

Thursday, March 16, 2017

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

File Number:	A0286/16SC	Zoning	Residential Detached (RD) & Single-Family Residential (S) Zone [ZR]
Owner(s):	XUE ZHI NA	Ward:	Scarborough-Agincourt (39)
Agent:	ALLERA ENGINEERING AND CONSTRUCTION INC	Heritage:	Not Applicable
Property Address:	1 NORCAP AVE	Community:	L'Amoreaux Community
Legal Description:	PLAN 4827 LOT 32		

Notice was given and a Public Hearing was held on Thursday, March 16, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an integral garage. The existing detached dwelling will be demolished.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:By-law No. 569-2013:

1. The proposed dwelling will have a floor space index equal to 0.45 times the lot area (320 m²);
Whereas the maximum permitted floor space index is 0.4 times the lot area (283.57 m²).
2. The proposed dwelling will be located 4.94 m from the west side lot line;
Whereas the minimum required setback from a side lot line that abuts a street is 5.7 m.
3. The proposed dwelling will have a height of 9.2 m;
Whereas the maximum permitted height of a dwelling is 9 m.
4. The proposed dwelling will have a length of 17.5 m;
Whereas the maximum permitted dwelling length is 17 m.
5. The proposed dwelling will have a length of 19.36 m, as measured from the required front yard setback to the furthest portion of the buildings main rear wall.
Whereas the maximum permitted building depth is 19 m.
6. The proposed west side porch will encroach into the required minimum side yard setback by 1.75 m;
Whereas the maximum permitted encroachment into the required minimum side yard setback is 1.5 m.

By-law No. 12466:

7. **The proposed dwelling will have a total floor area equal to 0.49 times the lot area (347.24 m²);**
Whereas the maximum permitted floor area is 0.4 times the lot area (283.57 m²).
8. The proposed dwelling will be located 4.94 m from the west side lot line;
Whereas the minimum required setback from a side lot line on a corner lot is 5.7 m.
9. The proposed dwelling will have a height of 9.2 m;
Whereas the maximum permitted dwelling height is 9 m.

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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David Peacock

Eden Gajraj (signed)

Hena Kabir (signed)

Sean Karmali (signed)

DATE DECISION MAILED ON: Tuesday, March 21, 2017

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, April 5, 2017

CERTIFIED TRUE COPY

Denise Rundle
Manager & Deputy Secretary Treasurer
Scarborough 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.