

Thursday, August 20, 2015

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

File Number:	A0527/15NY	Zoning	RM (f12.0; u2; d0.8) (x252) / R2 [ZZC]
Owner(s):	RIZGAR WELAT BERMAL WELAT	Ward:	Eglinton-Lawrence (15)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	943 CASTLEFIELD AVE (PART 1)	Community:	York
Legal Description:	PLAN 1775 LOT 606 EPT LOT 607		

Notice was given and a Public Hearing was held on Thursday, August 20, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct one half of a new two-storey semi-detached dwelling, with an integral one car garage. The existing dwelling would be demolished.

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

- 1. Chapter 10.80.30.20.(1)(B)(ii), By-law No. 569-2013**
The minimum required lot frontage for a semi-detached house is 12.0m.
The proposed lot frontage for the semi-detached house is 11.28m.
- 2. Chapter 10.80.40.40.(1)(A), By-law No. 569-2013**
The maximum permitted floor space index (F.S.I.) is 0.8 times the area of the lot.
The proposed floor space index (F.S.I.) is 1.22 times the area of the lot.
- 3. Chapter 10.80.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 18.29m.
- 4. Chapter 10.80.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 0.61m.
- 5. Chapter 10.20.40.10.(2)(B)(i), By-law No. 569-2013**
The maximum permitted 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 9.64m.

6. **Section 3.(a), By-law No. 1-83**
The maximum permitted floor space index (F.S.I.) is 0.8 times the area of the lot.
The proposed floor space index (F.S.I.) is 1.22 times the area of the lot.
7. **Section 3.(a), By-law No. 1-83**
The minimum required side yard setback is 1.2m.
The proposed west side yard setback is 0.61m.
8. **Section 3.(d), By-law No. 1-83**
A minimum of 35% of the area of the front yard shall be green landscape open space.
The proposed front yard green landscape open space area is 28.8%.
9. **Section 8.3, By-law No. 1-83**
The minimum required lot frontage is 6.0m.
The proposed lot frontage is 5.64m.

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: A0527/15NY Zoning RM (f12.0; u2; d0.8) (x252)
/ R2 [ZZC]
Owner: RIZGAR WELAT Ward: Eglinton-Lawrence (15)
BERMAL WELAT
Agent: RUBINOFF DESIGN GROUP
Property Address: 943 CASTLEFIELD AVE Community: York
(PART 1)
Legal Description: PLAN 1775 LOT 606 EPT LOT 607

Astra Burka (signed)

Richard Ross (signed)

Morley Rosenberg (signed)

DATE DECISION MAILED ON: Thursday, August 27, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, September 9, 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.

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Owner(s):	BERMAL WELAT RIZGAR WELAT	Ward:	Eglinton-Lawrence (15)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	943 CASTLEFIELD AVE (PART 2)	Community:	York
Legal Description:	PLAN 1775 LOT 606 EPT LOT 607		

Notice was given and a Public Hearing was held on Thursday, August 20, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct one half of a new two-storey semi-detached dwelling, with an integral one car garage. The existing dwelling would be demolished.

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