

CITY OF TORONTO
COUNCILLOR FILION
or OCCUPANT
NORTH YORK CIVIC CENTRE
5100 YONGE ST
TORONTO ON

Thursday, November 24, 2016

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

File Number:	A0817/16NY	Zoning	R4/RD (f15.0; a550)(x5)[WAIVER]
Owner(s):	ALI TAVAKOLI SALMAZ SADEGHIAN	Ward:	Willowdale (23)
Agent:	MEMAR ARCHITECTS	Heritage:	Not Applicable
Property Address:	293 BOGERT AVE	Community:	North York
Legal Description:	PLAN 1743 LOT 1035 PT LOT 1034		

Notice was given and a Public Hearing was held on Thursday, November 24, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling. The existing dwelling would be demolished.

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

- Chapter 10.20.40.70.(3), By law No. 596-2013**
The minimum required side yard setback is 1.8m
The proposed west side yard setback is 1.20m
- Chapter 900.3.10.(5), By law No. 596-2013**
The minimum required side yard setback is 1.8m
The proposed east side yard setback is 1.40m.
- Chapter 10.20.30.40.(1), By-law No. 569-2013**
The maximum permitted lot coverage is 30.0% of lot area.
The proposed lot coverage is 32% of the lot area.
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m
The proposed height of all side exterior main walls facing a side lot line is 9.42m.
- Chapter 10.5.50.10.(1), By-law No. 569-2013**
The minimum required front yard must be landscaping is 50%
The proposed front yard landscaping area is 44%
- Chapter 10.5.40.10 (5), Zoning By-law 569-2013**
~~A minimum of 10m² of the first floor must be within 4.0m of the main front wall~~
The proposed first floor (sunken entrance) within 4.0m of the main front wall excluding stairs is 3.52m².

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7. **Section 13.2.1 and 6(8), By-law No. 7625**
The minimum required lot frontage and width is 15.0m.
The existing lot frontage and width is 10.67m.
 8. **Section 13.2.2, By-law No. 7625**
The minimum required lot area is 550 m²
The existing lot area is 357.87 m²
 9. **Section 13.2.3(a), By-law No. 7625**
The minimum front yard set back is 7.5m
The proposed front yard set back is 6.00m
 10. **Section 13.2.3(a), (b), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 1.20m for the portion related to the garage.
 11. **Section 13.2.3, A & 13.2.3, By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed east side yard setback is 1.40m.
 12. **Section 13.2.4, By-law No. 7625**
The maximum permitted lot coverage is 30.0% of lot area.
The proposed lot coverage is 32% of the lot area.
 13. **Section 7.4A, By-law No. 7625**
The minimum required landscaping is 50%
The proposed landscaping is 44%

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 Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

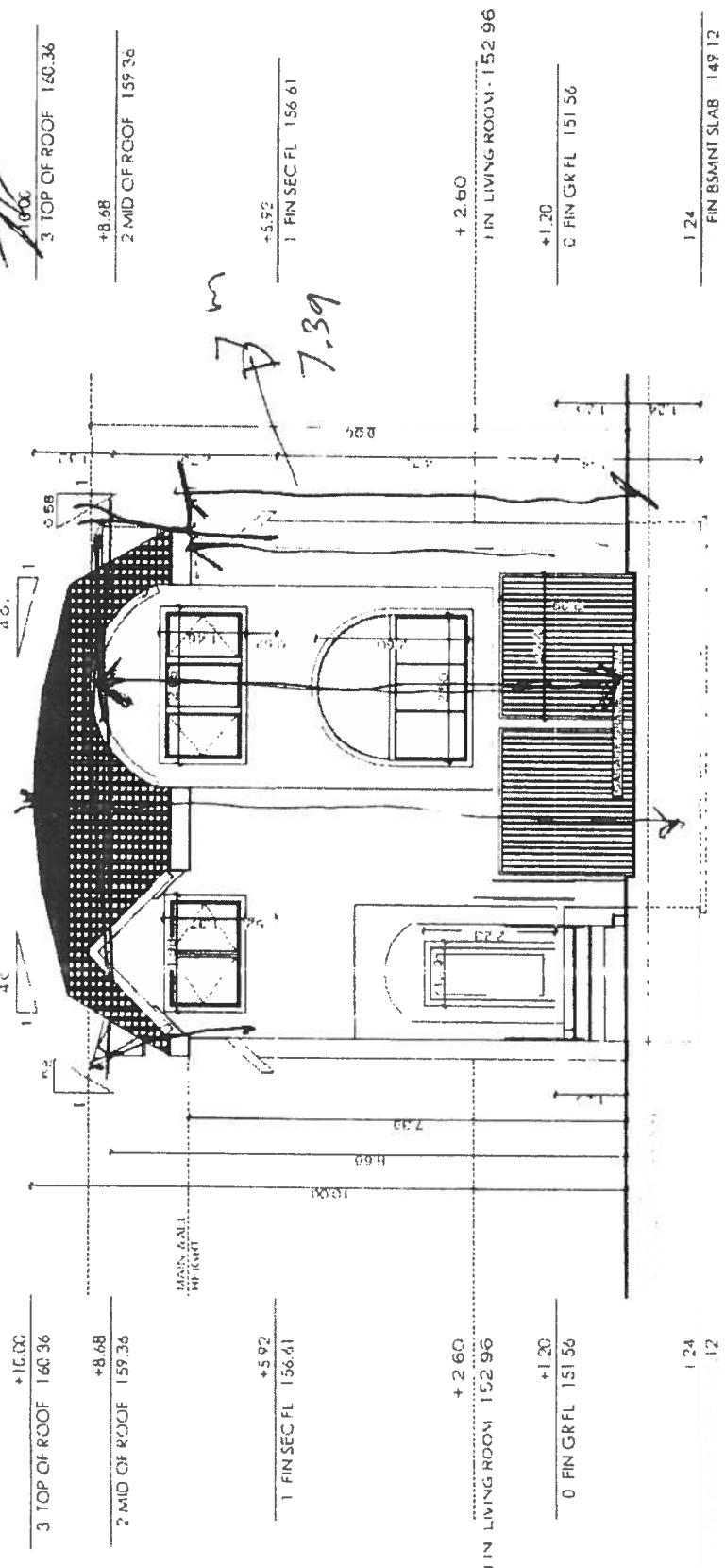
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- 1) The proposed driveway be constructed with permeable pavers.
- 2) The property being developed essentially in accordance with the elevations attached to this decision, signed and dated November 24, 2016.
Any other variance(s) that may appear on these plans but are not listed in the written decision are NOT authorized.

Nov 24 / 2016

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+10.00
3 TOP OF ROOF 160.36

+8.68
2 MID OF ROOF 159.36

+5.92
1 FIN SEC FL 156.61

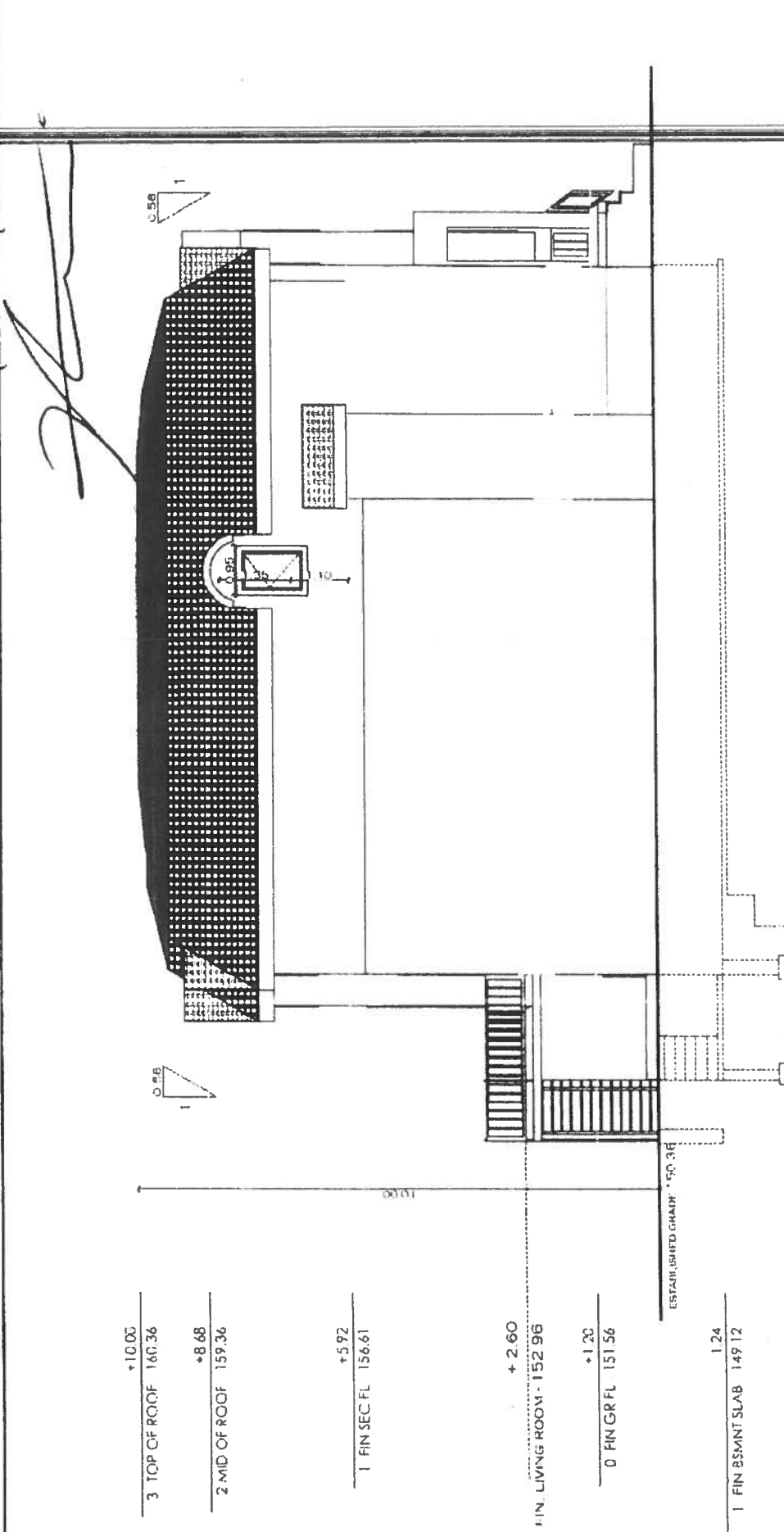
+2.60
1 IN LIVING ROOM 152.96

+1.20
0 FIN GR FL 151.56

1.24
FIN BSMT SLAB 149.12

<p>DATE: 11/24/16</p> <p>PROJECT: 253 BOGERT AVE</p>		<p>SCALE: 1/8" = 1'-0"</p> <p>DATE: 11/24/16</p>	<p>MEMAR</p> <p>253 BOGERT AVE</p>	<p>ONLINE ASSOCIATES</p> <p>ARCHITECTS</p> <p>253 BOGERT AVE</p> <p>1.416.576.4449</p>	<p>A.07</p>
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Nov/24/2016



+10.00
3 TOP OF ROOF 160.36

+8.68
2 MID OF ROOF 159.36

+5.92
1 FIN SEC FL 156.61

+2.60
FIN. LIVING ROOM - 152.96

+1.20
0 FIN GR FL 151.56

1.24
1 FIN BSMT SLAB 149.12

ESTABLISHED GRADE +50.36

<p>DRIVING FILE</p> <p>PROJECT: MILLABRETT</p> <p>213 BOGERT AVE</p>	<p>SCALE: 1/8" = 1'-0"</p> <p>DATE: 11/24/16</p> <p>REVISION: 2.2016</p>	<p>MEMAR</p> <p>MEMAR ASSOCIATES</p> <p>ARCHITECTS</p> <p>2200 TONGUE POINT BLVD</p> <p>LOS ANGELES, CA 90047</p> <p>T 415.575.4445</p>	<p>OWNER: A. J. BELL, INC.</p> <p>2200 TONGUE POINT BLVD</p> <p>LOS ANGELES, CA 90047</p> <p>T 415.575.4445</p>	<p>PROJECT: MILLABRETT</p> <p>213 BOGERT AVE</p>	<p>E-59 Elevation</p>	<p>DATE: 11/24/16</p>	<p>1.24</p>	<p>1 FIN BSMT SLAB 149.12</p>	<p>0 FIN GR FL 151.56</p>
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Nov/24/2016

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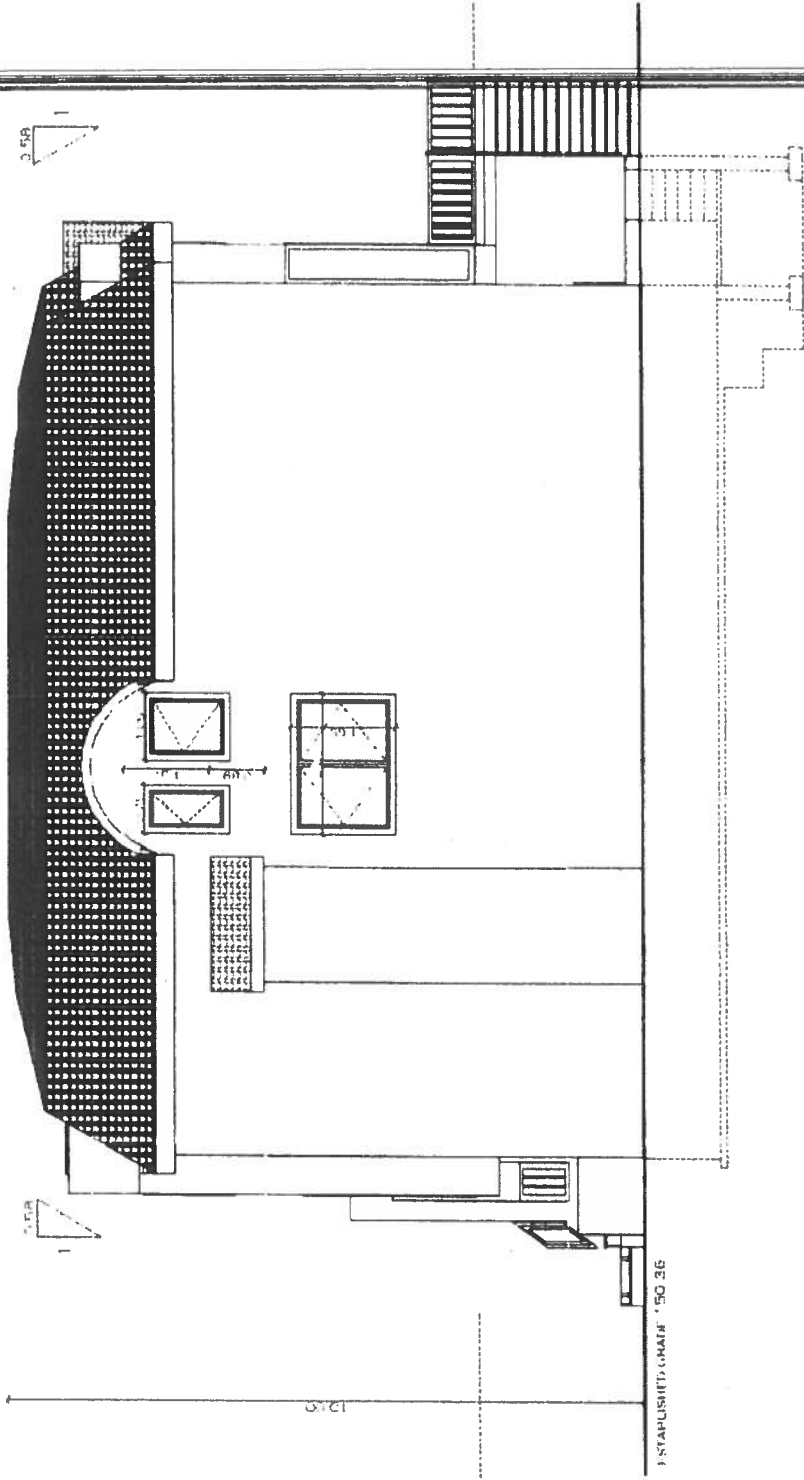
2 MID OF ROOF 159.36

1 FIN SEC FL 156.61

+ 2.60
N LIVING ROOM 152.96

+1.20
C FIN GR FL 151.56

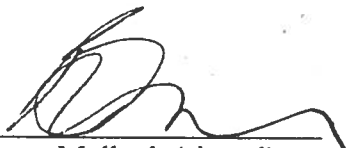
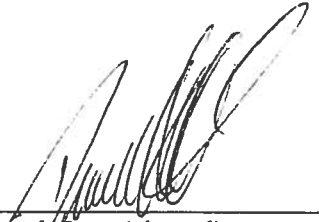
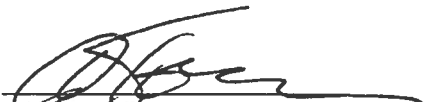
1.24
1 FIN BSMT SLAB 149.12



<div> <div>MEMAR</div> <div> MEMAR ARCHITECTS 2733 ROGERT AVE TORONTO, ON M9W 7C7 T 416-593-4408 </div> </div>		<div> SCALE 1/75 DATE: 11/24/16 REVISION: 2, 2016 </div>		<div> DRAWING TITLE E-58 Elevation PROJECT: MILLARDELL 2733 ROGERT AVE </div>		<div> ONTARIO ASSOCIATION OF ARCHITECTS 1000 SHEPPARD AVE. E. SUITE 100 SCARBOROUGH, ONT. M1S 1T5 T 416-291-1100 </div>		<div> A.09 </div>	
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SIGNATURE PAGE

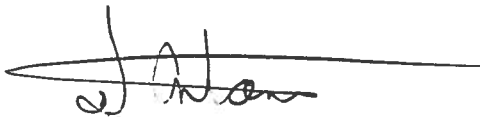
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Bruce Mullock (signed)
Derek Lett (signed)
Giacomo Tonon (signed)
Rick Ross (signed)

DATE DECISION MAILED ON: Thursday, December 1, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 14, 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.
