

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

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

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

Wednesday, December 8, 2021

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

File Number: A0195/21SC
Property Address: 37 ALLISTER AVE (37A ALLISTER AVE)
Legal Description: PLAN 2541 LOT 159 LOT 160
Agent: ARC DESIGN GROUP
Owner(s): 10901148 CANADA INC ARIFUR RAHAMAN
Zoning: RD (f12; a464) (x193), HT9, ST2, 33
Ward: Scarborough Southwest (20)
Community: Cliffside Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Wednesday, December 8, 2021, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To permit the construction of a new 2-storey detached dwelling. This proposed development requires variances to the Zoning By-law for the lot area and lot frontage.

NOTE: 37 Allister Avenue is comprised of two whole lots (Lots 159 and 160) on Registered Plan 2541. The proposed/existing lot frontages and proposed/existing lot areas for both Lots 159 and 160 were established through the registration of the plan of subdivision. There is no requirement for a consent to sever application.

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

By-law No. 569-2013:

1. CHAPTER 10.20.30.10 Lot Area

(1) Minimum Lot Area In the RD zone:

(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres

MINIMUM REQUIRED LOT AREA IS 464M²

PROPOSED/EXISTING LOT AREA IS 318.14M².

2. CHAPTER 10.20.30.20 Lot Frontage

(1) Minimum Lot Frontage In the RD zone:

(A) if a zone label includes the letter "f", as on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres; and

MINIMUM REQUIRED LOT FRONTAGE IS 12M.

PROPOSED/EXISTING LOT FRONTAGE IS 7.61M.

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.

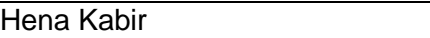
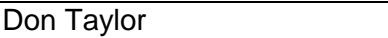

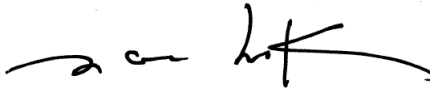

It is the decision of the Committee of Adjustment to **NOT** authorize this variance application for the following reasons:

- 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 variances are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are not minor.

SIGNATURE PAGE

File Number: A0195/21SC
Property Address: 37 ALLISTER AVE (37A ALLISTER AVE)
Legal Description: PLAN 2541 LOT 159 LOT 160
Agent: ARC DESIGN GROUP
Owner(s): 10901148 CANADA INC ARIFUR RAHAMAN
Zoning: RD (f13.5; a464) (x191), HT9, ST2, 33
Ward: Scarborough Southwest (20)
Community: Cliffside Community
Heritage: Not Applicable

Table 1, Panel Member Digital Signatures

 Hena Kabir	 Don Taylor	 Anne McCauley
 Gary McKay	 Muhammad Saeed	

DATE DECISION MAILED ON: Tuesday, December 14, 2021

LAST DATE OF APPEAL: Tuesday, December 28, 2021

CERTIFIED TRUE COPY


Colin Ramdial
Manager and Deputy Secretary-Treasurer

Appeal Information

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 Land Tribunal (OLT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

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.

To appeal this decision, you must submit 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.

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.

ONTARIO LAND TRIBUNAL (OLT) INSTRUCTIONS

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.

To appeal this decision, you must submit the following:

- A completed OLT 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 Ontario Land Tribunal (OLT) website at <https://olt.gov.on.ca/appeals-process/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 **Ontario Land Tribunal (OLT)** should be submitted in accordance with the instructions above.