

Wednesday, May 12, 2010

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

File Number:	A235/09SC	Zoning	Single Family Residential (S) Zone
Owner:	SANDRA MOHAMMED	Ward:	Scarborough Southwest (35)
Agent:	LINA RODRIGUEZ		
Property Address:	<b>149 WESTBOURNE AVE PART 2</b>	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 114		

Notice was given and a Public Hearing was held on Wednesday, May 12, 2010, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

This application is for consent to sever the land into two lots. The lots to be conveyed and retained would each have a frontage of 7.62 metres on Westbourne Avenue and a lot area of 241.5 m<sup>2</sup>, and are shown as Parts 1 and 2 on the attached Lot Division Plan. The owner is proposing to demolish the existing dwelling and build two new single family dwellings.

**REQUESTED VARIANCES TO THE ZONING BY-LAW:**

- 1) To permit one single-family dwelling per parcel of land having a minimum frontage of 7.6 metres (25 ft.) on Westbourne Avenue and a lot area of 241.5 m<sup>2</sup>, whereas the zoning by-law requires a minimum frontage of 12 metres (39.3 ft.) on a public street and a minimum lot area of 371 m<sup>2</sup>.
- 2) To permit a south side yard building setback of 0.29 metres and a north side yard building setback of 0.89 metres, whereas the Zoning By-law requires minimum side yard setbacks of 0.9 metres.
- 4) To permit a maximum lot coverage of 43%, whereas the Zoning By-law permits a maximum lot coverage of 33%.

**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 refuse 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 variances are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are not minor.

**SIGNATURE PAGE**

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Asif Khan (signed)

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Prabhakar Mahant (signed)

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Rick Froner (signed)

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Rolf Rogde (signed)

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S Gopikrishna (signed)

DATE DECISION MAILED ON: Monday, May 17, 2010

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 1, 2010

CERTIFIED TRUE COPY

Marilyn Stuart  
Manager & Deputy Secretary Treasurer  
Scarborough 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 \$125.00, 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).