

Thursday, March 22, 2018

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

File Number:	A0484/17SC	Zoning	Single Family (S) and Residential Detached (RD) Zone
Owners:	PITINOTWENTYTEN INC	Ward:	Scarborough East (43)
Agent:	MARTIN RENDL ASSOCIATES	Heritage:	Not Applicable
Property Address:	0 MARLENA DR E S PART 1	Community:	West Hill Community
Legal Description:	PLAN M1456 BLK A		

Notice was given and a Public Hearing was held on Thursday, March 22, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The owner is requesting consent to sever land on the east side of Marlena Drive into two lots, and has applied for variances for the proposed north lot, shown as Part 1 on the attached draft Reference 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 569-2013:

- 1) The proposed setback from the south (side) lot line is 0.65 m
Whereas the required minimum building setback from a side lot line is 1.2 m
- 2) The proposed floor area is 245 m²
Whereas the maximum permitted floor area is 204 m²
- 3) The proposed lot area is 404 m²
Whereas the required minimum lot area is 464 m²
- 4) The proposed front yard setback is 5.73 m
Whereas the required minimum front yard setback is 8.02 m
- 5) The proposed rear yard setback is 1.26 m
Whereas the required minimum rear yard setback is 7.5 m
- 6) The proposed height of the building is 9.83 m
Whereas the permitted maximum height of a building or structure is 9 m

By-law 10327:

- 7) The proposed lot area is 404 m²
Whereas a minimum area of 464 m² is required
- 8) The proposed front yard setback is 5.73 m
Whereas the minimum required front yard setback is 5.73 m
- 9) The proposed side yard setback is 0.65 m

- Whereas a minimum 1.2 m setback is required from each side for one-storey dwelling, plus 600 mm for each additional or partial storey. The minimum side yard setback is 1.8m
- 10) The proposed rear yard setback is 1.26 m
Whereas the minimum required rear yard setback is 7.5m
 - 11) The proposed height is 9.85m
Whereas the maximum permitted height is 9 m
 - 12) The proposed floor area is 227.6 m²
Whereas the maximum permitted floor area is 0.6 x lot area to a maximum floor area 204 m². The maximum permitted floor area is 204m².

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:**

Minor Variance Item No. 1 is Refused

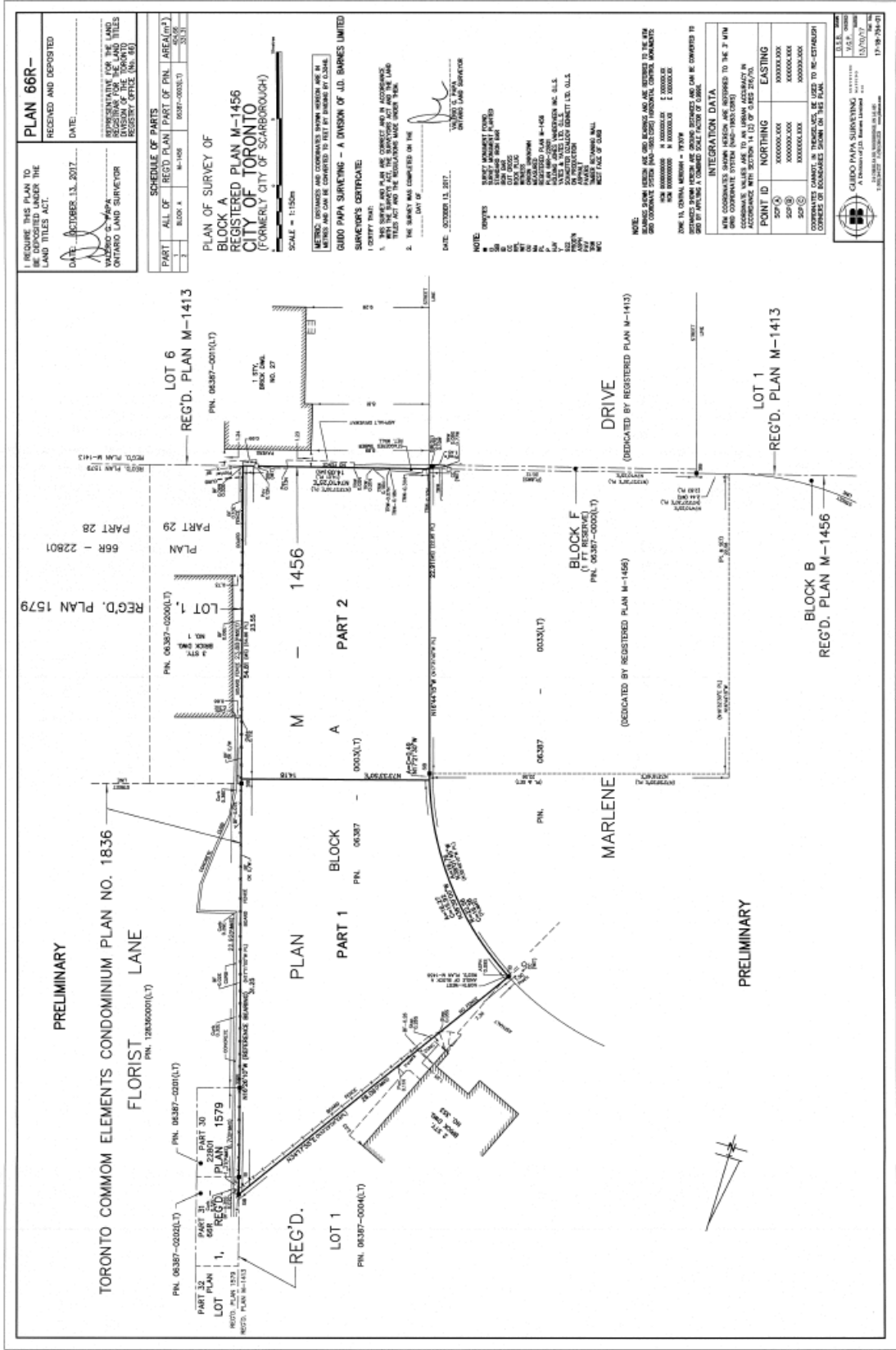
It is the decision of the Committee of Adjustment to NOT approve this variance for the following reasons:

- 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.

Minor Variance Items No. 2 through 12 are Approved

It is the decision of the Committee of Adjustment to authorize these variances 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 variances are considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are minor.



PLAN 66R-
RECEIVED AND DEPOSITED
DATE: OCTOBER 13, 2017
DATE: OCTOBER 13, 2017
REGISTRATION OFFICE (No. 46)

SCHEDULE OF PARTS	
PART 1	ALL OF REG'D PLAN PART OF PIN AREA(M ²)
PART 2	REG'D PLAN M-1456
PART 3	REG'D PLAN M-1413
PART 4	REG'D PLAN M-1456
PART 5	REG'D PLAN M-1413
PART 6	REG'D PLAN M-1456
PART 7	REG'D PLAN M-1413
PART 8	REG'D PLAN M-1456
PART 9	REG'D PLAN M-1413
PART 10	REG'D PLAN M-1456
PART 11	REG'D PLAN M-1413
PART 12	REG'D PLAN M-1456
PART 13	REG'D PLAN M-1413
PART 14	REG'D PLAN M-1456
PART 15	REG'D PLAN M-1413
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PART 19	REG'D PLAN M-1413
PART 20	REG'D PLAN M-1456
PART 21	REG'D PLAN M-1413
PART 22	REG'D PLAN M-1456
PART 23	REG'D PLAN M-1413
PART 24	REG'D PLAN M-1456
PART 25	REG'D PLAN M-1413
PART 26	REG'D PLAN M-1456
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PART 28	REG'D PLAN M-1456
PART 29	REG'D PLAN M-1413
PART 30	REG'D PLAN M-1456
PART 31	REG'D PLAN M-1413
PART 32	REG'D PLAN M-1456
PART 33	REG'D PLAN M-1413
PART 34	REG'D PLAN M-1456
PART 35	REG'D PLAN M-1413
PART 36	REG'D PLAN M-1456
PART 37	REG'D PLAN M-1413
PART 38	REG'D PLAN M-1456
PART 39	REG'D PLAN M-1413
PART 40	REG'D PLAN M-1456

PLAN OF SURVEY OF
BLOCK A
REGISTERED PLAN M-1456
CITY OF TORONTO
(FORMERLY CITY OF SCARBOROUGH)
SCALE = 1:150m

METRIC DIMENSIONS AND COORDINATES SHOWN HEREON ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVISION BY 0.3048

GUIDO PAPA SURVEYING - A DIVISION OF J.D. BARKES LIMITED

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THE SURVEY AND PLAN AND COORDINATES AND ACCORDINGLY THE DIMENSIONS AND BEARINGS AND THE REGULATIONS MADE UNDER THE ACT AND THE REGULATIONS MADE UNDER THE ACT.
- THE SURVEY WAS COMPLETED ON THE DATE OF

DATE: OCTOBER 13, 2017.

NOTE:

- 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
- 2. ALL BEARINGS ARE TRUE BEARINGS UNLESS OTHERWISE SPECIFIED.
- 3. ALL DISTANCES ARE IN METERS UNLESS OTHERWISE SPECIFIED.
- 4. ALL ANGLES ARE IN DEGREES UNLESS OTHERWISE SPECIFIED.
- 5. ALL POINTS ARE TO BE CONSIDERED AS BEING IN THE PLANE OF THE SURFACE UNLESS OTHERWISE SPECIFIED.
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NOTE:
BENCH MARKS SHOWN ARE USED AS REFERENCES AND ARE REFERRED TO BY THE PLAN AND COORDINATES. THE BENCH MARKS ARE TO BE CONSIDERED AS BEING IN THE PLANE OF THE SURFACE UNLESS OTHERWISE SPECIFIED.

NOTE:
DATE IS CENTRAL MEANS TIME - 1900

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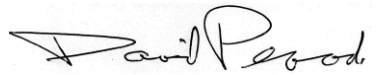
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DRAFT REFERENCE PLAN

SIGNATURE PAGE

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David Peacock



Eden Gajraj



Hena Kabir



Nimrod Salamon

DATE DECISION MAILED ON: Tuesday, March 27, 2018

LAST DATE OF APPEAL: Wednesday, April 11, 2018

CERTIFIED TRUE COPY



Andre Robichaud
Manager & Deputy Secretary Treasurer
Scarborough Panel

Appeal Information

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

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.

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.