

Thursday, June 9, 2016

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

File Number:	A0330/15NY	Zoning	RD (f15.0; a600) (x5) / R4 [BLD]
Owner(s):	██████████ - ██████████ ██████████	Ward:	Willowdale (24)
Agent:	MAMIR AHAMDI	Heritage:	Not Applicable
Property Address:	██████████	Community:	North York
Legal Description:	PLAN 3465 PT LOT 30		

Notice was given and a Public Hearing was held on Thursday, June 9, 2016, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To legalize and maintain the existing three-storey detached dwelling with an integral, at grade, two car garage.

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

- Chapter 10.20.40.20.(1), By-law No. 569-2013**  
The maximum permitted building length for a detached house, not including permitted one storey rear extension is 17.0m.  
The proposed building length, not including the proposed one storey rear extension is 17.66m.
- Chapter 10.20.40.30.(1), By-law No. 569-2013**  
The maximum permitted building depth is 19.0m.  
The proposed building depth is 19.50m.
- Chapter 10.20.40.70.(1), By-law No. 569-2013**  
The minimum required front yard setback is 9.16m.  
The proposed front yard setback is 7.23m.
- Chapter 10.5.40.60.(1), By-law No. 569-2013**  
A platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach 2.5m 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 platform encroaches 3.47m into the required front yard setback.
- Chapter 10.20.40.10.(3), By-law No. 569-2013**  
The permitted maximum number of storeys is 2.  
The proposed number of storeys is 3.

6. **Chapter 10.20.40.10.(4), By-law No. 569-2013**  
The maximum permitted building height is 7.2m.  
The proposed building height is 9.8m.
7. **Chapter 10.20.40.10.(6), By-law No. 569-2013**  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 1.6m.
8. **Chapter 10.20.40.50.(1), By-law No. 569-2013**  
The maximum permitted area of each platform at or above the second storey of a detached house is 4.0m<sup>2</sup>.  
The proposed area of the front platform at or above the second storey is 5.80m<sup>2</sup>.
9. **Chapter 10.5.40.60.(3), By-law No. 569-2013**  
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2.0m.  
The proposed front stairs are 2.30m wide.
10. **Chapter 10.20.40.20.(2), By-law No. 569-2013**  
The maximum permitted building length is 19.0m providing the extension to the building is less than 5.0m in height and is one storey.  
The proposed building length is 19.5m and the extension to the building is 5.51m in height.
11. **Chapter 10.20.40.50.(1), By-law No. 569-2013**  
The maximum permitted area of each platform at or above the second storey of a detached house is 4.0m<sup>2</sup>.  
The proposed area of the rear platform at or above the second storey is 10.22m<sup>2</sup>.
12. **Section 12.7, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.65m.
13. **Section 6(30)a, By-law No. 7625**  
The maximum finished first floor height is 1.5m.  
The proposed finished first floor height is 2.13m.
14. **Section 12.5A, By-law No. 7625**  
The maximum permitted building length is 18.9m providing the extension to the building is less than 5.0m in height.  
The proposed building length is 19.50m and the extension to the building is 6.04m in height.
15. **Section 6(9)(f), By-law No. 7625**  
The maximum permitted projection of a front porch is 2.1m from the wall.  
The proposed front porch projects 3.47m from the wall.

**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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Beth Levy (signed)                      Giacomo Tonon (signed)                      Denise Graham (signed)

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Derek Lett (signed)                      Bruce Mullock (signed)

DATE DECISION MAILED ON: Thursday, June 16, 2016  
LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, June 29, 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](http://www.omb.gov.on.ca).