TORONTO
City Planning Division

Committee of Adjustment
Toronto and East York District

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Toronto, Ontario M5H 2N2
Tel: 416-392-7565
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NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

File Number:	A0925/16TEY	Zoning	RM (f12.0;u2;d0.8)(x252) & R2 (ZZC)
Owner(s):	PEDRO PIRES JENIFER CERQUEIRA	Ward:	St. Paul's (21)
Agent:	MARIN ZABZUNI	Heritage:	Not Applicable
Property Address:	**301 WYCHWOOD AVE**	Community:	York
Legal Description:	PLAN 1322 PT LOT 143		

Notice was given and a Public Hearing was held on **Wednesday, December 7, 2016**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with a front porch, a rear ground floor deck, a rear basement walkout, a rear second floor deck and a rear detached garage.

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

1. **Chapter 10.80.40.10.(2)(A)(i) & (ii), By-law 569-2013**
   The maximum permitted height of all front exterior main walls is 8.5 m.
   The height of the front exterior main walls will be 10.07 m.

   The maximum permitted height of all rear exterior main walls is 8.5 m.
   The height of the rear exterior main walls will be 10.07 m.

2. **Chapter 10.80.40.20.(1), By-law 569-2013**
   The maximum permitted building length for a detached house is 17.0 m.
   The new three-storey detached dwelling will have a building length of **18.12 m**.

3. **Chapter 10.80.40.40.(1)(A), By-law 569-2013**
   The maximum permitted floor space index is 0.8 times the area of the lot (221.54 m²).
   The new three-storey detached dwelling will have a floor space index equal to **0.89** times the area of the lot (**246.61 m²**).

4. **Chapter 10.80.40.70.(3), By-law 569-2013**
   The minimum required side yard setback for a detached house is 1.2 m.
   The new detached dwelling will be located 0.46 m from the north side lot line and 0.74 m from the south side lot line.

5. **Chapter 10.80.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback for a detached house is 1.2 m.
The new dwelling will be located 0.62 m from the north side lot line measured from the rear ground floor platform, 0.77 m from the north side lot line measured from the rear second floor platform and 0.89 m from the south side lot line.

6. **Chapter 10.80.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of each platform at or above the second-storey of a detached house is 4.0 m².
The area of the rear second storey platform (above the second-storey) will be 5.43 m².

7. **Chapter 10.5.50.10.(1)(D), By-law 569-2013**
A minimum of 75% (20.66 m²), of the front yard is required to be soft landscaping.
In this case, 35.1% (9.67 m²), of the front yard will be maintained as soft landscaping.

8. **Chapter 10.5.60.70.(1), By-law 569-2013**
The maximum permitted total lot covered by an ancillary buildings or structures is 10% of the lot area (27.69 m²).
The rear detached garage will cover **14.3%** of the lot area **(39.68 m²)**.

1. **Section 3.(a), By-law 1-83**
The maximum permitted floor space index is 0.8 times the area of the lot (221.54 m²).
The new three-storey detached dwelling will have a floor space index equal to **0.9** times the area of the lot **(249.076 m²)**.

2. **Section 3.(a), By-law 1-83**
The minimum required side yard setback is 0.5 m and 1.2 m.
The new detached dwelling will be located 0.46 m from the north side lot line and 0.74 m from the south side lot line.

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 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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Ewa Modlinska

DISSENTED

Nancy Oomen

Worrick Russell

DATE DECISION MAILED ON: **Tuesday, December 13, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, December 28, 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