

Thursday, February 4, 2016

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0043/15NY	Zoning	R3/RD (f18.0; a690) (x864)(waiver)
Owner(s):	ERNEST WILLIAM BELYEA MIRA MARIA ACS	Ward:	Don Valley West (25)
Agent:	WAYNE LONG ARCHITECT	Heritage:	Not Applicable
Property Address:	12 PEMBURY AVE	Community:	North York
Legal Description:	PLAN 1534 LOT 488 S PT LOT 489		

Notice was given and the application considered on Thursday, February 4, 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 frontage is 12.0m and the lot area is 555.9m². The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the applicable zoning by-laws as outlined in application A0838/15NY.

Conveyed - Part 2

Address to be assigned

The frontage is 12.0m and the lot area is 556.2m². The property will be redeveloped as the site of a new two-storey dwelling requiring variances to the applicable zoning by-laws as outlined in application A0837/15NY.

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 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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Property Address:	12 PEMBURY AVE	Community:	North York
Legal Description:	PLAN 1534 LOT 488 S PT LOT 489		

Rick Ross (signed)

Beth Levy (signed)

Denise Graham (signed)

Nadini Sankar (signed)

Derek Lett (signed)

DATE DECISION MAILED ON: Thursday, February 11, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 2, 2016

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North 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, February 4, 2016

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

File Number:	A0837/15NY	Zoning	R3/RD (f18.0; a690) (x864)(waiver)
Owner(s):	ERNEST WILLIAM BELYEA MIRA MARIA ACS	Ward:	Don Valley West (25)
Agent:	WAYNE LONG ARCHITECT	Heritage:	Not Applicable
Property Address:	12 PEMBURY AVE (PART 2)	Community:	North York
Legal Description:	PLAN 1534 LOT 488 S PT LOT 489		

Notice was given and a Public Hearing was held on Thursday, February 4, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

- 1. Chapter 10.20.30.20, Zoning By-law 569-2013**
Minimum lot frontage required is 18m.
Proposed lot frontage is 12.0m
- 2. Chapter 10.20.30.10, Zoning By-law 569-2013**
Minimum lot area required is 690m².
Proposed lot area is 556.2m².
- 3. Section 12.2.1, Zoning By-law 7625**
Minimum lot frontage required 18.288m
Proposed lot frontage is 12.0m.
- 4. Section 12.3.1, Zoning By-law 7625**
Minimum lot area required is 690m².
Proposed lot area is 556.2m².

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 1534 LOT 488 S PT LOT 489		

Rick Ross (signed) Beth Levy (signed) Denise Graham (signed)

Nadini Sankar (signed) Derek Lett (signed)

DATE DECISION MAILED ON: Thursday, February 11, 2016
LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, February 24, 2016

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

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Thursday, February 4, 2016

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

File Number:	A0838/15NY	Zoning	R3/RD (f18.0; a690) (x864)(waiver)
Owner(s):	ERNEST WILLIAM BELYEA MIRA MARIA ACS	Ward:	Don Valley West (25)
Agent:	WAYNE LONG ARCHITECT	Heritage:	Not Applicable
Property Address:	12 PEMBURY AVE (PART 1)	Community:	North York
Legal Description:	PLAN 1534 LOT 488 S PT LOT 489		

Notice was given and a Public Hearing was held on Thursday, February 4, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

- 1. Chapter 10.20.30.20, Zoning By-law 569-2013**
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Proposed lot frontage is 12.0m.
- 4. Section 12.3.1, Zoning By-law 7625**
Minimum lot area required is 690m².
Proposed lot area is 555.9m².

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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19. Section 6(30)a, Zoning By-law No. 7625
The maximum finished first floor height is 1.5m.
The proposed finished first floor height is 2.39m.

20. Section 7.4A, Zoning By-law No. 7625
The minimum required front yard soft landscaping is 75%.
The proposed landscaping is 55%.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Refused

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- The general intent and purpose of the Zoning By-law is not maintained.
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