

Thursday, September 29, 2016

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

File Number:	B0053/16EYK	Zoning	RD & RS
Owner(s):	YOUSEF AL QSHAT	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	5 THIRTY FIRST ST	Community:	
Legal Description:	PLAN 1545 L 325 C PT		

Notice was given and the application considered on Thursday, September 29, 2016, 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 7.66 m and the lot area is 352 m<sup>2</sup>. The existing dwelling 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 A598/16EYK.

**Conveyed - Parts 2 & 3****Address to be assigned**

Parts 2 & 3 will have a combined lot frontage of 7.63 m and a combined lot area of 348 m<sup>2</sup>. The existing dwelling 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 A599/16EYK.

Part 3 is subject to an existing easement and will be maintained.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

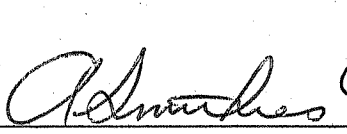
**The Consent Application is Approved on Condition**

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:

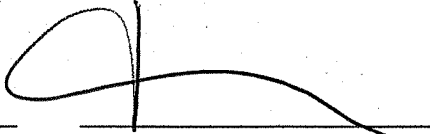
1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
2. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Engineering Services, 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)
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**

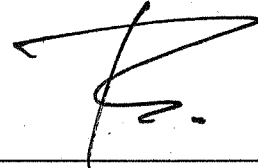
File Number:	B0053/16EYK	Zoning	RD & RS
Owner(s):	YOUSEF AL QSHAT	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	5 THIRTY FIRST ST	Community:	
Legal Description:	PLAN 1545 L 325 C PT		



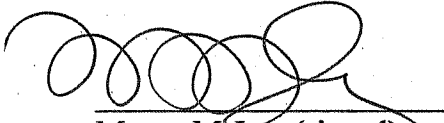
Allan Smithies (signed)



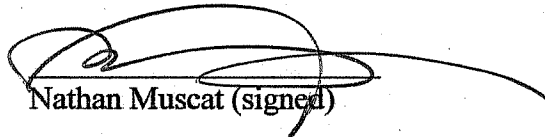
Dominic Gulli (signed)



Edwin (Ted) Shepherd (signed)



Megan McIver (signed)

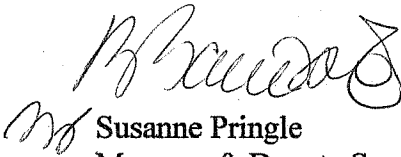


Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, October 7, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, October 27, 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 \$300.00, 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, September 29, 2016

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

File Number:	A0598/16EYK	Zoning:	RD & RS
Owner(s):	YOUSEF AL QSHAT	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 THIRTY FIRST ST – PART 1</b>	Community:	
Legal Description:	PLAN 1545 L 325 C PT		

Notice was given and a Public Hearing was held on Thursday, September 29, 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 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 and Section 330-23.(A)(1)**  
The new lot area will be 352 m<sup>2</sup>.
- 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 7.66 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 (123.2 m<sup>2</sup>).  
The new dwelling will have a floor space index of 0.59 times the area of the lot (207.8 m<sup>2</sup>).
- Section 10.20.40.70.(1), By-law 569-2013 and Section 330-23.(A)(6)**  
The minimum required front yard setback is 8.04 m.  
The new dwelling will be located 6 m from the front lot line.
- 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 0.9 m from the north side lot line and 0.57 m from the south side lot line.
- 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 2.35 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 new dwelling will have a front exterior main wall height of 7.59 m.
8. **Section 10.5.40.60.(7), By-law 569-2013**  
The minimum required eaves setback 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 and Section 330-13.A.(2)**  
The eaves of the new dwelling will be located 0.1 m from the south side lot line.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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:


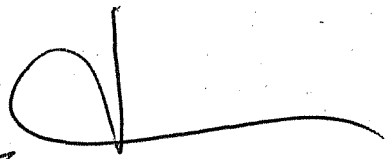
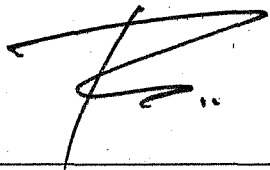
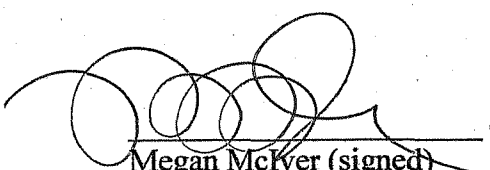
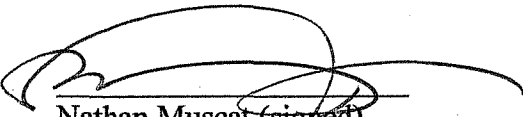
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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 B0053/16EYK**.
2. 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.
3. The applicant shall submit an application for permit to injure or remove City trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article II.
4. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
  - 4.1 The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City;
    - a. Site plan drawing should illustrate a minimum 2% driveway slope from the garage to the property line.
    - b. Add the existing structures to the legend and make it clear what is an existing structure and what is the tree protection zone.

**SIGNATURE PAGE**

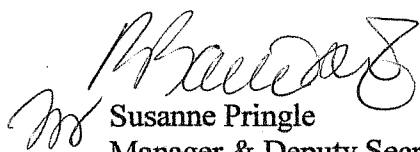
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Owner:	YOUSEF AL QSHAT	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 THIRTY FIRST ST – PART 1</b>	Community:	
Legal Description:	PLAN 1545 L 325 C PT		

  
\_\_\_\_\_  
Allan Smithies (signed)  
\_\_\_\_\_  
Dominic Gulli (signed)  
\_\_\_\_\_  
Edwin (Ted) Shepherd  
(signed)  
\_\_\_\_\_  
Megan McIver (signed)  
\_\_\_\_\_  
Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, October 7, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, October 19, 2016

CERTIFIED TRUE COPY

  
Susanne Pringle  
Manager & Deputy Secretary Treasurer  
Etobicoke York Panel

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Thursday, September 29, 2016

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

File Number:	A0599/16EYK	Zoning:	RD & RS
Owner(s):	YOUSEF AL QSHAT	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 THIRTY FIRST ST – PART 2</b>	Community:	
Legal Description:	PLAN 1545 L 325 C PT		

Notice was given and a Public Hearing was held on Thursday, September 29, 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 m<sup>2</sup>.  
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The new lot area will be 348 m<sup>2</sup>.
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The minimum required lot frontage is 12 m.  
The new lot frontage will be 7.63 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 (121.8 m<sup>2</sup>).  
The new dwelling will have a floor space index of 0.6 times the area of the lot (208.8 m<sup>2</sup>).
- Section 10.20.40.70.(1), By-law 569-2013 and Section 330-23.(A)(6)**  
The minimum required front yard setback is 8.04 m.  
The new dwelling will be located 6 m from the front lot line.
- 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 0.9 m from the south side lot line and 0.58 m from the north side lot line.
- 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 2.35 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 new dwelling will have a front exterior main wall height of 7.59 m.
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The eaves of the new dwelling will be located 0.1 m from the north side lot line.

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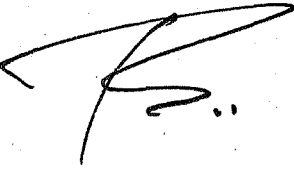
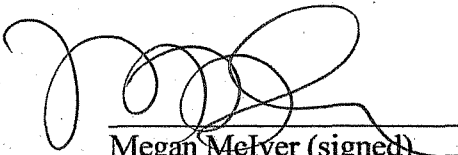

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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 B0053/16EYK**.
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4. The following conditions shall be fulfilled to the satisfaction of the Engineering and Construction Services Division:
  - 4.1 The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in the following points to the satisfaction of Engineering and Construction Services and Transportation Services, at no cost to the City;
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Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	5 THIRTY FIRST ST – PART 2	Community:	
Legal Description:	PLAN 1545 L 325 C PT		

  
\_\_\_\_\_  
Allan Smithies (signed)  
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Dominic Gulli (signed)  
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Edwin (Ted) Shepherd  
(signed)  
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Megan Melver (signed)  
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Nathan Muscat (signed)

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