

Thursday, March 10, 2016

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

File Number:	B85/15EYK	Zoning	RM & RM 1
Owner(s):	JENNIFER LECA EMANUEL LECA	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARMANDO BARBINI	Heritage:	Not Applicable
Property Address:	20 GARDEN PL	Community:	
Legal Description:	PLAN 2172 PT LOTS 239 AND 240		

Notice was given and the application considered on Thursday, March 10, 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 7.61 m and the lot area is 277.93 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A748/15EYK.

Conveyed - Part 1

Address to be assigned

The lot frontage is 7.61 m and the lot area is 277.93 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A747/15EYK.

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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Legal Description:	PLAN 2172 PT LOTS 239 AND 240		

Allan Smithies (signed)

Edwin (Ted) Shepherd
(signed)

Megan McIver (signed)

Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, March 18, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, April 7, 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, March 10, 2016

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

File Number:	A747/15EYK	Zoning	RM & RM 1
Owner(s):	JENNIFER LECA EMANUEL LECA	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARMANDO BARBINI	Heritage:	Not Applicable
Property Address:	20 GARDEN PL - PART 1	Community:	
Legal Description:	PLAN 2172 PT LOTS 239 AND 240		

Notice was given and a Public Hearing was held on Thursday, March 10, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with integral garage.

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

- Section 900.6.10.(2)(B)(i), 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 7.6 m.
- Section 900.6.10.(2)(A)(i), 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 900.6.10.(2)(A)(i), By-law 569-2013 and Section 330-23.A(1)
The lot will have an area 278 m².
- Section 900.6.10.(2)(D)(i), 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 (97.3 m²)
The proposed dwelling will have a floor space index equal to 0.66 times the area of the lot (184.3 m²).
- Section 900.6.10.(2)(F)(i), By-law 569-2013 and 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.
- Section 10.5.40.60.(7)(B), Section 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)(B), Section 569-2013 and 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 10.80.40.10.(2)(A)(i), By-law 569-2013 and Section 10.80.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of 60% of all front exterior main walls and 60% of all rear exterior main walls is 7 m.
The proposed dwelling will have a height of 7.9 m for 100% of all front and rear exterior main walls.
7. **Section 10.5.40.10.(5), By-law 569-2013**
A minimum of 10 m² of the first floor must be within 4 m of the front main wall.
The proposed dwelling will have 7.4 m² of the first floor within 4 m of the front main wall.
8. **Section 10.5.40.60.(1)(A)(i), By-law 569-2013**
A platform without main walls, attached to or less than 0.3 m from a building, with a floor no higher than the first floor of the building above established grade, may encroach into the required front yard setback 2.5 m if it is no closer to a side lot line than the required side yard setback.
The proposed front porch will encroach 1.5 m into the required front yard setback and will be located 0.3 m closer to the east side lot line than the required side yard setback.

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

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Legal Description:	PLAN 2172 PT LOTS 239 AND 240		

Allan Smithies (signed)

Edwin (Ted) Shepherd
(signed)

Megan McIver (signed)

Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, March 18, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 30, 2016

CERTIFIED TRUE COPY

Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

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Thursday, March 10, 2016

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

File Number:	A748/15EYK	Zoning:	RM & RM 1
Owner(s):	JENNIFER LECA EMANUEL LECA	Ward:	Etobicoke-Lakeshore (06)
Agent:	ARMANDO BARBINI	Heritage:	Not Applicable
Property Address:	20 GARDEN PL - PART 2	Community:	
Legal Description:	PLAN 2172 PT LOTS 239 AND 240		

Notice was given and a Public Hearing was held on Thursday, March 10, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with integral garage.

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

- Section 900.6.10.(2)(B)(i), By-law 569-2013 and Section 330-23.A(2)**
The minimum required lot frontage is 12 m.
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The maximum permitted floor space index is 0.35 times the area of the lot (97.3 m²)
The proposed dwelling will have a floor space index equal to 0.66 times the area of the lot (184.3 m²).
- Section 900.6.10.(2)(F)(i), By-law 569-2013 and 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.
- Section 10.5.40.60.(7)(B), Section 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.
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