

Thursday, January 14, 2016

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

File Number:	B72/15EYK	Zoning	RD & RS
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Notice was given and the application considered on Thursday, January 14, 2016, 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 7.7 m and the lot area is 296.8 m<sup>2</sup>. The property will be redeveloped as the site of a detached dwelling with an integral garage, requiring variances to the Zoning By-law, as outlined in Application A647/15EYK.

**Conveyed - Part 1****Address to be assigned**

The lot frontage is 7.7 m and the lot area is 288.9 m<sup>2</sup>. 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 A646/15EYK.

**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 attached plan 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 this Decision:

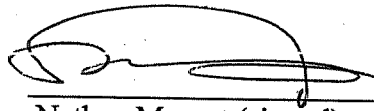
1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

2. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Engineering Services, Engineering and Construction Services. Contact: John Fligg @ (416) 338-5031 or Elizabeth Machynia @ (416) 338-5029.
3. The applicant shall satisfy all conditions concerning City/Private owned trees, to the satisfaction of Urban Forestry Services.
4. Where no street trees exist, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting each new lot created, to the satisfaction of Urban Forestry Services.
5. **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, of Property Records, at 416 392-8338; [jhouse@toronto.ca](mailto:jhouse@toronto.ca), or his designate, Virgil Gomes at 416 338-5033; [vgomes@toronto.ca](mailto:vgomes@toronto.ca)
6. **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.
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.

**SIGNATURE PAGE**

File Number:	B72/15EYK	Zoning	RD & RS (ZR)
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Dissented  
Denise Graham (signed)

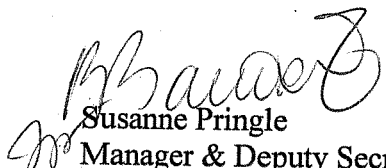
  
Nathan Muscat (signed)

  
Allan Smithies (signed)

DATE DECISION MAILED ON: Friday, January 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, February 11, 2016

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, January 14, 2016

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

File Number:	A646/15EYK	Zoning	RD & RS
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES – PART 1</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Notice was given and a Public Hearing was held on Thursday, January 14, 2016, 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 10.20.30.20.(1)(A), By-law 569-2013 & Section 330-23(A)(2)**  
The minimum required lot frontage is 12 m.  
The lot frontage will be 7.7 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013**  
The minimum required lot area is 370 m<sup>2</sup>.  
**Section 330-23(A)(1)**  
The minimum required lot area is 371 m<sup>2</sup>.  
**Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 330-23(A)(1)**  
The lot area will be 288.9 m<sup>2</sup>.
- Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 330-23(A)(9)**  
The maximum permitted floor space index is 0.35 times the lot area (101.1 m<sup>2</sup>).  
The proposed dwelling will have a floor space index of 0.68 times the lot area (195.9 m<sup>2</sup>).
- Section 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
**Section 330-23(A)(7)**  
The minimum required side yard setback is 0.9 m.  
**Section 10.20.40.70.(3)(C), By-law 569-2013 & Section 330-23(A)(7)**  
The proposed dwelling will be located 0.6 m from the east side lot line and 0.9 m from the west side lot line.
- Section 10.5.40.60.(7), By-law 569-2013**  
The minimum required eaves setback is 0.3 m.  
**Section 330-13(A)(2)**  
The minimum required eaves setback is 0.5 m.  
**Section 10.5.40.60.(7), By-law 569-2013 & Section 330-13(A)(2)**  
The eaves of the proposed dwelling will be located 0.2 m from the east side lot line.

6. **Section 10.20.40.10.(6), By-law 569-2013**  
The maximum permitted first floor height above established grade is 1.2 m.  
The first floor height of the proposed dwelling will be 2.68 m above established grade.
7. **Section 10.20.40.10.(2)(A)(i), By-law 569-2013**  
The maximum permitted height of all front exterior main walls is 7 m.  
The front exterior main walls of the proposed dwelling will have a height of 7.92 m.

**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):

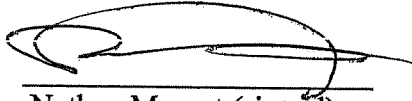
1. The applicant shall comply with the conditions imposed in the Committee of Adjustment's **Consent Decision Number B72/15EYK**.
2. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A *Contractor's Agreement to Perform Work on City-owned Trees* will be required prior to the removal/injure of the subject tree(s). Form located at [www.toronto.ca/trees/pdfs/contractor\\_services\\_agreement\\_information.pdf](http://www.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf).  
  
Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the *Tree Protection Policy and Specifications for Construction Near Trees* or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the *Treasurer of the City of Toronto*, or Letter of Credit.
3. Submission of a complete application for permit to injure or destroy privately owned trees.
4. Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The current cost of planting a tree is \$583, subject to changes.
5. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
  - a. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in following points to the satisfaction of Transportation Services, at no cost to the City;
    - i. Place a note on the site plan stating, "The applicant must obtain the necessary authorizations and permits from the City's Right-Of-Way management unit before excavating within or encroaching into the municipal road allowance. The applicant must submit the applicable Municipal Road Damage Deposit, in accordance with Chapter 743-4 of the Toronto Municipal Code, prior to obtaining a building permit." The applicant shall contact Ms. Joanne Vecchiarelli of Right-of-Way Management Section at (416) 398-1045 regarding municipal road damage deposit requirements;

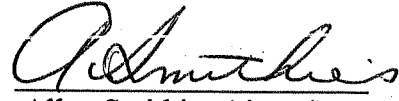
- ii. Reduce the proposed depressed curb cut on the conveyed Part 2 lot to have a width of 2.60m as per the proposed driveway;
- iii. Insert a note on the site plan drawing stating, "The redundant portion of the existing driveway on the retained Part 1 lot that will be removed within the Ash Crescent municipal boulevard must be reinstated with sod to the satisfaction of the Transportation Services Division;

**SIGNATURE PAGE**

File Number:	A646/15EYK	Zoning	RD & RS (ZR)
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES - PART 1</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Dissented  
Denise Graham (signed)


  
Nathan Muscat (signed)

  
Allan Smithies (signed)

DATE DECISION MAILED ON: Friday, January 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, February 3, 2016

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)



Thursday, January 14, 2016

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

File Number:	A647/15EYK	Zoning	RD & RS
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES – PART 2</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Notice was given and a Public Hearing was held on Thursday, January 14, 2016, 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 10.20.30.20.(1)(A), By-law 569-2013 & Section 330-23(A)(2)**  
The minimum required lot frontage is 12 m.  
The lot frontage will be 7.7 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013**  
The minimum required lot area is 370 m<sup>2</sup>.  
**Section 330-23(A)(1)**  
The minimum required lot area is 371 m<sup>2</sup>.  
**Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 330-23(A)(1)**  
The lot area will be 296.8 m<sup>2</sup>.
- Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 330-23(A)(9)**  
The maximum permitted floor space index is 0.35 times the lot area (103.9 m<sup>2</sup>).  
The proposed dwelling will have a floor space index of 0.66 times the lot area (195.9 m<sup>2</sup>).
- Section 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
**Section 330-23(A)(7)**  
The minimum required side yard setback is 0.9 m.  
**Section 10.20.40.70.(3)(C), By-law 569-2013 & Section 330-23(A)(7)**  
The proposed dwelling will be located 0.6 m from the west side lot line and 0.9 m from the east side lot line.
- Section 10.5.40.60.(7), By-law 569-2013**  
The minimum required eaves setback is 0.3 m.  
**Section 330-13(A)(2)**  
The minimum required eaves setback is 0.5 m.  
**Section 10.5.40.60.(7), By-law 569-2013 & Section 330-13(A)(2)**  
The eaves of the proposed dwelling will be located 0.2 m from the west side lot line.

6. **Section 10.20.40.10.(6), By-law 569-2013**  
The maximum permitted first floor height above established grade is 1.2 m.  
The first floor height of the proposed dwelling will be 2.68 m above established grade.
7. **Section 10.20.40.10.(2)(A)(i), By-law 569-2013**  
The maximum permitted height of all front exterior main walls is 7 m.  
The front exterior main walls of the proposed dwelling will have a height of 7.92 m.

**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. The applicant shall comply with the conditions imposed in the Committee of Adjustment's **Consent Decision Number B72/15EYK**.
2. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A *Contractor's Agreement to Perform Work on City-owned Trees* will be required prior to the removal/injure of the subject tree(s). Form located at [www.toronto.ca/trees/pdfs/contractor\\_services\\_agreement\\_information.pdf](http://www.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf).  
  
Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the *Tree Protection Policy and Specifications for Construction Near Trees* or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the *Treasurer of the City of Toronto*, or Letter of Credit.
3. Submission of a complete application for permit to injure or destroy privately owned trees.
4. Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The current cost of planting a tree is \$583, subject to changes.
5. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
  - a. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in following points to the satisfaction of Transportation Services, at no cost to the City;
    - i. Place a note on the site plan stating, "The applicant must obtain the necessary authorizations and permits from the City's Right-Of-Way management unit before excavating within or encroaching into the municipal road allowance. The applicant must submit the applicable Municipal Road Damage Deposit, in accordance with Chapter 743-4 of the Toronto Municipal Code, prior to obtaining a building permit." The applicant shall contact Ms. Joanne Vecchiarelli of Right-of-Way Management Section at (416) 398-1045 regarding municipal road damage deposit requirements;

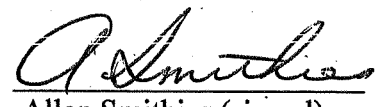
- ii. Reduce the proposed depressed curb cut on the conveyed Part 2 lot to have a width of 2.60m as per the proposed driveway;
- iii. Insert a note on the site plan drawing stating, "The redundant portion of the existing driveway on the retained Part 1 lot that will be removed within the Ash Crescent municipal boulevard must be reinstated with sod to the satisfaction of the Transportation Services Division;

**SIGNATURE PAGE**

File Number:	A647/15EYK	Zoning	RD & RS (ZR)
Owner(s):	BERNARD CASSAR	Ward:	Etobicoke-Lakeshore (06)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>56 ASH CRES - PART 2</b>	Community:	
Legal Description:	PLAN 1545 PT LOT 128		

Dissented  
Denise Graham (signed)

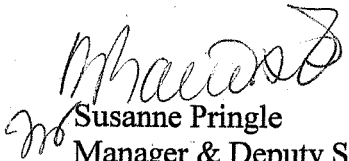
  
Nathan Muscat (signed)

  
Allan Smithies (signed)

DATE DECISION MAILED ON: Friday, January 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, February 3, 2016

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)