

Thursday, May 24, 2018

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

File Number: B0003/18EYK
Property Address: 11 SHAMROCK AVE
Legal Description: PLAN 1545 LOT 236
Agent: FRANCO ROMANO
Owner(s): DANIEL MOLINARI TRIUMPH HOME INC
Zoning: RD & RS (ZR)
Ward: Etobicoke-Lakeshore (06)
Community:
Heritage: Not Applicable

Notice was given and the application considered on Thursday, May 24, 2018, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two undersized residential lots.

Retained - Part 1

Address to be assigned

The lot frontage will be 7.62 m and the lot area will be 301.6 m². 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 A0011/18EYK.

Conveyed - Part 2

Address to be assigned

The lot frontage will be 7.62 m and the lot area will be 301.6 m². 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 A0012/18EYK.

File numbers B0003/18EYK, A0011/18EYK and A0012/18EYK 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

File Number: B0003/18EYK
Property Address: 11 SHAMROCK AVE
Legal Description: PLAN 1545 LOT 236
Applicant: FRANCO ROMANO
Owner(s): DANIEL MOLINARI TRIUMPH HOME INC
Zoning: RD & RS (ZR)
Ward: Etobicoke-Lakeshore(06)
Community:
Heritage: Not Applicable

Allan Smithies (signed)
(signed)

Megan McIver (signed)

Douglas Colbourne

Edwin (Ted) Shepherd (signed)

DATE DECISION MAILED ON: Friday, June 1, 2018

LAST DATE OF APPEAL: Thursday, June 21, 2018

CERTIFIED TRUE COPY

Barbara Bartosik
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)

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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.

*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.

Thursday, May 24, 2018

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

File Number: A0011/18EYK
Property Address: 11 SHAMROCK AVE – PART 1
Legal Description: PLAN 1545 LOT 236
Agent: FRANCO ROMANO
Owner(s): DANIEL MOLINARI TRIUMPH HOME INC
Zoning: RD & RS (ZR)
Ward: Etobicoke-Lakeshore (06)
Community:
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, May 24, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new detached dwelling with an attached garage.

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

1. **Section 10.20.30.20.(1)(A), By-law 569-2013**
The minimum required lot frontage is 12 m.
The lot frontage will be 7.62 m.
2. **Section 10.20.30.10.(1)(A), By-law 569-2013**
The minimum required lot area is 370 m².
The lot area will be 301.6 m².
3. **Section 10.20.40.40.(1)(A), by-law 569-2013**
The maximum permitted floor space index is 0.35 times the lot area (105.55 m²).
The proposed dwelling will have a floor space index of 0.69 times the lot area (206.46 m²).
4. **Section 10.20.40.70.(3)(C), By-law 569-2013**
The minimum required side yard setback is 1.2 m.
Section 330-23.A.(7)
The minimum required side yard setback is 0.9 m.
Section 10.20.40.70.(3)(C), By-law 569-2013 & Section 330-23.A.(7)
The proposed dwelling will be located 0.6 m from the east side lot line and 0.9 m from the west side lot line.

5. **Section 10.5.40.60.(7)(B), by-law 569-2013**
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.
The eaves/roof projection of the proposed dwelling will be located 0.2 m from the east side lot line and will encroach 1 m into the required east side lot line.
6. **Section 10.20.40.10.(2)(B), By-law 569-2013**
The maximum permitted height of all side exterior main walls is 7 m.
The propose dwelling will have a side exterior main wall height of 7.51 m.

File numbers B0003/18EYK, A0011/18EYK and A0012/18EYK 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 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

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Property Address: 11 SHAMROCK AVE – PART 1
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Agent: FRANCO ROMANO
Owner(s): DANIEL MOLINARI TRIUMPH HOME INC
Zoning: RD & RS (ZR)
Ward: Etobicoke-Lakeshore (06)
Community:
Heritage: Not Applicable

Allan Smithies (signed)
(signed)

Megan McIver (signed)

Douglas Colbourne

Edwin (Ted) Shepherd (signed)

DATE DECISION MAILED ON: Friday, June 1, 2018

LAST DATE OF APPEAL: Wednesday, June 13, 2018

CERTIFIED TRUE COPY

Barbara Bartosik
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

Appeal Information

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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.

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Thursday, May 24, 2018

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

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Legal Description: PLAN 1545 LOT 236
Agent: FRANCO ROMANO
Owner(s): DANIEL MOLINARI TRIUMPH HOME INC
Zoning: RD & RS (ZR)
Ward: Etobicoke-Lakeshore (06)
Community:
Heritage: Not Applicable

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