TORONTO
City Planning Division

North York Civic Centre
5100 Yonge Street
North York, Ontario
Canada, M2N 5V7
Tel: (416) 395-7000
Fax: (416) 395-7200

Thursday, February 23, 2017

NOTICE OF DECISION

CONSENT
(Section 53 of the Planning Act)

File Number:	B0019/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	RAJINDER SINGH SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**302 CUMMER AVE**	Community**:**	North York
Legal Description:	CON I EY PT LOT 23		

Notice was given and the application considered on Thursday, February 23, 2017, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into three parts for the purpose of lot additions to facilitate the creation of three new residential building lots fronting onto Maxome Avenue.

Conveyed - Part 1
The frontage is 14.25m along Cummer Avenue with a lot area is 262.4m². Part 1 will be added to Part 2 severed from related consent file B0020/16NY to create a new building lot fronting onto Maxome Avenue (LOT 1) with a frontage of 17.81m and a lot area of 494.2m². The property will be redeveloped as the site of a new detached two-storey dwelling requiring variances to the applicable Zoning By-law(s).

Conveyed - Part 3
The frontage is 15.51m along Cummer Avenue with a lot area is 232.0m². Part 3 will be added to Part 4 severed from consent file B0020/16NY to create a new building lot fronting onto Maxome Avenue (LOT 2) with a frontage of 14.47m and a lot area of 443.0m². The property will be redeveloped as the site of a new two-storey detached dwelling requiring variances to the applicable Zoning By-law(s).

Conveyed - Parts 5
The frontage is 16.54m along Cummer Avenue and the lot area is 231.8m². Part 5 will be added to Part 6 severed from consent file B0020/16NY to create a new building lot fronting Maxome Avenue (LOT 3) with a frontage of 13.62m and a lot area of 443.8m². The property will be redeveloped as the site of a new detached two-storey dwelling requiring variances to the applicable Zoning By-law(s).

PART 7 is a road widening for the City.

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 Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the creation of new lots as shown on the plan attached to this decision on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office within ONE YEAR of the date of the this Decision:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

2. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contacts: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca, or his designates, Elizabeth Machynia, at 416-338-5029; emachyni@toronto.ca, John Fligg at 416-338-5031; jfligg@toronto.ca

3. **Two copies of the registered reference plan of survey** integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contact: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca

4. **Three copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services shall be filed with the Committee of Adjustment.

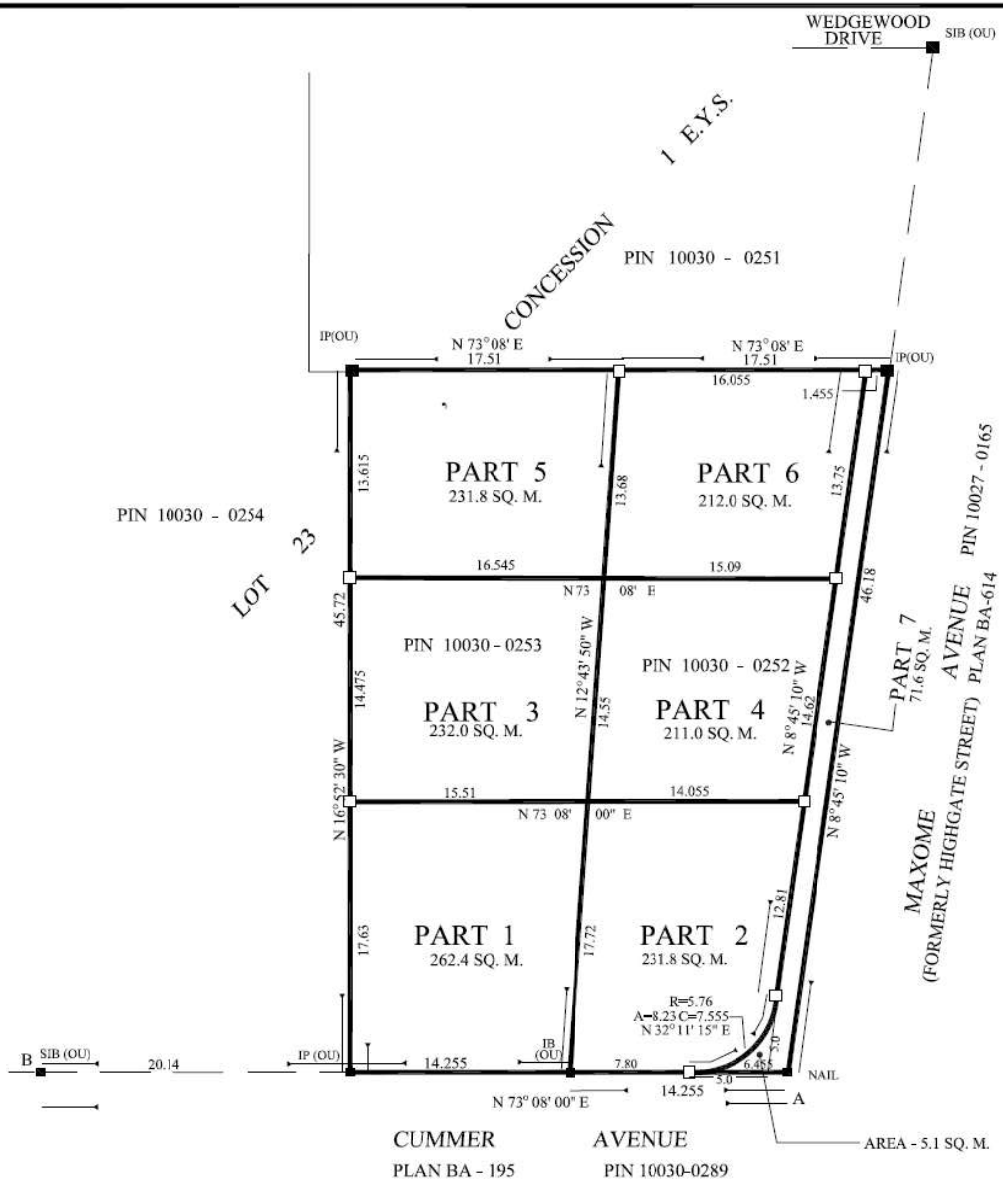
5. The applicant to satisfy the requirements of the Engineering and Construction Services Division;

    i. The owner shall convey to the City, at nominal cost, such lands to be free and clear of all encumbrances, save and except for utility poles and subject to a right-of-way for access purposes in favour of the Grantor until such times as said lands have been laid out and dedicated for public highway purposes:

    a. a 6.00m corner rounding on the north-west corner of Cummer Avenue and Maxome Avenue; and
    b. A 1.44m widening is required along the Maxome Avenue frontage of No. 304 Cummer Avenue to satisfy the requirement of a 23m wide right-of-way.

    Deeds for these lands in a satisfactory form shall be deposited with the City Solicitor and registered by the City prior to the stamping of the deeds for severance.

6. Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.	PLAN 66R - RECEIVED AND DEPOSITED
DATE	DATE
P. MANSFIELD, OLS	LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TORONTO. (No. 66)

SCHEDULE			
PART	LOT	CON.	PIN
1	PART OF 23	1 E.Y.S.	PART OF 10030-0253
2			PART OF 10030-0252
3			PART OF 10030-0253
4			PART OF 10030-0252
5			PART OF 10030-0253
6			PART OF 10030-0252
7			

PLAN OF SURVEY OF
PART OF LOT 23
CONCESSION 1 E.Y.S.
FORMERLY CITY OF NORTH YORK
CITY OF TORONTO

SCALE: 1:250

0 6 12 24 METRES

PETER J. MANSFIELD , OLS - 2016

NOTES

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE DERIVED FROM THE ONTARIO COORDINATE SYSTEM, ZONE 10 CENTRAL MERIDIAN 79°30' WEST LONGITUDE. (STATIONS 02019700976 AND 02019784194)

■ DENOTES	FOUND SURVEY MONUMENT
SIB	STANDARD IRON BAR
IB	IRON BAR
OU	ORIGIN UNKNOWN
MS	MEASURED
D1	INST. TR51891
D2	INST. TB528421
P1	PLAN BA-195
P2	PLAN BA-614

DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES WHICH CAN BE CONVERTED TO GRID DISTANCES AND COORDINATES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99987.

NAD 83 - CSRS INTEGRATION - MTM COORDINATES		
POINT	NORTHING	EASTING
A	4849852.855	312710.428
B	4849838.741	312663.875

COORDINATES IN THEMSELVES CANNOT BE USED TO ESTABLISH PROPERTY CORNERS OR BOUNDARIES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
2. THE SURVEY WAS COMPLETED ON

DATE

P.J. MANSFIELD
ONTARIO LAND SURVEYOR

METRIC CONVERSION
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

Job No. 15-4559

P. J. MANSFIELD
Ontario Land Surveyor
58 CHIEFTAIN CRESCENT
BARRIE ONTARIO L4N 4L8
705 - 728 - 8832

SIGNATURE PAGE

File Number:	B0019/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	RAJINDER SINGH SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**302 CUMMER AVE**	Community**:**	North York
Legal Description:	CON I EY PT LOT 23		

Bruce Mullock (signed)

Derek Lett (signed)

Nadini Sankar (signed)

Nazila Atarodi (signed)

DATE DECISION MAILED ON: Thursday, March 2, 2017

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 22, 2017

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 $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.

TORONTO
City Planning Division

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Thursday, February 23, 2017

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

File Number:	B0020/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	SHALINI SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Notice was given and the application considered on Thursday, February 23, 2017, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into three parts for the purpose of lot additions to facilitate the creation of three new residential building lots fronting onto Maxome Avenue.

Conveyed - Part 2
The frontage is 14.25m along Cummer Avenue and the lot area is 262.4m². Part 2 will be added to Part 1 severed from consent file B0019/16NY to create a new building lot fronting onto Maxome Avenue (LOT 1) with a new frontage of 17.81m and a lot area of 494.2m ². The property will be redeveloped as the site of a new detached two-storey dwelling requiring variances to the applicable Zoning By-law(s).

Conveyed - Part 4
The frontage is 15.51m along Cummer Avenue and the lot area is 211.0m². Part 4 will be added to Part 3 severed from consent application B0019/16NY to create a new building lot fronting Maxome Avenue (LOT 2) with a new frontage of 14.47m and a lot area of 443.0m ². The property will be redeveloped as the site of a new detached two-storey dwelling requiring variances to the applicable Zoning By-law(s).

Conveyed - Parts 6
The frontage is 16.54m along Cummer Avenue and the lot area is 212.0m². Part 6 will be added to Part 5 severed from consent application B0019/16NY to create a new building lot fronting Maxome Avenue (LOT 3) with a frontage of 13.62m and a lot area of 443.8m². The property will be redeveloped as the site of a new detached two-storey dwelling requiring variances to the applicable Zoning By-law(s).

PART 7 is a road widening for the City.

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 Approved on Condition

The Committee has considered the provisions of Section 51(24) of the Planning Act and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the creation of new lots as shown on the plan attached to this decision on the condition that before a Certificate of Consent is issued, as required by Section 53(42) of the Planning Act, the applicant is to file the following with the Committee office within ONE YEAR of the date of the this Decision:

1. Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

2. Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contacts: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca, or his designates, Elizabeth Machynia, at 416-338-5029; emachyni@toronto.ca, John Fligg at 416-338-5031; jfligg@toronto.ca

3. **Two copies of the registered reference plan of survey** integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contact: John House, Supervisor, Land and Property Surveys, at 416-392-8338; jhouse@toronto.ca

4. **Three copies of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services shall be filed with the Committee of Adjustment.

5. The applicant to satisfy the requirements of the Engineering and Construction Services Division;

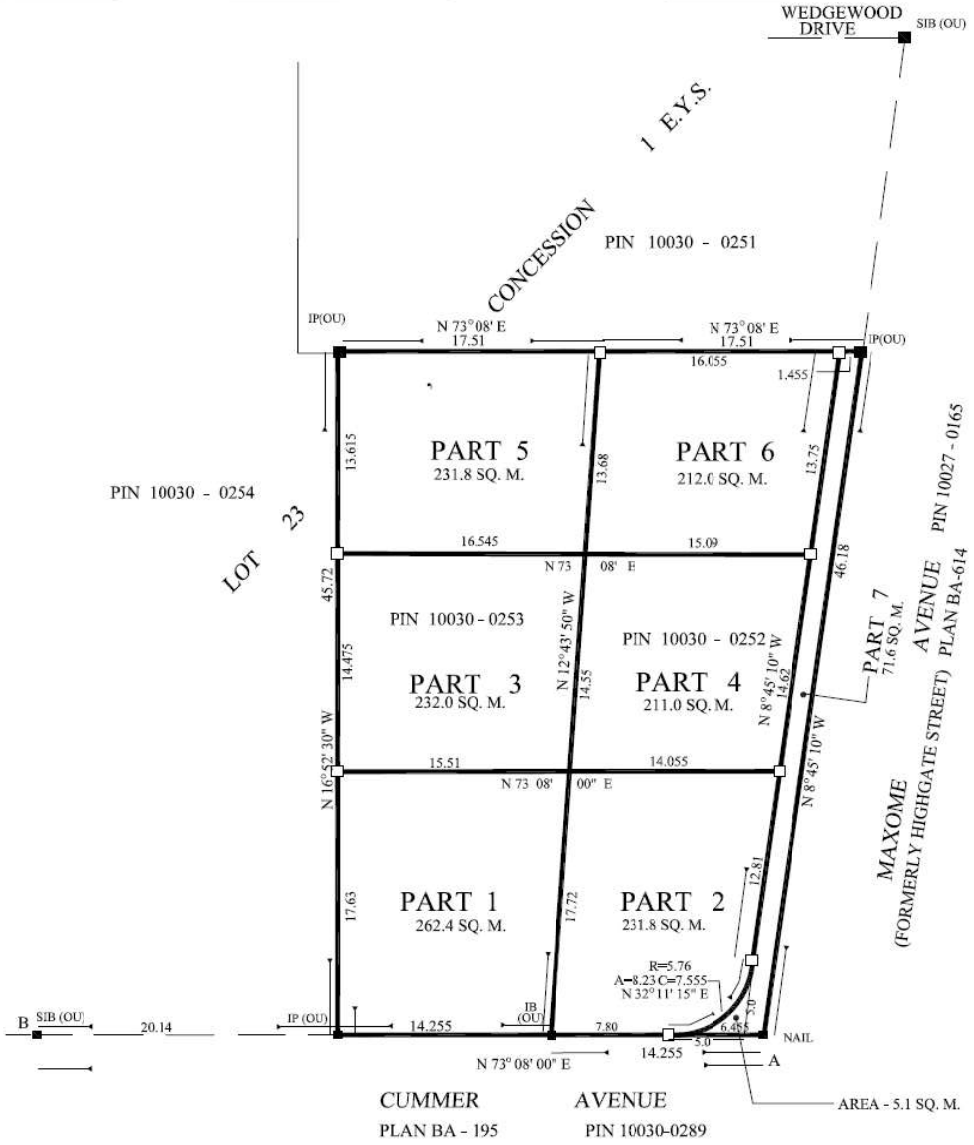
    i. The owner shall convey to the City, at nominal cost, such lands to be free and clear of all encumbrances, save and except for utility poles and subject to a right-of-way for access purposes in favour of the Grantor until such times as said lands have been laid out and dedicated for public highway purposes:

        a) a 6.00m corner rounding on the north-west corner of Cummer Avenue and Maxome Avenue; and

        b) A 1.44m widening is required along the Maxome Avenue frontage of No. 304 Cummer Avenue to satisfy the requirement of a 23m wide right-of-way.

        Deeds for these lands in a satisfactory form shall be deposited with the City Solicitor and registered by the City prior to the stamping of the deeds for severance.

6. Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.



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DATE	DATE
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PART	LOT	CON.	PIN
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6			PART OF 10030-0252
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PLAN OF SURVEY OF
PART OF LOT 23
CONCESSION 1 E.Y.S.
FORMERLY CITY OF NORTH YORK
CITY OF TORONTO

SCALE: 1:250

0 6 12 24 METRES

PETER J. MANSFIELD , OLS - 2016

NOTES

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE DERIVED FROM THE ONTARIO COORDINATE SYSTEM, ZONE 10 CENTRAL MERIDIAN 79°30' WEST LONGITUDE. (STATIONS 02019700976 AND 02019784194)

■ DENOTES	FOUND SURVEY MONUMENT
SIB	STANDARD IRON BAR
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MS	MEASURED
D1	INST. TR51891
D2	INST. TB528421
P1	PLAN BA-195
P2	PLAN BA-614

DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES WHICH CAN BE CONVERTED TO GRID DISTANCES AND COORDINATES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99987.

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SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
2. THE SURVEY WAS COMPLETED ON

DATE

P.J. MANSFIELD
ONTARIO LAND SURVEYOR

METRIC CONVERSION
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

Job No. 15-4559

P. J. MANSFIELD
Ontario Land Surveyor
58 CHIEFTAIN CRESCENT
BARRIE ONTARIO L4N 4L8
705 - 728 - 8832

SIGNATURE PAGE

File Number:	B0020/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	SHALINI SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Bruce Mullock (signed)

Derek Lett (signed)

Nadini Sankar (signed)

Nazila Atarodi (signed)

DATE DECISION MAILED ON: Thursday, March 2, 2017

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, March 22, 2017

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 $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.

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Canada, M2N 5V7
Tel: (416) 395-7000
Fax: (416) 395-7200

Thursday, February 23, 2017

NOTICE OF DECISION

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

File Number:	A0339/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	RABINDER SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE (PARTS 1 & 2)**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Notice was given and a Public Hearing was held on Thursday, February 23, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage fronting Cummer Avenue.

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

1. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
The required minimum lot area is 550m².
The proposed lot area is 494.2m².

2. Chapter 10.20.30.40.(1), Zoning By-law No. 569-2013
The permitted maximum lot coverage is 30.0% of the lot area.
The proposed lot coverage is **32.80%** of the lot area.

3. Chapter 10.5.80.40.(3), Zoning By-law No. 569-2013
Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.
The proposed vehicle access to a parking space is from the front street.

4. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the north side exterior main wall is 8.35m.

5. Chapter 10.5.40.70.(1), Zoning By-law No. 569-2013
The required minimum front yard setback is 6.85m.
The proposed front yard setback is 5.06m.

6. Chapter 13.2.3(b), Zoning By-law No. 569-2013
The required minimum side yard setbacks are 1.8m each side.
The proposed north side yard setback is 1.52m.

7. Section 13.2.2, Zoning By-law No. 7625
The minimum required lot area is 550m².
The proposed lot area is 494.2m².

8. Section 13.2.3(b), Zoning By-law No. 7625
The required minimum side yard setbacks are 1.8m each side.
The proposed north side yard setback is 1.52m.

9. Section 13.2.4, Zoning By-law No. 7625
The maximum permitted lot coverage is 30.0% of the lot area.
The proposed lot coverage is **32.80%** of the lot area.

10. Section 13.2.6, Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is **9.37m**.

11. Section 13.2.3(a), Zoning By-law No. 7625
The minimum required front yard setback is 7.5m, +/- 1.0m.
The proposed front yard setback is 5.06m.

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 Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

1. The applicant to satisfy the requirements of the Engineering and Construction Services Division.

   a) The driveway accesses on Cummer Avenue must be removed and restored to soft landscaping; and
   b) The applicant must apply for a Construction Access permit from Transportation Services' Right-of-Way Management for the required access approval and curb repairs.

SIGNATURE PAGE

File Number:	A0339/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner:	RABINDER SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE (PARTS 1 & 2)**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Bruce Mullock (signed) Derek Lett (signed) Nadini Sankar (signed)

Nazila Atarodi (signed)

DATE DECISION MAILED ON: Thursday, March 2, 2017

LAST DATE OF APPEAL TO
THE ONTARIO MUNICIPAL BOARD: Wednesday, March 15, 2017

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 $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.

Thursday, February 23, 2017

NOTICE OF DECISION

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

File Number:	A0340/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	RABINDER SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE (PARTS 3 & 4)**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Notice was given and a Public Hearing was held on Thursday, February 23, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage fronting Cummer Avenue.

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

1. **Chapter 10.5.40.70.(1), Zoning By-law No. 569-2013**
The required minimum front yard setback is 6.85m.
The proposed front yard setback is 5.6m.

2. **Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013**
The required minimum lot area is 550m².
The proposed lot area is 443.0m².

3. **Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013**
The required minimum lot frontage is 15.0m.
The proposed lot frontage is 14.47m.

4. **Chapter 10.20.30.40.(1), Zoning By-law No. 569-2013**
The permitted maximum lot coverage is 30.0% of the lot area.
The proposed lot coverage is **32.5%** of the lot area.

5. **Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013**
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the south side exterior main wall is 8.35m.

6. **Chapter 900.3.10(5), Zoning By-law No. 569-2013**
The required minimum side yard setbacks are 1.8m each side.
The proposed south side yard setback is 1.52m.

7. **Chapter 900.3.10(5), Zoning By-law No. 569-2013**
The required minimum side yard setbacks are 1.8m each side.
The proposed north side yard setback is 1.52m.

8. **Section 13.2.1, Zoning By-law No. 7625**
The minimum required lot frontage is 15.0m.
The proposed lot frontage is 14.62m.

9. **Section 13.2.2, Zoning By-law No. 7625**
The minimum required lot area is 550m².
The proposed lot area is 443.0m².

10. **Section 13.2.3(b), Zoning By-law No. 7625**
The required minimum side yard setbacks are 1.8m each side.
The proposed south side yard setback is 1.52m.

11. **Section 13.2.3(b), Zoning By-law No. 7625**
The required minimum side yard setbacks are 1.8m each side.
The proposed north side yard setback is 1.52m.

12. **Section 13.2.4, Zoning By-law No. 7625**
The maximum permitted lot coverage is 30.0% of the lot area.
The proposed lot coverage is **32.50%** of the lot area.

13. **Section 13.2.6, Zoning By-law No. 7625**
The maximum permitted building height is 8.8m.
The proposed building height is **9.42m**.

14. **Section 6(8), Zoning By-law No. 7625**
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed. The minimum required lot width is 15.0m.
The proposed lot width is 14.47m.

15. **Section 13.2.3(a), Zoning By-law No. 7625**
The minimum required front yard setback is 7.5m, +/- 1.0m.
The proposed front yard setback is 5.06m.

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 Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

1. The applicant to satisfy the requirements of the Engineering and Construction Services Division.

   a) The driveway accesses on Cummer Avenue must be removed and restored to soft landscaping; and
   b) The applicant must apply for a Construction Access permit from Transportation Services' Right-of-Way Management for the required access approval and curb repairs.

2. Submission of a complete application for a permit to injure or destroy a City-owned tree(s). A *Contractor's Agreement to Perform Work on City-owned Trees* will be required prior to the removal/injure of the subject tree(s). Form located at w*ww.toronto.ca/trees/pdfs/contractor_services_agreement_information.pdf*.
   Submission of a tree protection guarantee security deposit to guarantee the protection of City-owned trees according to the *Tree Protection Policy and Specifications for Construction Near Trees* or as otherwise approved by Urban Forestry. Accepted methods of payment include debit or card, certified cheque or money order payable to the *Treasurer of the City of Toronto*, or Letter of Credit.

SIGNATURE PAGE

File Number:	A0340/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner:	RABINDER SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**304 CUMMER AVE (PARTS 3 & 4)**	Community**:**	North York
Legal Description:	YORK CON 1 EYS PT LOT 23		

Bruce Mullock (signed)

Derek Lett (signed)

Nadini Sankar (signed)

Nazila Atarodi (signed)

DATE DECISION MAILED ON: Thursday, March 2, 2017

LAST DATE OF APPEAL TO
THE ONTARIO MUNICIPAL BOARD: Wednesday, March 15, 2017

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 $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.

TORONTO
City Planning Division

North York Civic Centre
5100 Yonge Street
North York, Ontario
Canada, M2N 5V7
Tel: (416) 395-7000
Fax: (416) 395-7200

Thursday, February 23, 2017

NOTICE OF DECISION

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

File Number:	A0341/16NY	Zoning	R4/RD (f15.0; a550)(ZR)
Owner(s):	RAJINDER SINGH SETHI RABINDER SETHI	Ward:	Willowdale (24)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	**302 CUMMER AVE (PARTS 5 & 6)**	Community**:**	North York
Legal Description:	CON I EY PT LOT 23		

Notice was given and a Public Hearing was held on Thursday, February 23, 2017, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached two-storey dwelling with an integral garage fronting Cummer Avenue.

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

1. Chapter 10.20.30.10.(1), Zoning By-law No. 569-2013
The required minimum lot area is 550m².
The proposed lot area is 443.8m².

2. Chapter 10.20.30.20.(1), Zoning By-law No. 569-2013
The required minimum lot frontage is 15.0m.
The proposed lot frontage is 13.62m.

3. Chapter 10.20.30.40.(1), Zoning By-law No. 569-2013
The permitted maximum lot coverage is 30.0 percent of the lot area.
The proposed lot coverage is **32.5%** of the lot area.

4. Chapter 10.20.40.10.(2), Zoning By-law No. 569-2013
The permitted maximum height of all side exterior main walls facing a side lot line is 7.5m.
The proposed height of the north side exterior main wall is 8.49m.

5. Chapter 10.5.40.70.(1), Zoning By-law No. 569-2013
The required minimum front yard setback is 6.85m.
The proposed front yard setback is 5.32m.

6. Chapter 900.3.10(5) - Exceptions for RD Zone, Zoning By-law No. 569-2013
The required minimum side yard setbacks are 1.8m each side.
The proposed south side yard setback is 1.52m.

7. Section 13.2.1, Zoning By-law No. 7625
The minimum required lot frontage is 15.0m.
The proposed lot frontage is 13.76m.

8. Section 13.2.2, Zoning By-law No. 7625
The minimum required lot area is 550m².
The proposed lot area is 443.8m².

9. Section 13.2.3(b), Zoning By-law No. 7625
The required minimum side yard setbacks are 1.8m each side.
The proposed south side yard setback is 1.52m.

10. Section 13.2.4, Zoning By-law No. 7625
The maximum permitted lot coverage is 30.0% of the lot area.
The proposed lot coverage is **32.5%** of the lot area.

11. Section 13.2.6, Zoning By-law No. 7625
The maximum permitted building height is 8.8m.
The proposed building height is **9.23m**.

12. Section 6(8), Zoning By-law No. 7625
The minimum lot width is not to be less than the lot frontage for the zone in which the building is to be constructed. The minimum required lot width is 15.0m.
The proposed lot width is 13.62m.

13. Section 13.2.3(a), Zoning By-law No. 7625
The minimum required front yard setback is 7.5m +/- 1.0m.
The proposed front yard setback is 5.32m.

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 Approved on Condition

It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

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    a) The driveway accesses on Cummer Avenue must be removed and restored to soft landscaping; and
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SIGNATURE PAGE

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Owner:	RAJINDER SINGH SETHI RABINDER SETHI	Ward:	Willowdale (24)
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Legal Description:	CON I EY PT LOT 23		

Bruce Mullock (signed) Derek Lett (signed) Nadini Sankar (signed)

DATE DECISION MAILED ON: Thursday, March 2, 2017

LAST DATE OF APPEAL TO
THE ONTARIO MUNICIPAL BOARD: Wednesday, March 15, 2017

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

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