TORONTO
City Planning Division

Committee of Adjustment
Etobicoke York District
2 Civic Centre Crt
Toronto, ON M9C 5A3
T:416-394-8060
F: 416-394-6042

Thursday, June 26, 2014

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B65/13EYK	Zoning	RM1
Owner(s):	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST**	Community:	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Notice was given and the application considered on Thursday, June 26, 2014, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Conveyed - Part 2, Plan 66R - 26172
Address to be assigned
The lot frontage is 8.07 m and the lot area is 246.1 m². A new two-storey detached dwelling with an integral garage will be constructed and will require variances to the Zoning By-law, as outlined in Application Number A476/13EYK.

Retained - Part 1, Plan 66R - 26172
Address to be assigned
The lot frontage is 8.07 m and the lot area is 246.1 m². A new two-storey detached dwelling with an integral garage will be constructed and will require variances to the Zoning By-law, as outlined in Application Number A475/13EYK.

File numbers B65/13EYK, A475/13EYK and A476/13EYK 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:	B65/13EYK	Zoning	RM1
Owner(s):	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST**	Community:	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Dominic Gulli (signed)

Douglas S. Colbourne (signed)

Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, July 4, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, July 24, 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.**
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.

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Thursday, June 26, 2014

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A475/13EYK	Zoning	RM1
Owner(s):	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST – PART 1**	Community:	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Notice was given and a Public Hearing was held on Thursday, June 26, 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:

1. **Section 330-26(A)(2)**
   The minimum required lot frontage is 12 m.
   The lot frontage will be 8.07 m.

2. **Section 330-23(A)(1)**
   The minimum required lot area is 371 m².
   The lot area will be 246.1 m²

3. **Section 330-23(A)(9)**
   The maximum permitted gross floor area is 0.35 times the lot area (86.2 m²).
   The proposed dwelling will have a gross floor area of 0.73 times the lot area (179 m²).

4. **Section 330-23(A)(6)**
   The minimum required front yard setback is 8.88 m.
   The proposed dwelling will be located 7.5 m from the front lot line.

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

File Number:	A475/13EYK	Zoning	RM1
Owner:	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST – PART 1**	**Community:**	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Dominic Gulli (signed)

Douglas S. Colbourne (signed)

Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, July 4, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 16, 2014

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

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Thursday, June 26, 2014

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A476/13EYK	Zoning	RM1
Owner(s):	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST – PART 2**	**Community:**	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Notice was given and a Public Hearing was held on Thursday, June 26, 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:

1. **Section 330-26(A)(2)**
   The minimum required lot frontage is 12 m.
   The lot frontage will be 8.07 m.

2. **Section 330-23(A)(1)**
   The minimum required lot area is 371 m².
   The lot area will be 246.1 m²

3. **Section 330-23(A)(9)**
   The maximum permitted gross floor area is 0.35 times the lot area (86.2 m²).
   The proposed dwelling will have a gross floor area of 0.73 times the lot area (179 m²).

4. **Section 330-23(A)(6)**
   The minimum required front yard setback is 8.88 m.
   The proposed dwelling will be located 7.8 m from the front lot line.

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

File Number:	A476/13EYK	Zoning	RM1
Owner:	ASHBURY VICTORIA DEVELOPMENTS LTD	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARCA DESIGN INC		
Property Address:	**48 THIRTY FIFTH ST – PART 2**	Community:	
Legal Description:	PLAN M9 BLK Q LOT 4 PT LOT 5		

Dominic Gulli (signed)

Douglas S. Colbourne (signed)

Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, July 4, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 16, 2014

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