

Thursday, May 10, 2018

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0070/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner(s):	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

Notice was given and the application considered on Thursday, May 10, 2018, as required by the Planning Act.

THE CONSENT REQUESTED:

This application is for consent to sever the land into two lots, as shown on the attached Site Plan. Lot to be created Part 1 would have a frontage of 19.5 metres and a lot area of 729.9 square metres. Lot to be created Part 2 would have a frontage of 22.6 metres and a lot area of 715.1 square metres. In order to facilitate the proposed development, relief from the provision of the Zoning By-law was requested, as outlined in A0465/17SC and A0462/17SC.

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

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 create new lots as shown on the attached lot division plan 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:

- (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;

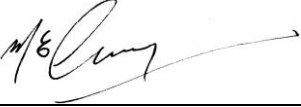


emachyni@toronto.ca, John Fligg at 416-338-5031; jfligg@toronto.ca

- (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, or his designate, Virgil Gomes at 416 338-5033; vgomes@toronto.ca
- (4) Prepare all documents and convey to the City, at nominal cost, (a 5.0 metre corner rounding at southwest corner of Balcarra Avenue and McNab Boulevard of this property) in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the grantor until such time as said lands have dedicated as a public highway, all to the satisfaction to the Chief Engineer & Executive Director of Engineering and Construction Services and the City Solicitor; Submit a draft Reference Plan of Survey to the Chief Engineer & Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
- be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 83 CSRS);
 - delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
 - Pay all costs for registration and preparation of reference plan(s).
- (Contact: Tony Tsui at 416-396-7351; tony.tsui@toronto.ca)
- (5) **PDF copy 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.
- (6) a) The applicant shall submit to Urban Forestry a complete application to Injure or Destroy Trees for privately owned trees, as per City of Toronto Municipal Code Chapter 813, Article III.
- b) Where there are no existing street trees, the applicant shall provide to Urban Forestry a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application. The number of trees required to be planted is **two (2)** and the current cost of planting each tree is \$583.00. Payments shall be made payable to the Treasurer, City of Toronto and sent to Urban Forestry, Scarborough Civic Centre, 150 Borough Drive, 5th floor, Toronto, Ontario, M1P 4N7.
- (7) The Owner shall obtain Final and Binding Decisions on minor variance applications A0465/17SC and A0466/17SC, to the satisfaction of the Deputy Secretary-Treasurer, Committee of Adjustment, Scarborough Panel.
- (8) A draft Certificate of Official, as prescribed in Ontario Regulation 197/96 as Form 2 or 4 and in a form satisfactory to the Secretary Treasurer, shall be submitted to the Secretary Treasurer within one year of the date giving of notice of this decision.

[illegible]

SIGNATURE PAGE

File Number:	B0070/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner(s):	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

	
_____ David Peacock	_____ Eden Gajraj
	
_____ Nimrod Salamon	_____ Sean Karmali

DATE DECISION MAILED ON: Tuesday, May 15, 2018

LAST DATE OF APPEAL: Monday, June 4, 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 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.

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 10, 2018

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

File Number:	A0465/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner(s):	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD- Part 1	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

Notice was given and a Public Hearing was held on Thursday, May 10, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is seeking relief from the provisions of the Zoning By-law to retain the existing one storey single family residential dwelling.

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

1. To permit the proposed 20.5 metres lot frontage, whereas the Zoning By-law requires a minimum 28.96 metres lot frontage.
2. To permit the proposed 729 square metres lot area, whereas the Zoning By-law requires a minimum 1445 square metres lot area.
3. To permit the existing 7.26 metres rear yard setback, whereas the Zoning By-law requires a minimum 8.43 metres rear yard setback.
4. To permit the proposed access to parking be from the front yard, whereas the Zoning By-law requires access to a parking space to be from the flanking street.

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

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 variances are considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are minor.

SIGNATURE PAGE

File Number:	A0465/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner:	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD – Part 1	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

		
_____ David Peacock	_____ Eden Gajraj	_____ Hena Kabir
		
_____ Nimrod Salamon	_____ Sean Karmali	

DATE DECISION MAILED ON: Tuesday, May 15, 2018

LAST DATE OF APPEAL: Wednesday, May 30, 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.

Thursday, May 10, 2018

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

File Number:	A0466/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner(s):	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD – Part 2	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

Notice was given and a Public Hearing was held on Thursday, May 10, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is seeking relief from the provisions of the Zoning By-law to construct a new two storey single family residential dwelling.

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

1. To permit the proposed 22.6 metres lot frontage, whereas the Zoning By-law requires a minimum 28.96 metres lot frontage.
2. To permit the proposed 715 square metres lot area, whereas the Zoning By-law requires a minimum 1445 square metres lot area.
3. To permit the proposed 331 square metres floor area or 0.46 times the lot area, whereas the Zoning By-law permits maximum 286.4 square metres floor area or 0.4 times the lot area.
4. To permit the proposed second suite, whereas the Zoning By-law requires the entire building to have been constructed more than 5 years prior to the introduction of a secondary suite.

By-law No. 9396

5. To permit the proposed second suite, whereas the Zoning By-law requires the entire building to have been constructed more than 5 years prior to the introduction of a secondary suite.

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

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 variances are considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are minor.

SIGNATURE PAGE

File Number:	A0466/17SC	Zoning	RD - Residential Detached/S - Single Family Residential [ZZC]
Owner:	MELISSA SPENCER ANDREW JAMES SPENCER	Ward:	Scarborough Southwest (36)
Agent:	RUBINOFF DESIGN GROUP	Heritage:	Not Applicable
Property Address:	36 MCNAB BLVD- Part 2	Community:	Cliffcrest Community
Legal Description:	PLAN 3849 PT LOT 29		

		
David Peacock	Edén Gajraj	Hena Kabir
		
Nimrod Salamon	Sean Karmali	

DATE DECISION MAILED ON: Tuesday, May 15, 2018

LAST DATE OF APPEAL: Wednesday, May 30, 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.