

Thursday, November 3, 2016

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

File Number:	B0056/16EYK	Zoning	RD & RS
Owner(s):	DANIEL FAZZARI COSIMO COMMISSO	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD</b>	Community:	
Legal Description:	PLAN 1581 LOT 104		

Notice was given and the application considered on Thursday, November 3, 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 7.62 m and the lot area is 290.32 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 integral garage, requiring variances to the Zoning By-law, as outlined in Application A0607/16EYK.

**Conveyed - Part 1**

**Address to be assigned**

The lot frontage is 7.62 m and the lot area is 290.32 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 integral garage, requiring variances to the Zoning By-law, as outlined in Application A0606/16EYK.

**File numbers B0056/16EYK, A0606/16EYK and A0607/16EYK will be considered jointly.**

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:	B0056/16EYK	Zoning	RD & RS
Owner(s):	DANIEL FAZZARI	Ward:	Etobicoke-Lakeshore (06)
	COSIMO COMMISSO		
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD</b>	Community:	
Legal Description:	PLAN 1581 LOT 104		

\_\_\_\_\_  
Edwin (Ted) Shepherd  
(signed)

\_\_\_\_\_  
Allan Smithies (signed)

\_\_\_\_\_  
Dominic Gulli (signed)

DATE DECISION MAILED ON: Thursday, November 10, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, December 1, 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, November 3, 2016

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

File Number:	A0606/16EYK	Zoning	RD & RS
Owner(s):	DANIEL FAZZARI COSIMO COMMISSO	Ward:	Etobicoke-Lakeshore (06)
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD – PART 1</b>	Community:	
Legal Description:	PLAN 1581 LOT 104		

Notice was given and a Public Hearing was held on Thursday, November 3, 2016, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an integral garage.

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

1. **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 lot will have a frontage of 7.62 m.
2. **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 lot will have an area of 290.3 m<sup>2</sup>.
3. **Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23(A)(9)**  
The maximum permitted floor space index/gross floor area is 0.35 times the area of the lot (101.6 m<sup>2</sup>).  
The proposed dwelling will have a floor space index/gross floor area equal to 0.69 times the area of the lot (202.4 m<sup>2</sup>).
4. **Section 10.20.40.70.(3)(C), By-law 569-2013**  
The minimum required side yard setback is 1.2 m.  
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 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 east side lot line.

5. **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**  
The eaves of the proposed dwelling will be located 0.2 m from the east side lot line.
6. **Section 10.20.40.10.(1)(A), By-law 569-2013 and Section 330-23(A)(1)(a)**  
The maximum permitted building height is 9.5 m.  
The proposed dwelling will have a height of 9.8 m.
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 proposed dwelling will have a front exterior main wall height of 8.48 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 proposed dwelling will have a first floor height of 2.93 m above established grade.
9. **Section 10.20.40.50.(1)(B), By-law 569-2013**  
The maximum permitted area of each platform at or above the second storey is 4 m<sup>2</sup>.  
The proposed rear deck at the second storey will have an area of 12.8 m<sup>2</sup>.

**File numbers B0056/16EYK, A0606/16EYK and A0607/16EYK will be considered jointly.**

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 B0056/16EYK.**

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. 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.
4. The applicant shall submit an application for permit to injure or remove trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article III.

## SIGNATURE PAGE

File Number:	A0606/16EYK	Zoning	RD & RS
Owner:	DANIEL FAZZARI	Ward:	Etobicoke-Lakeshore (06)
	COSIMO COMMISSO		
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD – PART 1</b>	Community:	
Legal Description:	PLAN 1581 LOT 104		

\_\_\_\_\_  
Edwin (Ted) Shepherd  
(signed)

\_\_\_\_\_  
Allan Smithies (signed)

\_\_\_\_\_  
Dominic Gulli (signed)

DATE DECISION MAILED ON: Thursday, November 10, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, November 23, 2016

CERTIFIED TRUE COPY

Susanne Pringle  
Manager & Deputy Secretary Treasurer  
Etobicoke York Panel

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Thursday, November 3, 2016

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

File Number:	A0607/16EYK	Zoning	RD & RS
Owner(s):	DANIEL FAZZARI	Ward:	Etobicoke-Lakeshore (06)
	COSIMO COMMISSO		
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD – PART 2</b>	Community:	
Legal Description:	PLAN 1581 LOT 104		

Notice was given and a Public Hearing was held on Thursday, November 3, 2016, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling with an integral garage.

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

- 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 lot will have a frontage of 7.62 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 and Section 330-23(A)(1)**  
The lot will have an area of 290.3 m<sup>2</sup>.
- Section 10.20.40.40.(1)(A), By-law 569-2013 and Section 330-23(A)(9)**  
The maximum permitted floor space index/gross floor area is 0.35 times the area of the lot (101.6 m<sup>2</sup>).  
The proposed dwelling will have a floor space index/gross floor area equal to 0.69 times the area of the lot (201.3 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.  
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 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 west side lot line.



5. **Section 10.5.40.60.(7), By-law 569-2013**  
The minimum required side yard setback for eaves is 0.3 m.  
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It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

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- 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 B0056/16EYK.**

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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.
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## **SIGNATURE PAGE**

File Number:	A0607/16EYK	Zoning	RD & RS
Owner:	DANIEL FAZZARI	Ward:	Etobicoke-Lakeshore (06)
	COSIMO COMMISSO		
Agent:	AMBIENT DESIGNS LTD	Heritage:	Not Applicable
Property Address:	<b>5 RAMSGATE RD – PART 2</b>	Community:	
Legal Description:	PLAN 158I LOT 104		

\_\_\_\_\_  
Edwin (Ted) Shepherd  
(signed)

\_\_\_\_\_  
Allan Smithies (signed)

\_\_\_\_\_  
Dominic Gulli (signed)

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