



City Planning Division
Gary Wright, Chief Planner and Executive Director

Committee of Adjustment
Etobicoke York Panel
2 Civic Centre Court
Toronto, Ontario
Canada M9C 5A3
Tel: 416-394-8060
Fax: 416-394-6042

Thursday, October 20, 2011

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

File Number:	B37/09EYK	Zoning:	R1
Owner(s):	NEDD VELAGIC	Ward:	Etobicoke-Lakeshore (05)
Agent:	NEDD VELAGIC		
Property Address:	1057 KIPLING AVE	Community:	
Legal Description:	PLAN 2312 LOT 27		

Notice was given and the application considered on Thursday, October 20, 2011, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots, together with the north abutting lands.

Conveyed - Part 6

Addressed to be assigned

Part 6 has an area of 311.2m² and will be added to the holdings of Part 3 to create a new lot. Parts 6 and 3 will have a frontage of 20.41m, a depth of 33.53 m and an area of 684.7m². A new two-storey dwelling will be constructed on the new lot and will front onto Holloway Road.

Retained - Part 5

Address to be assigned

Part 5 has an area of 311.9m² and will be added to the holdings of Part 2 to create a new lot. Parts 5 and 2 will have a frontage of 20.47m, a depth of 33.53 m and an area of 684.7m². A new two-storey dwelling will be constructed on the new lot and will front onto Holloway Road.

Dedication - Part 4

Part 4 will be dedicated to the City for purposes of a road widening, together with the north abutting lands.

File Numbers B37/09EYK & B38/09EYK will be considered jointly.

B37/09EYK

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 creation of new lots as shown on the attached 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 within ONE YEAR of the date of this Decision:

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 Survey and Mapping Services, Technical Services. Contacts: John House, Supervisor of Property Records, 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. Prior to the issuance of a building permit, the applicant shall satisfy all conditions concerning City owned trees, to the satisfaction of Urban Forestry Services.
4. Where no street trees exist, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting each new lot created, to the satisfaction of Urban Forestry Services.
5. **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 City Surveyor, Survey & Mapping, Technical Services. Contact: John House, Supervisor, of Property Records, at 416 392-8338; jhouse@toronto.ca, or his designate, Virgil Gomes at 416 338-5033; vgomes@toronto.ca.
6. **Three copies of the registered reference plan of survey** satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.

The following conditions shall be fulfilled to the satisfaction of Development Engineering, Etobicoke York District:

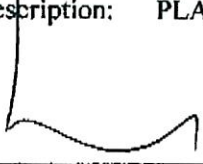
7. To satisfy the requirements of a 36 m right-of-way width specified in the City of Toronto Official Plan along this section of Kipling Avenue requires that the owner convey to the City a 4.89 m wide strip of land across the entire east limit of the Kipling Avenue property; The applicant is required to:


B37/09EYK


- a) Prepare all documents and convey to the City, at nominal cost, 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 Executive Director of Technical Services and the City Solicitor.
 - b) 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:
 - i. be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection);
 - ii. 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
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
 - c) Pay all costs for registration and preparation of reference plan(s) for the lands to be conveyed to the City.
8. The applicant is required to submit the site servicing plan and engineering drawing(s) for the extension of the sanitary sewer westwards on Holloway Road for future parcel parts 2&5 and 3&6 to provide services to the lands and obtain the Ministry of the Environment's approval in this regard.
 9. Make satisfactory arrangements with Toronto Water for payment and arrangement for the construction of the extension of the sanitary sewer and service connections to service the proposed development.
 10. The applicant shall apply for and obtain site plan approval, to the satisfaction of Community Planning, Etobicoke York District.
 11. Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.

SIGNATURE PAGE

File Number:	B37/09EYK	Zoning	R1
Owner(s):	NEDD VELAGIC	Ward:	Etobicoke-Lakeshore (05)
Agent:	NEDD VELAGIC		
Property Address:	1057 KIPLING AVE	Community:	
Legal Description:	PLAN 2312 LOT 27		



Douglas S. Colbourne
(signed)

Mary-Anne Popescu (signed)

Paul Valenti (signed)

DATE DECISION MAILED ON: Friday, October 28, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, November 17, 2011

CERTIFIED TRUE COPY



Susanne Pringle
Manager & Deputy Secretary Treasurer
Etobicoke York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$125.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. 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.

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Thursday, October 20, 2011

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

File Number:	B38/09EYK	Zoning:	R1
Owner(s):	NEDD VELAGIC ANNA LUBA VELAGIC	Ward:	Etonicoke-Lakeshore (05)
Agent:	NEDD VELAGIC		
Property Address:	1059 KIPLING AVE	Community:	
Legal Description:	PLAN 2312 LOT 28		

Notice was given and the application considered on Thursday, October 20, 2011, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots, together with the south abutting lands.

Conveyed - Part 3

Address to be assigned

Part 3 has an area of 373.5m² and will be added to the holdings of Part 6 to create a new lot. Parts 3 and 6 will have a frontage of 20.41m, a depth of 33.53 m and an area of 684.7m². A new two-storey dwelling will be constructed on the new lot and will front onto Holloway Road.

Retained - Part 2

Address to be assigned

Part 2 has an area of 372.8m² and will be added to the holdings of Part 5 to create a new lot. Parts 2 and 5 will have a frontage of 20.47m, a depth of 33.53 m and an area of 684.7m². A new two-storey dwelling will be constructed on the new lot and will front onto Holloway Road.

Dedication - Part 1

Part 1 will be dedicated to the City for purposes of a road widening, together with the south abutting lands.

File Numbers B37/09EYK & B38/09EYK will be considered jointly.

B38/09EYK**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 creation of new lots as shown on the attached 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 within ONE YEAR of the date of this Decision:

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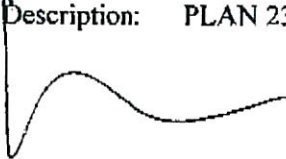
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ANNA LUBA VELAGIC
Agent: NEDD VELAGIC
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