

Thursday, January 21, 2016

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

File Number:	A1034/15NY	Zoning	R1A/RD (f9.0; a275; d0.45)[WAIVER]
Owner(s):	COREY GINO GEORDON FERGUSON	Ward:	Don Valley West (26)
Agent:	SEYED ROUZBEH HOSSEINI	Heritage:	Not Applicable
Property Address:	<b>164 PARKHURST BLVD</b>	Community:	East York
Legal Description:	PLAN 1925 LOT 544		

Notice was given and a Public Hearing was held on Thursday, January 21, 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 10.20.40.10, By-law No. 569-2013**  
The maximum permitted building height is 8.5m.  
The proposed building height is 8.89m.
- Chapter 10.20.40.40, By-law No. 569-2013**  
The maximum permitted Floor Space Index is 0.45 times the lot area.  
The proposed Floor Space Index is 0.646 times the lot area.
- Chapter 10.5.40.10.(5), By-law No. 569-2013**  
A minimum of 10.0m<sup>2</sup> of the first floor must be within 4.0m of the front main wall.  
The proposed area of the first floor within 4m of the main front wall is 8.95m<sup>2</sup>.
- Section 6.2.3, By-law No. 1916**  
The maximum permitted building height is 8.5m.  
The proposed building height is 8.78m.
- Section 6.2.3, By-law No. 1916**  
The maximum permitted Floor Space Index is 0.45 times the lot area.  
The proposed Floor Space Index 0.646 times the lot area.

**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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\_\_\_\_\_  
Rick Ross (signed)

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Beth Levy (signed)

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Denise Graham (signed)

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Bruce Mullock (signed)

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Derek Lett (signed)

DATE DECISION MAILED ON: Thursday, January 28, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, February 10, 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](http://www.omb.gov.on.ca).