

CITY OF TORONTO  
COUNCILLOR FILION  
or OCCUPANT  
NORTH YORK CIVIC CENTRE  
5100 YONGE ST  
TORONTO ON

Wednesday, June 25, 2014

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

File Number:	B027/14NY	Zoning	RD (f15.0; a550) (x5) / R4
Owner(s):	XIUHUA GUO XIUHUA GUO	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	144 KINGSDALE AVE	Community:	North York
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and the application considered on Wednesday, June 25, 2014, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into two undersized residential lots. Similar applications were Refused by the Committee in 2005 and then Approved by the Ontario Municipal Board in 2006. The conditions for the approval were not met before the required deadline, therefore the approval for the consent lapsed.

**Retained - Part 1****Address to be assigned**

The frontage is 9.91 m, and the lot area is 368.4m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey detached dwelling required variances to the Zoning By-law, as outlined in Application A264/14NY.

**Conveyed - Part 2****Address to be assigned**

The frontage is 9.91, and the lot area is 368.4m<sup>2</sup>. The property will be redeveloped as the site of a new two-storey detached dwelling required variances to the Zoning By-law, as outlined in Application A265/14NY.

**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 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.

PLAN 66R 22663  
 RECEIVED AT THE OFFICE OF THE REGISTRAR  
 Sept. 20 2006  
*Rudolf Zivko*  
 REGISTRAR

PLAN OF SURVEY OF  
 LOTS 450 & 451  
 REGISTERED PLAN 1790  
 CITY OF TORONTO

PREPARED BY: OF NORTH YORK  
 SCALE: 1:500

RUDOLF ZIVKO SURVEYING LTD.

SCHEDULE

DATE: 11/11/05  
 PROJECT NO.: 1790  
 SHEET NO.: 1/1

INSTRUCTIONS TO THE SURVEYOR

1. The survey was conducted in accordance with the provisions of the Survey Act and the regulations made thereunder.

*Rudolf Zivko*  
 SURVEYOR

- NOTE
- 1. Details shown throughout the plan are as shown on the attached sheets.
  - 2. Details shown on the attached sheets are as shown on the attached sheets.
  - 3. Details shown on the attached sheets are as shown on the attached sheets.
  - 4. Details shown on the attached sheets are as shown on the attached sheets.
  - 5. Details shown on the attached sheets are as shown on the attached sheets.
  - 6. Details shown on the attached sheets are as shown on the attached sheets.
  - 7. Details shown on the attached sheets are as shown on the attached sheets.
  - 8. Details shown on the attached sheets are as shown on the attached sheets.
  - 9. Details shown on the attached sheets are as shown on the attached sheets.
  - 10. Details shown on the attached sheets are as shown on the attached sheets.

PLANNING NOTE

The plan is submitted for the purposes of the Survey Act and the regulations made thereunder.



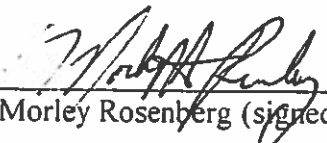
RUDOLF ZIVKO SURVEYING LTD.

1790 ESPLANADE, SUITE 100, TORONTO, ONTARIO M5S 1A5  
 TEL: (416) 593-1111  
 FAX: (416) 593-1112  
 WWW: WWW.RUDOLFZIVKO.COM

PLAN 66R 22663  
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**SIGNATURE PAGE**

File Number:	B027/14NY	Zoning	RD (f15.0; a550) (x5) / R4
Owner(s):	XIUHUA GUO	Ward:	Willowdale (23)
	XIUHUA GUO		
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	144 KINGSDALE AVE	Community:	North York
Legal Description:	PLAN 1790 LOTS 450 & 451		

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

DATE DECISION MAILED ON: Thursday, July 3, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 23, 2014

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).

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, June 25, 2014

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

File Number:	A264/14NY	Zoning	RD (f15.0; a550) (x5) / R4 [ZZC]
Owner(s):	XIUHUA GUO XIUHUA GUO	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	144 KINGSDALE AVE - PART 1	Community:	North York
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and a Public Hearing was held on Wednesday, June 25, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling and detached garage would be demolished.

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

- Section 10.20.30.10.(1), By-law No. 569-2013**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 368.4m<sup>2</sup>.
- Section 10.20.30.20.(1), By-law No. 569-2013**  
The minimum required lot frontage is 15.0m.  
The proposed lot frontage is 9.91m.
- Section 10.20.30.40.(1), By-law No. 569-2013**  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 33.3% of the lot area.
- Section 10.20.40.10.(2), By-law No. 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 9.44m.
- Section 900.3.10.(5), By-law No. 569-2013**  
The minimum required side yard setback is 1.8m.  
The proposed east side yard setback is 0.76m.
- Section 900.3.10.(5), By-law No. 569-2013**

The minimum required side yard setback is 1.8m.  
The proposed west side yard setback is 1.22m.

7. **Section 10.20.40.10.(6), By-law No. 569-2013**  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 2.09m.
8. **Section 10.5.40.70.(1)(B), By-law No. 569-2013**  
The minimum required front yard setback is 7.8m.  
The proposed front yard setback is 7.3m.
9. **Section 13.2.4, By-law No. 7625**  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 33.3% of the lot area.
10. **Section 13.2.3(b), By-law No. 7625**  
The minimum required side yard setback is 1.8m.  
The proposed east side yard setback is 0.76m.
11. **Section 13.2.3(b), By-law No. 7625**  
The minimum required side yard setback is 1.8m.  
The proposed west side yard setback is 1.22m.
12. **Section 13.2.1, By-law No. 7625**  
The minimum required lot frontage is 15m.  
The proposed lot frontage is 9.91m.
13. **Section 13.2.2, By-law No. 7625**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 368.4m<sup>2</sup>.
14. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.65m.
15. **Section 6(30)a, By-law No. 7625**  
The maximum finished first floor height is 1.5m.  
The proposed finished first floor height is 2.04m.
16. **Section 6(8), By-law No. 7625**  
The minimum required lot width is 15m.  
The proposed lot width is 9.91m.

**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: A264/14NY Zoning: RD (f15.0; a550) (x5) / R4 [ZZC]  
Owner: XIUHUA GUO Ward: Willowdale (23)  
Agent: RUBINOFF DESIGN GROUP  
Property Address: 144 KINGSDALE AVE – PART Community: North York  
1  
Legal Description: PLAN 1790 LOTS 450 & 451



Astra Burka (signed)



Isaac Lallouz (signed)



Morley Rosenberg (signed)

DATE DECISION MAILED ON: Thursday, July 3, 2014

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, July 15, 2014

CERTIFIED TRUE COPY



Dan Antonacci  
Manager & Deputy Secretary Treasurer  
North York Panel

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Wednesday, June 25, 2014

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

File Number:	A265/14NY	Zoning	RD (f15.0; a550) (x5) / R4 [ZZC]
Owner(s):	XIUHUA GUO XIUHUA GUO	Ward:	Willowdale (23)
Agent:	RUBINOFF DESIGN GROUP		
Property Address:	144 KINGSDALE AVE – PART 2	Community:	North York
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and a Public Hearing was held on Wednesday, June 25, 2014, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with an integral garage. The existing dwelling and detached garage would be demolished.

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

- Section 10.20.30.10.(1), By-law No. 569-2013**  
The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 368.4m<sup>2</sup>.
- Section 10.20.30.20.(1), By-law No. 569-2013**  
The minimum required lot frontage is 15.0m.  
The proposed lot frontage is 9.91m.
- Section 10.20.30.40.(1), By-law No. 569-2013**  
The maximum permitted lot coverage is 30% of the lot area.  
The proposed lot coverage is 33.3% of the lot area.
- Section 10.20.40.10.(2), By-law No. 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.5m.  
The proposed height of the side exterior main walls facing a side lot line is 9.40m.
- Section 10.20.40.10.(6), By-law No. 569-2013**  
The maximum permitted height of the first floor above established grade is 1.2m.  
The proposed height of the first floor above established grade is 1.98m.
- Section 900.3.10.(5), By-law No. 569-2013**

- The minimum required side yard setback is 1.8m.  
The proposed east side yard setback is 1.22m.
7. **Section 900.3.10.(5), By-law No. 569-2013**  
The minimum required side yard setback is 1.8m.  
The proposed west side yard setback is 0.76m.
  8. **Section 13.2.4, By-law No. 7625**  
The maximum permitted lot coverage is 30% of the lot area.  
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The minimum required lot area is 550m<sup>2</sup>.  
The proposed lot area is 368.4m<sup>2</sup>.
  13. **Section 13.2.6, By-law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed building height is 9.66m.
  14. **Section 6(30)a, By-law No. 7625**  
The maximum finished first floor height is 1.5m.  
The proposed finished first floor height is 2.11m.
  15. **Section 6(8), By-law No. 7625**  
The minimum required lot width is 15m.  
The proposed lot width is 9.91m.

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


**The Minor Variance Application is Refused**

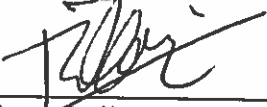
It is the decision of the Committee of Adjustment to NOT approve this variance application for the following reasons:


- 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.

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XIUHUA GUO  
Agent: RUBINOFF DESIGN GROUP  
Property Address: 144 KINGS DALE AVE – PART Community: North York  
2  
Legal Description: PLAN 1790 LOTS 450 & 451

  
Astra Burka (signed)

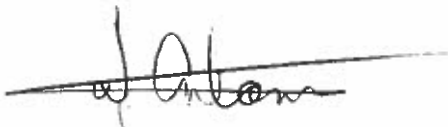
  
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