

Tuesday, May 17, 2016

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

File Number:	B75/15EYK	Zoning	RD & RS
Owner(s):	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES	Community:	
Legal Description:	PLAN 1545 LOT 143		

Notice was given and the application considered on Thursday, April 14, 2016, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Conveyed - Part 1

Address to be assigned

The lot frontage is 7.89 m and the lot area is 291.3 m². The existing site 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 A667/15EYK.

Retained - Part 2

Address to be assigned

The lot frontage is 6.51 m and the lot area is 354.6 m². The existing dwelling and detached garage will be demolished and the property will be redeveloped as the site of a new detached dwelling and a new detached garage, requiring variances to the Zoning By-law, as outlined in Application A668/15EYK.

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
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:	B75/15EYK	Zoning	RD & RS
Owner(s):	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES	Community:	
Legal Description:	PLAN 1545 LOT 143		

Allan Smithies (signed)

Nathan Muscat (signed)

Megan McIver (signed)

DATE DECISION MAILED ON: Friday, April 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, May 12, 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.

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, April 14, 2016

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

File Number:	A667/15EYK	Zoning	RD & RS
Owner(s):	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES – PART 1	Community:	
Legal Description:	PLAN 1545 LOT 143		

Notice was given and a Public Hearing was held on Thursday, April 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 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 370 m².
Section 330-23.(A)(1)
The minimum required lot area is 371 m².
Section 10.20.30.10.(1)(A), By-law 569-2013 and Section 330-23.(A)(1)
The new lot area will be 291.3 m².
- Section 10.20.30.20.(1)(A), By-law 569-2013 and Section 330-23.(A)(2)**
The minimum required lot frontage is 12 m.
The new lot frontage will be 7.89 m.
- Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.(A)(9)**
The maximum permitted floor space index is 0.35 times the area of the lot (101.9 m²).
The new dwelling will have a floor space index of 0.7 times the area of the lot (203.7 m²).
- 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 and Section 330-23.(A)(7)
The new dwelling will be located 0.6 m from the east side lot line and 0.9 m from the west side lot line.
- Section 10.20.40.10.(4)(A), By-law 569-2013**
The maximum permitted building height is 7.2 m.
The new dwelling will have a height of 9.03 m.
- Section 10.20.40.10.(6), 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 3.03 m above established grade.

7. **Section 10.5.40.60.(7), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
Section 330-13.(A)(2)
The minimum required side yard setback for eaves is 0.5 m.
Section 10.5.40.60.(7), By-law 569-2013 and Section 330-13.(A)(2)
The eaves of the new dwelling will be located 0.2 m from the east side lot line.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

Minor Variances 1 and 2 only are Approved on Condition

It is the decision of the Committee of Adjustment to authorize these variances 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 B75/15EYK**.
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.

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. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
 - a. The applicant is required to obtain written approval and/or documentation from the City's Parks, Forestry and Recreation Division to confirm the required tree protection requirements associated with the 2.6 m wide Ash Crescent driveway, which straddles an existing mature street tree within the Ash Crescent municipal boulevard on Part 1.
 - b. The applicant shall submit a revised site plan (1:200 or 1:250 in metric scale) illustrating the following, to the satisfaction of Transportation Services Division and at no cost to the City:
 - i. The applicant is required to restore the redundant portion of the existing walkway connection on Part 2 that is being removed with sod within the Twenty Seventh Street municipal boulevard; and

- ii. Insert an advisory notation on the site plan stating, "The applicant shall obtain the necessary authorizations and permits from the Transportation Services Division's Right-of-Way Management Section before excavating within or encroaching into the municipal road allowance. The applicant shall also submit a Municipal Road Damage Deposit prior to obtaining a Building Permit". The applicant shall contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at 416-398-1045 regarding municipal road damage deposit requirements.

Minor Variances 3-7 (inclusive) are Refused

It is the decision of the Committee of Adjustment to **NOT** approve these variances 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:	A667/15EYK	Zoning	RD & RS
Owner:	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES – PART 1	Community:	
Legal Description:	PLAN 1545 LOT 143		

Allan Smithies (signed)

Nathan Muscat (signed)

Megan McIver (signed)

DATE DECISION MAILED ON: Friday, April 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, May 4, 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.

Thursday, April 14, 2016

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

File Number:	A668/15EYK	Zoning	RD & RS
Owner(s):	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES – PART 2	Community:	
Legal Description:	PLAN 1545 LOT 143		

Notice was given and a Public Hearing was held on Thursday, April 14, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with a detached garage in the rear yard.

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

- Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 370 m².
Section 330-23.(A)(1)
The minimum required lot area is 371 m².
Section 10.20.30.10.(1)(A), By-law 569-2013 and Section 330-23.(A)(1)
The new lot area will be 354.6 m².
- Section 10.20.30.20.(1)(A), By-law 569-2013 and Section 330-23.(A)(2)**
The minimum required lot frontage is 12 m.
The new lot frontage will be 6.51 m.
- Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23.(A)(9)**
The maximum permitted floor space index is 0.35 times the area of the lot (124.1 m²).
The new dwelling will have a floor space index of 0.64 times the area of the lot (226.6 m²).
- Section 10.20.40.70.(1), By-law 569-2013 and Section 330-23.(A)(6)**
The minimum required front yard setback is 6.19 m.
The new dwelling will be located 2.28 m from the front lot line.

5. **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 and Section 330-23.(A)(7)
The new dwelling will be located 0.6 m from the west side lot line and 0 m on the east side lot line.
6. **Section 10.20.40.70.(6)(B), By-law 569-2013**
The minimum required side yard setback abutting a street is 3 m.
The new dwelling will be located 0 m from the east side lot line abutting a street (Twenty Seventh Street).
7. **Section 10.20.40.10.(4)(A), By-law 569-2013**
The maximum permitted building height is 7.2 m.
The new dwelling will have a height of 8.41 m.
8. **Section 10.20.40.10.(6), 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 1.86 m above established grade.
9. **Section 10.5.40.60.(7), By-law 569-2013**
The minimum required side yard setback for eaves is 0.3 m.
Section 330-13.(A)(2)
The minimum required side yard setback for eaves is 0.5 m.
Section 10.5.40.60.(7), By-law 569-2013 and Section 330-13.(A)(2)
The eaves of the new dwelling will be located 0.2 m from the west side lot line.
10. **Section 10.5.60.70.(1), By-law 569-2013 and Section 330-15.(E)(1)**
The maximum permitted lot coverage of an ancillary building or structure is 10% of the lot area (35.5 m²).
The proposed detached garage will cover 12.5% of the lot area (44.3 m²).
11. **Section 10.5.60.50.(2)(B), By-law 569-2013**
The maximum permitted floor area of all ancillary buildings or structures is 40 m².
The proposed detached garage will have a floor area of 44.3 m².
12. **Section 10.5.60.20.(3)(C)(iii), By-law 569-2013**
The minimum required side yard setback for an ancillary building or structure in a rear yard is 0.3 m.
Section 330-15.(A)
The minimum required side yard setback is 0.4 m from all property lines.
Section 10.5.60.20.(3)(C)(iii), By-law 569-2013 and Section 330-15.(A)
The proposed detached garage will be located 0 m from the south side lot line and 0.3 m from the west side lot line.
13. **Section 330-15.(D)**
The maximum permitted wall height of a garage is 2.5 m.
The proposed detached garage will have a height of 3.78 m.
14. **Section 330-15.(G)**
Parking for corner lots to be provided in the form of an attached garage or carport.
The proposed parking will be a detached garage.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**Minor Variances 1 and 2 only are Approved on Condition**

It is the decision of the Committee of Adjustment to authorize these variances 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 B75/15EYK**.
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.

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. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
 - a. The applicant is required to obtain written approval and/or documentation from the City's Parks, Forestry and Recreation Division to confirm the required tree protection requirements associated with the 2.6 m wide Ash Crescent driveway, which straddles an existing mature street tree within the Ash Crescent municipal boulevard on Part 1.
 - b. The applicant shall submit a revised site plan (1:200 or 1:250 in metric scale) illustrating the following, to the satisfaction of Transportation Services Division and at no cost to the City:
 - i. The applicant is required to restore the redundant portion of the existing walkway connection on Part 2 that is being removed with sod within the Twenty Seventh Street municipal boulevard; and
 - ii. Insert an advisory notation on the site plan stating, "The applicant shall obtain the necessary authorizations and permits from the Transportation Services Division's Right-of-Way Management Section before excavating within or encroaching into the municipal road allowance. The applicant shall also submit a Municipal Road Damage Deposit prior to obtaining a Building Permit". The applicant shall contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at 416-398-1045 regarding municipal road damage deposit requirements.

Minor Variances 3 - 14 (inclusive) are Refused

It is the decision of the Committee of Adjustment to **NOT** approve these variances 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:	A668/15EYK	Zoning	RD & RS
Owner:	PATRICIA CARDONA	Ward:	Etobicoke-Lakeshore (06)
Agent:	VICTOR HIPOLITO AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	2 ASH CRES – PART 2	Community:	
Legal Description:	PLAN 1545 LOT 143		

Allan Smithies (signed)

Nathan Muscat (signed)

Megan McIver (signed)

DATE DECISION MAILED ON: Friday, April 22, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, May 4, 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.