

Thursday, February 9, 2017

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

File Number:	A0791/16EYK	Zoning	RD & R2
Owner(s):	2415961 ONTARIO LTD	Ward:	Etobicoke North (02)
Agent:	DESIGN PLAN SERVICES INC	Heritage:	Not Applicable
Property Address:	<b>216 DIXON RD - PART 2</b>	Community:	
Legal Description:	PLAN 3586 LOT 13		

Notice was given and a Public Hearing was held on Thursday, February 9, 2017, 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:**

- 1. Section 10.20.30.20.(1)(A), By-law 569-2013**  
The minimum required lot frontage is 24 m.  
**Section 1.(a), By-law 3078**  
The minimum required lot frontage is 24.38 m.  
**Section 10.20.30.20.(1)(A), By-law 569-2013 & Section 1.(a), By-law 3078**  
The lot frontage will be 9.83 m.
- 2. Section 10.20.30.10.(1)(A), By-law 569-2013**  
The minimum required lot area is 1110 m<sup>2</sup>.  
**Section 1.(b), By-law 3078**  
The minimum required lot area is 1114.84 m<sup>2</sup>.  
**Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 1.(b), By-law 3078**  
The lot area will be 224.81 m<sup>2</sup>.
- 3. Section 10.20.30.40.(1)(A), By-law 569-2013 & Section 320-55.C.**  
The maximum permitted lot coverage is 33% of the lot area (74.19 m<sup>2</sup>).  
The proposed dwelling will have a lot coverage of 42% of the lot area (95.42 m<sup>2</sup>).
- 4. Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 320-42.1.A.(1)**  
The maximum permitted floor space index is 0.45 times the lot area (101.16 m<sup>2</sup>).  
The proposed dwelling will have a floor space index of 0.74 times the lot area (166.42 m<sup>2</sup>).

5. **Section 10.20.40.70.(1), By-law 569-2013**  
The minimum required front yard setback is 6 m.  
**Section 320-40.A.**  
The minimum required front yard setback is 7.5 m.  
**Section 10.20.40.70.(1), By-law 569-2013 & Section 320-40.A.**  
The proposed dwelling will be located 4.53 m from the front lot line.
6. **Section 10.20.40.70.(3)(F), By-law 569-2013**  
The minimum required side yard setback is 2.4 m.  
**Section 320-42.1.C.(2)**  
The minimum required side yard setback is 0.9 m, provided that the aggregate width of both side yards shall equal not less than 2.1 m.  
**Section 10.20.40.70.(3)(F), By-law 569-2013 & Section 320-42.1.C.(2)**  
The proposed dwelling will be located 0.76 m from the north and south side lot line, providing an aggregate side yard setback of 1.52 m.
7. **Section 320-41.D.**  
The minimum required side yard setback for eaves is 0.4 m.  
The eaves of the proposed dwelling will be located 0.33 m from the north and south side lot line.
8. **Section 10.20.40.70.(2)(A), By-law 569-2013 & Section 320-42.A.**  
The minimum required rear yard setback is 7.5 m.  
The proposed dwelling will be located 6.69 m from the rear lot line.
9. **Section 900.3.10(14)(A), By-law 569-2013 & 1.(c), By-law 3078**  
The minimum required lot depth is 45.72 m.  
The lot depth will be 22.88 m.
10. **Section 10.20.40.10.(1)(A), By-law 569-2013 & Section 320-42.1.B.(1)**  
The maximum permitted height is 9.5 m.  
The proposed dwelling will have a height of 9.86 m.
11. **Section 10.5.40.60.(1)(C), By-law 569-2013**  
A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade, may encroach into the required rear yard setback 2.5 m.  
**Section 320-42.E.**  
The maximum projection for a deck into the required rear yard setback is 1.6 m.  
**Section 10.5.40.60.(1)(C), By-law 569-2013 & Section 320-42.E**  
The proposed deck will project 2.64 m into the required rear yard setback.

**File numbers B0075/16EYK, A0790/16EYK, A0791/16EYK, A0792/16EYK and A0793/16EYK will be considered jointly.**

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)

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Megan McIver (signed)

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David Peacock (signed)

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Michael Clark (signed)

DATE DECISION MAILED ON: Friday, February 17, 2017

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 1, 2017

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](http://www.omb.gov.on.ca).