

Thursday, September 24, 2015

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

File Number:	B29/15EYK	Zoning	RD & RS
Owner(s):	MIROSLAW FUTKOWSKI WOJCIECH GAWENDA	Ward:	Etobicoke-Lakeshore (06)
Agent:	MATTHEW CZAPLINSKI	Heritage:	Not Applicable
Property Address:	9 ATHERTON CRES	Community:	
Legal Description:	PLAN 1545 LOT 220		

Notice was given and the application considered on Thursday, September 24, 2015, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Retained - Part 1

Address to be assigned

The lot frontage is 7.62 m and the lot area is 371.1 m². 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 A252/15EYK.

Conveyed - Part 2

Address to be assigned

The lot frontage is 7.62 m and the lot area is 393.4 m². 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 A253/15EYK.

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

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Agent:	MATTHEW CZAPLINSKI	Heritage:	Not Applicable
Property Address:	9 AHERTON CRES	Community:	
Legal Description:	PLAN 1545 LOT 220		

Allan Smithies (signed) Dominic Gulli (signed) Edwin (Ted) Shepherd (signed)

Megan McIver (signed) Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, October 2, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, October 22, 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.

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, September 24, 2015

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

File Number:	A252/15EYK	Zoning	RD & RS
Owner(s):	MIROSLAW FUTKOWSKI WOJCIECH GAWENDA	Ward:	Etobicoke-Lakeshore (06)
Agent:	MATTHEW CZAPLINSKI	Heritage:	Not Applicable
Property Address:	9 ATHERTON CRES – PART 1	Community:	
Legal Description:	PLAN 1545 LOT 220		

Notice was given and a Public Hearing was held on Thursday, September 24, 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 10.20.30.20.(1)(B), By-law 569-2013 & Section 330-23(A)(2)**
The minimum required lot frontage is 12 m.
The lot frontage will be 7.62 m.
- 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 (129.88 m²).
The proposed dwelling will have a floor space index of 0.59 times the lot area (218.84 m²).
- Section 10.20.40.70.(3)(B), By-law 569-2013 & Section 330-23(A)(7)**
The minimum required side yard setback is 0.9 m.
The proposed dwelling will be located 0.6 m from the south side lot line.
- Section 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
The proposed dwelling will have a building length of 18.52 m.
- Section 10.20.40.30.(1), By-law 569-2013**
The maximum permitted building depth is 19 m.
The proposed dwelling will have a depth of 20.39 m.
- Section 330-23(10)(a)**
The maximum permitted dwelling height is 9.5 m.
The proposed dwelling will have a height of 10 m.
- Section 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of a platform at or above a second storey is 4 m.
The proposed second storey rear platforms will have an area of 18.67 m².

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:	A252/15EYK	Zoning	RD & RS
Owner:	MIROSLAW FUTKOWSKI WOJCIECH GAWENDA	Ward:	Etobicoke-Lakeshore (06)
Agent:	MATTHEW CZAPLINSKI	Heritage:	Not Applicable
Property Address:	9 ATHERTON CRES – PART 1	Community:	
Legal Description:	PLAN 1545 LOT 220		

Allan Smithies (signed)

Dominic Gulli (signed)

Edwin (Ted) Shepherd
(signed)

Megan McIver (signed)

Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, October 2, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, October 14, 2015

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

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Thursday, September 24, 2015

NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
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File Number:	A253/15EYK	Zoning	RD & RS
Owner(s):	MIROSLAW FUTKOWSKI WOJCIECH GAWENDA	Ward:	Etobicoke-Lakeshore (06)
Agent:	MATTHEW CZAPLINSKI	Heritage:	Not Applicable
Property Address:	9 ATHERTON CRES – PART 2	Community:	
Legal Description:	PLAN 1545 LOT 220		

Notice was given and a Public Hearing was held on Thursday, September 24, 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 10.20.30.20.(1)(B), By-law 569-2013 & Section 330-23(A)(2)**
The minimum required lot frontage is 12 m.
The lot frontage will be 7.62 m.
- 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 (137.69 m²).
The proposed dwelling will have a floor space index of 0.56 times the lot area (218.84 m²).
- Section 10.20.40.70.(3)(B), By-law 569-2013 & Section 330-23(A)(7)**
The minimum required side yard setback is 0.9 m.
The proposed dwelling will be located 0.6 m from the north side lot line.
- Section 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17 m.
The proposed dwelling will have a building length of 18.52 m.
- Section 10.20.40.30., By-law 569-2013**
The maximum permitted building depth is 19 m.
The proposed dwelling will have a depth of 20.39 m.
- Section 330-23(10)(a)**
The maximum permitted dwelling height is 9.5 m.
The proposed dwelling will have a height of 10 m.
- Section 10.20.40.50.(1)(B), By-law 569-2013**
The maximum permitted area of a platform at or above a second storey is 4 m.
The proposed second storey rear platforms will have an area of 18.67 m².

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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