

CITY OF TORONTO  
COUNCILLOR FILION  
or OCCUPANT  
NORTH YORK CIVIC CENTRE  
5100 YONGE ST  
TORONTO ON

North York Civic Centre  
5100 Yonge Street  
North York, Ontario  
Canada, M2N 5V7  
Tel: (416) 395-7000  
Fax: (416) 395-7200

Wednesday, November 5, 2014

**NOTICE OF DECISION**  
**CONSENT**  
(Section 53 of the Planning Act)

File Number:	B054/14NY	Zoning:	R4/RD(f15.0:a550)(ZR)
Owner(s):	NAMITA SHARMA RONIT SHARMA	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	6 STUART AVE	Community:	North York
Legal Description:	PLAN M412 LOT 298 TO 299		

Notice was given and the application considered on Wednesday, November 5, 2014, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into two undersized residential lots.

**Retained - Part 1**

**Address to be assigned**

The frontage is 7.62m and the lot area is 325.16m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the Zoning By-law, as outlined in Application A716/14NY.

**Conveyed - Part 2**

**Address to be assigned**

The frontage is 7.62m and the lot area is 325.16m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the Zoning By-law, as outlined in Application A715/14NY.

**File Numbers B054/14NY, A715/14NY, and A716/14NY will be considered jointly.**

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Consent Application is Refused**

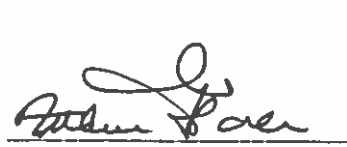
In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):

- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

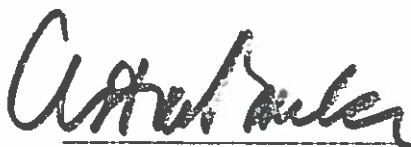


## SIGNATURE PAGE

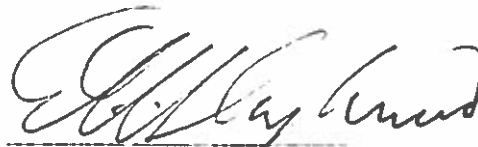
File Number:	B054/14NY	Zoning	R4/RD(f15.0:a550)(ZR)
Owner(s):	NAMITA SHARMA RONIT SHARMA	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	6 STUART AVE	Community:	North York
Legal Description:	PLAN M412 LOT 298 TO 299		



Arthur Forer (signed)



Astra Burka (signed)



Edwin (Ted) Shepherd  
(signed)



Nicholas Sion (signed)

DATE DECISION MAILED ON: Thursday, November 13, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 3, 2014

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

NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Wednesday, November 5, 2014

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

File Number:	A715/14NY	Zoning	R4/RD (f15.0:a550)(ZR)
Owner(s):	NAMITA SHARMA RONIT SHARMA	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	EAST 7.62M OF 6 STUART AVE (PART 2)	Community:	North York
Legal Description:	PLAN M412 LOT 298 TO 299		

Notice was given and a Public Hearing was held on Wednesday, November 5, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey dwelling with an integral garage.

**File Numbers B054/14NY, A715/14NY, and A716/14NY will be considered jointly.**

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

- Section 10.5.40.10(5), By-law No. 569-2013**  
A minimum of 10m<sup>2</sup> of the First Floor area must be within 4m of the front wall.  
There is 3.2m<sup>2</sup> proposed within 4m of the front wall.
- Section 10.20.30.10(1), By-law No. 569-2013**  
The required minimum lot area is 550m<sup>2</sup>.  
The proposed lot area is 325.16m<sup>2</sup>.
- Section 10.20.30.20(1), By-law No. 569-2013**  
The required minimum lot frontage is 15.0m.  
The proposed lot frontage is 7.62m.
- Section 10.20.30.40.( 1), By-law No. 569-2013**  
The permitted maximum lot coverage is 30.0% of the lot area: 97.55m<sup>2</sup>.  
The proposed lot coverage is 31.95% of the lot area: 103.88m<sup>2</sup>.
- Section 10.20.40.10(1), By-law No. 569-2013**  
The permitted maximum height of a building or structure is 10.0m.  
The proposed height of the building is 10.23m.

6. **Section 10.20.40.10(2), By-law No. 569-2013**  
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 7.82m.
7. **Section 10.20.40.20.(1), By-law No. 569-2013**  
In the RD zone with a minimum required lot frontage of 18.0m or less, the permitted maximum building length for a detached house is 17.0m.  
The proposed building length is 18.03m.
8. **Section 10.20.40.70(3), 900.3.10(5) - Exceptions for RD Zone, By-law No. 569-2013**  
The required minimum side yard setbacks are 1.8m each side.  
The proposed West side yard setback is 0.61m.
9. **Section 10.20.40.70(3), 900.3.10(5) - Exceptions for RD Zone, By-law No. 569-2013**  
The required minimum side yard setbacks are 1.8m each side.  
The proposed East side yard setback is 1.22m.
10. **Section 13.2.1, By-law No. 7625**  
The minimum required lot frontage is 15.0m.  
The proposed lot frontage is 7.62m.
11. **Section 13.2.2, By-law No. 7625**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 325.16m<sup>2</sup>.
12. **Section 13.2.3(a), By-law No. 7625**  
The minimum required front yard setback is 7.5m +/- 1.0m.  
The proposed front yard setback is 6.18m.
13. **Section 13.2.3(b), By-law No. 7625**  
The minimum required side yard setbacks are 1.5m each side.  
The proposed West side yard setback is 0.61m.
14. **Section 13.2.3(b), By-law No. 7625**  
The minimum required side yard setbacks are 1.5m each side.  
The proposed East side yard setback is 1.22m.
15. **Section 13.2.4, By-law No. 7625**  
The maximum permitted lot coverage is 30.0% of the lot area.  
The proposed lot coverage is 31.95% of the lot area.
16. **Section 13.2.5A, By-law No. 7625**  
The maximum permitted building length is 16.8m.  
The proposed building length is 18.03m.
17. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.73m.

18. **Section 6(30)a, By-law No. 7625**  
The maximum finished first floor height is 1.5m.  
The proposed finished first floor height is 1.8m.

19. **Section 6(8), By-law No. 7625**  
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed: 15.0m.  
The proposed lot width is 7.62m.

**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.



Wednesday, November 5, 2014

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

File Number:	A716/14NY	Zoning	R4/RD(f15.0:a550)
Owner(s):	NAMITA SHARMA RONIT SHARMA	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	WEST 7.62M OF 6 STUART AVE (PART 1)	Community:	North York
Legal Description:	PLAN M412 LOT 298 TO 299		

Notice was given and a Public Hearing was held on Wednesday, November 5, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey dwelling with an integral garage.

File Numbers B054/14NY, A715/14NY, and A716/14NY will be considered jointly.

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

- Section 10.5.40.10(5), By-law No. 569-2013**  
A minimum of 10m<sup>2</sup> of the First Floor area must be within 4m of the front wall.  
There is 3.2m<sup>2</sup> proposed within 4m of the front wall.
- Section 10.20.30.10(1), By-law No. 569-2013**  
The required minimum lot area is 550m<sup>2</sup>.  
The proposed lot area is 325.16m<sup>2</sup>.
- Section 10.20.30.20(1), By-law No. 569-2013**  
The required minimum lot frontage is 15.0m.  
The proposed lot frontage is 7.62m.
- Section 10.20.30.40.( 1), By-law No. 569-2013**  
The permitted maximum lot coverage is 30.0% of the lot area: 97.55m<sup>2</sup>.  
The proposed lot coverage is 31.95% of the lot area: 103.88m<sup>2</sup>.
- Section 10.20.40.10(1), By-law No. 569-2013**  
The permitted maximum height of a building or structure is 10.0m.  
The proposed height of the building is 10.23m.



6. **Section 10.20.40.10(2), By-law No. 569-2013**  
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 7.82m.
7. **Section 10.20.40.20(1), By-law No. 569-2013**  
In the RD zone with a minimum required lot frontage of 18.0m or less, the permitted maximum building length for a detached house is 17.0m.  
The proposed building length is 18.03m.
8. **Section 10.20.40.70(3), 900.3.10(5) - Exceptions for RD Zone, By-law No. 569-2013**  
The required minimum side yard setbacks are 1.8m each side.  
The proposed West side yard setback is 1.22m.
9. **Section 10.20.40.70(3), 900.3.10(5) - Exceptions for RD Zone, By-law No. 569-2013**  
The required minimum side yard setbacks are 1.8m each side.  
The proposed East side yard setback is 0.61m.
10. **Section 13.2.1, By-law No. 7625**  
The minimum required lot frontage is 15.0m.  
The proposed lot frontage is 7.62m.
11. **Section 13.2.2, By-law No. 7625**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 325.16m<sup>2</sup>.
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The minimum required front yard setback is 7.5m +/- 1.0m.  
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The maximum permitted lot coverage is 30.0% of the lot area.  
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The maximum permitted building length is 16.8m.  
The proposed building length is 18.03m.
17. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.82m.
18. **Section 6(30)a, By-law No. 7625**  
The maximum finished first floor height is 1.5m.  
The proposed finished first floor height is 1.89m.

**19. Section 6(8), By-law No. 7625**

The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed: 15.0m.

The proposed lot width is 7.62m.

**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**

File Number:	A716/14NY	Zoning	R4/RD(f15.0;a550)
Owner:	NAMITA SHARMA RONIT SHARMA	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	WEST 7.62M OF 6 STUART AVE (PART 1)	Community:	North York
Legal Description:	PLAN M412 LOT 298 TO 299		

  
Arthur Forer (signed)  
Astra Burka (signed)  
Edwin (Ted) Shepherd  
(signed)  
Nicholas Sion (signed)

DATE DECISION MAILED ON: Thursday, November 13, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, November 25, 2014

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