



City Planning Division

Committee of Adjustment  
Toronto and East York District

100 Queen Street West, 1<sup>st</sup> Floor  
Toronto, Ontario M5H 2N2  
Tel: 416-392-7565  
Fax: 416-392-0580

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

File Number:	A0429/16TEY	Zoning	RD(f6.0;a185;d0.75) & R1C (ZZC)
Owner(s):	RAZINA PARVIN SHAIKH-HASIB HOSAIN	Ward:	Beaches-East York (31)
Agent:	ALEXANDRA BISHEVSKY	Heritage:	Not Applicable
Property Address:	<b>45 THYRA AVE</b>	Community:	East York
Legal Description:	PLAN 701 PT LOT 86		

Notice was given and a Public Hearing was held on **Wednesday, August 10, 2016**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition, front two-storey addition, rear two-storey deck, rear rooftop deck, and a front porch.

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

- Chapter 10.20.30.40. (1), By-law 569-2013**  
The maximum permitted lot coverage is 35% of the lot area (100.63 m<sup>2</sup>).  
The lot coverage will be equal to 42% of the lot area (120.88 m<sup>2</sup>).
- Chapter 10.20.40.10.(4), By-law 569-2013**  
The maximum permitted building height is 7.2 m for a detached dwelling with a roof that is more than 50% flat.  
The altered detached dwelling will have a height of 7.87 m.
- Chapter 10.20.40.20.(1), By-law 569-2013**  
The maximum permitted building length for a detached dwelling is 17.0 m.  
The altered detached dwelling will have a building length of 18.97 m.
- Chapter 10.20.40.70.(1), By-law 569-2013**  
The minimum required front yard setback is 6.73 m.  
The altered detached dwelling will be located 4.06 m from the front lot line.
- Chapter 10.20.40.70. (3), By-law 569-2013**  
The minimum required side yard setback is 0.9 m.  
The altered detached dwelling will be located 0.71 m from the north side lot line.

6. **Chapter 10.5.40.50. (2), By-law 569-2013**  
The minimum required side yard setback for a platform without main walls, attached to or less than 0.3 m from a building is 0.9 m.  
The rear deck will be located 0.35 m from the north side lot line.
7. **Chapter 10.20.40.50. (1)(B), By-law 569-2013**  
The maximum permitted area of each platform located at or above the second storey of a dwelling is 4.0 m<sup>2</sup>.  
The area of the rear second floor deck and rooftop deck will be 56.57 m<sup>2</sup>.
8. **Chapter 10.5.40.50. (3), By-law 569-2013**  
The level of the floor of a platform located at or above the second storey of a residential building is not permitted to be higher than the level of the floor of the storey from which it gains access.  
The rooftop deck is higher than the level of the floor of the storey from which it gains access.
9. **Chapter 10.5.50.10.(1), By-law 569-2013**  
A minimum of 75% (23.23 m<sup>2</sup>) of the required front yard landscaped open space shall be in the form of soft landscaping.  
In this case, 57% (17.6 m<sup>2</sup>) of the required front yard landscaped open space will be in the form of soft landscaping.
1. **Section 7.4.3, By-law 6752**  
The maximum permitted lot coverage is 35% of the lot area (100.63 m<sup>2</sup>).  
The lot coverage will be equal to 42% of the lot area (120.88 m<sup>2</sup>).
2. **Section 7.4.3, By-law 6752**  
The maximum permitted building length for a detached dwelling is 16.75 m.  
The detached dwelling will have a building length of 18.97 m.
3. **Section 7.4.3, By-law 6752**  
The minimum required front yard setback is 6.0 m.  
The altered detached dwelling will be located 4.06 m from the front lot line.
4. **Section 7.4.3, By-law 6752**  
The minimum required side yard setback is 0.45 m.  
The altered detached dwelling will be located 0.35 m from the north side lot line.
5. **Section 7.1.6, By-law 6752**  
A minimum of 75% (23.23 m<sup>2</sup>) of the required front yard landscaped open space shall be in the form of soft landscaping.  
In this case, 57% (17.6 m<sup>2</sup>) of the required front yard landscaped open space will be in the form of soft landscaping.

**The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.**

**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 refuse 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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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

**DISSENTED**

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Nancy Oomen (signed)

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Worrick Russell

DATE DECISION MAILED ON: **Tuesday, August 16, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, August 30, 2016**

CERTIFIED TRUE COPY

Anita M. MacLeod  
Manager & Deputy Secretary-Treasurer  
Toronto and East 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](http://www.omb.gov.on.ca).