

Thursday, March 6, 2014

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

File Number:	B78/13EYK	Zoning	RD & R5
Owner(s):	2386725 ONTARIO INC.	Ward:	York South-Weston (11)
Agent:	PETER PITINO		
Property Address:	<b>241 PELLATT AVE</b>	Community:	
Legal Description:	PLAN M627 PT LOT 1		

Notice was given and the application considered on Thursday, March 6, 2014, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into two undersized residential lots.

**Retained - Part 1****241 Pellatt Avenue**

The lot frontage is 10.67 m and the lot area is 422.3 m<sup>2</sup>. The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling with an integral garage, requiring variances to the Zoning By-law, as outlined in Application A577/13EYK.

**Conveyed - Part 2****Address to be assigned**

The lot frontage is 10.67 m and the lot area is 421.9 m<sup>2</sup>. The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling with an integral garage, requiring variances to the Zoning By-law, as outlined in Application A578/13EYK.

**File Numbers B78/13EYK, A577/13EYK AND A578/13EYK will be considered jointly.**

**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):

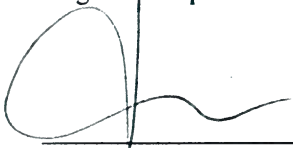
- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots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

**SIGNATURE PAGE**

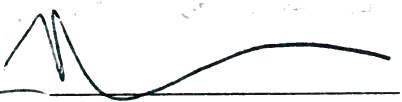
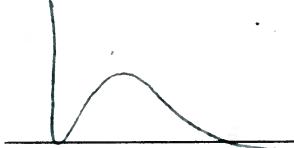
File Number: B78/13EYK  
Owner(s): 2386725 ONTARIO INC.  
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Legal Description: PLAN M627 PT LOT 1

Zoning: RD & R5  
Ward: York South-Weston (11)

Community:



Dominic Gulli (signed)



Douglas S. Colbourne  
(signed)

Mary-Anne Popescu (signed)

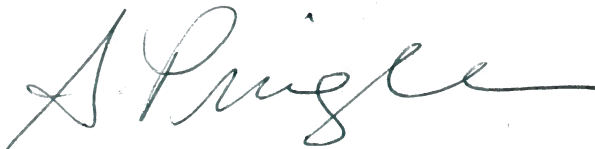


Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, March 14, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, April 3, 2014

CERTIFIED TRUE COPY



Susanne Pringle  
Manager & Deputy Secretary Treasurer  
Etobicoke 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](http://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.

Thursday, March 6, 2014

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

File Number:	A577/13EYK	Zoning	RD & R5
Owner(s):	2386725 ONTARIO INC.	Ward:	York South-Weston (11)
Agent:	PETER PITINO		
Property Address:	241 PELLATT AVE – PART 1	Community:	
Legal Description:	PLAN M627 PT LOT 1		

Notice was given and a Public Hearing was held on Thursday, March 6, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an integral garage.

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

- Section 10.20.30.20.(1), By-law 569-2013 and Section 14.2.1, By-law 7625**  
The minimum required lot frontage is 15 m.  
The lot frontage is 10.67 m.
- Section 6.(8), By-law 7625**  
The minimum lot width is not to be less than the lot frontage (15 m) for the zone in which the building is to be constructed.  
The lot width is 10.67 m.
- Section 10.20.30.10.(1), By-law 569-2013 and Section 14.2.2, By-law 7625**  
The minimum required lot area is 550 m<sup>2</sup>.  
The lot area is 422.21 m<sup>2</sup>.
- Section 10.20.30.40.(1), By-law 569-2013 and Section 14.2.4, By-law 7625**  
The maximum permitted coverage is 30% of the lot area (126.66 m<sup>2</sup>).  
The proposed coverage is 36.83% of the lot area (155.48 m<sup>2</sup>).
- Section 900.3.10.(5).(A), By-law 569-2013**  
The minimum required side yard setback is 1.8 m.  
**Section 14.2.3.A, By-law 7625**  
The minimum required side yard setback is 1.5 m.  
The new dwelling will be located 0.65 m from the west side lot line.
- Section 10.20.40.70.(6).(A), By-law 569-2013 and Section 14.2.3.(b), By-law 7625**  
The minimum required side yard setback abutting a street is 2.6 m.  
The new dwelling will be located 1.28 m from the east side lot line, flanking Academy Road.
- Section 10.20.40.10.(3), By-law 569-2013**  
The maximum permitted number of storeys is 2.  
The new dwelling will have a total of 3 storeys.

8. **Section 6.(30).(a), By-law 7625**  
The maximum permitted height of the finished first floor is 1.5 m.  
The finished first floor of the new dwelling will have a height of 1.79 m.
9. **Section 10.20.40.20.(1), by -law 569-2013**  
The maximum permitted building length is 17 m.  
**Section 14.2.5.A, By-law 7625**  
The maximum permitted building length is 16.8 m.  
The new dwelling will have a building length of 20.12 m.
10. **Section 10.20.40.30.(1), By-law 569-2013**  
The maximum permitted building depth is 19 m.  
The new dwelling will have a building depth of 20.13 m.
11. **Section 10.5.50.10.(1)(B), By-law 569-2013 and Section 7.4.A.(b), By-law 7625**  
A minimum of 50% of the front yard shall be maintained as landscaping (47.11 m<sup>2</sup>).  
A total of 44.21% of the front yard will be maintained as landscaping (41.94 m<sup>2</sup>).

**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.



Thursday, March 6, 2014

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

File Number:	A578/13EYK	Zoning	RD & R5
Owner(s):	2386725 ONTARIO INC.	Ward:	York South-Weston (11)
Agent:	PETER PITINO		
Property Address:	<b>241 PELLATT AVE – PART 2</b>	Community:	
Legal Description:	PLAN M627 PT LOT 1		

Notice was given and a Public Hearing was held on Thursday, March 6, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an integral garage.

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

- Section 10.20.30.20.(1), By-law 569-2013 and Section 14.2.1, By-law 7625**  
The minimum required lot frontage is 15 m.  
The lot frontage is 10.67 m.
- Section 6.(8), By-law 7625**  
The minimum lot width is not to be less than the lot frontage (15 m) for the zone in which the building is to be constructed.  
The lot width is 10.67 m.
- Section 10.20.30.10.(1), By-law 569-2013 and Section 14.2.2, By-law 7625**  
The minimum required lot area is 550 m<sup>2</sup>.  
The lot area is 421.76 m<sup>2</sup>.
- Section 10.20.30.40.(1), By-law 569-2013 and Section 14.2.4, By-law 7625**  
The maximum permitted coverage is 30% of the lot area (126.53 m<sup>2</sup>).  
The proposed coverage is 36.98% of the lot area (155.96 m<sup>2</sup>).
- Section 900.3.10.(5).(A), By-law 569-2013**  
The minimum required side yard setback is 1.8 m.  
**Section 14.2.3.(b), By-law 7625**  
The minimum required side yard setback is 1.5 m.  
The new dwelling will be located 1.28 m from the west side lot line and 0.65 m from the east side lot line.
- Section 10.20.40.10.(6), By-law 569-2013**  
The maximum permitted height of the first floor above established grade is 1.2 m.  
The first floor of the new dwelling will have a height of 1.26 m above established grade.  
**Section 6.(30).(a), By-law 7625**  
The maximum permitted height of the finished first floor 1.5 m.  
The finished first floor of the new dwelling will have a height of 1.69 m.

7. **Section 10.20.40.20.(1), by -law 569-2013**  
The maximum permitted building length is 17 m.  
**Section 14.2.5.A, By-law 7625**  
The maximum permitted building length is 16.8 m.  
The new dwelling will have a building length of 20.12 m.
8. **Section 10.20.40.30.(1), By-law 569-2013**  
The maximum permitted building depth is 19 m.  
The new dwelling will have a building depth of 20.13 m.
9. **Section 10.5.50.10.(1), By-law 569-2013 and Section 7.4.A.(b), By-law 7625**  
A minimum of 50% of the front yard shall be maintained as landscaping (47.01 m<sup>2</sup>).  
A total of 44.19% of the front yard will be maintained as landscaping (41.55 m<sup>2</sup>).

**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.



