



City Planning Division
Jennifer Keesmaat, MESA MCIP RPP
Chief Planner and Executive Director

North York Civic Centre
5100 Yonge Street
Toronto, Ontario
M2N 5V7

Phone (416) 395-7000
Fax (416) 395-7200

CITY COUNCILLOR, WARD 25, CITY OF
TORONTO
JAYE ROBINSON
or OCCUPANT
CITY HALL
100 QUEEN ST SUITE W SUITE A12
Wednesday, November 21, 2012

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

File Number:	B044/12NY	Zoning	R3 [ZZC]
Owner(s):	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	139 BUCKINGHAM AVE	Community:	North York
Legal Description:	PLAN 1534 LOT 831 TO 832		

Notice was given and the application considered on Wednesday, November 21, 2012, as required by the Planning Act.

THE CONSENT REQUESTED:

The applicant is proposing the division of a parcel of residential lands into two parts for conveyance purposes for the creation of a new residential building lot on the above noted property.

The lands concerned have a lot frontage of 30.48m located on the south side of Buckingham Avenue and is rectangular in shape, having a depth of 45.72m and an area of 1393.55m². The lands presently contain a single detached dwelling municipally known as 139 Buckingham Avenue.

The existing single detached dwelling would be demolished and a two storey dwelling is proposed to be constructed on each of the resulting lots.

Parts 1 and 2 on the plan attached to this notice would each have a lot frontage of 15.24m fronting onto the south side of Buckingham Avenue, a depth of 45.72m and an area of 696.77m².

Variations have been applied for to facilitate other proposed developmental aspects.

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 plan attached to this decision 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.

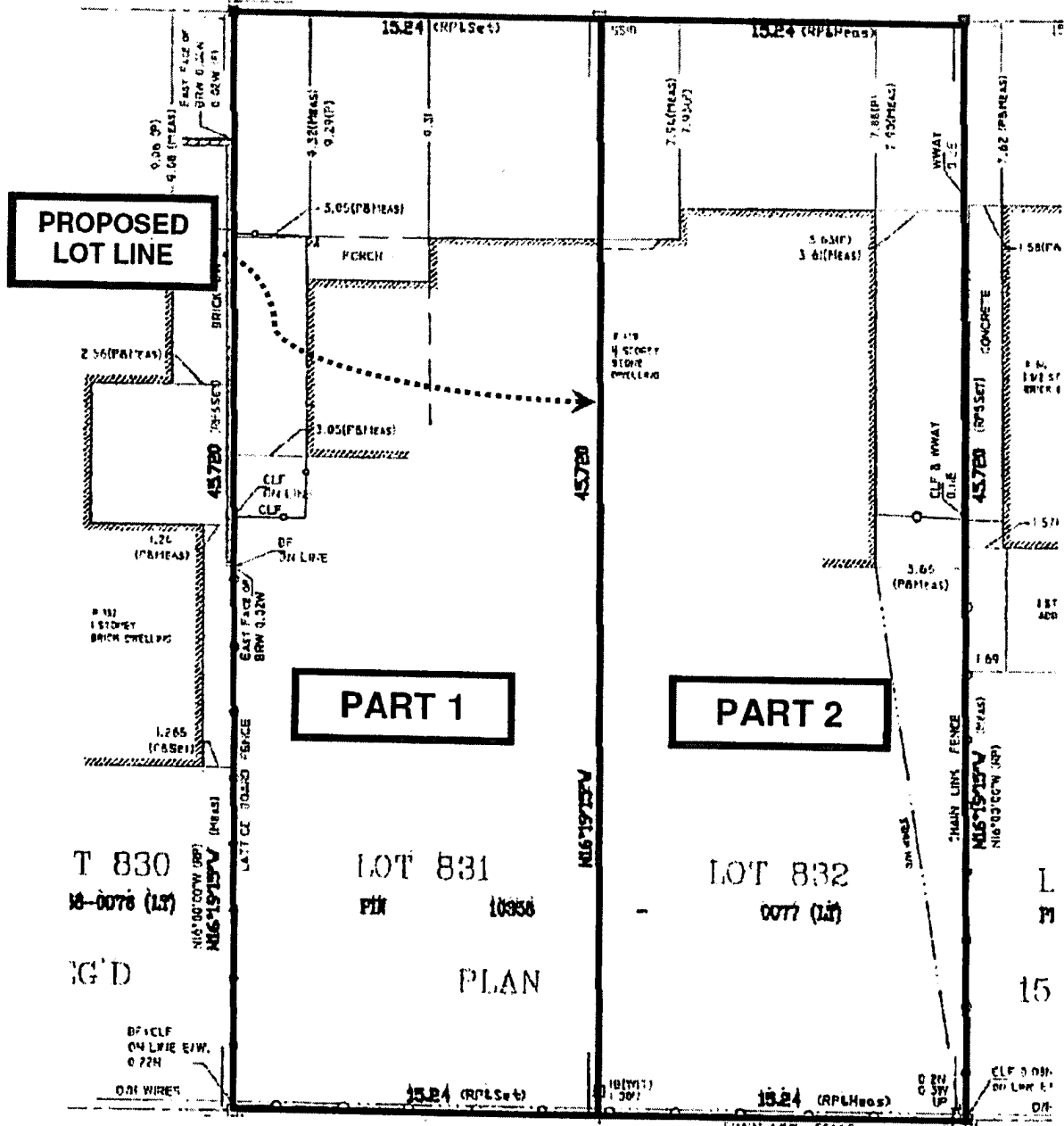
2. A draft Certificate of Official, as prescribed in O.Reg. 197/96 as Form 2 or 4, in a form satisfactory to the Deputy Secretary-Treasurer, that includes a completed and registerable description of the land that is the subject of the consent, shall be submitted to the Deputy Secretary-Treasurer within one year of the date of the giving of notice of this decision.
3. **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 City Surveyor, Survey & Mapping, Technical Services.
4. 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.
5. **Three copies of the registered reference plan of survey** satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.
6. 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.
7. The associated minor variance decisions, A295/12NY & A296/12NY be declared Final and Binding.



Address: 139 BUCKINGHAM AVENUE

North
(Plans Only)

BUCKINGHAM AVENUE

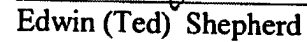



SIGNATURE PAGE

File Number:	B044/12NY	Zoning	R3 [ZZC]
Owner(s):	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT	Community:	North York
Property Address:	139 BUCKINGHAM AVE		
Legal Description:	PLAN 1534 LOT 831 TO 832		


Astra Burka (signed)


Richard Ross (signed)


Edwin (Ted) Shepherd
(signed)


Nicholas Sion (signed)

DATE DECISION MAILED ON: Thursday, November 29, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 19, 2012

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.

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.

Wednesday, November 21, 2012

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

File Number:	A295/12NY	Zoning	R3 [ZZC]
Owner(s):	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	WEST 15.24M OF 139 BUCKINGHAM AVE (PART 1)	Community:	North York
Legal Description:	PLAN 1534 LOT 831 TO 832		

Notice was given and a Public Hearing was held on Wednesday, November 21, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is proposing to construct a two storey dwelling with integral, below-grade, two car garage on the west 15.24m portion (Part 1) of the above noted property. The existing dwelling would be demolished.

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

North York Zoning By-law No. 7625

1. Proposed lot frontage and width of 15.24m
WHEREAS a minimum lot frontage and width of 18.00m is required;
2. Proposed west side yard setback of 1.22m
WHEREAS a minimum west side yard setback of 1.80m is required;
3. Proposed east side yard setback of 1.22m
WHEREAS a minimum east side yard setback of 1.80m is required;
4. Proposed building length including a one storey rear extension of 18.80m
WHEREAS a maximum building length of 16.80m is permitted;
5. Proposed building height of 8.97m
WHEREAS a maximum building height of 8.80m is permitted;
6. Proposed finished first floor height of 1.66m
WHEREAS a maximum finished first floor height of 1.50m is permitted;

7. Proposed unexcavated deck exceeds 1.00m in height and projects 4.40m and is greater than half the width of the dwelling
WHEREAS a unexcavated deck shall not exceed 1.00m in height and shall not be wider than half the width of the dwelling; and

By-law No. 1196-2009

8. Proposed below-grade garage
WHEREAS the elevation of an opening to an area that may be used for parking or storage of a vehicle shall be higher than the elevation of the street the lot abuts measured at its centreline directly across from the driveway leading to the parking space.

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 frontage and width of 15.24m
WHEREAS a minimum lot frontage and width of 18.00m is required;

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.

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

2. Proposed west side yard setback of 1.22m
WHEREAS a minimum west side yard setback of 1.80m is required;
3. Proposed east side yard setback of 1.22m
WHEREAS a minimum east side yard setback of 1.80m is required;
4. Proposed building length including a one storey rear extension of 18.80m
WHEREAS a maximum building length of 16.80m is permitted;
5. Proposed building height of 8.97m
WHEREAS a maximum building height of 8.80m is permitted;
6. Proposed finished first floor height of 1.66m
WHEREAS a maximum finished first floor height of 1.50m is permitted;
7. Proposed unexcavated deck exceeds 1.00m in height and projects 4.40m and is greater than half the width of the dwelling
WHEREAS a unexcavated deck shall not exceed 1.00m in height and shall not be wider than half the width of the dwelling; and

By-law No. 1196-2009

8. Proposed below-grade garage

WHEREAS the elevation of an opening to an area that may be used for parking or storage of a vehicle shall be higher than the elevation of the street the lot abuts measured at its centreline directly across from the driveway leading to the parking space.

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.**

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

File Number:	A295/12NY	Zoning	R3 [ZZC]
Owner:	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT	Community:	North York
Property Address:	WEST 15.24M OF 139 BUCKINGHAM AVE (PART 1)		
Legal Description:	PLAN 1534 LOT 831 TO 832		

Astra Burka (signed)

Richard Ross (signed)

Edwin (Ted) Shepherd
(signed)

DATE DECISION MAILED ON: Thursday, November 29, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, December 11, 2012

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

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Wednesday, November 21, 2012

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

File Number:	A296/12NY	Zoning	R3 [ZZC]
Owner(s):	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	EAST 15.24M OF 139 BUCKINGHAM AVE (PART 2)	Community:	North York
Legal Description:	PLAN 1534 LOT 831 TO 832		

Notice was given and a Public Hearing was held on Wednesday, November 21, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

The applicant is proposing to construct a two storey dwelling with integral, below-grade, two car garage on the east 15.24m portion (Part 2) of the above noted property. The existing dwelling would be demolished.

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

North York Zoning By-law No. 7625

1. Proposed lot frontage and width of 15.24m
WHEREAS a minimum lot frontage and width of 18.00m is required;
2. Proposed west side yard setback of 1.22m
WHEREAS a minimum west side yard setback of 1.80m is required;
3. Proposed east side yard setback of 1.22m
WHEREAS a minimum east side yard setback of 1.80m is required;
4. Proposed building length including a rear canopy of 20.93m
WHEREAS a maximum building length of 16.80m is permitted;
5. Proposed building height of 9.36m
WHEREAS a maximum building height of 8.80m is permitted;
6. Proposed finished first floor height of 2.09m
WHEREAS a maximum finished first floor height of 1.50m is permitted;

7. Proposed unexcavated deck exceeds 1.00m in height and projects 4.20m and is greater than half the width of the dwelling
WHEREAS a unexcavated deck shall not exceed 1.00m in height and shall not be wider than half the width of the dwelling; and

By-law No. 1196-2009

8. Proposed below-grade garage
WHEREAS the elevation of an opening to an area that may be used for parking or storage of a vehicle shall be higher than the elevation of the street the lot abuts measured at its centreline directly across from the driveway leading to the parking space.

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 frontage and width of 15.24m
WHEREAS a minimum lot frontage and width of 18.00m is required;

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.

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

2. Proposed west side yard setback of 1.22m
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WHEREAS a unexcavated deck shall not exceed 1.00m in height and shall not be wider than half the width of the dwelling; and

By-law No. 1196-2009

8. **Proposed below-grade garage**
WHEREAS the elevation of an opening to an area that may be used for parking or storage of a vehicle shall be higher than the elevation of the street the lot abuts measured at its centreline directly across from the driveway leading to the parking space.

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.

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Owner:	PINO CRIMINSIS	Ward:	Don Valley West (25)
Agent:	LORNE ROSE ARCHITECT		
Property Address:	EAST 15.24M OF 139 BUCKINGHAM AVE (PART 2)	Community:	North York
Legal Description:	PLAN 1534 LOT 831 TO 832		

Astra Burka (signed)

Edwin (Ted) Shepherd
(signed)

Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, November 29, 2012

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, December 11, 2012

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