

Thursday, September 29, 2016

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

File Number:	A174/16EYK	Zoning	RD & RS
Owner(s):	W5H GROUP INC	Ward:	Etobicoke-Lakeshore (06)
Agent:	ROCK KIM	Heritage:	Not Applicable
Property Address:	20 ELTON CRES – PART 1	Community:	
Legal Description:	PLAN 1545 LOT 278		

Notice was given and a Public Hearing was held on Thursday, September 29, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 370 m².
Section 330-23.A.(1)
The minimum required lot area is 371 m².
Section 10.20.30.10.(1)(A), By-law 569-2013 and Section 330-23.A.(1)
The new lot area will be 347.5 m².
- Section 10.20.30.20.(1)(A), By-law 569-2013 and Section 330-23.A.(2)**
The minimum required lot frontage is 12 m.
The new lot frontage will be 7.6 m.
- Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.A.(9)**
The maximum permitted floor space index is 0.35 times the area of the lot (121.6 m²).
The new dwelling will have a floor space index of 0.59 times the area of the lot (205.62 m²).
- Section 10.20.40.70.(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
Section 330-23.A.(7)
The minimum required side yard setback is 0.9 m.
Section 10.20.40.70.(3)(C), By-law 569-2013 and Section 330-23.A.(7)
The new dwelling will be located 0.61 m from the south side lot line.

5. **Section 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
The new dwelling will have a length of 17.98 m.
6. **Section 10.20.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line not abutting a street is 7 m.
The new dwelling will have a side exterior main wall height of 7.98 m facing a side lot line not abutting a street.
7. **Section 10.5.40.10.(5), By-law 569-2013**
A minimum of 10 m² of the first floor must be within 4 m of the front main wall.
A total of 2.6 m² of the first floor will be located within 4 m of the front main wall.
8. **Section 10.5.40.60.(1)(A)(i), By-law 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback (2.5 m) if it is no closer to a side lot line than the required side yard setback.
The proposed platform will encroach 0.87 m into the required front yard setback and will be located 0.6 m closer to the south side lot line than the required setback.
9. **Section 200.5.1.10.(2)(A)(ii) & (iv), By-law 569-2013 and Section 330-9A(1)(c)**
The minimum required width of a parking space is 3.2 m.
The proposed parking space, within the proposed attached garage, will have a width of 3.15 m.
10. **Section 330-13.A.(2)**
The minimum required side yard setback for eaves is 0.5 m.
The eaves of the new dwelling will be located 0.3 m from the south side lot line.

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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Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, October 7, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, October 19, 2016

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke 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.