednesday, August 5, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a three-storey townhouse by undertaking interior alterations on all floors; constructing a third floor addition and a third floor deck; and, establishing a second suite in the basement.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- 1. 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 (127.05 m²).
The floor space index will be 0.97 times the area of the lot (205.69 m²).
- 2. Chapter 10.10.40.10.(2)B(i), 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 the north side lot line will be 10.0 m.
- 3. 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 the south side lot line will be 10.0 m.
- 4. Chapter 10.5.50.10.(1)(D), By-law 569-2013**
On a lot with a townhouse, a minimum of 75% of the required front yard landscaping must be soft landscaping (5.85 m²).
The front yard soft landscaping area will be 20% (1.6 m²).
- 5. 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 stairs (front basement walkout) will be 0.0 m from the front lot line.

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 (127.05 m²).
The residential gross floor area will be 0.97 times the area of the lot (205.69 m²).

2. Section 6(3) Part II 3.C(I), By-law 438-86

The required minimum side lot line setback is 0.45 m where the side wall contains no openings.
The side lot line setback for the third storey addition will be 0.0 m on the north side and 0.0 m on the south side.

3. Section 6(3) Part II 3.C(I), By-law 438-86

The required minimum side lot line setback is 0.45 m where the side wall contains no openings.
The third storey deck side lot line setback will be 0.0 m on the north side.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**The Minor Variance Application is Approved on Condition**

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- (1) Prior to the issuance of a demolition and/or building permit, the applicant shall satisfy all matters relating to City and privately owned trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review.
- (2) The rear third floor deck shall be constructed with opaque privacy screening or fencing that is permanent, located on the north and south edges of the deck, and a minimum height of 1.5 m, measured from the floor of the deck.

SIGNATURE PAGE

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ABSTAINED

DISSENTED

Barbara Leonhardt (signed)

Robert Brown

Mary Pitsitikas

Christian Chan (signed)

DATE DECISION MAILED ON: **Tuesday, August 11, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, August 25, 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.