

CITY OF TORONTO
COUNCILLOR FILION
or OCCUPANT
NORTH YORK CIVIC CENTRE
5100 YONGE ST
TORONTO ON

Committee of Adjustment
North York Civic Centre
5100 Yonge Street
Toronto, ON M2N 5V7
Tel: 416 395-7000
Fax: 416 395-720

Thursday, November 12, 2015

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

File Number:	B0042/15NY	Zoning	R4/RD (f15.0; a550) (x5)[ZZC]
Owner(s):	MARINA SAMIMI	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	388 ELLERSLIE AVE	Community:	North York
Legal Description:	PLAN 2334 W 12		

Notice was given and the application considered on Thursday, November 12, 2015, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Convey - Part 1

Address to be assigned

The frontage is 10.66m and the lot area is 490.9m². The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the applicable zoning By-law(s).

Retained - Part 2

Address to be assigned

The frontage is 10.66m and the lot area is 490.9m². The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the applicable zoning By-law(s).

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

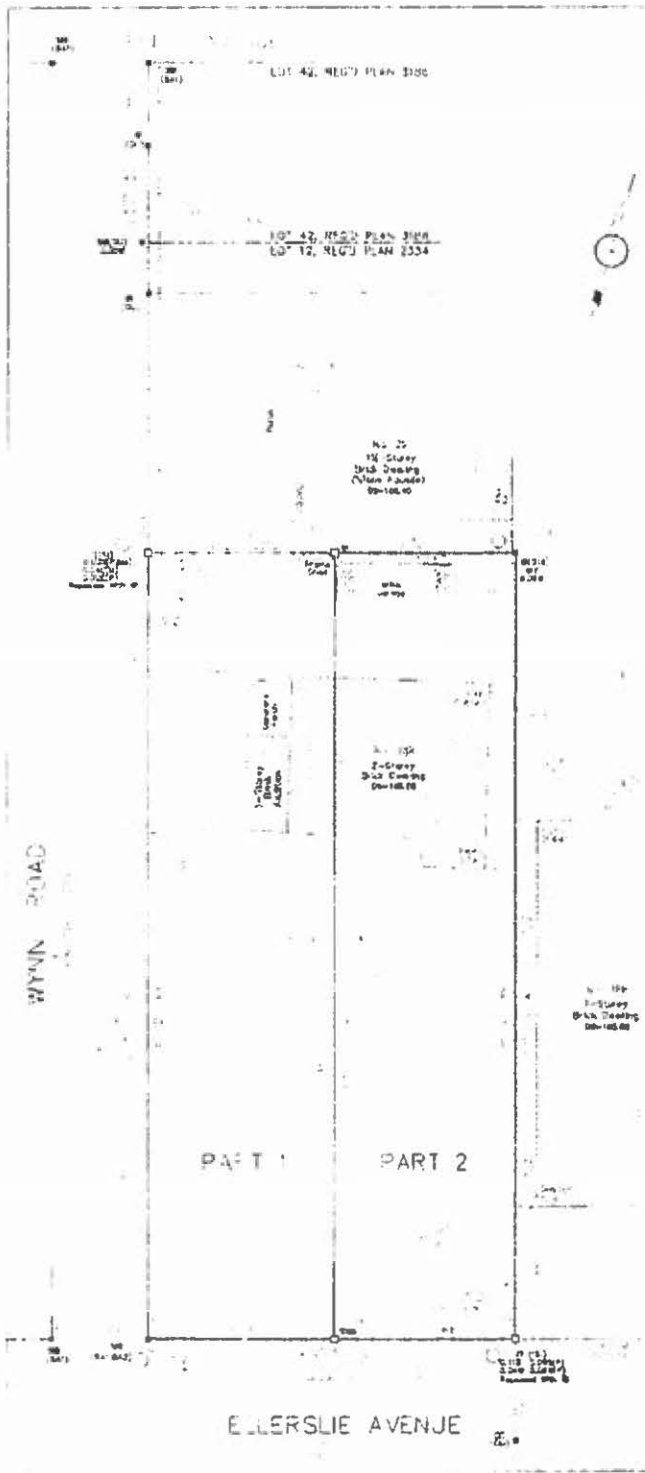
The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the creation of new lots as shown on the plan attached to this decision on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office within ONE YEAR of the date of the this Decision:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contacts: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca, or his designates, Elizabeth Machynia, at 416-338-5029; emachyni@toronto.ca. John Fligg at 416-338-5031; jfligg@toronto.ca
- (3) **Two copies of the registered reference plan of survey** integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contact: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca, or his designate, Virgil Gomes at 416-338-5033; vgomes@toronto.ca
- (4) **Three copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services shall be filed with the Committee of Adjustment.
- (5) Submission of a complete application for permit to injure or remove privately owned trees.
- (6) The associated minor variance decisions, A0827/15NY and A0828/15NY be declared Final and Binding.
- (7) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.

B0042/15M
 A0823/15M
 A0827/15M



PLANNING AREA	LOCAL AREA
...	...
...	...
...	...
...	...

SCHEDULE

...

PART OF LOT 42
REGISTERED PLAN
CITY OF TORONTO

...

Map

...

Integration Data

...

Map

...

Map

...

Map

call star-905

SIGNATURE PAGE

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Property Address:	388 ELLERSLIE AVE	Community:	North York
Legal Description:	PLAN 2334 W 12		



Bruce Mullock (signed)



Rick Ross (signed)



Derek Lett (signed)

DATE DECISION MAILED ON: Thursday, November 19, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 9, 2015

CERTIFIED TRUE COPY



for

Dan Antonacci
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.

Thursday, November 12, 2015

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

File Number:	A0827/15NY	Zoning	R4/RD (r15.0; a5.50) (x5)[ZZC]
Owner(s):	MARINA SAMIMI	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	388 ELLERSLIE AVE (PART 1)	Community:	North York
Legal Description:	PLAN 2334 W 12		

Notice was given and a Public Hearing was held on Thursday, November 12, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling. The existing dwelling would demolished.

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

- Chapter 900.3.10(5), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.21m.
- Chapter 10.5.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front main wall.
The proposed foyer is 4.25m².
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the east side exterior main walls facing a side lot line is 7.81m.
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the west side exterior main walls facing a side lot line is 7.81m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 17.98m.
- Section 10.20.40.70.(6), By-law No. 569-2013**
The minimum required side yard setback for a corner lot is 3.0m.
The proposed west side yard setback is 1.22m.

7. **Chapter 10.5.80.40.(3), By-law No. 569-2013**
Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.
The proposed vehicle access to a parking space is not from the flanking street.
8. **Section 13.2.2, By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 490.0m².
9. **Section 13.2.1, By-law No. 7625**
The minimum required lot frontage and lot width is 15m.
The proposed lot frontage and lot width is 10.66m.
10. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.42m.
11. **Section 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 17.98m.
12. **Section 13.2.3 (A), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed east side yard setback is 1.21m.
13. **Section 13.2.3(b)(iii), By-law No. 7625**
The minimum required side yard setback is 3.0m.
The proposed west side yard setback is 1.22m.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- 1) Submission of a complete application for permit to injure or remove privately owned trees.

SIGNATURE PAGE

File Number:	A0827/15NY	Zoning	R4/RD (f15.0; a550) (x5)[ZZC]
Owner:	MARINA SAMIMI	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	388 ELLERSLIE AVE (PART 1)	Community:	North York
Legal Description:	PLAN 2334 W 12		



Bruce Mullock (signed)



Rick Ross (signed)



Derek Lett (signed)

DATE DECISION MAILED ON: Thursday, November 19, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 2, 2015

CERTIFIED TRUE COPY



for
Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

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Thursday, November 12, 2015

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

File Number:	A0828/15NY	Zoning	R4/RD (f15.0; a550) (x5)[ZZC]
Owner(s):	MARINA SAMIMI	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	388 ELLERSLIE AVE (PART 2)	Community:	North York
Legal Description:	PLAN 2334 W 12		

Notice was given and a Public Hearing was held on Thursday, November 12, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling. The existing dwelling would demolished.

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

- Chapter 900.3.10(5), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.21m.
- Chapter 900.3.10(5), By-law No. 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.22m.
- Chapter 10.5.40.10.(5), By-law No. 569-2013**
A minimum of 10m² of the first floor must be within 4m of the front main wall.
The proposed foyer is 4.25m².
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the east side exterior main walls facing a side lot line is 7.9m.
- Chapter 10.20.40.10.(2), By-law No. 569-2013**
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the west side exterior main walls facing a side lot line is 7.9m.
- Chapter 10.20.40.20.(1), By-law No. 569-2013**
The maximum permitted building length is 17.0m.
The proposed building length is 17.98m.

7. **Section 13.2.2, By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 490.9m².
8. **Section 13.2.1 and 6(8), By-law No. 7625**
The minimum required lot frontage and width is 15m.
The proposed lot frontage and width is 10.66m.
9. **Section 13.2.6, By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.5m.
10. **Section 13.2.5A, By-law No. 7625**
The maximum permitted building length is 16.8m.
The proposed building length is 17.98m.
11. **Section 13.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed east side yard setback is 1.21m.
12. **Section 13.2.3(b), By-law No. 7625**
The minimum required side yard setback is 1.5m.
The proposed west side yard setback is 1.22m.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- 1) Submission of a complete application for permit to injure or remove privately owned trees.

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Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	388 ELLERSLIE AVE (PART 2)	Community:	North York
Legal Description:	PLAN 2334 W 12		



Bruce Mullock (signed)



Rick Ross (signed)



Derek Lett (signed)

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