

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

File Number:	A0375/16TEY	Zoning	RD(f6.0;a185;d0.75) & RIC (ZZC)
Owner(s):	KATHERINE RUSTON DEAN RUSTON	Ward:	Toronto-Danforth (29)
Agent:	DEAN RUSTON	Heritage:	Not Applicable
Property Address:	14 PEPLER AVE	Community:	East York
Legal Description:	PLAN M513 PT LOT 48		

Notice was given and a Public Hearing was held on **Wednesday, August 10, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and maintain the rear detached garage/shed which was constructed without a building permit.

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

1. **Chapter 10.20.30.40.(1)(A), By-law 569-2013**
The maximum permitted lot coverage is 35% of the lot area (63.41 m²).
The lot coverage is equal to 46% of the lot area (82.81 m²).
2. **Chapter 10.5.60.20.(2)(C), By-law 569-2013**
The minimum required rear yard setback for an ancillary building or structure is 0.3 m.
The rear garage/shed is located 0.25 m from the west rear lot line.
3. **Chapter 10.5.60.60.(1), By-law 569-2013**
The permitted maximum projection of the roof eaves of an ancillary building into the minimum building setback is 0.3 m if the eaves are no closer to a lot line than 0.15 m.
The eaves of the rear garage/shed are located 0.10 m from the west rear lot line.
1. **Section 7.4.3, By-law 6752**
The maximum permitted lot coverage is 35% of the lot area (63.41 m²).
The lot coverage is equal to 46% of the lot area (82.81 m²).
2. **Section 7.4.3, By-law 6752**
The minimum required rear yard setback is 0.45 m.
The rear garage/shed will be located 0.10 m from the west rear lot line.

3. Section 7.4.3, By-law 6752

The minimum required side yard setback is 0.45 m.

The altered building will be located 0.30 m from the north side lot line.

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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DISSENTED

Robert Brown (signed)

Edmund Carlson (signed)

Ewa Modlinska

DISSENTED

Nancy Oomen

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, August 16, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, August 30, 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.

