

Michael Mizzi
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
North York
North York Civic Centre
5100 Yonge Street
Toronto, Ontario M2N 5V7

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Thursday, December 5, 2019

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

File Number: A0479/19NY
Property Address: 320 HOLLYWOOD AVE - PART 1
Legal Description: PLAN 1801 LOTS 183 & 184
Agent: AGA ENGINEERING INC
Owner(s): ABDOLLAH ASADI NIK
Zoning: RD/R4 (ZPR)
Ward: Willowdale (18)
Community: North York
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, December 5, 2019, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling. Application numbers B0025/19NY, A0479/19NY & A0480/19NY will be considered jointly.

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

- 1. Chapter 900.3.10(5)(A), By-law No. 569-2013**
The minimum side yard setback is 1.8m.
The proposed east side yard setback is 1.22m.
- 2. Chapter 900.3.10(5)(A), By-law No. 569-2013**
The minimum side yard setback is 1.8m.
The proposed west side yard setback is 1.04m.
- 3. Chapter 10.5.40.50(2), By-law No. 569-2013**
In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone.
The front porch is 1.22m from the east side yard setback.

4. **Chapter 10.20.40.10.(2)(B)(i), By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the side exterior main walls facing a side lot line is 8.43m.
5. **Chapter 10.20.30.10.(1)(A), By-law No. 569-2013**
The required minimum lot area is 550m².
The proposed lot area is 366.49m².
6. **Chapter 10.20.30.20.(1)(A), By-law No. 569-2013**
The required minimum lot frontage is 15m.
The proposed lot frontage is 9.14m.
7. **Chapter 10.20.30.40.(1)(A), By-law No. 569-2013**
The permitted maximum lot coverage is 30% of the lot area.
The proposed lot coverage is 32% of the lot area.
8. **Chapter 10.5.50.10.(1)(C), By-law No. 569-2013**
On a lot with a detached house, with a lot frontage of 15.0m or greater, a minimum of 60% of the front yard must be landscaping.
The proposed front yard landscaping area is 51.9%.
9. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.49m.
10. **Section 6(30)a, By-law No. 7625**
The maximum finished first floor height is 1.5m.
The proposed finished first floor height is 1.86m.

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:

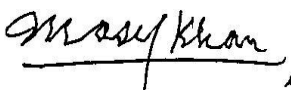
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

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Allan Smithies (signed)



Asif A. Khan (signed)



Denise Graham (signed)



Paul Kidd (signed)



Ron Hunt (signed)

DATE DECISION MAILED ON: Thursday, December 12, 2019

LAST DATE OF APPEAL: Friday, December 27, 2019

CERTIFIED TRUE COPY

Daniel Antonacci
Manager and Deputy Secretary-Treasurer

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 stick; and
- \$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 website 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 digital format on a USB stick and in paper format; and
- \$300 with an additional reduced fee of \$25 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.