

Thursday, May 20, 2010

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

File Number:	A332/09EYK	Zoning	R2 (PPR)
Owner(s):	JAMES ALBERTO OH	Ward:	Davenport (17)
Agent:	META FORM ARCHITECTS INC.		
Property Address:	<b>259 OAKWOOD AVE</b>	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 convert the existing dwelling into a three-unit dwelling.

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

- 1. Section 8.3.(a), By-law 1-83**  
A triplex house is not a permitted use in an R2 zone.
- 2. Section 2.(106c), By-law 1-83**  
A triplex house requires each unit to have two independent entrances contained within the building.  
The converted house does not meet the definition of a triplex house.
- 3. Section 4.(ii), By-law 972-2006**  
A minimum of 50% of the front yard shall be maintained as green landscaped open space.  
A total of 39.7% of the front yard will be maintained as green landscaped open space.
- 4. Section 4.(iv), By-law 972-2006**  
A minimum of 75% of the front yard shall be maintained as soft landscaping.  
A total of 39.7% of the front yard will be maintained as soft landscaping.
- 5. Section 3.2.1.D.1, By-law 1-83**  
The minimum required number of parking spaces is 3.  
A total of 1 parking space will be provided.

**6. Section 3.2.1.(v), By-law 1-83**

Parking spaces shall be located on-site.

The parking space will be partially located on right-of-way of the adjacent lot.

**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

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Carlene Whittingham  
(signed)

Douglas S. Colbourne  
(signed)

Mary-Anne Popescu  
(signed)

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Paul Valenti (signed)

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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](http://www.omb.gov.on.ca).