

Thursday, June 9, 2016

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

File Number:	A0393/16NY	Zoning	RD (f15.0; a550) (x5) / R4 [ZZC]
Owner(s):	1945078 ONTARIO INC	Ward:	Don Valley West (25)
Agent:	TAES ARCHITECTS INC	Heritage:	Not Applicable
Property Address:	31 OVERTON CRES	Community:	North York
Legal Description:	PLAN 4332 LOT 237		

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 construct a second floor addition above the existing one-storey dwelling and a two-storey addition towards the west side of the dwelling. The applicant also proposes to construct a new attached garage with second floor above. The existing detached garage would be demolished.

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

- 1. Chapter 10.5.50.10.(2), By-law No. 569-2013**
The minimum required side yard landscaping area is 60%.
The proposed side yard landscaping area is 58.7%.
- 2. Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 25.0% of the lot area.
The proposed lot coverage is 27.1% of the lot area.
- 3. Chapter 10.20.40.30.(1), By-law No. 569-2013**
The maximum permitted building depth is 19.0m.
The proposed building depth is 22.24m.
- 4. Chapter 10.20.40.70.(2), By-law No. 569-2013**
The minimum required rear yard setback is 7.5m.
The proposed rear yard setback is 2.02m.
- 5. Chapter 900.3.10(5), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.23m.

6. **Section 14.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.23m.
7. **Section 14.2.3c, By-law No. 7625**
The minimum required rear yard setback is 9.5m.
The proposed rear yard setback is 2.02m.
8. **Section 14.2.4, By-law No. 7625**
The maximum permitted lot coverage is 25.0% of the lot area.
The proposed lot coverage is **27.1%** of the lot area.
9. **Section 14.2.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 19.74m.
10. **Section 14.2.6, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is **9.09m**.
11. **Section 14.2.6A , By-law No. 7625**
The maximum permitted balcony area is 3.8m².
The proposed second storey west balcony area is **3.93m²**.
12. **Section 6(9)(f), By-law No. 7625**
The maximum permitted projection of a porch or deck is 2.1m from the front wall.
The proposed front deck projects **3.02m** from the front wall.
13. **Section 6(9)(c), By-law No. 7625**
Porches and decks 2.3m² or less in area, shall be permitted to project into one minimum side yard setback only, not more than 1.6m, but no closer than 0.6m from any side lot line.
The proposed west side porch area is 4.7m².
14. **Section 6(9)(j), By-law No. 7625**
The maximum permitted area of a canopy in a side yard is 2.3m² and it may not project more than 1.6m from the wall.
The proposed west canopy is **7.59m²** in area and projects **1.5m** from the 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 **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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Beth Levy (signed)

Giacomo Tonon (signed)

Denise Graham (signed)

Bruce Mullock (signed)

DATE DECISION MAILED ON: Thursday, June 16, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, June 29, 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 \$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.