

Thursday, February 7, 2019

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

File Number: A0709/18NY
Property Address: 88 FLORENCE AVE - PART 2
Legal Description: PLAN 1743 LOT 345 TO 346
Agent: SAHAND HOMES INC
Owner(s): ELENA ADDANTE FRANK ADDANTE
Zoning: RD / R4 (ZZC)
Ward: Willowdale (18)
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. Chapter 10.5.100.1, By-law No. 569-2013**
The rear deck must be setback 1.8 m from the side lot line.
The proposed rear deck is setback 1.22 m from the east side lot line.
- 2. Chapter 900.3.10(5), By-law No. 569-2013**
The required side yard setback is 1.8 m.
The proposed west side yard setback is 0.61 m.
- 3. Chapter 900.3.10(5), By-law No. 569-2013**
The required side yard setback is 1.8 m.
The proposed east side yard setback is 1.22 m.
- 4. Chapter 10.20.30.10.(1), By-law No. 569-2013**
The required minimum lot area is 550 m².
The proposed lot area is 301.89 m².
- 5. Chapter 10.20.30.20.(1), By-law No. 569-2013**
The required minimum lot frontage is 15 m.
The proposed lot frontage is 7.62 m.

6. **Chapter 10.20.40.10.(2), By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5 m.
The proposed height of the side exterior main walls facing a side lot line is 10 m.
7. **Chapter 10.5.40.60.(7), By-law No. 569-2013**
Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
The proposed eaves project 1.56 m into the required side yard setback and are 0.24 m from the west lot line.
8. **Chapter 10.5.40.60.(7), By-law No. 569-2013**
Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 m to a lot line.
The proposed eaves project 0.95 m into the required side yard setback and are 0.85 m from the east lot line.
9. **Chapter 10.5.40.60.(1), By-law No. 569-2013**
A platform without main walls may encroach into the required front yard setback 2.5 m if it is no closer to a side lot line than the required side yard setback; 1.8 m.
The proposed platform encroaches 1.1 m into the required front yard setback and is 0.61 m from the west side lot line.
10. **Chapter 10.5.40.60.(2), By-law No. 569-2013**
A canopy, awning or similar structure may encroach in a front yard or rear yard 2.5 m.
The proposed canopy is setback 4.0 m from the west lot line.
11. **Chapter 10.20.30.40.(1), By-law No. 569-2013**
The permitted maximum lot coverage is 30% of the lot area.
The proposed lot coverage is 32.24% of the lot area.
12. **Chapter 200.5.1.10.(2), By-law No. 569-2013**
The minimum required parking space must have a minimum width of 3.2 m.
The proposed parking space(s) will have a width of 3.1 m.
13. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.8 m.
The proposed building height is 10.09 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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Rick Ross (signed)

Denise Graham (signed)

Giacomo Tonon (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.