

Thursday, September 8, 2016

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

File Number:	A0485/16NY	Zoning	RD (f15.0; d0.35) (x1427) / R1 Z0.35 [ZZC]
Owner(s):	MICHAEL JAMES CLARK	Ward:	Don Valley West (25)
Agent:	FRED CODE	Heritage:	Not Applicable
Property Address:	28 GLEN ECHO RD	Community:	Toronto
Legal Description:	PLAN 1578 PT LOT 5		

Notice was given and a Public Hearing was held on Thursday, September 8, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling would be demolished.

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

1. **Chapter 10.20.40.40.91), By-law No. 569-2013**
The maximum permitted floor space index (F.S.I.) is 0.35 times the area of the lot.
The proposed floor space index (F.S.I.) is 0.94 times the area of the lot.
2. **Chapter 10.20.40.70.(3), By-law No. 569-2013**
The minimum required east side yard setback is 1.5m.
The proposed east side yard setback is 0.6m.
3. **Chapter 10.20.40.70.(6), By-law No. 569-2013**
The minimum required west side yard setback is 3.0m for a corner lot.
The proposed west side yard setback is 0.17m.
4. **Chapter 10.20.40.70.(2), By-law No. 569-2013**
The minimum required rear yard setback is 7.5m.
The proposed rear yard setback is 5.94m.
5. **Chapter 10.5.40.60.(7), By-law No. 569-2013**
Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.30m to a lot line.
The proposed eaves are 0.22m from the east lot line and 0.0m from the west lot line.
6. **Section 6(3) Part I 1, By-law No. 438-86**
The maximum permitted residential gross floor area (G.F.A.) is 0.35 times the area of the lot.
The proposed residential gross floor area (G.F.A.) is 0.98 times the area of the lot.

7. **Section 6(3) Part II 3.A(I), By-law No. 438-86**
The by-law requires a building to have a minimum flanking street setback of 6.0m.
The proposed flanking street setback is 0.0m.
8. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback is 7.5m from the side lot line for that portion of the building exceeding 17.0m in depth.
The proposed side lot line setback is 0.6m on the east side for the portion of the building exceeding 17.0m in depth.
9. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback is 7.5m from the side lot line for that portion of the building exceeding 17.0m in depth.
The proposed side lot line setback is 0.76m on the west side for the portion of the building exceeding 17.0m in depth.
10. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side lot line setback is 0.9m from the side lot line for that portion of the building not exceeding 17.0m in depth.
The proposed side lot line setback is 0.6m on the east side for the portion of the building not exceeding 17.0m in depth.
11. **Section 6(3) Part II 8 F(III), By-law No. 438-86**
The by-law allows a roof over a platform or terrace to project into the required setbacks provided it does not exceed beyond the side walls of the building as projected.
The proposed roof extends beyond the side walls as projected.
12. **Section 6(3) Part II 4, By-law No. 438-86**
The by-law requires a building to have a minimum rear yard setback of 7.5m.
The proposed rear yard setback is 5.94m.

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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Rick Ross (signed)

Denise Graham (signed)

Derek Lett (signed)

Giacomo Tonon (signed)

DATE DECISION MAILED ON: Thursday, September 15, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, September 28, 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.