

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:	<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 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 m<sup>2</sup>).  
The altered dwelling will have a floor space index equal to 1.15 times the area of the lot (260.45 m<sup>2</sup>).

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 **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.



