

Thursday, October 12, 2017

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

File Number:	B0044/17EYK	Zoning	R & R2 Z0.6
Owner(s):	ELIZABETH DE JONGE	Ward:	Davenport (17)
Agent:	RICHARD WENGLE	Heritage:	Not Applicable
	ARCHITECT INC		
Property Address:	<b>49 SPRINGMOUNT AVE</b>	Community:	
Legal Description:	PLAN M312 PT LOT 31 PT LOT 32		

Notice was given and the application considered on Thursday, October 12, 2017, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever a portion of the land for the purpose of a lot addition, resulting in the creation of a new lot in conjunction with Application Number B0043/17EYK. A total of three residential lots will be created.

**Retained - Parts 2, 3 & 10**

**Address to be assigned**

The lot frontage will be 7 m and the lot area will be 306.66 m<sup>2</sup>. The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling with an attached garage, requiring variances to the Zoning By-law, as outlined in Application A0480/17EYK.

Any existing easements will be maintained.

**Conveyed - Parts 4 & 11**

**Address to be assigned**

Parts 4 & 11 have an area of 195.6 m<sup>2</sup> and will be added to the holdings of the west abutting property known as 51 Springmount Avenue (Parts 5 & 12).

Parts 4, 5 11 & 12 will have a combined lot frontage of 6.44 m and a combined lot area of 359.4 m<sup>2</sup>. The property will be redeveloped as the site of a new detached dwelling with an attached garage, as outlined in Application number A0478/17EYK.

Any existing easements will be maintained.

**File numbers B0043/17EYK, B0044/17EYK, A0478/17EYK, A0479/17EYK and A0480/17EYK will be considered jointly.**

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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Allan Smithies (signed)

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Dominic Gulli (signed)

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Douglas Colbourne (signed)

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Edwin (Ted) Shepherd  
(signed)

DATE DECISION MAILED ON: Friday, October 20, 2017

LAST DATE OF APPEAL: Thursday, November 9, 2017

CERTIFIED TRUE COPY

Susanne Pringle  
Manager & Deputy Secretary Treasurer  
Etobicoke York Panel

### Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal\* to the Ontario Municipal Board (OMB) for the same matter.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB you need the following:

- ☐ a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- ☐ \$300 for each appeal filed regardless if related and submitted by the same appellant
- ☐ Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at [www.toronto.ca/tlab](http://www.toronto.ca/tlab).

### **ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS**

To appeal this decision to the OMB you need the following:

- ☐ a completed OMB Appellant Form (A1) in **paper format**
- ☐ \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- ☐ Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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).

\*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Municipal Board** should be submitted in accordance with the instructions above.

**NOTE:** Only individuals, corporations and public agencies may appeal a decision. 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.