

Tuesday, June 7, 2011

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

File Number:	A085/11SC	Zoning	Single Family Residential (S) Zone
Owner:	DONNA FETTERLY	Ward:	Scarborough Southwest (35)
Agent:	NICK HATZIANTONIOU		
Property Address:	<b>140 WESTBOURNE AVE (PART 2)</b>	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 9		

Notice was given and a Public Hearing was held on Tuesday, June 7, 2011, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

The owner is requesting consent to sever the land to create one additional lot, and has applied for variances for the lot shown as Part 2 on the attached Lot Division Plan. The owner is proposing to demolish the existing dwelling and build a new single family dwelling.

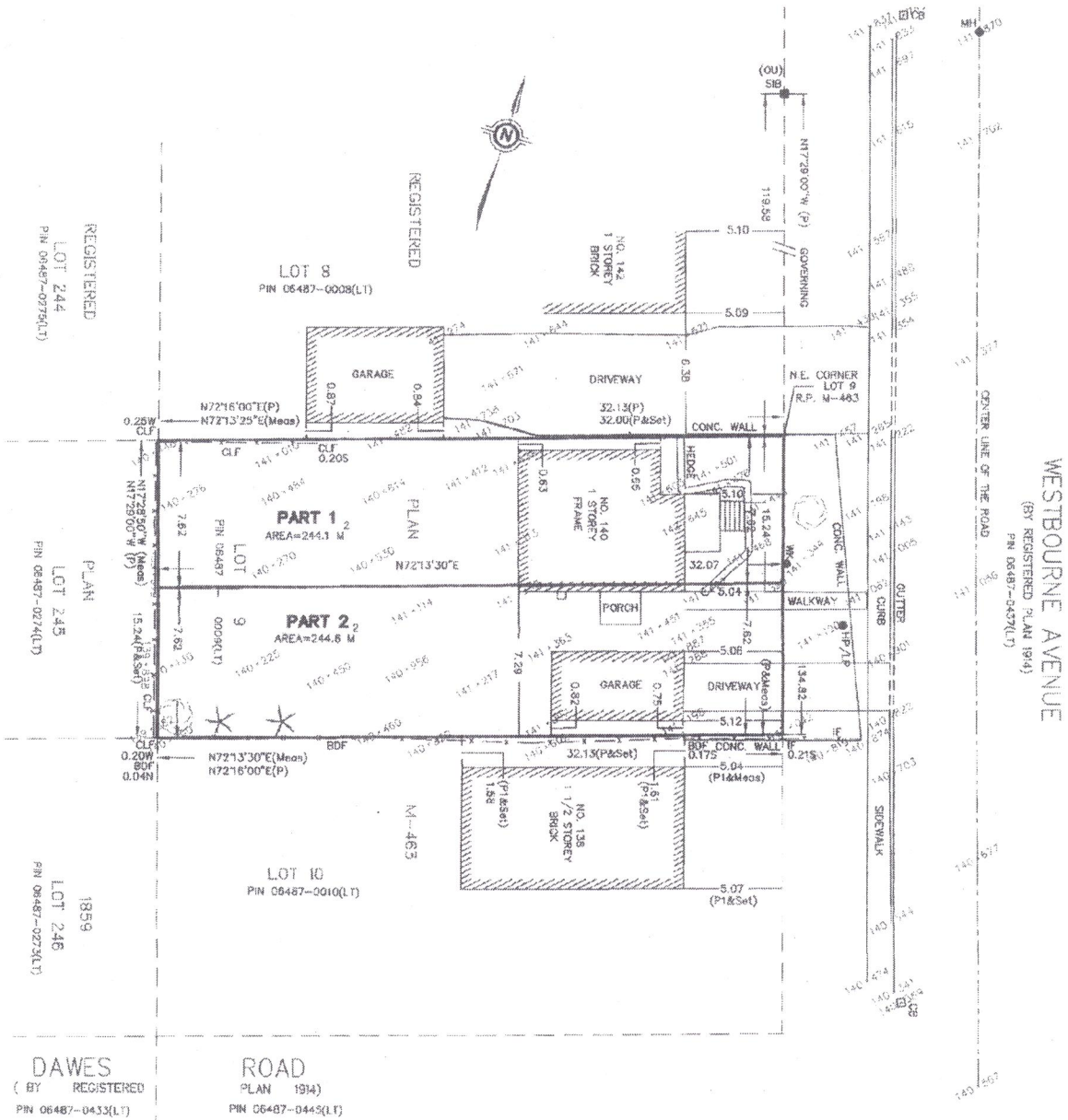
**REQUESTED VARIANCES TO THE ZONING BY-LAW:**

- 1) Proposal for 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 244 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) Proposed south side yard building setback of 0.61 m,  
WHEREAS the Zoning By-law requires a minimum side yard setback of 0.9 m.
- 3) Proposed lot coverage of 40%,  
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.



Lot Division Plan  
 Applicant's Submitted Drawing  
 Not to Scale

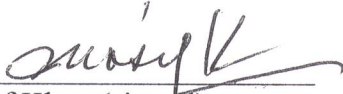
140 Westbourne Avenue  
 File #A085/11SC

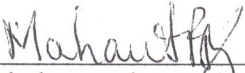
07/06/2011


Attachment 1

**SIGNATURE PAGE**

File Number:	A085/11SC	Zoning	Single Family Residential (S) Zone
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Asif Khan (signed)

  
Prabhakar Mahant (signed)

  
Rolf Rogde (signed)

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S Gopikrishna (signed)

DATE DECISION MAILED ON: Friday, June 10, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, June 27, 2011

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).