

Thursday, October 6, 2016

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

File Number:	B0041/16SC	Zoning	Single Family (S) & Residential Detached (RD) Zone [ZR]
Owners:	EVELINA PETRITAJ GANI PETRITAJ	Ward:	Scarborough Southwest (35)
Agent:	LEMCAD CONSULTANTS	Heritage:	Not Applicable
Property Address:	59 BEXHILL AVE	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 195		

Notice was given and the application considered on Thursday, October 6, 2016, as required by the Planning Act.

THE CONSENT REQUESTED:

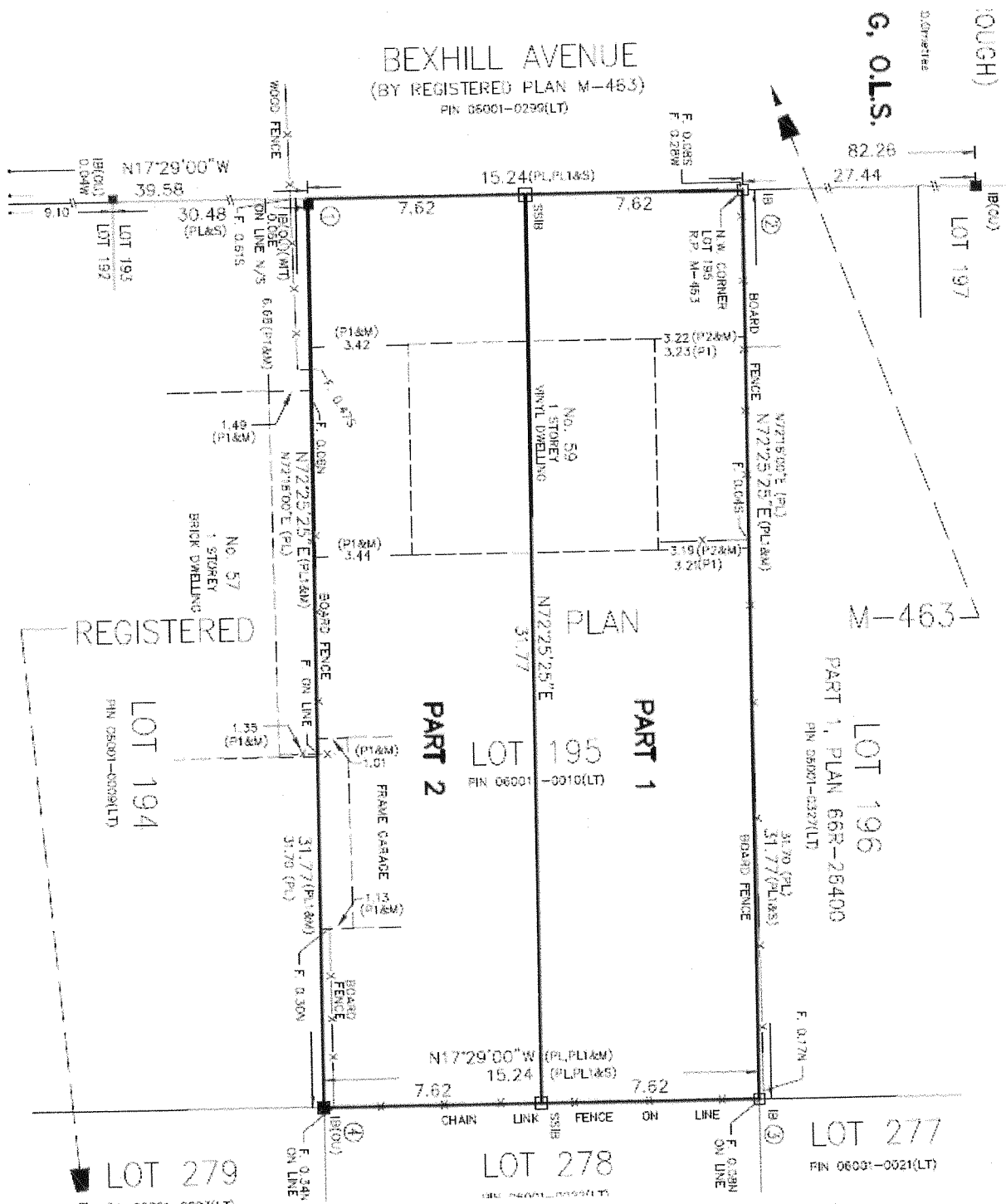
This application is for consent to sever the land at 59 Bexhill Avenue into 2 lots for single family houses. The proposed lots are shown as Part 1 and Part 2 on the attached Lot Division Plan. Each lot would have a frontage of 7.62 m on Bexhill Avenue and a lot area of 242 m².

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 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.



Lot Division Plan
 Applicant's Submitted Drawing
 Not to Scale

06/10/2016

59 Bexhill Avenue
 File #B0041/16SC

Attachment 1

SIGNATURE PAGE

File Number:	B0041/16SC	Zoning	Single Family (S) & Residential Detached (RD) Zone [ZR]
Owners:	EVELINA PETRITAJ GANI PETRITAJ	Ward:	Scarborough Southwest (35)
Agent:	LEMCAD CONSULTANTS	Heritage:	Not Applicable
Property Address:	59 BEXHILL AVE	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 195		

David Peacock (signed)

Eden Gajraj (signed)

Hena Kabir (signed)

Sean Karmali (signed)

DATE DECISION MAILED ON: Tuesday, October 11, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, October 31, 2016

CERTIFIED TRUE COPY

Denise Rundle
Manager & Deputy Secretary Treasurer
Scarborough 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, October 6, 2016

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

File Number:	A0212/16SC	Zoning	Single Family (S) & Residential Detached (RD) Zone [ZR]
Owners:	GANI PETRITAJ EVELINA PETRITAJ	Ward:	Scarborough Southwest (35)
Agent:	LEMCAD CONSULTANTS	Heritage:	Not Applicable
Property Address:	59 BEXHILL AVE PART 2	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 195		

Notice was given and a Public Hearing was held on Thursday, September 8, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The owner is requesting consent to sever the land at 59 bexhill Avenue into two lots, and has applied for variances for the proposed south lot, shown as Part 2 on the attached Lot Division Plan. The owner is proposing to demolish the existing dwelling and build a new single family dwelling.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

By-law No. 569-2013:

1. The proposed lot frontage is 7.62 m and the proposed lot area is 242 m²
Whereas the minimum required lot frontage is 12 m and the minimum required lot area is 371 m²
2. The proposed lot coverage is 42%
Whereas the maximum permitted lot coverage is 33%
3. The proposed north side setback is 0.45 m
Whereas the minimum required side yard setback is 0.9 m
4. The proposed house would have a building height of 8.8 m
Whereas a maximum building height of 7.2 m is permitted
5. The proposed area of the first floor within 4.0 m of the main front wall is 8.1 m²
Whereas a minimum of 10.0 m² of the first floor must be within 4.0 m of the main front wall
6. The proposed side yard setback for the rear yard deck is 0.9 m from the north side lot line
Whereas minimum setbacks of 1.2 m are required

7. The proposed roof overhang and eavestrough would be located 0.15 m from the north side lot line
Whereas the eaves of a roof may encroach into a required minimum building setback a maximum of 0.9 m,
if they are no closer to a lot line than 0.3 m

By-law No. 8978:

8. The proposed lot frontage is 7.62 m and the proposed lot area is 242 m²
Whereas the minimum required lot frontage is 12 m and the minimum required lot area is 371 m²
9. The proposed north side setback is 0.45 m
Whereas the minimum required side yard setback is 0.9 m
10. The proposed house would have three storeys
Whereas a maximum of two storeys is permitted
11. The proposed lot coverage is 43%
Whereas the maximum permitted lot coverage is 33%

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.

SIGNATURE PAGE

File Number:	A0212/16SC	Zoning	Single Family (S) & Residential Detached (RD) Zone [ZR]
Owner:	GANI PETRITAJ EVELINA PETRITAJ	Ward:	Scarborough Southwest (35)
Agent:	LEMCAD CONSULTANTS	Heritage:	Not Applicable
Property Address:	59 BEXHILL AVE PART 2	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 195		

David Peacock (signed)

Eden Gajraj (signed)

Hena Kabir (signed)

Sean Karmali (signed)

DATE DECISION MAILED ON: Tuesday, October 11, 2016

LAST DATE OF APPEAL TO
THE ONTARIO MUNICIPAL BOARD: Wednesday, October 26, 2016

CERTIFIED TRUE COPY

Denise Rundle
Manager & Deputy Secretary Treasurer
Scarborough Panel

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Thursday, October 6, 2016

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

File Number:	A0213/16SC	Zoning	Single Family (S) & Residential Detached (RD) Zone [ZR]
Owners:	GANI PETRITAJ EVELINA PETRITAJ	Ward:	Scarborough Southwest (35)
Agent:	LEMCAD CONSULTANTS	Heritage:	Not Applicable
Property Address:	59 BEXHILL AVE PART 1	Community:	Clairlea Community
Legal Description:	PLAN M463 LOT 195		

Notice was given and a Public Hearing was held on Thursday, October 6, 2016, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The owner is requesting consent to sever the land at 59 Bexhill Avenue into two lots, and has applied for variances for the proposed north lot, shown as Part 1 on the attached Lot Division Plan. The owner is proposing to demolish the existing dwelling and build a new single family dwelling.

REQUESTED VARIANCES TO THE ZONING BY-LAW:By-law No. 569-2013:

1. The proposed lot frontage is 7.62 m and the proposed lot area is 242 m²
Whereas the minimum required lot frontage is 12 m and the minimum required lot area is 371 m²
2. The proposed lot coverage is 42%
Whereas the maximum permitted lot coverage is 33%
3. The proposed south side setback is 0.46 m
Whereas the minimum required side yard setback is 0.9 m
4. The proposed house would have a building height of 8.8 m
Whereas a maximum building height of 7.2 m is permitted
5. The proposed area of the first floor within 4.0 m of the main front wall is 8.1 m²
Whereas a minimum of 10.0 m² of the first floor must be within 4.0 m of the main front wall

6. The proposed side yard setbacks for the rear yard deck are 0.46 m on the south side and 0.9 m on the north side.
Whereas minimum setbacks of 3.1 m are required
7. The proposed roof overhang and eavestrough would be located 0.15 m from the south side lot line
Whereas the eaves of a roof may encroach into a required minimum building setback a maximum of 0.9 m, if they are no closer to a lot line than 0.3 m

By-law No. 8978:

8. The proposed lot frontage is 7.62 m and the proposed lot area is 242 m²
Whereas the minimum required lot frontage is 12 m and the minimum required lot area is 371 m²
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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.