

Thursday, October 20, 2016

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

File Number:	A0677/16NY	Zoning	RD (f30.0; a690) / R3 [ZZC]
Owner(s):	RICHARD HANY DOROTHY LAZINSKI	Ward:	Don Valley West (25)
Agent:	GOLDBERG GROUP	Heritage:	Not Applicable
Property Address:	1 HEDGEWOOD RD	Community:	North York
Legal Description:	PLAN 1750 LOT 89 PT LOT 92 CON 1 EY PT LOT 9		

Notice was given and a Public Hearing was held on Thursday, October 20, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral garage. The existing dwelling and detached garage would be demolished.

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

- 1. 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.
- 2. 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 4.0m².
The proposed area of each platform at or above the second storey is **8.91m²**.
- 3. Chapter 10.5.40.70, By-law No. 569-2013**
The required minimum front yard setback is 7.57m.
The proposed front yard setback is 5.13m.
- 4. Chapter 10.20.40.70.(3), By-law No. 569-2013**
The required minimum side yard setback is 3.0m.
The proposed north side yard setback is 1.50m.
- 5. Chapter 10.20.40.70.(5), By-law No. 569-2013**
The minimum required side yard setback is 7.5m where the building depth is greater than 17.0m from the main wall of the building.
The proposed side yard setback is 1.50m on the north side.

6. **Chapter 10.20.40.70.(5), By-law No. 569-2013**
The required minimum side yard setback is 7.5m where the building depth is greater than 19.0m from the required front yard setback.
The proposed side yard setback is 1.50m on the north side.
7. **Chapter 10.20.40.10.(1), By-law No. 569-2013**
The maximum permitted height of a building or structure is 10.0m.
The proposed building height is 10.97m.
8. **Chapter 5.10.40.70.(6) , By-law No. 569-2013**
The by-law requires that where a shoreline hazard limit or a stable top-of-bank crosses a lot, a building or structure on that lot must be set back a minimum of 10.0m from that shoreline hazard limit or stable top-of-bank.
The proposed building/structure will be 0m from the stable top-of-bank.
9. **Section 12.4(a), By-law No. 7625**
The minimum required front yard setback is 7.5m.
The proposed front yard setback is 5.13m.
10. **Section 12.5A, By-law No. 7625**
The minimum required side yard setback is 1.8m.
The proposed north side yard setback is 1.50m.
11. **Section 12.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 29.0m.
12. **Section 12.7, By-law No. 7625**
The maximum permitted number of storeys is 2.
The proposed number of storeys is 3.
13. **Section 12.7A, By-law No. 7625**
The maximum permitted balcony area is 3.8m².
The proposed balcony area is **8.91m²**.
14. **Section 12.7, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.83m.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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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Bruce Mullock (signed)

Giacomo Tonon (signed)

Nadini Sankar (signed)

Rick Ross (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Thursday, October 27, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, November 9, 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 \$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.