TORONTO

City Planning Division
Gary Wright, Acting, Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

NOTICE OF DECISION

CONSENT
(Section 53 of the Planning Act)

File Number:	B0129/08TEY	Zoning	R2 Z0.6 H10.0 (Waiver)
Owner(s):	1741283 ONTARIO INC TRUSTEE	Ward:	Toronto-Danforth (30)
Agent:	MICHAEL VAUGHAN		
Property Address:	**35 PEYTON LANE**	Community**:**	
Legal Description:	CON 1 PT LOT 11		

Notice was given and a Public Hearing was held on **Wednesday, August 25, 2010**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the subject lawful non-conforming commercial property into three residential dwelling lots.

The property has lawful nonconforming status under the *Planning Act*, as the two existing one-storey buildings were constructed and have been used for commercial storage purposes prior to the passing of the Zoning By-law which does not permit the said use in an R2.Z.6 H10.0 Zone.

In order to create and redevelop each lot with a new three-storey detached dwelling, while maintaining the current lawful non-conforming status, the applicant is requesting Permission, under the *Planning Act,* as outlined in Application Numbers A0909/08TEY, A0910/08TEY and A0911/08TEY.

Retained - Part 1, Draft R-Plan
35 Peyton Lane
The lot frontage will be 10.285 m, along Peyton Lane and the lot area will be 173.74 m^2.

Conveyed - Part 2, Draft R-Plan
Address to be assigned
The lot frontage will be 10.273 m, along Peyton Lane, and the lot area will be 174.06 m^2.

Conveyed - Part 3, Draft R-Plan
Address to be assigned
The lot frontage will be 10.267 m along Peyton Lane, and the lot area will be 173.01 m^2.

The Committee considered jointly, Application Numbers B0129/08TEY, A0909/08TEY, A0910/08TEY and A0911/08TEY.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office:

(1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

(2) Written confirmation that servicing arrangements, inclusive of fire protection and solid waste refuse collection, will be/are to provided to the satisfaction of the Executive Director, Technical Services.

(3) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services.

(4) **Two copies of the registered reference plan of survey** integrated with the Ontario Coordinate System and listing the Parts and their respective areas, shall be filed with City Surveyor, Survey & Mapping, Technical Services.

(5) **Three copies of the registered reference plan of survey** satisfying the requirements of the City Surveyor shall be filed with the Committee of Adjustment.

(6) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act,* as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

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		DISSENTED
Robert Brown (Signed)	Gillian Burton (Signed)	George Vasilopoulos

John Tassiopoulos (Signed)

DATE DECISION MAILED ON: **Tuesday, August 31, 2010**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Monday, September 20, 2010**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary Treasurer
Toronto and East York 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.

NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.