

RECEIVED
SEP 01 2016

Thursday, August 18, 2016

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

File Number:	B47/14EYK	Zoning	RD & R1
Owner(s):	MARIA ALDINA INACIO LUIS INACIO	Ward:	York South-Weston (11)
Agent:	LINA RODRIGUEZ	Heritage:	Not Applicable
Property Address:	96 JOHN ST	Community:	
Legal Description:	PLAN M140 LOT 51 PT LANE		

Notice was given and the application considered on Thursday, August 18, 2016, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lot and to create an easement/ right-of-way for the purpose of vehicular/ pedestrian access.

Retained - Parts 1 & 2

Address to be assigned

The lot frontage is 7.53 m and the lot area is 298.5 m². The existing detached dwelling with a detached garage will be maintained and will require variances to the Zoning By-law, as outlined in Application A411/14EYK. Part 2 will be subject to an easement/right-of-way in favour of Part 3 & 4 for the purpose of vehicular/ pedestrian access.

Conveyed - Parts 3 & 4

Address to be assigned

The lot frontage is 7.53 m and the lot area is 298.5 m². The property will be redeveloped as the site of a new detached dwelling with a detached garage, requiring variances to the Zoning By-law, as outlined in Application A412/14EYK.

Part 3 will be subject to an easement/right-of-way in favour of Parts 1 & 2 for the purpose of vehicular/ pedestrian access.

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:**

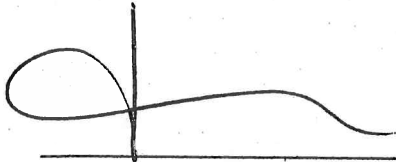
The Consent Application is Refused

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):

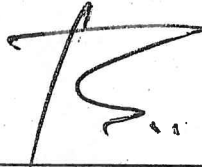
- The proposed land division is premature.
- The proposed land division does not conform to the policies of the official plan.
- The suitability of the land for the purposes for which it is to be subdivided has not been demonstrated.
- The suitability of the dimensions and shapes of the proposed lots has not been demonstrated.

SIGNATURE PAGE

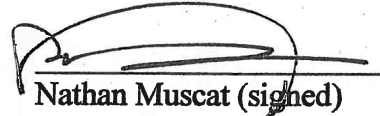
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Dominic Gulli (signed)



Edwin (Ted) Shepherd
(signed)

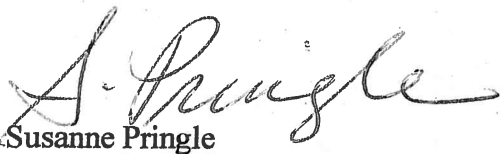


Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, August 26, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, September 15, 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.

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, August 18, 2016

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

File Number:	A411/14EYK	Zoning:	RD & R1
Owner(s):	MARIA ALDINA INACIO LUIS INACIO	Ward:	York South-Weston (11)
Agent:	LINA RODRIGUEZ	Heritage:	Not Applicable
Property Address:	96 JOHN ST - PARTS 1 & 2	Community:	
Legal Description:	PLAN M140 LOT 51 PT LANE		

Notice was given and a Public Hearing was held on Thursday, August 18, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To maintain the existing detached dwelling with a rear detached garage.

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

- Section 10.20.30.20.(1)(A), By-law 569-2013, Section 7.(3)(b), By-law 1-83 & Section 7.3.(a), By-law 3623-97**
The minimum required lot frontage is 12 m.
The lot frontage is 7.53 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 7.(3)(a), By-law 1-83**
The minimum required lot area is 370 m².
The lot area is 298.5 m².
- Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 7.(3)(i), By-law 1-83**
The minimum required floor space index is 0.4 times the lot area (119.4 m²).
The existing dwelling has a floor space index of 0.64 times the lot area (191.7 m²).
- Section 10.20.40.70.(3)(C), By-law 569-2013, Section 7.(3)(g), By-law 56-2013 & Section 7.3.(a), By-law 3623-97**
The minimum required side yard setback is 1.2 m.
The existing dwelling is located 0 m from the west side lot line.
- Section 7.3.(d)(i)2, By-law 1-83**
A minimum of 50% of the front yard must be maintained as landscaping (11.25 m²).
A total of 28% of the front yard will be maintained as landscaping (6.3 m²).
- Section 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% of the rear yard must be maintained as soft landscaping (68.25 m²).
A total of 43% of the rear yard will be maintained as soft landscaping (59.3 m²).

7. **Section 7.3.(d)(i)5, By-law 1-83**
A minimum of 75% of the front yard not covered by permitted driveway must be maintained as soft landscaping (14.18 m²).
A total of 33% of the front yard not covered by permitted driveway will be maintained as landscaping (6.3 m²)
8. **Section 10.5.60.70.(1), By-law 569-2013**
The maximum permitted lot coverage of an ancillary structure is 10% of the lot area (13.63 m²).
The existing detached garage has a lot coverage is 33.44% of the lot area (45.6 m²).

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:**

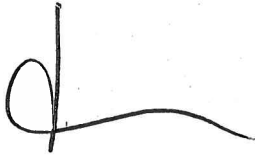
The Minor Variance Application is Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

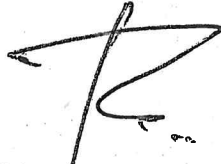
- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

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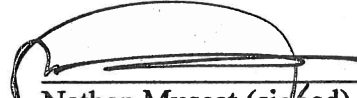
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Owner:	MARIA ALDINA INACIO LUIS INACIO	Ward:	York South-Weston (11)
Agent:	LINA RODRIGUEZ	Heritage:	Not Applicable
Property Address:	96 JOHN ST – PARTS 1 & 2	Community:	
Legal Description:	PLAN M140 LOT 51 PT LANE		



Dominic Gulli (signed)



Edwin (Ted) Shepherd
(signed)

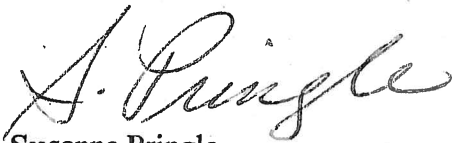


Nathan Muscat (signed)

DATE DECISION MAILED ON: Friday, August 26, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, September 7, 2016

CERTIFIED TRUE COPY



Susanne Pringle
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Etobicoke York Panel

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Thursday, August 18, 2016

NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
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File Number:	A412/14EYK	Zoning	RD & R1
Owner(s):	MARIA ALDINA INACIO LUIS INACIO	Ward:	York South-Weston (11)
Agent:	LINA RODRIGUEZ	Heritage:	Not Applicable
Property Address:	96 JOHN ST – PARTS 3 & 4	Community:	
Legal Description:	PLAN M140 LOT 51 PT LANE		

Notice was given and a Public Hearing was held on Thursday, August 18, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with a detached garage.

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

- Section 10.20.30.20.(1)(A), By-law 569-2013, Section 7.(3)(a), By-law 3623-97 & Section 7.(3)(b), By-law 1-83**
The minimum required lot frontage is 12 m.
The lot frontage is 7.53 m.
- Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 7.(3)(a), By-law 1-83**
The minimum required lot area is 370 m².
The lot area is 298.5 m².
- Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 7.(3)(i), By-law 1-83**
The minimum required floor space index is 0.4 times the lot area (119.4 m²).
The existing dwelling has a floor space index of 0.61 times the lot area (182 m²).
- Section 10.20.40.70.(3)(C), By-law 569-2013, Section 7.(3)(g), By-law 569-2013 & Section 7.3.(a), By-law 3623-97**
The minimum required side yard setback is 1.2 m.
The existing dwelling is located 0.6 m from the east side lot line.
- Section 10.5.50.10.(3)(A), By-law 569-2013**
A minimum of 50% of the rear yard must be maintained as soft landscaping (83.4 m²).
A total of 35.3% of the rear yard will be maintained as soft landscaping (58.9 m²).

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 Refused

It is the decision of the Committee of Adjustment to **NOT** approve this variance application for the following reasons:

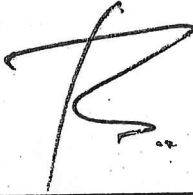
- The general intent and purpose of the Official Plan is not maintained.
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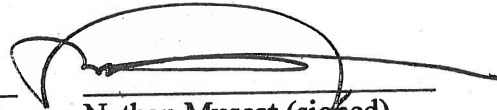
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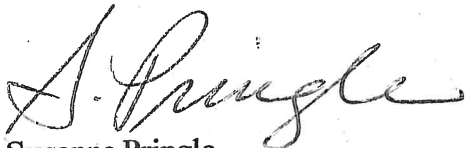


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