

Thursday, June 18, 2015

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

File Number:	B67/14EYK	Zoning	RM & R2
Owner(s):	JESSE GOLDSTEIN	Ward:	Davenport (17)
	MICHAEL SILVERBERG		
Agent:	IAN ROBERTSON - 1 RISER		
Property Address:	57 ROSENEATH GDNS	Community:	
Legal Description:	PLAN 927 PT LOTS 146 & 147		

Notice was given and the application considered on Thursday, June 18, 2015, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Retained - Part 2

Address to be assigned

The lot frontage is 7.62 m and the lot area is 246.2 m². The existing dwelling and shed will be demolished and the property will be redeveloped as the site of a new detached dwelling with an attached garage, requiring variances to the Zoning By-law, as outlined in Application A649/14EYK.

Conveyed - Part 1

Address to be assigned

The lot frontage is 7.62 m and the lot area is 246.2 m². The existing dwelling and shed will be demolished and the property will be redeveloped as the site of a new detached dwelling with an attached garage, requiring variances to the Zoning By-law, as outlined in Application A648/14EYK.

File Numbers B67/14EYK, A648/14EYK AND A649/14EYK 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.

Thursday, June 18, 2015

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

File Number:	A648/14EYK	Zoning	RM & R2
Owner(s):	JESSE GOLDSTEIN MICHAEL SILVERBERG	Ward:	Davenport (17)
Agent:	IAN ROBERTSON - 1 RISER		
Property Address:	57 ROSENEATH GDNS – PART 1	Community:	
Legal Description:	PLAN 927 PT LOTS 146 & 147		

Notice was given and a Public Hearing was held on Thursday, June 18, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- Section 10.80.30.20.(1)(A), By-law 569-2013 and Section 8.3(a), By-law 1-83**
The minimum required lot frontage is 8 m.
The new lot frontage will be 7.62 m.
- Section 10.80.40.40.(1)(A), By-law 569-2013 and Section 8.3(a), By-law 1-83**
The maximum permitted floor space index is 0.8 times the area of the lot (196.96 m²).
The new dwelling will have a floor space index (not including the basement) of 0.78 times the area of the lot (193.7 m²) and will have a floor space index (including the basement) of 0.99 times the area of the lot (245.45 m²).
- Section 10.80.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The new dwelling will be located 0.65 m from the north side lot line.
- Section 10.80.40.70.(2)(B), By-law 569-2013**
The minimum required rear yard setback 8.08 m.
The new dwelling will be located 7.66 m from the rear lot line.
- Section 10.80.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
The new dwelling will have a length of 17.24 m.
- Section 10.5.40.10.(5), By-law 569-2013**
A minimum of 10 m² of the first floor must be located within 4 m of the front main wall.
A total of 5.69 m² of the first floor is proposed to be located within 4 m of the front main wall.

7. **Section 10.80.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 8.5 m.
The new dwelling will have a side exterior main wall height of 9.07 m facing a side lot line.

File Numbers B67/14EYK, A648/14EYK AND A649/14EYK will be considered jointly.

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:	A648/14EYK	Zoning	RM & R2
Owner:	JESSE GOLDSTEIN MICHAEL SILVERBERG	Ward:	Davenport (17)
Agent:	IAN ROBERTSON - I RISER		
Property Address:	57 ROSENEATH GDNS – PART 1	Community:	
Legal Description:	PLAN 927 PT LOTS 146 & 147		

Paul Valenti (signed)

Douglas S. Colbourne
(signed)

Fred Dominelli (signed)

DATE DECISION MAILED ON: Friday, June 26, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 8, 2015

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.

Thursday, June 18, 2015

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

File Number:	A649/14EYK	Zoning:	RM & R2
Owner(s):	JESSE GOLDSTEIN MICHAEL SILVERBERG	Ward:	Davenport (17)
Agent:	IAN ROBERTSON - 1 RISER		
Property Address:	57 ROSENEATH GDNS – PART 2	Community:	
Legal Description:	PLAN 927 PT LOTS 146 & 147		

Notice was given and a Public Hearing was held on Thursday, June 18, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

- Section 10.80.30.20.(1)(A), By-law 569-2013 and Section 8.3(a), By-law 1-83**
The minimum required lot frontage is 8 m.
The new lot frontage will be 7.62 m.
- Section 10.80.40.40.(1)(A), By-law 569-2013 and Section 8.3(a), By-law 1-83**
The maximum permitted floor space index is 0.8 times the area of the lot (196.96 m²).
The new dwelling will have a floor space index (not including the basement) of 0.79 times the area of the lot (195.28 m²) and will have a floor space index (including the basement) of 1 times the area of the lot (247.03 m²).
- Section 10.80.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
The new dwelling will be located 0.65 m from the north side lot line.
- Section 10.80.40.70.(2)(B), By-law 569-2013**
The minimum required rear yard setback 8.08 m.
The new dwelling will be located 7.66 m from the rear lot line.
- Section 10.80.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
The new dwelling will have a length of 17.24 m.
- Section 10.5.40.10.(5), By-law 569-2013**
A minimum of 10 m² of the first floor must be located within 4 m of the front main wall.
A total of 5.69 m² of the first floor is proposed to be located within 4 m of the front main wall.

7. **Section 10.80.40.10.(2)(B)(ii), By-law 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 8.5 m.
The new dwelling will have a side exterior main wall height of 9.22 m facing a side lot line.
8. **Section 10.80.40.10.(4), By-law 569-2013**
The maximum permitted height of the first floor above established grade is 1.2 m.
The new dwelling will have a first floor height of 1.35 m above established grade.

File Numbers B67/14EYK, A648/14EYK AND A649/14EYK will be considered jointly.

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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Agent:	MICHAEL SILVERBERG		
Property Address:	IAN ROBERTSON - 1 RISER	Community:	
	57 ROSENEATH GDNS –		
	PART 2		
Legal Description:	PLAN 927 PT LOTS 146 & 147		

Paul Valenti (signed)

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