

Thursday, September 8, 2016

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

File Number:	B034/16SC	Zoning	Residential Detached (RD) & Single Family (S) Zone [ZR]
Owner(s):	HGH DESIGN BUILD INC	Ward:	Scarborough Southwest (36)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

Notice was given and the application considered on Thursday, September 8, 2016, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into three (3) undersized residential lots.

**Retained - Part 1**

The lot frontage is 6.09 m and the lot area is 247.7 m<sup>2</sup>. The existing detached dwelling, detached garage and shed 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 A192/16SC.

**Conveyed - Part 2**

The lot frontage is 6.09 m and the lot area is 248.2 m<sup>2</sup>. The existing detached dwelling, detached garage and shed 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 A193/16SC.

**Conveyed - Part 3**

The lot frontage is 6.09 m and the lot area is 248.7 m<sup>2</sup>. The existing detached dwelling, detached garage and shed 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 A194/16SC.

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**

File Number:	B034/16SC	Zoning	Residential Detached (RD) & Single Family (S) Zone [ZR]
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Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

\_\_\_\_\_  
Alexandra Flynn (signed)

\_\_\_\_\_  
David Peacock (signed)

\_\_\_\_\_  
Eden Gajraj (signed)

\_\_\_\_\_  
Hena Kabir (signed)

\_\_\_\_\_  
Sean Karmali (signed)

DATE DECISION MAILED ON: Tuesday, September 13, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Monday, October 3, 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](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, September 8, 2016

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

File Number:	A192/16SC	Zoning	Residential Detached (RD) & Single Family (S) Zone [ZR]
Owner(s):	HGH DESIGN BUILD INC	Ward:	Scarborough Southwest (36)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD – PT 1</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

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

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling on Part 1.

**REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**By-law No. 569-2013 & 8786:

1. The proposed lot frontage is 6.098 m;  
Whereas the minimum required lot frontage is 9 m.
2. The proposed dwelling will have a gross floor area equal to 0.63 times the lot area (156 m<sup>2</sup>);  
Whereas the maximum permitted gross floor area is 0.5 times the area of the lot (123.76 m<sup>2</sup>).

By-law No. 8786:

3. The proposed dwelling will cover 35% of the area of the lot (86.61 m<sup>2</sup>);  
Whereas the maximum permitted coverage is 33% of the area of the lot (81.74 m<sup>2</sup>).

By-law No. 569-2013:

4. The proposed dwelling will have a height of 9.08 m;  
Whereas the maximum permitted dwelling height is 9 m.
5. The eaves overhang, including the eavestrough, will be located 0.05 m from the north side lot line and 0.2 m from the south side lot line;  
Whereas the minimum required setback for an eaves overhang is 0.3 m from a side lot line.

6. The proposed parking space is located in the front yard;  
Whereas front yard parking is not permitted.

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:	A192/16SC	Zoning	Residential Detached (RD) & Single Family (S) Zone [ZR]
Owner:	HGH DESIGN BUILD INC	Ward:	Scarborough Southwest (36)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD – PT 1</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

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Alexandra Flynn (signed)

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David Peacock (signed)

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Eden Gajraj (signed)

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Hena Kabir (signed)

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Sean Karmali (signed)

DATE DECISION MAILED ON: Tuesday, September 13, 2016

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, September 28, 2016

CERTIFIED TRUE COPY

Denise Rundle  
Manager & Deputy Secretary Treasurer  
Scarborough Panel

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**(Section 45 of the Planning Act)**

File Number:	A193/16SC	Zoning	Residential Detached (RD) & Single Family (S) Zone [ZR]
Owner(s):	HGH DESIGN BUILD INC	Ward:	Scarborough Southwest (36)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD – PT 2</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

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

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling on Part 2.

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

By-law No. 569-2013 & 8786:

1. The proposed lot frontage is 6.098 m;  
Whereas the minimum required lot frontage is 9 m.
2. The proposed dwelling will have a gross floor area equal to 0.63 times the lot area (156.05 m<sup>2</sup>);  
Whereas the maximum permitted gross floor area is 0.5 times the area of the lot (124.1 m<sup>2</sup>).

By-law No. 8786:

3. The proposed dwelling will cover 35% of the area of the lot (86.61 m<sup>2</sup>);  
Whereas the maximum permitted coverage is 33% of the area of the lot (81.91 m<sup>2</sup>).

By-law No. 569-2013:

4. The eaves overhang, including the eavestrough, will be located 0.05 m from the south side lot line and 0.2 m from the north side lot line;  
Whereas the minimum required setback for an eaves overhang is 0.3 m from a side lot line.
5. The proposed parking space is located in the front yard;  
Whereas front yard parking is not permitted.



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**

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- 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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Property Address:	<b>46 VALHALLA BLVD – PT 2</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

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Alexandra Flynn (signed)

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David Peacock (signed)

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Eden Gajraj (signed)

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Sean Karmali (signed)

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Owner(s):	HGH DESIGN BUILD INC	Ward:	Scarborough Southwest (36)
Agent:	ACTION PLANNING CONSULTANTS	Heritage:	Not Applicable
Property Address:	<b>46 VALHALLA BLVD – PT 3</b>	Community:	Birchcliff Community
Legal Description:	PLAN 1902 LOT 126 LOT 127		

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

**PURPOSE OF THE APPLICATION:**

To construct a new detached dwelling on Part 3.

**REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**By-law No. 569-2013 & 8786:

1. The proposed lot frontage is 6.098 m;  
Whereas the minimum required lot frontage is 9 m.
2. The proposed dwelling will have a gross floor area equal to 0.63 times the lot area (156.05 m<sup>2</sup>);  
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Legal Description:	PLAN 1902 LOT 126 LOT 127		

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Alexandra Flynn (signed)

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David Peacock (signed)

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Eden Gajraj (signed)

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