

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

File Number:	A0619/16TEY	Zoning	RD (d1.0) & R2 Z1.0 (ZZC)
Owner(s):	FRANK SERPA	Ward:	St. Paul's (21)
Agent:	SASHA MILENOV	Heritage:	Not Applicable
Property Address:	216 HEATH ST W	Community:	Toronto
Legal Description:	PLAN 711 PT LOT 32		

Notice was given and a Public Hearing was held on **Tuesday, September 13, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey detached dwelling, containing three dwelling units and one live/work unit, by converting the dwelling into one residential unit and two live/work units.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**Chapter 150.5.40.40.(1), By-law 569-2013**

A home occupation is a permitted use provided that the floor area for home occupation is less than 100 m². In this case, the floor area of the home occupation is 127.9 m².

Section 6(2) 20(ii), By-law 438-86

A home/work use is a permitted residential use accessory to a dwelling unit provided the maximum gross floor area does not exceed 30.0 m².

In this case, the gross floor area of the home/work use will be 82.9 m².

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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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Michael Clark (signed)

Carl Knipfel (signed)

Lisa Valentini (signed)

DATE DECISION MAILED ON: **MONDAY, SEPTEMBER 19, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **MONDAY, OCTOBER 3, 2016**

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 \$300.00, 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.