

Thursday, May 23, 2013

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

File Number:	A267/13NY	Zoning	R4 [PPR]
Owner(s):	VIDA SHAHSAVAR	Ward:	Willowdale (23)
Agent:	PETER HIGGINS		
Property Address:	<b>56 KINGSDALE AVE</b>	Community:	North York
Legal Description:	PLAN 1790 LOTS 416 & 417		

Notice was given and a Public Hearing was held on Thursday, May 23, 2013, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with an integral, at grade, three car garage. The existing dwelling would be demolished.

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

**North York Zoning By-law No. 7625**

1. Proposed lot coverage of 32% of the lot area  
WHEREAS the maximum permitted lot coverage is 30% of the lot area;
2. Proposed west side yard setback of 1.27m **for the front 8.77m portion only**  
WHEREAS the minimum required west side yard setback of 1.8m;
3. Proposed building height of 9.09m  
WHEREAS the maximum permitted building height of 8.8m; and
4. Proposed finished first floor height of 2.60m  
WHEREAS the maximum permitted finished first floor height is 1.5m.

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Minor Variance Application is Approved on Condition**

It is the decision of the Committee of Adjustment to **APPROVE** the following variance(s):

**North York Zoning By-law No. 7625**

1. Proposed lot coverage of 32% of the lot area  
WHEREAS the maximum permitted lot coverage is 30% of the lot area;

2. Proposed west side yard setback of 1.27m **for the front 8.77m portion only**  
WHEREAS the minimum required west side yard setback of 1.8m;
3. Proposed building height of 9.09m  
WHEREAS the maximum permitted building height of 8.8m; and

It is the decision of the Committee of Adjustment to **MODIFY** and **APPROVE** the following variance(s):

4. Proposed finished first floor height of **2.50m**  
WHEREAS the maximum permitted finished first floor height is 1.5m.

For the following reasons:


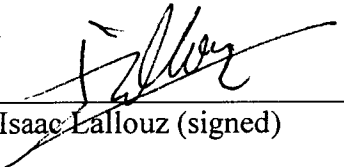
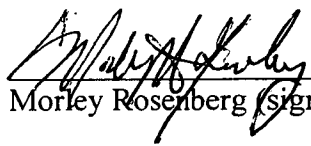
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.


This decision is subject to the following condition(s):

1. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article II, with respect to City owned trees, to the satisfaction of the Urban Forestry Division.
2. The owner shall satisfy the City of Toronto Municipal Code Chapter 813, Article III, with respect to privately owned trees, to the satisfaction of the Urban Forestry Division.
3. The owner shall submit a Tree Security Deposit (in the form of a certified cheque or letter of credit only) and sign a Tree Preservation Agreement to the satisfaction of the Urban Forestry Division.

## SIGNATURE PAGE

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Property Address:	<b>56 KINGSDALE AVE</b>	Community:	North York
Legal Description:	PLAN 1790 LOTS 416 & 417		


 Astra Burka (signed)	 Isaac Lallouz (signed)	 Morley Rosenberg (signed)
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Nicholas Sion (signed)

DATE DECISION MAILED ON: Friday, May 31, 2013

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, June 12, 2013

CERTIFIED TRUE COPY

  
Dan Antonacci  
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](http://www.omb.gov.on.ca).

# MEMORANDUM

**Date:** May 23<sup>rd</sup>, 2013

**To:** Chair and Members of the  
Committee of Adjustment, North Panel

**From:** Councillor John Fillion  
Ward 23, Willowdale

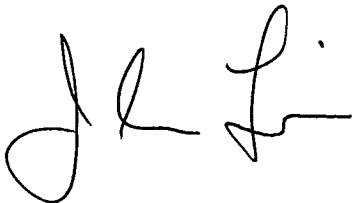
**Re:** 56 Kingsdale Avenue  
A267/13NY

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I am writing to request that the Committee give consideration to refusing the variance for proposed finished first floor height, as it is out of character with the surrounding neighbourhood and does not meet the intent of the zoning bylaw.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Fillion', written in a cursive style.

Councillor John Fillion  
Ward 23, Willowdale

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**Toronto City Hall, 100 Queen Street West, Suite B-36, Toronto, ON M5H 2N2**  
**Tel: (416) 392-0210 Fax: (416)392-7388. Email:councillor\_fillion@toronto.ca**

**Mailed on/before:** Monday, May 13, 2013

**PUBLIC HEARING NOTICE**  
**MINOR VARIANCE/PERMISSION**  
**(Section 45 of the Planning Act)**

**MEETING DATE AND TIME:** Thursday, May 23, 2013 at 11:30 a.m.

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

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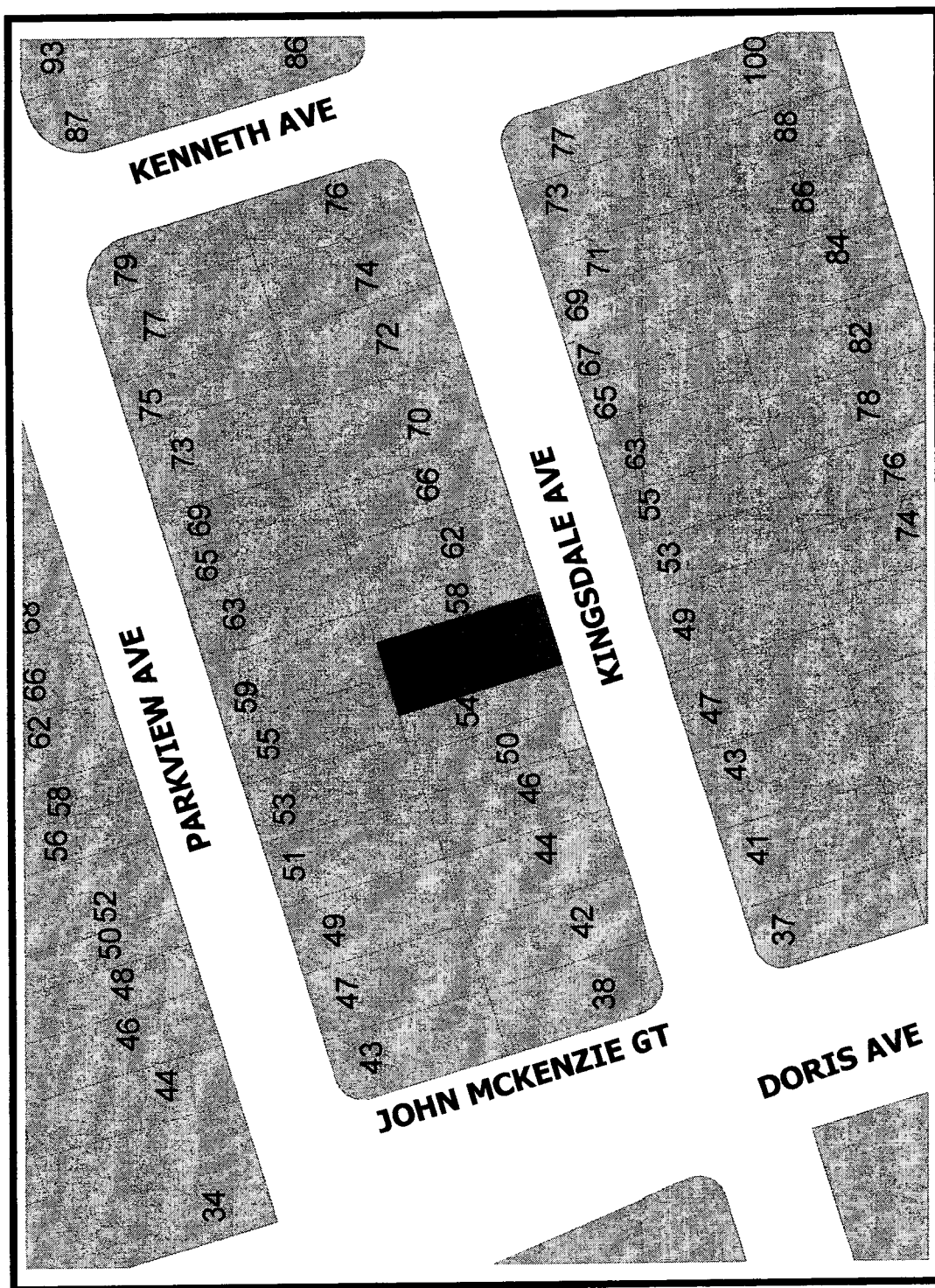
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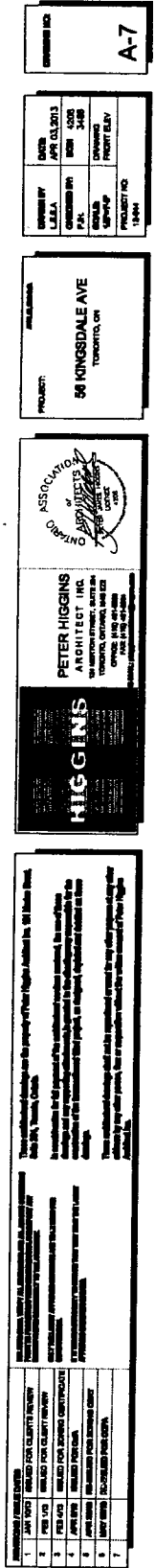
Dan Antonacci (signed)  
Manager and Deputy Secretary-Treasurer  
North York Panel  
:so



# 56 KINGSDALE AVENUE

A267/13NY





EG'D

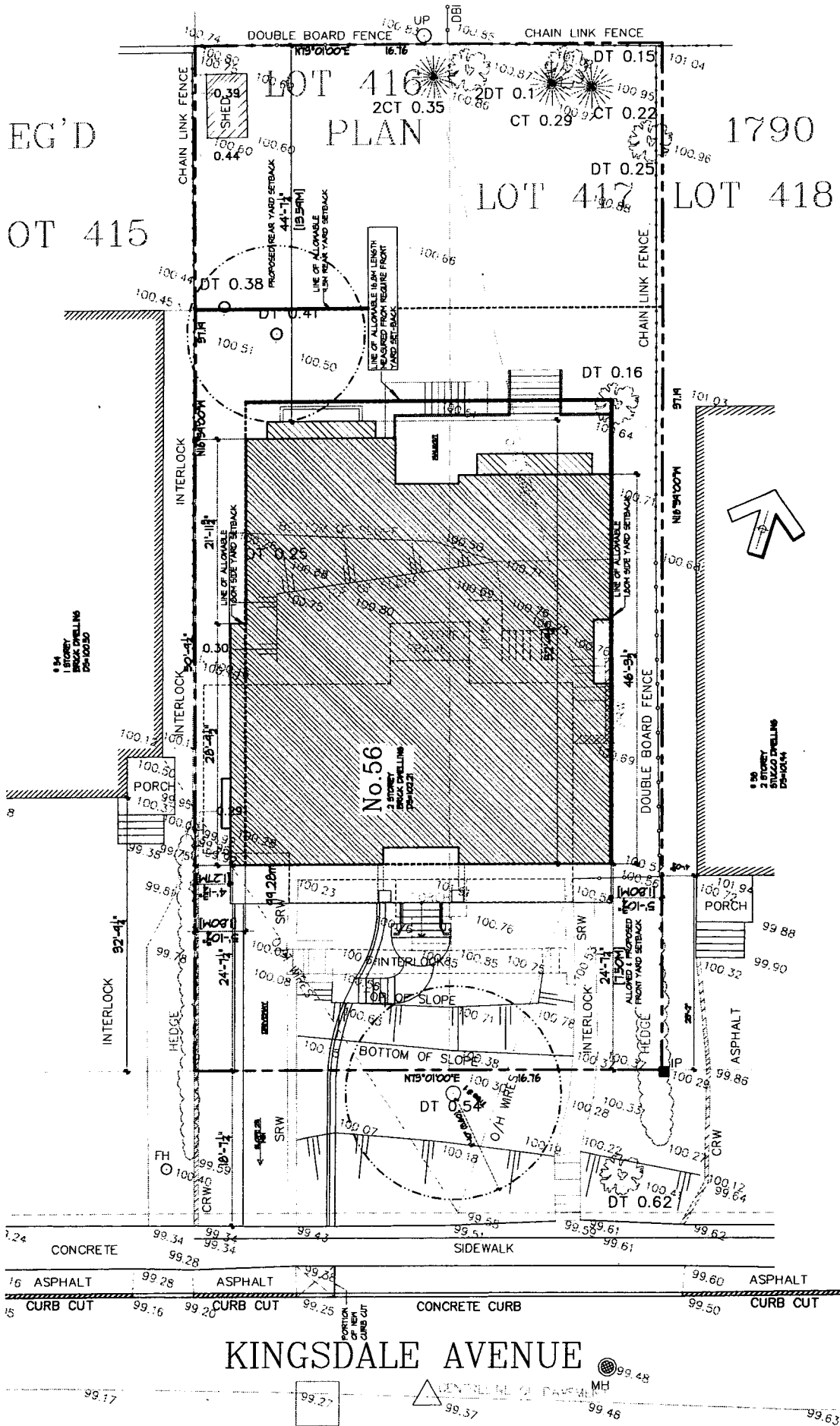
OT 415

LOT 416  
PLAN

1790

LOT 417

LOT 418



DATE: MAY 01, 2013  
DRAWN BY: L.A.S.A.  
CHECKED BY: P.H.  
SCALE: 1/4" = 1'-0"

PROJECT: 88 KINGSDALE AVE  
TORONTO, ON

PETER HIGGINS  
ARCHITECT INC.  
TORONTO, ONTARIO, M6H 2E3  
OFFICE: 416-467-0200  
FAX: 416-467-0200  
EMAIL: peter.higgins@peterhiggins.ca

ASSOCIATION  
OF  
PROFESSIONAL  
ENGINEERS  
AND  
GEOTECHNICAL  
ENGINEERS  
OF  
ONTARIO

HIGGINS  
ARCHITECT INC.  
TORONTO, ONTARIO, M6H 2E3  
OFFICE: 416-467-0200  
FAX: 416-467-0200  
EMAIL: peter.higgins@peterhiggins.ca

These architectural drawings are the property of Peter Higgins Architect Inc. (PHAI) and shall not be reproduced, copied, or used in any way without the written consent of PHAI. The drawings are prepared for the project of Kingsdale Avenue, 88 Kingsdale Avenue, Toronto, Ontario, M6H 2E3. The drawings are prepared for the project of Kingsdale Avenue, 88 Kingsdale Avenue, Toronto, Ontario, M6H 2E3. The drawings are prepared for the project of Kingsdale Avenue, 88 Kingsdale Avenue, Toronto, Ontario, M6H 2E3.

REVISIONS / NOTES
1. L.A.S.A. PREPARED FOR CLIENT REVIEW
2. P.H. L.A.S.A. PREPARED FOR CLIENT REVIEW
3. P.H. L.A.S.A. PREPARED FOR CLIENT REVIEW
4. P.H. L.A.S.A. PREPARED FOR CLIENT REVIEW
5. P.H. L.A.S.A. PREPARED FOR CLIENT REVIEW
6. P.H. L.A.S.A. PREPARED FOR CLIENT REVIEW
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