

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

Monday, September 28, 2020

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

File Number: B0020/19SC
Property Address: 94 DANFORTH RD
Legal Description: PLAN 849 PT LOT 58 TO 61
Agent: WELL RIVER ESTATES LTD.
Owner(s): WELL RIVER ESTATES LTD.
Zoning: Residential Detached (RD) Zone [ZR]
Ward: Scarborough Southwest (20)
Community: Oakridge Community
Heritage: Not Applicable

Notice was given and the application considered on Thursday, August 27, 2020, as required by the Planning Act.

THE CONSENT REQUESTED:

The purpose of the consent application is to sever the property into three residential lots (Parts 1, 2 and 3) with each lot containing a new detached dwelling. The proposed lot frontages for Parts 1 and 2 is 6.3 m and proposed lot areas of 194.1 m². For Part 3, the proposed lot frontage is 8 m and the proposed lot area is 189 m². The development proposal requires variances to the Zoning By-law(s), as outlined in the associated minor variance applications.

**Part 1/Part A- Lot to be Conveyed
Address to be Assigned**

The minimum lot frontage of 6.3 m and has a minimum lot area of 194.1 m². The property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law(s), as outlined in application # A0112/19SC.

**Part 2/Part B - Lot to be Conveyed
Address to be Assigned**

The lot frontage is 6.3 m and has a lot area of 194.1 m². The property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law(s), as outlined in application # A0113/19SC.

Part 3/Part C - Lot to be Conveyed

Address to be Assigned

The lot frontage is 8 m and has a lot area of 189 m².

The property will be redeveloped as the site of a new detached dwelling, requiring variances to the Zoning By-law(s), as outlined in application # A0114/19SC

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 on Condition

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 the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the *Planning Act*, the applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official.
- (2) Municipal numbers for the subject lots indicated on the applicable registered reference plan of survey shall be assigned to the satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services. *Contact:* Ana Michalek, Supervisor, Land and Property Surveys, at 416-392-5214; Ana.Michalek@toronto.ca, or her designate, Elizabeth Machynia, at 416-338-5029; Elizabeth.Machynia@toronto.ca.
- (3) An electronic copy 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, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services. *Contact:* Ana Michalek, Supervisor, Land and Property Surveys, at 416-392-5214; Ana.Michalek@toronto.ca.
- (4) An electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services shall be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (5) Prepare all documents and convey to the City, at nominal cost, (A 0.40 m widening is required along the Danforth Road frontage of this property) in fee simple, such lands to be free and clear of all physical and title encumbrances, and




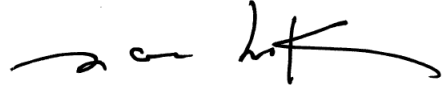
subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services and the City Solicitor.

- (6) Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - a) be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 83 CSRS);
 - b) 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
 - c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
- (7) The Owner shall pay all costs for registration and preparation of reference plan(s).
- (6) Where there are no existing City owned 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 **three (3)** and the current cost of planting is **\$583.00 per tree**. 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 A0112/19SC, A0113/19SC and A0114/19SC to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (8) Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the *Planning Act* if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (9) Once all of the other conditions have been satisfied, the applicant shall request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment issue the Certificate of Official.
- (10) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions.

SIGNATURE PAGE

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Table 1, Panel Member Digital Signatures

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

DATE DECISION MAILED ON: Monday, September 28, 2020

LAST DATE OF APPEAL: Sunday, October 18, 2020

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 may be filed in the name of an individual who is a member of the association or group on its behalf.