

Thursday, April 7, 2016

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

File Number:	A0184/16NY	Zoning	RD/R4 [WAIVER]
Owner(s):	PROSPER LIVING DEVELOPMENT INC JIAKENG ZHANG PROSPER LIVING DEVELOPMENT INC.	Ward:	Willowdale (24)
Agent:	ALI SHAKERI	Heritage:	Not Applicable
Property Address:	382 RUTH AVE	Community:	North York
Legal Description:	PLAN 1962 PT LOT 24 RP 66R26864 PARTS 2 AND 3		

Notice was given and a Public Hearing was held on Thursday, April 7, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

- Chapter 10.20.40.70 and Exception RD5, By-law No. 569-2013**
The minimum required side yard setback is 1.80m.
The proposed east side yard setback is 1.20m.
- Chapter 10.20.40.70 and Exception RD5, By-law No. 569-2013**
The minimum required side yard setback is 1.80m.
The proposed west side yard setback is 1.20m.
- Chapter 10.20.30.20, By-law No. 569-2013**
The minimum required lot frontage is 15.00m.
The proposed lot frontage is 12.75m.
- Chapter 10.20.40.10, By-law No 569-2013**
The maximum permitted finished first floor height is 1.20m
The proposed finished first floor height is **1.44m**.
- Chapter 10.20.40.10, By-law No. 569-2013**
The maximum permitted side exterior main wall height is 7.50m
The proposed west and east side exterior main wall heights are **7.80m** for 18.00% of the width of the wall.

6. **Section 13.2.1 & 6(8), By-law No. 7625**
The minimum required lot frontage and lot width is 15.00m.
The proposed lot frontage and lot width is 12.75m.
7. **Section 13.2.3 & 12.2.3A, By-law No. 7625**
The minimum required side yard setback is 1.57m.
The proposed east side yard setback is 1.20m.
8. **Section 13.2.3 & 12.2.3A, By-law No. 7625**
The minimum required side yard setback is 1.57m.
The proposed west side yard setback is 1.20m.
9. **Section 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.80m.
The proposed building length is 18.78m.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- 1) Submission of a complete application for permit to injure or remove privately owned trees.
- 2) Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The current cost of planting a tree is \$583.

SIGNATURE PAGE

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Rick Ross (signed)

Nadini Sankar (signed)

Beth Levy (signed)

Denise Graham (signed)

DATE DECISION MAILED ON: Thursday, April 14, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, April 27, 2016

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.