

City Planning Division
Gary Wright, Chief Planner and Executive Director

Etobicoke York Panel 2 Civic Centre Court Toronto, Ontario M9C 5A3 Tel: 416-394-8060 Fax: 416-394-6042

Thursday, May 20, 2010

NOTICE OF DECISION

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

File Number: A331/09EYK Zoning R2 (PPR)
Owner(s): JAMES ALBERTO OH Ward: Davenport (17)

Agent: META FORM ARCHITECTS

INC.

Property Address: 259 OAKWOOD AVE Community:

Legal Description: PLAN 927 LOT 18

Notice was given and a Public Hearing was held on Thursday, May 20, 2010, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and to maintain the two-storey dwelling.

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

1. Section 8.3.(a), By-law 1-83

The minimum required lot frontage is 8 m.

The proposed lot frontage is 4.13 m.

2. Section 8.3.(a), By-law 1-83

The minimum required side yard setback is 1.2 m.

The altered dwelling will be located 0.25 m from the west side lot line.

3. Section 8.3.(a), By-law 1-83

The minimum required side yard setback is 0.5 m.

The altered dwelling will be located 0.01 m from the north side lot line.

4. Section 8.3.(a), By-law 1-83

The minimum required rear yard setback is 7.5 m.

The altered dwelling will be located 0.04 m from the rear lot line.

5. Section 8.3.(a), By-law 1-83

The maximum permitted floor space index is 0.8 times the area of the lot (181.92 m²).

The altered dwelling will have a floor space index equal to 1.15 times the area of the lot (260.45 m²).

6. Section 8.3.(c)(i)2, By-law 1-83

A minimum of 50% of the front yard shall be maintained as landscaping. No front yard landscaping will be provided.

7. Section 8.3.(c)(i)5, By-law 1-83

A minimum of 75% of the front yard shall be maintained as soft landscaping. No front yard soft landscaping will be provided.

8. Section 8.3.(c)(ii)2, By-law 1-83

A minimum of 35% of the front yard shall be maintained as landscaped open space. No front yard landscaped open space will be provided.

9. Section 1.(2), By-law 496-2007

The minimum required width of a parking space is 3 m. The parking space width is 2.06 m.

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 <u>NOT</u> 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

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Legal Description: PLAN 927 LOT 18

Carlene Whittingham Douglas S. Colbourne Mary-Anne Popescu

(signed) (signed)

Paul Valenti (signed) Rick Florio (signed)

DATE DECISION MAILED ON: Friday, May 28, 2010

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, June 9, 2010

CERTIFIED TRUE COPY

Susanne Pringle Manager & Deputy Secretary Treasurer Etobicoke 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.