

John Filion
or OCCUPANT

Wednesday, June 6, 2012

NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)

File Number:	B033/12NY	Zoning	R4 - Single Family Detached Dwelling Zone
Owner(s):	SEYED MOHAMMAD TABIB	Ward:	Willowdale (23)
Agent:	SEYED MOHAMMAD TABIB		
Property Address:	280 ELLERSLIE AVE	Community:	North York
Legal Description:	PLAN 2334 E PT LOT 22		

Notice was given and the application considered on Wednesday, June 6, 2012, as required by the Planning Act.

THE CONSENT REQUESTED:

This is an application for the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new residential building lot.

The lands concerned have 22.86m fronting onto the north side of Ellerslie Avenue, an average depth of 43.66m and an area of 998.51m². The lands are described as Parts 1 and 2 on Draft Reference Plan attached to this notice. The lands presently contain the dwelling municipally known as 280 Ellerslie Avenue.

It is proposed to divide the lands into two parts for the creation of a new residential building lot. The existing dwelling would be demolished and a new two storey dwelling would be constructed on each of the proposed lots.

Part 1, being the west portion of the lands, would have 11.4m fronting onto the north side of Ellerslie Avenue, an average depth 43.66m and an area of 499.37m².

Part 2, being the east portion of the lands, would have 11.43m fronting onto the north side of Ellerslie Avenue, a depth 43.66m and an area of 499.14m².

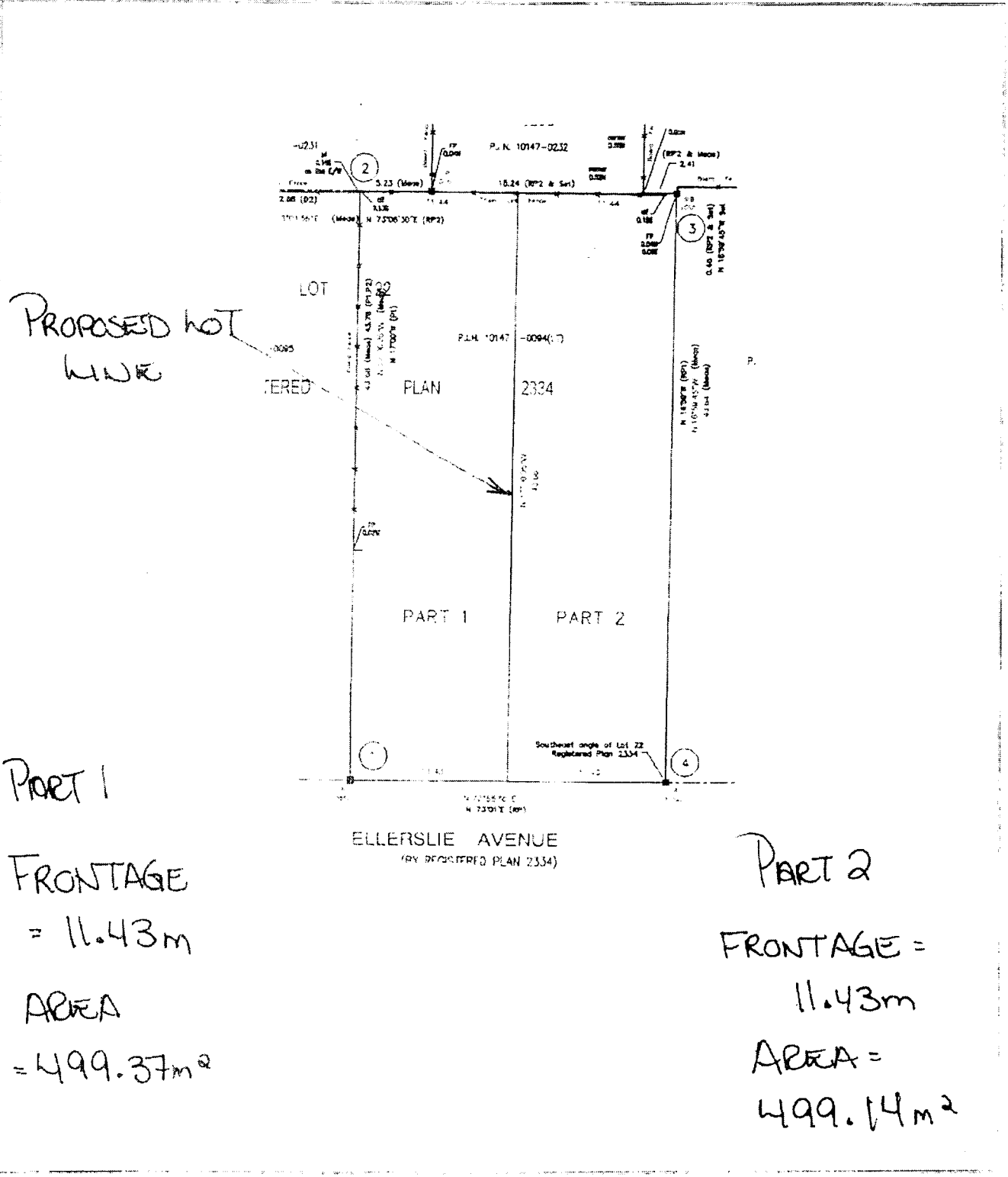
IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Consent Application is Refused

In the opinion of the Committee, the application does not satisfy the requirements of Section 51(24) of the Planning Act and is **NOT** approved for the following reason(s):


- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

Address: 280 ELLERSLIE AVENUE




SIGNATURE PAGE

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Owner(s):	SEYED MOHAMMAD TABIB	Ward:	Willowdale (23)
Agent:	SEYED MOHAMMAD TABIB	Community:	North York
Property Address:	280 ELLERSLIE AVE		
Legal Description:	PLAN 2334 E PT LOT 22		



Isaac Lallouz (signed)



Edwin (Ted) Shepherd (signed)

DATE DECISION MAILED ON: Thursday, June 14, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, July 3, 2012

CERTIFIED TRUE COPY

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North 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.

Wednesday, June 6, 2012

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

File Number:	A234/12NY	Zoning	R4 - Single Family Detached Dwelling Zone (WAIVER)
Owner(s):	SEYED MOHAMMAD TABIB	Ward:	Willowdale (23)
Agent:	SEYED MOHAMMAD TABIB		
Property Address:	WEST 11.43M OF 280	Community:	North York
	ELLERSLIE AVE – PART 1		
Legal Description:	PLAN 2334 E PT LOT 22		

Notice was given and a Public Hearing was held on Wednesday, June 6, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the west 11.43m (Part 1) of the above noted property. The existing dwelling would be demolished.

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

North York By-law 7625

1. Proposed lot frontage and width of 11.4m
WHEREAS a minimum lot frontage and width of 15m is required;
2. Proposed lot area of 499.3m²
WHEREAS a minimum lot area of 550m² is required;
3. West side yard setback of 1.2m to the proposed dwelling
WHEREAS a minimum setback of 1.5m is required;
4. East side yard setback of 1.2m to the proposed dwelling
WHEREAS a minimum setback of 1.5m is required;
5. Proposed building height of 9.1m
WHEREAS a maximum building height of 8.8m is required;
6. Proposed finished first floor elevation of 1.8m
WHEREAS a maximum finished first floor elevation of 1.5m is permitted.

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:

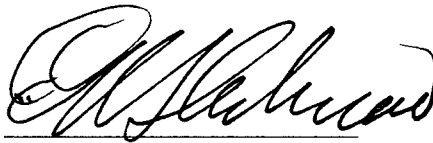
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

SIGNATURE PAGE

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Owner:	SEYED MOHAMMAD TABIB	Ward:	Willowdale (23)
Agent:	SEYED MOHAMMAD TABIB		
Property Address:	WEST 11.43M OF 280 ELLERSLIE AVE – PART 1	Community:	North York
Legal Description:	PLAN 2334 E PT LOT 22		



Isaac Lallouz (signed)



Edwin (Ted) Shepherd (signed)

DATE DECISION MAILED ON: Thursday, June 14, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 26, 2012

CERTIFIED TRUE COPY

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North York Panel

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Wednesday, June 6, 2012

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

File Number:	A236/12NY	Zoning	R4 - Single Family Detached Dwelling Zone (WAIVER)
Owner(s):	SEYED MOHAMMAD TABIB	Ward:	Willowdale (23)
Agent:	SEYED MOHAMMAD TABIB		
Property Address:	EAST 11.43M OF 280 ELLERSLIE AVE - PART 2	Community:	North York
Legal Description:	PLAN 2334 E PT LOT 22		

Notice was given and a Public Hearing was held on Wednesday, June 6, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the east 11.43m (Part 2) of the above noted property. The existing dwelling would be demolished.

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

North York By-law 7625

1. Proposed lot frontage and width of 11.4m
WHEREAS a minimum lot frontage and width of 15m is required;
2. Proposed lot area of 499.1m²
WHEREAS a minimum lot area of 550m² is required;
3. West side yard setback of 1.2m to the proposed dwelling
WHEREAS a minimum setback of 1.5m is required;
4. East side yard setback of 1.2m to the proposed dwelling
WHEREAS a minimum setback of 1.5m is required;
5. Proposed building height of 9.1m
WHEREAS a maximum building height of 8.8m is required;
6. Proposed finished first floor elevation of 1.8m
WHEREAS a maximum finished first floor elevation of 1.5m is permitted.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

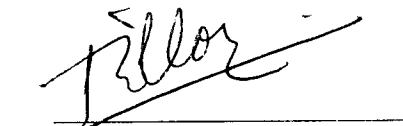
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

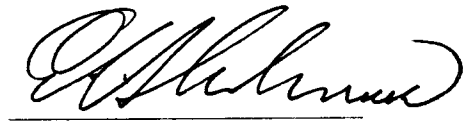
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

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Edwin (Ted) Shepherd (signed)

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