

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

File Number:	A0218/16TEY	Zoning:	RS & R2A (ZZC)
Owner(s):	AMIT KHANNA KATIE BURNS	Ward:	Toronto-Danforth (29)
Agent:	DAVID SMITH	Heritage:	Not Applicable
Property Address:	84 WILEY AVE	Community:	East York
Legal Description:	PLAN 1802 LOT 16		

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 alter the existing one-storey detached dwelling by constructing a complete second storey, a rear two-storey addition, a new covered front porch, a rear deck and a rear entrance for a secondary suite in the basement.

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

- Chapter 200.5.10.1, By-law 569-2013**  
A minimum of two parking spaces are required to be provided.  
In this case, no parking spaces will be provided.
- Chapter 10.40.30.40.(1), By-law 569-2013**  
The maximum permitted lot coverage is 35% of the area of the lot (77.25 m<sup>2</sup>).  
The lot coverage will be equal to 43% of the area of the lot (95.78 m<sup>2</sup>).
- Chapter 10.40.40.10.(2), By-law 569-2013**  
The maximum permitted building height of all front and rear exterior main walls is 7.0 m.  
The height of the front exterior main wall will be 7.88 m.
- Chapter 10.40.40.10.(2), By-law 569-2013**  
The maximum permitted building height of all side exterior main walls facing a side lot line is 7.0 m.  
The height of the side exterior main walls facing a side lot line will be 7.57 m.
- Chapter 10.40.40.40.(1), By-law 569-2013**  
The maximum permitted floor space index of a detached dwelling is 0.75 times the area of the lot (165.53 m<sup>2</sup>).  
The altered dwelling will have a floor space index equal to 0.87 times the area of the lot (191.69 m<sup>2</sup>).
- Chapter 10.40.40.70.(1), By-law 569-2013**  
The minimum required front yard setback is 4.04 m.

The altered dwelling will be located 3.84 m from the front lot line.

7. **Chapter 10.5.40.60.(7), By-law 569-2013**  
Roof eaves are permitted to project 0.9 m provided they are no closer than 0.3 m to a lot line.  
In this case, the roof eaves will be located 0.23 m from the south lot line.
8. **Chapter 150.10.40.1.(3), By-law 569-2013**  
A secondary suite is permitted provided that an addition or exterior alteration to a building to accommodate a secondary suite does not alter or add to a main wall or roof facing a street.  
In this case, the second floor addition will alter the main wall facing a street.
1. **Section 7.5.3, By-law 6752**  
A minimum of two parking spaces are required to be provided.  
In this case, no parking spaces will be provided.
2. **Section 5.6, By-law 6752**  
The minimum required setback for stairs from any lot line adjacent to a street is 1.5 m.  
The front stairs will be located 1.3 m from the front lot line.
3. **Section 7.5.3, By-law 6752**  
The minimum required front yard setback is 6.0 m.  
The altered dwelling will be located 3.84 m from the front lot line.
4. **Section 7.5.3, By-law 6752**  
The minimum required south side lot line setback is 0.45 m.  
The altered dwelling will be located 0.22 m from the south side lot line.
5. **Section 7.5.3, By-law 6752**  
The maximum permitted lot coverage is 35% of the lot area (77.25 m<sup>2</sup>).  
The lot coverage will be equal to 48% of the area of the lot (106.47 m<sup>2</sup>).
6. **Section 7.5.3, By-law 6752**  
The maximum permitted floor space index is 0.75 times the area of the lot (165.53 m<sup>2</sup>).  
The altered dwelling will have a floor space index equal to 0.87 times the area of the lot (191.69 m<sup>2</sup>).
7. **Section 7.1.3 (e), By-law 6752**  
A second suite is permitted if the main front wall is not altered.  
The second floor addition will alter the main front 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 refuse 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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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

**DISSENTED**

**DISSENTED**

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Nancy Oomen

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Worrick Russell

DATE DECISION MAILED ON: **Wednesday, June 15, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, June 29, 2016**

CERTIFIED TRUE COPY

Sylvia Mullaste  
Acting 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](http://www.omb.gov.on.ca).