

Tuesday, June 14, 2005

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

File Number:	B0035/05NY	Zoning	R4 - Single Detached Dwelling Zone
Owner(s):	ALOYSIUS K LO	Ward:	Willowdale (23)
Agent:	ALOYSIUS K LO		
Property Address:	144 KINGSDALE AVE	Community:	
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and the application considered on Thursday, June 9, 2005, as required by the Planning Act.

THE CONSENT REQUESTED:

This is an application under Section 50, 53 and 54 of the Planning Act, for the consent of the Committee of Adjustment to the division of a parcel of residential lands into two parts for conveyance purposes.

The lands concerned have 19.81m fronting onto the north side of Kingsdale Avenue, a depth of 37.19m and an area of 736.72m². The lands are more particularly described as Lots 450 and 451, Registered Plan 1790 and are designated as Parts 1 and 2 on a Draft Reference Plan prepared by Rudolf Zivko Surveying Ltd. O.L.S., and being held on file The property presently contains the dwelling municipally known as 144 Kingsdale Avenue.

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

Part 1, being the west portion of the lands, would have 9.91m fronting onto the north side of Kingsdale Avenue, a depth of 37.19m and an area of 368.36m².

Part 2, being the east portion of the lands, would have 9.91m fronting onto the north side of Kingsdale Avenue, a depth of 37.19m and an area of 368.36m².

This application is being considered in conjunction with Minor Variance Applications B0393/05NY and B0394/05NY.

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.

SIGNATURE PAGE

File Number:	B0035/05NY	Zoning	R4 - Single Detached Dwelling Zone
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Agent:	ALOYSIUS K LO	Community:	
Property Address:	144 KINGSDALE AVE		
Legal Description:	PLAN 1790 LOTS 450 & 451		

Gordon Sterling (signed)

Isaac Lallouz (signed)

Jon Williams (signed)

Robert Pletsch (signed)

DATE DECISION MAILED ON: Friday, June 17, 2005

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, July 6, 2005

CERTIFIED TRUE COPY

A. Evangelista (signed)
Manager & Deputy Secretary Treasurer
North York Panel

To appeal this decision to the Ontario Municipal Board, send a letter to the Manager, Committee of Adjustment, outlining the reasons for the appeal. You must enclose the appeal fee of \$125.00 for each application appealed, paid by cheque, payable to the Ontario Ministry of Finance. If you have any questions about the appeal process, please contact the Committee of Adjustment in your district.

NOTE: Only individuals, corporations and public agencies may appeal a decision for a Consent Application 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.

Friday, June 17, 2005

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

File Number:	A0393/05NY	Zoning	R4 - Single Detached Dwelling Zone
Owner(s):	LISA K LO ALOYSIUS K LO	Ward:	Willowdale (23)
Agent:	ALOYSIUS K LO		
Property Address:	144 KINGSDALE AVE	Community:	
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and a Public Hearing was held on Thursday, June 9, 2005, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application under Section 45 of the Planning Act, for variance from the provisions of the North York Zoning By-law 7625, as amended, to permit the construction of a new two storey dwelling on the west 9.91m of the above noted property. The existing dwelling would be demolished.

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

1. Proposed lot frontage and width of 9.9m
WHEREAS a minimum of 15m is required;
2. Proposed lot area of 368.34m²
WHEREAS a minimum of 550m² is required;
3. The elevation of the floor of the entrance of the garage to be located below the established grade (center line of the road)
WHEREAS the floor of the entrance of the garage shall be located at or above the established grade (centre line of the road) on a lot created by severance;
4. Proposed west side yard setback of 1.2m
WHEREAS a minimum of 1.8m is required; and
5. Proposed east side yard setback of 0.91m
WHEREAS a minimum of 1.8m 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.

Friday, June 17, 2005

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

File Number:	A0394/05NY	Zoning:	R4 - Single Detached Dwelling Zone
Owner(s):	LISA K LO ALOYSIUS K LO	Ward:	Willowdale (23)
Agent:	ALOYSIUS K LO		
Property Address:	144 KINGSDALE AVE	Community:	
Legal Description:	PLAN 1790 LOTS 450 & 451		

Notice was given and a Public Hearing was held on Thursday, June 9, 2005, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

This is an application under Section 45 of the Planning Act, for variance from the provisions of the North York Zoning By-law 7625, as amended, to permit the construction of a new two storey dwelling on the east 9.91m of the above noted property. The existing dwelling would be demolished.

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

1. Proposed lot frontage and width of 9.9m
WHEREAS a minimum of 15m is required;
2. Proposed lot area of 368.34m²
WHEREAS a minimum of 550m² is required;
3. The elevation of the floor of the entrance of the garage to be located below the established grade (center line of the road)
WHEREAS the floor of the entrance of the garage shall be located at or above the established grade (centre line of the road) on a lot created by severance;
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- 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.