

Thursday, February 11, 2016

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

File Number:	A778/15EYK	Zoning:	RM & R2
Owner(s):	SYLVIA MCCALL	Ward:	Etobicoke-Lakeshore (06)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	2504 LAKE SHORE BLVD W	Community:	
Legal Description:	PLAN M466 LOT 20 ROW OVER BL K A		

Notice was given and a Public Hearing was held on Thursday, February 11, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a second and third-storey addition over the existing dwelling to convert to a triplex, a front basement walkout, rear balconies and interior renovations.

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

- Section 10.80.40.40.(1)(A), By-law 569-2013 & Section 340-30.L**
The maximum permitted floor space index is 0.6 times the area of the lot (193.6 m²).

Section 10.80.40.40.(1)(A), By-law 569-2013
The altered dwelling will have a floor space index of 1.22 times the area of the lot (394 m²).

Section 340-30.L
The altered dwelling will have a floor space index of 1.186 times the area of the lot (382.6 m²).
- Section 10.5.40.70.(1)(B), By-law 569-2013 & Section 340-30.N**
The minimum required front yard setback is 7.5 m.
The altered dwelling will be located 6.3 m from the front lot line.
- Section 900.6.10.(22)(D) , By-law 569-2013 & Section 340-30.D(4)**
The minimum required side yard setback is 0.9 m.
The altered dwelling will be located 0.4 m from the north side lot line.
- Section 10.5.40.50.(2), By-law 569-2013 & Section 900.6.10.(22)(D), By-law 569-2013**
The minimum required side yard setback for a platform is 0.9 m.
The proposed rear balconies will be located 0.5 m from the north side lot line.

5. **Section 10.5.40.60.(1)(B), By-law 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor higher than the first floor of the building above established grade, may encroach 1.5 m into the required front yard setback if it is no closer to a side lot line than the required side yard setback.
The proposed front level 2 and 3 platforms will encroach 1.4 m into the required front yard setback and will be 0.5 m closer to the north side lot line than the required setback.
6. **Section 10.5.40.60.(7)(B), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
Section 350-16.B
The minimum required side yard setback for eaves is 0.4 m.
Section 10.5.40.60.(7)(B), By-law 569-2013 & Section 350-16.B
The eaves of the proposed dwelling will be located 0.2 m from the north side lot line.
7. **Section 340-31.A(4)**
A minimum access driveway width of 6 m shall be provided in front of all parking spaces.
The proposed driveway access in front of the parking space will be 0 m.

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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Megan McIver (signed)

Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, February 19, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 2, 2016

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.