

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

| | | | |
|--------------------|-------------------------------|------------|-------------------------|
| File Number: | A0590/16TEY | Zoning: | R(d0.6) & R2 Z0.6 (ZZC) |
| Owner(s): | VICTORIA CHENG JASON RIOUX | Ward: | Trinity-Spadina (19) |
| Agent: | JASON RIOUX | Heritage: | Not Applicable |
| Property Address: | 103 BEATRICE ST | Community: | Toronto |
| Legal Description: | PLAN 748 PT LOTS 86 & 87 | | |

Notice was given and a Public Hearing was held on **Thursday, September 22, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a rear detached garage.

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

- Chapter 10.5.60.20.(3), By-law 569-2013**
The minimum required side yard setback for an ancillary building or structure located in the rear yard and 1.8 m or more from the residential building on the lot is 0.3 m.
The new rear detached garage will be located 0.10 m from the north side lot line.
- Chapter 10.5.60.40.(2), By-law 569-2013**
The maximum permitted height of an ancillary building is 4.0 m.
The new rear detached garage will have a height of 5.59 m.
- Chapter 10.5.60.40.(3), By-law 569-2013**
An ancillary building or structure is permitted a maximum height of one storey.
The new rear detached garage will have a height of two storeys.
- Chapter 10.5.60.50.(2), By-law 569-2013**
The maximum permitted total floor area of all ancillary buildings or structure on the lot is 40.0 m².
The new rear detached garage will have a floor area of 79.90 m².
- Chapter 10.5.50.10.(3), By-law 569-2013**
A minimum of 50% (52.61 m²) of the rear yard must be maintained as soft landscaping.
In this case, 44% (46.05 m²) of the rear yard will be maintained as soft landscaping.

1. Section 6(3) Part II 7(I), By-law 438-86

The minimum required setback of an accessory structure to all lot lines is 3.0 m.

The new rear detached garage will be located 2.44 m from the east rear lot line, 0.10 m from the north side lot line, and 0.97 m from the south side lot line.

2. Section 4(2)(d)(i), By-law 438-86

The maximum permitted height of an accessory structure is 4.0 m.

The new rear detached garage will have a height of 5.59 m.

3. Section 6(3) Part I 2, By-law 438-86

An accessory building is permitted a maximum floor area no greater than 5% of the lot area (11.88 m²).

The new rear detached garage will have a gross floor area equal to 17% of the lot area (39.95 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 **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

| | | | |
|--------------------|-------------------------------|------------|-------------------------|
| File Number: | A0590/16TEY | Zoning | R(d0.6) & R2 Z0.6 (ZZC) |
| Owner(s): | VICTORIA CHENG JASON RIOUX | Ward: | Trinity-Spadina (19) |
| Agent: | JASON RIOUX | Heritage: | Not Applicable |
| Property Address: | 103 BEATRICE ST | Community: | Toronto |
| Legal Description: | PLAN 748 PT LOTS 86 & 87 | | |

Alex Bednar (signed)

Michael Clark (signed)

Donald Granatstein (signed)

Carl Knipfel (signed)

DATE DECISION MAILED ON: **Tuesday, September 27, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, October 12, 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.