

Wednesday, April 18, 2018

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

File Number:	B0001/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	RAN KONG	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	1 CHARNWOOD RD	Community:	North York
Legal Description:	PLAN M667 LOT 9		

Notice was given and the application considered on Wednesday, April 18, 2018, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever a portion of land for the purpose of a lot addition to create a new building lot.

CONVEYED - Part 3

Part 3 has a lot frontage of 7.31m and a lot area of 289.4m². Part 3 will be added to Part 2 (severed from B0002/18NY) to create a new building lot with a frontage of 12.8m and a lot area of 507.63m². Parts 2 and 3 will be redeveloped with a new detached residential dwelling requiring variances to the applicable zoning by-laws as outlined in application A0003/18NY.

RETAINED - Part 4

Part 4 has a lot frontage of 12.1m and a lot area of 511.3m². The lot will be redeveloped with a new detached dwelling requiring variances to the applicable zoning by-laws as outlined in application A0002/18NY.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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.

SIGNATURE PAGE

File Number: B0001/18NY
Owner(s): RAN KONG
Agent: RAN KONG
Property Address: **1 CHARNWOOD RD**
Legal Description: PLAN M667 LOT 9

Zoning: R4/RD(x5) [ZZC]
Ward: Don Valley West (25)
Heritage: Not Applicable
Community: North York

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Isaac Lallouz (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Wednesday, April 25, 2018

LAST DATE OF APPEAL: Tuesday, May 15, 2018

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal* to the Ontario Municipal Board (OMB) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- ☐ a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD
- ☐ \$300 for each appeal filed regardless if related and submitted by the same appellant
- ☐ Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds)

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ONTARIO MUNICIPAL BOARD (OMB) APPEAL INSTRUCTIONS

To appeal this decision to the OMB you need the following:

- ☐ a completed OMB Appellant Form (A1) in **paper format**
- ☐ \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- ☐ Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).

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NOTE: Only individuals, corporations and public agencies may appeal a decision. 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, April 18, 2018

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

File Number:	B0002/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	WENQING LU	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	11 CHARNWOOD RD	Community:	North York
Legal Description:	PLAN M667 LOT 8		

Notice was given and the application considered on Wednesday, April 18, 2018, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever a portion of land for the purpose of a lot addition to create a new building lot.

CONVEYED - Part 2

Part 2 has a lot frontage of 5.49m and a lot area of 218.2m². Part 2 will be added to Part 3 (severed from B0001/18NY) to create a new building lot with a frontage of 12.8m and a lot area of 507.63m². Parts 2 and 3 will be redeveloped with a new detached residential dwelling requiring variances to the applicable zoning by-laws as outlined in application A0003/18NY.

RETAINED - Part 1

Part 1 has a lot frontage of 12.8m and a lot area of 508.67m². The lot will be redeveloped with a new detached residential dwelling requiring variances to the applicable zoning by-laws as outlined in application A0004/18NY.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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.

SIGNATURE PAGE

File Number:	B0002/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	WENQING LU	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	11 CHARNWOOD RD	Community:	North York
Legal Description:	PLAN M667 LOT 8		

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Isaac Lallouz (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Wednesday, April 25, 2018

LAST DATE OF APPEAL: Tuesday, May 15, 2018

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Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

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Wednesday, April 18, 2018

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

File Number:	A0002/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	RAN KONG	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	1 CHARNWOOD RD (PART 4)	Community:	North York
Legal Description:	PLAN M667 LOT 9		

Notice was given and a Public Hearing was held on Wednesday, April 18, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new single detached dwelling with integral garage. Applications B0001/18NY, B0002/18NY, A0002/18NY, A0003/18NY, A0004/18NY will be considered jointly.

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

- 1. Chapter 900.3.10(5), By-Law 569-2013**
The required minimum side yard setback is 1.8m on each side.
The proposed east side yard setback is 1.22m.
- 2. Chapter 10.20.30.10.(1), By-Law 569-2013**
The required minimum lot area is 550.0m².
The proposed lot area is 511.3m².
- 3. Chapter 10.20.30.20.(1), By-Law 569-2013**
The required minimum lot frontage is 15.0m.
The proposed lot frontage is 12.1m.
- 4. Chapter 10.20.30.40.(1), By-Law 569-2013**
The permitted maximum lot coverage is 25% of the lot area.
The proposed lot coverage is 29.1% of the lot area.
- 5. Chapter 10.5.80.40.(3), By-Law 569-2013**
Vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street.
The proposed vehicle access to a parking space is from the front portion of the street.
- 6. Chapter 10.5.40.60.(7), By-Law 569-2013**
Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.30m to a lot line.
The proposed eaves project 1.05m.

7. **Chapter 10.5.40.60.(1), By-Law 569-2013**
A platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required side yard setback a maximum of 1.5m, if it is no closer to the side lot line than 0.3m. The proposed platform may not have excavated space below.
The proposed platform in the side yard is excavated.
8. **Chapter 10.5.40.70.(1), By-Law 569-2013**
The required minimum front yard setback is 9.09m.
The proposed front yard setback is 6.66m.
9. **Section 13.2.3(b), By-Law 7625**
The minimum required east side yard setback is 1.5m.
The proposed east side yard setback is 1.22m.
10. **Section 13.2.6, By-Law 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.2m.
11. **Section 6(9)(c), By-Law 7625**
For R and RM zones, exterior stairways, wheelchair ramps, and porches and decks 2.3m² or less in area, shall be permitted to project into one minimum side yard setback only, not more than 1.6m, not no closer than 0.6m from any side lot line,
The proposed side porch projects 1.98m and is 8.3m².
12. **Section 6(9)(j), By-Law 7625**
For one-family detached dwellings, and semi-detached dwellings, canopies 2.3m² or less in area shall be permitted to project into one minimum side yard setback not more than 1.6m, but no closer than 0.6m from any side lot line.
The proposed side canopy is 8.3m² and project 1.98m.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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:	A0002/18NY	Zoning	R4/RD(x5) [ZZC]
Owner:	RAN KONG	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	1 CHARNWOOD RD (PART 4)	Community:	North York
Legal Description:	PLAN M667 LOT 9		

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Isaac Lallouz (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Wednesday, April 25, 2018

LAST DATE OF APPEAL: Tuesday, May 8, 2018

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

Appeal Information

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Wednesday, April 18, 2018

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

File Number:	A0003/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	WENQING LU RAN KONG	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	9 CHARNWOOD RD (PARTS 2&3)	Community:	North York
Legal Description:	PLAN M667 LOT 9		

Notice was given and a Public Hearing was held on Wednesday, April 18, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new single detached dwelling with integral garage. Applications B0001/18NY, B0002/18NY, A0002/18NY, A0003/18NY, A0004/18NY will be considered jointly.

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

1. **Chapter 900.3.10(5), By-Law 569-2013**
The minimum required side yard setback is 1.8m.
The proposed east side yard setback is 1.22m.
2. **Chapter 900.3.10(5), By-Law 569-2013**
The minimum required side yard setback is 1.8m.
The proposed west side yard setback is 1.22m.
3. **Chapter 10.20.30.10.(1), By-Law 569-2013**
The required minimum lot area is 550.0m².
The proposed lot area is 507.63m².
4. **Chapter 10.20.30.20.(1), By-Law 569-2013**
The required minimum lot frontage is 15.0m.
The proposed lot frontage is 12.8m.
5. **Chapter 10.20.30.40.(1), By-Law 569-2013**
The permitted maximum lot coverage is 25% of the lot area.
The proposed lot coverage is 28.76% of the lot area.

6. **Chapter 10.5.40.60.(5), By-Law 569-2013**
A chimney breast, on a building, may encroach into a required building setback a maximum of 0.6m, if it is no closer to a lot line than 0.3m.
The proposed chimneys encroach 1.05m into the required 1.8m building setback.
7. **Chapter 10.5.40.60.(7), By-Law 569-2013**
Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.30m to a lot line.
The proposed eaves project 1.05m into the required side yards.
8. **Section 13.2.3(b), By-Law 7625**
The minimum required east side yard setback is 1.58m.
The proposed east side yard setback is 1.22m.
9. **Section 13.2.6, By-Law 7625**
The maximum permitted building height is 8.8m.
The proposed building height is 9.18m.
10. **Chapter 13.2.3(b), By-Law 7625**
The minimum required west side yard setback is 1.58m.
The proposed west side yard setback is 1.22m.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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:	A0003/18NY	Zoning	R4/RD(x5) [ZZC]
Owner:	WENQING LU	Ward:	Don Valley West (25)
	RAN KONG		
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	9 CHARNWOOD RD	Community:	North York
	(PARTS 2&3)		
Legal Description:	PLAN M667 LOT 9		

Beth Levy (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

Isaac Lallouz (signed)

Wayne McEachern (signed)

DATE DECISION MAILED ON: Wednesday, April 25, 2018

LAST DATE OF APPEAL: Tuesday, May 8, 2018

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

File Number:	A0004/18NY	Zoning	R4/RD(x5) [ZZC]
Owner(s):	WENQING LU	Ward:	Don Valley West (25)
Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	11 CHARNWOOD RD (PART 1)	Community:	North York
Legal Description:	PLAN M667 LOT 8		

Notice was given and a Public Hearing was held on Wednesday, April 18, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new single detached dwelling with integral garage. Applications B0001/18NY, B0002/18NY, A0002/18NY, A0003/18NY, A0004/18NY will be considered jointly.

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

- Chapter 900.3.10(5), By-Law 569-2013**
The minimum side yard setback is 1.8m.
The proposed west side yard setback is 1.22m.
- Chapter 10.20.30.10.(1), By-Law 569-2013**
The required minimum lot area is 550.0m².
The proposed lot area is 508.67m².
- Chapter 10.20.30.20.(1), By-Law 569-2013**
The required minimum lot frontage is 15.0m.
The proposed lot frontage is 12.8m.
- Chapter 10.20.30.40.(1), By-Law 569-2013**
The permitted maximum lot coverage is 25% of the lot area.
The proposed lot coverage is 29.2% of the lot area.
- Chapter 10.5.40.60.(5), By-Law 569-2013**
A chimney breast, on a building, may encroach into a required building setback a maximum of 0.6m, if it is no closer to a lot line than 0.3m.
The proposed chimney encroaches 1.05m into the required west building setback.

6. Chapter 10.5.40.60.(7), By-Law 569-2013

Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.30m to a lot line.
The proposed eaves project 1.05m into the required west side yard.

7. Section 13.2.3(b), By-Law 7625

The minimum required west side yard setback is 1.58m.
The proposed west side yard setback is 1.22m.

8. Section 13.2.6, By-Law 7625

The maximum permitted building height is 8.8m.
The proposed building height is 9.36m.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

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Agent:	RAN KONG	Heritage:	Not Applicable
Property Address:	11 CHARNWOOD RD (PART 1)	Community:	North York
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Beth Levy (signed)

Denise Graham (signed)

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