TORONTO

City Planning Division
Gregg Lintern, MCIP, RPP
Acting Chief Planner and Executive Director

Committee of Adjustment
150 Borough Drive
Scarborough, ON M1P 4N7
Tel: (416) 396-5280
Fax: (416) 396-7341

Thursday, July 5, 2012

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

File Number:	A135/12SC	Zoning	Single Family Residential (S)
Owners:	MAJID REZAEE BEHROOZ REZAEE	Ward:	Scarborough East (43)
Agent:	BEHROOZ REZAEE		
Property Address:	**49 SOUTH MARINE DR**	Community:	Guildwood Community
Legal Description:	PLAN M1012 LOT 83		

Notice was given and a Public Hearing was held on Thursday, July 5, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two storey single family dwelling.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

1. The maximum permitted height is 9 m.
   The proposed height is 10.2 m.

2. The maximum permitted floor area is 0.4 times the lot area (313.95 m^2).
   The proposed floor area is 0.55 times the lot area (429 m^2).

3. No building or structure to be within 76 m of the top edge of the Scarborough Bluffs or a horizontal distance of 137 m from the water's edge of Lake Ontario whichever is the lesser.
   The distance to the top edge of the Scarborough Bluffs is 32.10 m.

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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Cynthia Lai (signed)

Rolf Rogde (signed)

S Gopikrishna (signed)

Sean Karmali (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: Tuesday, July 10, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 25, 2012

CERTIFIED TRUE COPY

P. Galvin

Paul Galvin
Acting 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.

Environment and Land Tribunals Ontario
Ontario Municipal Board

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Fax: (416) 326-5370
Website: www.elto.gov.on.ca

Tribunaux de l'environnement et de l'aménagement du territoire Ontario
Commission des affaires municipales de l'Ontario
655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 326-5370
Site Web: www.elto.gov.on.ca

Ontario

IN THE MATTER OF subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Majid Rezaee
Subject:	Minor Variance
Variance from By-law No.:	9676
Property Address/Description:	49 South Marine Dr
Municipality:	City of Toronto
Municipal File No.:	A135/12SC
OMB Case No.:	PL120822
OMB File No.:	PL120822

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APPOINTMENT FOR HEARING

The Ontario Municipal Board hereby appoints:

at: **02:00 PM**

on: **Thursday, October 11, 2012**

at: **Ontario Municipal Board**
655 Bay Street, 16th Floor
Toronto, ON M5G 1E5

for the commencement of the hearing of this appeal.

The Board has set aside **1 day** for this hearing.

All parties and participants should attend at the start of the hearing at the time and date indicated, irrespective of the number of days scheduled. Hearing dates are firm - adjournments will not be granted except in the most serious circumstances, and only in accordance with the Board's Rules on Adjournments.

If you do not attend and are not represented at this hearing, the Board may proceed in your absence and you will not be entitled to any further notice of the proceedings.

In the event the decision is reserved, persons taking part in the hearing and wishing a copy of the decision may request a copy from the presiding Board member or, in writing, from the Board. Such decision will be mailed to you when available.

Pour recevoir des services en français, veuillez communiquer avec la Division des audiences au (416) 212-6349, au moins 20 jours civils avant la date fixée pour l'audience.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

DATED at Toronto, this 22nd day of August, 2012.

JOANNE HAYES
SECRETARY