

Michael Mizzi
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Scarborough
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7

416-396-3223
coa.sc@toronto.ca

Wednesday, January 27, 2021

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

File Number: B0031/20SC
Property Address: 14 PENAIRE ST
Legal Description: PLAN M464 LOT 53
Agent: ARC DESIGN GROUP
Owner(s): SOHAM RAJESHKUMAR PATEL, RONAK SHAILESHKUMAR PATEL, DESAI NAISARGI RAJENDRAPRASAD
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Clairlea Community
Heritage: Not Applicable

Notice was given and the application considered on Wednesday, January 27, 2021, as required by the Planning Act.

THE CONSENT REQUESTED:

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

Conveyed - Part 1

The lot will have a frontage of 8.745 m and an area of 333.18 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A0197/20SC.

Retained - Part 2

The lot will have a frontage of 8.745 m and an area of 327.81 m². The existing dwelling will be demolished and the property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law, as outlined in Application A0198/20SC.

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.

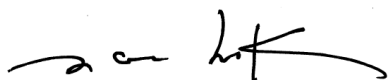
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SIGNATURE PAGE

File Number: B0031/20SC
Property Address: 14 PENNAIRE ST
Legal Description: PLAN M464 LOT 53
Applicant: ARC DESIGN GROUP
Owner(s): SOHAM RAJESHKUMAR PATEL, RONAK SHAILESHKUMAR PATEL, DESAI NAISARGI RAJENDRAPRASAD
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest(20)
Community: Clairlea Community
Heritage: Not Applicable

Table 1, Panel Member Digital Signatures

 _____ Anne McCauley	 _____ Amy Emm	 _____ Gary McKay
 _____ Hena Kabir	 _____ Muhammad Saeed	

DATE DECISION MAILED ON: Tuesday, February 2, 2021

LAST DATE OF APPEAL: Monday, February 22, 2021

CERTIFIED TRUE COPY


Colin Ramdial
Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.sc@toronto.ca and Colin.Ramdiel@toronto.ca 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 Local Planning Appeal Tribunal (LPAT) 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).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

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

- A completed LPAT Appellant Form (A1) in digital format on a USB stick and in paper format.
- \$400 with an additional reduced fee of \$25 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).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>

*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 **Local Planning Appeal Tribunal (LPAT)** 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

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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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Wednesday, January 27, 2021

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

File Number: A0197/20SC
Property Address: 14 PENAIRE ST – PART 1
Legal Description: PLAN M464 LOT 53
Agent: ARC DESIGN GROUP
Owner(s): SOHAM RAJESHKUMAR PATEL, RONAK SHAILESHKUMAR PATEL,
DESAI NAISARGI RAJENDRAPRASAD
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Clairlea Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Wednesday, January 27, 2021, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling on Part 1.

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

1. **Chapter 10.20.30.20.(1)(A), By-law No. 569-2013**
The minimum required lot frontage is 12 m.
The proposed lot frontage is 8.74 m.
2. **Chapter 10.20.30.10.(1)(A), By-law No. 569-2013**
The minimum required lot area is 371 m².
The proposed lot area is 333 m².
3. **Chapter 10.20.30.40.(1)(A), By-law No. 569-2013**
The maximum permitted lot coverage is 33% of the lot area.
The proposed lot coverage is 33.8% (112.61 m²).
4. **Exception RD 169.(C), By-law No. 569-2013**
The minimum required side yard setback is 0.9 m.
The proposed side yard setback is 0.61 m from the east side lot line.

5. **Chapter 10.20.40.10.(4)(A), By-law No. 569-2013**
The maximum permitted height for a dwelling with a flat roof is 7.2 m.
The proposed height is 8.29 m.
6. **Chapter 10.20.40.10.(5), By-law No. 569-2013**
The maximum permitted height of a parapet wall is 7.5 m (0.3 m above the roof).
The proposed height of the parapet wall is 8.59 m.

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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Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Clairlea Community
Heritage: Not Applicable

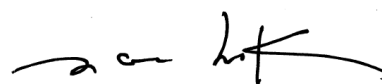
Table 1, Panel Member Digital Signatures



Anne McCauley



Amy Emm



Gary McKay



Hena Kabir



Muhammad Saeed

DATE DECISION MAILED ON: Tuesday, February 2, 2021

LAST DATE OF APPEAL: Tuesday, February 16, 2021

CERTIFIED TRUE COPY



Colin Ramdial

Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.sc@toronto.ca and Colin.Ramdial@toronto.ca by the last date of appeal as shown on the signature page.

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Michael Mizzi
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Wednesday, January 27, 2021

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

File Number: A0198/20SC
Property Address: 14 PENAIRE ST – PART 2
Legal Description: PLAN M464 LOT 53
Agent: ARC DESIGN GROUP
Owner(s): SOHAM RAJESHKUMAR PATEL, RONAK SHAILESHKUMAR PATEL, DESAI NAISARGI RAJENDRAPRASAD
Zoning: Residential Detached (RD) & Single Family (S) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Clairlea Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Wednesday, January 27, 2021, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey detached dwelling on Part 2.

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

1. **Chapter 10.20.30.20.(1)(A), By-law No. 569-2013**
The minimum required lot frontage is 12 m.
The proposed lot frontage is 8.74 m.
2. **Chapter 10.20.30.10.(1)(A), By-law No. 569-2013**
The minimum required lot area is 371 m².
The proposed lot area is 327 m².
3. **Chapter 10.20.30.40.(1)(A), By-law No. 569-2013**
The maximum permitted lot coverage is 33% of the lot area.
The proposed lot coverage is 34.5% (112.61 m²).
4. **Exception RD 169.(C), By-law No. 569-2013**
The minimum required side yard setback is 0.9 m.
The proposed side yard setback is 0.61 m from the west side lot line.

5. **Exception RD 169.(D), By-law No. 569-2013**
The minimum required setback from a side lot line that abuts a street is 4.5 m.
The proposed east side yard setback abutting Presley Avenue is 1.23 m.
6. **Chapter 10.20.40.10.(4)(A), By-law No. 569-2013**
The maximum permitted height for a dwelling with a flat roof is 7.2 m.
The proposed height is 8.29 m.
7. **Chapter 10.20.40.10.(5), By-law No. 569-2013**
The maximum permitted height of a parapet wall is 7.5 m (0.3 m above the roof).
The proposed height of the parapet wall is 8.59 m.
8. **Chapter 10.5.80.40.(3)(B), By-law No. 569-2013**
Vehicle access to a parking space must be from a flanking street that is not a main street (Presley Ave).
The proposed driveway for Part 2 is from the front street (Penaire St).

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:

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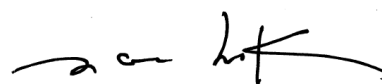
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Gary McKay



Hena Kabir



Muhammad Saeed

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LAST DATE OF APPEAL:

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