

Thursday, November 17, 2016

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

File Number:	A0718/16EYK	Zoning	RD & R5
Owner(s):	MELISSA MIRANDA DAMINAO COLASANTI	Ward:	York South-Weston (11)
Agent:	SOL ARCH	Heritage:	Not Applicable
Property Address:	104 X WENDELL AVE – PART 1	Community:	
Legal Description:	PLAN M458 PT LOT 27		

Notice was given and a Public Hearing was held on Thursday, November 17, 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 10.20.30.20.(1)(A), By-law 569-2013 & Section 14.2.1., By-law 7625**
The minimum required lot frontage 15 m.
The lot frontage will be 7.62 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 14.2.2., By-law 7625**
The minimum required lot area is 550 m².
The lot area will be 348.2 m².
- Section 6(8), By-law 7625**
The minimum required lot width is 15 m.
The lot will have a width of 7.62 m.
- Section 14.2.4, By-law 7625**
The maximum permitted lot coverage is 30% of the lot area.
The proposed dwelling will have a lot coverage of 32.6% of the lot area.
- Section 900.3.10.(5)(A), By-law 569-2013 & Section 14.2.3(b), By-law 7625**
The minimum required side yard setback is 1.8 m.
The proposed dwelling will be located 0.51 m from the north side lot line and 0.91 m from the south side lot line.

6. **Section 10.5.40.60.(7), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
The eaves of the proposed dwelling will be located 0.21 m from the north side lot line.
7. **Section 14.2.5 A, By-law 7625**
The maximum permitted dwelling length is 16.8 m.
The proposed dwelling will have a length of 18.2 m.
8. **Section 14.2.6, By-law 7625**
The maximum permitted dwelling height is 8.8 m.
The proposed dwelling will have a height of 10.34 m.
9. **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 is 7.5 m.
The side exterior main walls of the proposed dwelling will have a height of 8.46 m facing a side lot line.
10. **Section 10.20.40.10.(3)(A), By-law 569-2013 & Section 14.2.6, By-law 7625**
The maximum permitted number of storeys is 2.
The proposed dwelling will have 3 storeys.
11. **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 5.43 m² of the first floor will be within 4 m of the front main wall.
12. **Section 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of a platform at or above the second storey is 4 m².
Section 14.2.6.A., By-law 7625
The maximum permitted area of a balcony is 3.8 m².
Section 10.20.40.50.(1)(B), By-law 569-2013 & Section 14.2.6.A., By-law 7625
The proposed second storey rear platform/ balcony will have an area of 17.03 m².

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)

Megan McIver (signed)

Denise Graham (signed)

DATE DECISION MAILED ON: Friday, November 25, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 7, 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.