

Wednesday, May 23, 2012

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

File Number:	B021/12NY	Zoning	R3 - Single Family Detached Dwelling Zone
Owner(s):	SHIVA MS MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	190 YORK MILLS RD	Community:	
Legal Description:	PLAN M518 LOTS 3 & 4		

Notice was given and the application considered on Wednesday, May 23, 2012, as required by the Planning Act.

THE CONSENT REQUESTED:

This is an application for the division of the lands into four parts for the creation of two building lots and for a lot addition to be combined with the lands severed from 186 York Mills Road for the creation of a third lot.

The lands concerned have 30.48m fronting onto the north side of York Mills Road, a depth of 38.10m and an area of 1,161.29m². The lands are designated as Parts 1, 2, 3, and 4 on the Draft Plan attached to this Notice.

It is proposed to divide the lands into four parts for the creation of two building lots and for a lot addition to be combined with the lands severed from 186 York Mills Road for the creation of a third lot. The existing dwelling would be demolished and a new dwelling would be constructed on each of the resulting lots.

Lot "A" would be comprised of Part 1 on the attached Plan and would have a frontage of 12.19m, a depth of 38.1m and an area of 464.44m².

Lot "B" would be comprised of Parts 2 and 3 on the attached Plan and would have a frontage of 12.19m, a depth of 38.1m and an area of 464.43m².

Lot "C" would be comprised of Parts 4 and 5. Part 5 would be severed under application B022/12NY. The resulting lot would have a frontage of 12.19m, a depth of 38.1m and an area of 464.44m².

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.
- The adequacy of roads, vehicular access, parking and loading facilities has not been demonstrated.
- The adequacy of utilities and municipal services has not been demonstrated.

SIGNATURE PAGE

File Number:	B021/12NY	Zoning	R3 - Single Family Detached Dwelling Zone
Owner(s):	SHIVA MS MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI	Community:	
Property Address:	190 YORK MILLS RD		
Legal Description:	PLAN M518 LOTS 3 & 4		

Isaac Lallouz (signed)

Astra Burka (signed)

Arthur Forer (signed)

Richard Ross (signed)

Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Thursday, May 31, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 19, 2012

CERTIFIED TRUE COPY

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North 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.

NOTE: Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. 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.

Mailed on/before: Wednesday, May 9, 2012

PUBLIC HEARING NOTICE

CONSENT

(Section 53 of the Planning Act)

MEETING DATE AND TIME: Wednesday, May 23, 2012 at 10:00 a.m.

LOCATION: Council Chamber, North York Civic Centre, 5100 Yonge St., M2N 5V7

File Number:	B023/12NY	Zoning	R3 - Single Family Detached Dwelling Zone
Owner(s):	ARDESHIR MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	184 YORK MILLS RD	Community:	North York
Legal Description:	PLAN M518 LOT 1		

THE CONSENT REQUESTED:

This is an application for the division of the lands into two parts the purposes of a lot addition for the creation of two building lots.

The lands concerned have 15.24m fronting onto the north side of York Mills Road, a depth of 38.10m and an area of 580.64m². The lands are designated as Parts 7 and 8 on the Draft Plan attached to this Notice.

It is proposed to divide the lands into two parts for lot additions for the creation of two building lots. The existing dwelling would be demolished and a new dwelling would be constructed on each of the resulting lots.

Lot "D" would be comprised of Parts 6 and 7. Part 7 would be severed under application B023/12NY. The resulting lot would have a frontage of 12.19m, a depth of 38.1m and an area of 464.44m².

Lot "E" would be comprised of Part 8 and would have a frontage of 12.19m, a depth of 38.1m and an area of 464.44m².

THE COMMITTEE OF ADJUSTMENT & CONSENTS

The Committee of Adjustment has the authority to grant consent to sever land and for other related property transactions. To approve a consent request, the Committee of Adjustment must have considered the provisions of section 51(24) of *The Planning Act* and be satisfied that a plan of subdivision is not necessary.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application, letters received, deputations made at the public hearing and results of site inspections.

MAKING YOUR VIEWS KNOWN

The notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing.** Attendant Care Services can be made available with some advance notice.
- **Sending a letter by Mail or Fax.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal

TO VIEW THE MATERIALS IN THE APPLICATION FILE

Attend the Committee of Adjustment office at the above address Monday to Friday, 8:30 a.m. to 4:30 p.m. Plans filed with the application **will not be photocopied.**

RECEIVING A COPY OF THE COMMITTEE'S DECISION

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, fill out the Decision Request Form at our office or at the Public Hearing or write a letter requesting a copy of the Decision and send it to our office.
- If you wish to appeal a Decision of the Committee to the Ontario Municipal Board, you must file your written request for a decision with the Deputy Secretary-Treasurer.
- Be advised that the Ontario Municipal Board may dismiss an appeal of the consent Decision if the person or public body that filed the appeal did not make a submission to the Committee of Adjustment prior to the Decision having been made.

For more information please telephone our office. Call **Jenny Stark, (416) 395-7138**, Office of the Committee of Adjustment, North York Civic Centre, Toronto, ON, M2N 5V7

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North York Panel

Wednesday, May 23, 2012

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

File Number:	A191/12NY	Zoning	R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner(s):	SHIVA MS MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	CENTRE 12.19M OF 190 YORK MILLS RD – PARTS 2 & 3	Community:	North York
Legal Description:	PLAN M518 LOTS 3 & 4		

Notice was given and a Public Hearing was held on Wednesday, May 23, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the centre 12.19m of 190 York Mills Road (Parts 2 and 3). The existing dwelling would be demolished.

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

North York By-law 7625

1. Proposed lot frontage and width of 12.19m
WHEREAS a minimum lot frontage and width of 18m is required;
2. Proposed lot area of 464.43m²
WHEREAS a minimum lot area of 690m² is required;
3. East side yard setback of 1.22m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
4. West side yard setback of 0.61m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
5. Finished first floor elevation of 1.8m
WHEREAS a maximum finished first floor elevation of 1.5m is permitted;
6. Proposed dwelling height of 9.1m
WHEREAS a maximum building height of 8.8m is permitted;

7. Proposed front yard landscaping of 49.63%
WHEREAS a minimum front yard landscaping of 50% is required;
8. Proposed front yard soft landscaping of 65.76%
WHEREAS a minimum front yard soft landscaping of 75% is required.

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

File Number: A191/12NY Zoning R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner: SHIVA MS MAHMOUDI Ward: Don Valley West (25)
Agent: REZA AKBARI
Property Address: **CENTRE 12.19M OF 190 YORK MILLS RD – PARTS 2 & 3** Community: North York
Legal Description: PLAN M518 LOTS 3 & 4

Isaac Lallouz (signed)

Astra Burka (signed)

Arthur Forer (signed)

Richard Ross (signed)

Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Thursday, May 31, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 12, 2012

CERTIFIED TRUE COPY

Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North York Panel

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Wednesday, May 23, 2012

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

File Number:	A192/12NY	Zoning	R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner(s):	SHIVA MS MAHMOUDI ARASH MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	WEST 6.10M OF 190 YORK MILLS RD AND EAST 6.09M OF 186 YORK MILLS RD – PARTS 4 & 5	Community:	North York
Legal Description:	PLAN M518 LOTS 3 & 4		

Notice was given and a Public Hearing was held on Wednesday, May 23, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the west 6.10m of 190 York Mills Road and the east 6.09m of 186 York Mills Road (Parts 4 and 5). The existing dwelling would be demolished.

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

North York By-law 7625

1. Proposed lot frontage and width of 12.19m
WHEREAS a minimum lot frontage and width of 18m is required;
2. Proposed lot area of 464.44m²
WHEREAS a minimum lot area of 690m² is required;
3. East side yard setback of 1.22m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
4. West side yard setback of 0.61m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
5. Finished first floor elevation of 1.8m
WHEREAS a maximum finished first floor elevation of 1.5m is permitted;

6. Proposed dwelling height of 9.1m
WHEREAS a maximum building height of 8.8m is permitted;
7. Proposed front yard landscaping of 49.63%
WHEREAS a minimum front yard landscaping of 50% is required;
8. Proposed front yard soft landscaping of 65.76%
WHEREAS a minimum front yard soft landscaping of 75% is required.

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

File Number:	A192/12NY	Zoning	R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner:	SHIVA MS MAHMOUDI ARASH MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	WEST 6.10M OF 190 YORK MILLS RD AND EAST 6.09M OF 186 YORK MILLS RD – PARTS 4 & 5	Community:	North York
Legal Description:	PLAN M518 LOTS 3 & 4		

Isaac Lallouz (signed)

Astra Burka (signed)

Arthur Forer (signed)

Richard Ross (signed)

Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Thursday, May 31, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 12, 2012

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Denise Rundle (signed)
Manager & Deputy Secretary Treasurer
North York Panel

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Wednesday, May 23, 2012

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

File Number:	A194/12NY	Zoning	R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner(s):	ARDESHIR MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	WEST 12.19M OF 184 YORK MILLS RD - PART 8	Community:	North York
Legal Description:	PLAN M518 LOT 1		

Notice was given and a Public Hearing was held on Wednesday, May 23, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application to permit the construction of a new two storey dwelling on the west 12.19m of 184 York Mills Road (Parts 8). The existing dwelling would be demolished.

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

North York By-law 7625

1. Proposed lot frontage and width of 12.19m
WHEREAS a minimum lot frontage and width of 18m is required;
2. Proposed lot area of 464.44m²
WHEREAS a minimum lot area of 690m² is required;
3. East side yard setback of 1.22m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
4. West side yard setback of 0.61m to the proposed dwelling
WHEREAS a minimum setback of 1.8m is required;
5. Finished first floor elevation of 1.8m
WHEREAS a maximum finished first floor elevation of 1.5m is permitted;
6. Proposed dwelling height of 9.1m
WHEREAS a maximum building height of 8.8m is permitted;

7. Proposed front yard landscaping of 49.63%
WHEREAS a minimum front yard landscaping of 50% is required;
8. Proposed front yard soft landscaping of 65.76%
WHEREAS a minimum front yard soft landscaping of 75% is required.

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

File Number:	A194/12NY	Zoning	R3 - Single Family Detached Dwelling Zone (WAIVER)
Owner:	ARDESHIR MAHMOUDI	Ward:	Don Valley West (25)
Agent:	REZA AKBARI		
Property Address:	WEST 12.19M OF 184 YORK MILLS RD - PART 8	Community:	North York
Legal Description:	PLAN M518 LOT 1		

Isaac Lallouz (signed)

Astra Burka (signed)

Arthur Forer (signed)

Richard Ross (signed)

Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Thursday, May 31, 2012

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