



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	B0058/15TEY	Zoning	RD (f6.0; a185; d0.75) & R1C (WAIVER)
Owner(s):	JMZ DEVELOPMENTS INC.	Ward:	Beaches-East York (31)
Agent:	MARIO FARAONE		
Property Address:	325 WESTLAKE AVE	Community:	East York
Legal Description:	PLAN 1770 LOT 493		

Notice was given and a Public Hearing was held on **Thursday, September 24, 2015**, as required by the Planning Act.

THE CONSENT REQUESTED:

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

CONVEYED - PART 2

Address to be assigned

Part 2 has a frontage of 7.94 m and an area of 244.50 m². The existing building will be demolished and a new two-storey detached dwelling with a rear deck fronting on Westlake Crescent with a rear detached garage fronting on Westlake Avenue will be constructed.

RETAINED - PART 1

Address to be assigned

Part 1 has a frontage of 7.94 m and an area of 244.50 m². The existing building will be demolished and a new two-storey detached dwelling with a rear deck fronting on Westlake Crescent with a rear detached garage fronting on Westlake Avenue will be constructed.

Applications B0058/15TEY, A0749/15TEY, and A0750/15TEY were 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 is premature.
- 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.
- The adequacy of roads, vehicular access, parking and loading facilities has not been demonstrated.

SIGNATURE PAGE

File Number:	B0058/15TEY	Zoning	RD (f6.0; a185; d0.75) & RIC (WAIVER)
Owner(s):	JMZ DEVELOPMENTS INC.	Ward:	Beaches-East York (31)
Agent:	MARIO FARAONE		
Property Address:	325 WESTLAKE AVE	Community:	East York
Legal Description:	PLAN 1770 LOT 493		

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Wendy Smith (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **WEDNESDAY, SEPTEMBER 30, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **TUESDAY, OCTOBER 20, 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.

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.

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

File Number:	A0749/15TEY	Zoning	RD (f6.0; a185; d0.75) & R1C (WAIVER)
Owner(s):	JMZ DEVELOPMENTS INC.	Ward:	Beaches-East York (31)
Agent:	MARIO FARAONE		
Property Address:	325 WESTLAKE AVE (PART 1)	Community:	East York
Legal Description:	PLAN 1770 LOT 493		

Notice was given and a Public Hearing was held on **Thursday, September 24, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with a rear deck fronting on Westlake Crescent with a rear detached garage fronting on Westlake Avenue on the retained lot, as described in Consent Application **B0058/15TEY**.

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

- Chapter 10.20.30.40.(1), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (85.6 m²).
In this case, the lot coverage will be equal to 52% of the lot area (127.85 m²).
- Chapter 10.20.40.70.(3), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The new detached dwelling will be located 0.46 m from the west side lot line and 0.6 m from the east side lot line.
- Chapter 10.5.40.50.(2), By-law 569-2013**
The minimum required side yard setback is 0.9 m.
The rear deck will be located 0.46 m from the west side lot line and 0.34 m from the east side lot line.
- Chapter 10.5.40.60.(7), By-law 569-2013**
Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
The roof eaves will be located 0.0 m from the west side lot line and 0.0 m from the east side lot line.
- Chapter 10.5.60.20.(5)(B), By-law 569-2013**
The minimum required rear yard setback for an ancillary building or structure containing a parking space where the rear lot line abuts a street and vehicle access to the parking space in the ancillary building is from the street is 6.0 m.
The rear detached garage will be located 0.45 m from the south rear lot line.

1. **Section 7.4.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (85.6 m²).
In this case, the lot coverage will be equal to 48% of the lot area (117.34 m²).
2. **Section 7.4.3, By-law 6752**
The maximum permitted building length is 16.75 m.
The new detached dwelling will have a building length of 17.03 m measured to the second storey bay window.
3. **Section 7.4.3, By-law 6752**
The minimum required front yard setback is 6.0 m.
The new detached dwelling will be located 5.43 m from the north front lot line measured to the second storey bay window.
4. **Section 7.4.3, By-law 6752**
The minimum required side yard setback is 0.6 m.
The altered dwelling will be located 0.45 m from the west side lot line.
5. **Section 5.6, By-law 6752**
The minimum required side yard setback is 0.6 m.
The rear deck will be located 0.46 m from the west side lot line and 0.34 m from the east side lot line.
6. **Section 5.6, By-law 6752**
A platform or deck may project a maximum of 3.6 m measured from the rear wall of a dwelling.
The rear deck will project 4.0 m from the rear wall.
7. **Section 5.6, By-law 6752**
The maximum permitted height of a detached garage is 3.6 m.
The rear detached garage will have a height of 4.0 m.

Applications B0058/15TEY, A0749/15TEY, and A0750/15TEY were considered jointly.

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: A0749/15TEY Zoning RD (f6.0; a185; d0.75) & RIC (WAIVER)
Owner(s): JMZ DEVELOPMENTS INC. Ward: Beaches-East York (31)
Agent: MARIO FARAONE
Property Address: **325 WESTLAKE AVE (PART 1)** Community: East York
Legal Description: PLAN 1770 LOT 493

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Wendy Smith (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **WEDNESDAY, SEPTEMBER 30, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **WEDNESDAY, OCTOBER 14, 2015**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A0750/15TEY	Zoning	RD (f6.0; a185; d0.75) & R1C (WAIVER)
Owner(s):	JMZ DEVELOPMENTS INC.	Ward:	Beaches-East York (31)
Agent:	MARIO FARAONE		
Property Address:	325 WESTLAKE AVE (PART 2)	Community:	East York
Legal Description:	PLAN 1770 LOT 493		

Notice was given and a Public Hearing was held on **Thursday, September 24, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with a rear deck fronting on Westlake Crescent with a rear detached garage fronting on Westlake Avenue on the conveyed lot described in Consent Application B0058/15TEY.

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

- Chapter 10.20.30.40.(1), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (85.6 m²).
In this case, the lot coverage will be equal to 52% of the lot area (127.85 m²).
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The roof eaves will be located 0.0 m from the west side lot line and 0.0 m from the east side lot line.
- Chapter 10.5.60.20.(5)(B), By-law 569-2013**
The minimum required rear yard setback for an ancillary building or structure containing a parking space where the rear lot line abuts a street and vehicle access to the parking space in the ancillary building is from the street is 6.0 m.
The rear detached garage will be located 0.45 m from the south rear lot line.

1. **Section 7.4.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (85.6 m²).
In this case, the lot coverage will be equal to 49% of the lot area (119.04 m²).
2. **Section 7.4.3, By-law 6752**
The maximum permitted building length is 16.75 m.
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