

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

File Number:	A1096/14TEY	Zoning	RS(f10.5; a325; d0.75)(x312) & R2A (ZZC)
Owner(s):	OMID FEIZARBABI	Ward:	Toronto-Danforth (29)
Agent:	OMID FEIZARBABI		
Property Address:	254 MONARCH PARK AVE LOT 195	Community:	East York
Legal Description:	PLAN M434 PT LOT 194 PT LOT 195		

Notice was given and a Public Hearing was held on **Wednesday, January 28, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey single detached dwelling with an integral garage **on Lot 195, Registered Plan M434.**

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

- Chapter 10.40.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (65.02 m²).
The new lot coverage will be equal to **44.3** of the lot area (**82.3 m²**).
- Chapter 10.40.40.10.(1)(A), By-law 569-2013**
The maximum permitted building height is 8.5 m.
The new three-storey dwelling will have a height of **9.29m**.
- Chapter 10.40.40.10.(2), By-law 569-2013**
The maximum permitted height of specified pairs of exterior main walls is 7.0 m.
In this case, the exterior side main walls will have a height of **9.29m**.
- Chapter 10.5.40.10.(5), By-law 569-2013**
A minimum of 10.0 m² of the first floor must be within 4.0 m of the front main wall.
In this case, 0 m² of the first floor will be within 4.0 m of the front main wall.
- Chapter 10.40.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.75 times the area of the lot (139.33 m²).
The new three-storey dwelling will have a floor space index equal to **0.97** times the area of the lot (**179.8 m²**).

6. **Chapter 10.40.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The new three-storey dwelling will be located **0.60 m** from the north side lot line, and 0.3 m from the south side lot line.
1. **Section 7.5.3, By-law 6752**
The maximum permitted building height is 8.5 m.
The new three-storey dwelling will have a height of **9.29m**.
2. **Section 7.5.3, By-law 6752**
The maximum permitted floor space index is 0.75 times the area of the lot (139.33 m²).
The new three-storey dwelling will have a floor space index equal to **1.03** times the area of the lot (**193.82 m²**)
3. **Section 7.5.3, By-law 6752**
The minimum required front yard setback is 6.0 m.
The new three-storey dwelling will be located 3.64 m from the east front lot line.
4. **Section 7.5.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (65.02 m²).
The new lot coverage will be equal to **44.3%** of the lot area (**82.3 m²**).
5. **Section 7.5.3, By-law 6752**
The minimum required side yard setback is 0.6 m.
The new three-storey dwelling will be located 0.3 m from the south side lot line.
6. **Section 5.6(b)(iii), By-law 6752**
Steps or stairs required for access to the first storey of a building are permitted to encroach into any yard, provided the steps or stairs do not include landings or partial landings.
The new front stairs encroach into the front yard and include a landing.

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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DISSENTED

Gillian Burton (signed)

David Pond (signed)

Yim Chan

John Tassiopoulos (signed)

DATE DECISION MAILED ON: **Tuesday, February 3, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, February 17, 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.