

Thursday, February 7, 2019

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

File Number: A0841/18NY
Property Address: 14 BROOKFIELD RD
Legal Description: PLAN M453 PT LOT 15 RP 66R14262 PARTS 4 & 5
Agent: ALI SHAKERI
Owner(s): MAHDY GANDOVANI SHEIDAEI
Zoning: R3 (WAV)
Ward: Don Valley West (15)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, February 7, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new dwelling.

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

- 1. Section 12.4, By-law No. 7625**
The minimum required front yard setback is 6.5 m.
The proposed front yard setback is 5.58 m.
- 2. Section 12.7, By-law No. 7625**
The maximum number of permitted storeys is 2.
The proposed number of storeys is 3.
- 3. Section 12.7A, By-law No. 7625**
The maximum permitted balcony area at or above the second storey is 3.8 m²
The proposed balcony area at or above the second storey is 47.1 m² on the second floor.
- 4. Section 12.5A, By-law No. 7625**
The maximum permitted building length is 16.8 m.
The proposed building length is 17.15 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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Heritage: Not Applicable

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Rick Ross (signed)

DATE DECISION MAILED ON: Thursday, February 14, 2019

LAST DATE OF APPEAL: Wednesday, February 27, 2019

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North 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 on the signature page.

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 Local Planning Appeal Tribunal (LPAT) 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 or USB;
- \$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.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

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

- a completed LPAT 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 Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*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 **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.