

Thursday, June 15, 2017

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

File Number:	A0404/17EYK	Zoning	R & R2 Z0.6
Owner(s):	LAURIE ANN KEPRON MARK CHRISTOPHER KOPYTEK	Ward:	Parkdale-High Park (13)
Agent:	ANDREW PETER PILACINSKI	Heritage:	Not Applicable
Property Address:	315 BERESFORD AVE	Community:	
Legal Description:	PLAN 714 PT LOT 101		

Notice was given and a Public Hearing was held on Thursday, June 15, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an integral garage.

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

- Section 10.10.40.40.(1)(A), By-law 569-2013 and Section 6(3) Part I 1, By-law 438-86**
The maximum permitted floor space index is 0.6 times the area of the lot (222.42 m²).
The new dwelling will have a floor space index equal to 1.11 times the area of the lot 413.02 m².
- Section 6(3) Part II 3.B(I), By-law 438-86 and Section 10.10.40.70(4), By-law 569-2013**
The minimum required side yard setback for the portion of the dwelling not exceeding 17 m in depth, where the side wall contains no openings is 0.45 m.
The new dwelling will be located 0.15 m from the north side lot line.
- Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side yard setback for the portion of the building exceeding 17 m in depth is 7.5 m.
The portion of the new dwelling exceeding 17 m in depth will be located 0.15 m from the north side lot line and 1.21 m from the south side lot line.
- Section 10.5.40.60.(1)(D), By-law 569-2013**
A rear yard platform without main walls, attached to or less than 0.3 m from a building, with a floor higher than the first floor of the building above established grade may encroach into the required rear yard setback 1.5 m, provided it is no closer to a required side lot line than 7.5 m.
The proposed second floor platform will project 3.66 m into the rear yard, 0.78 m into the north side yard and 1.21 m into the south side yard.

5. **Section 10.10.40.30.(1).(A), By-law 569-2013 and Section 6(3) Part VI 1(V), By-law 438-86**
The maximum permitted building depth is 17 m.
The new dwelling will have a depth of 19.51 m.
6. **Section 10.10.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 7.5 m.
The new dwelling will have a front exterior main wall height of 8.36 m.
7. **Section 10.5.40.60.(7), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
The eaves of the new dwelling will be located 0 m from the north side lot line.
8. **Section 6(3) Part II 8 D, By-law 438-86**
The maximum permitted projection of an uncovered platform from the rear wall is 2.5 m.
The uncovered platform will project 3.66 m from the rear wall.
9. **Section 10.10.40.10.(1)(A), By-law 569-2013 and Section 4(2)A, By-law 438-86**
The maximum permitted building height from established grade is 10 m.
The new dwelling will have a height of 10.97 m from established grade.

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 Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

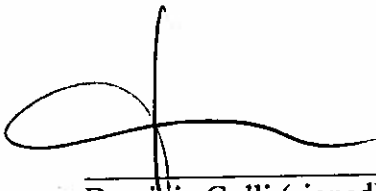
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

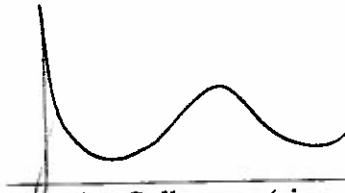
The applicant shall submit an application for permit to injure or remove City trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article II.

SIGNATURE PAGE

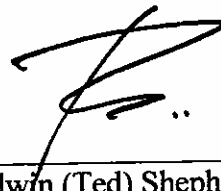
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Dominic Gulli (signed)



Douglas Colbourne (signed)



Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Friday, June 23, 2017

LAST DATE OF APPEAL: Wednesday, July 5, 2017

CERTIFIED TRUE COPY



Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal* to the Ontario Municipal Board (OMB) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- ☐ a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- ☐ \$300 for each appeal filed regardless if related and submitted by the same appellant
- ☐ Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS

To appeal this decision to the OMB you need the following:

- ☐ a completed OMB Appellant Form (A1) in **paper format**
- ☐ \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- ☐ Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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.

***A related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.