

Thursday, February 9, 2012

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

File Number:	A9/12EYK	Zoning:	M2
Owner(s):	REHOBOTH APOSTOLIC ARK CHURCH OF JESUS CHRIST	Ward:	York West (07)
Agent:	WILLIAM DOLAN		
Property Address:	19 OAKLAND AVE	Community:	
Legal Description:	PLAN 1953 LOT 41 N PT LOT 42		

Notice was given and a Public Hearing was held on Thursday, February 9, 2012, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To legalize and to maintain the place of worship use and parking space deficiency. The building was converted to a place of worship without a building permit.

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

- Section 31(6)(a)(i), By-law 7625**
The minimum required front yard setback is 9 m.
The building is located 5.1 m from the west front lot line.
- Section 31(6)(a)(ii)(A), By-law 7625**
The minimum required side yard setback is 4.5 m for one side yard.
The building is located 4.1 m from the north side lot line.
- Section 31(6)(a)(ii)(B), By-law 7625**
The minimum required side yard setback is 3 m for all the other side yards.
The building is located 1.8 m from the south side lot line.
- Section 31(6)(a)(iv), By-law 7625**
The minimum required rear yard setback is 7.5 m.
The building is located 4.8 m from the east rear lot line.
- Section 6(26)(d)(ii), By-law 7625**
For a place of worship, the entire required front yard must be landscaped.
The required front yard will be paved and used for parking.

6. **Section 6A(2)(a), By-law 7625**
A total of 24 parking spaces are required for the site.
A total of 9 parking spaces will be provided, however, only 2 of the proposed spaces will comply with the parking regulations.
7. **Section 6A(10)(a), By-law 7625**
A maximum of 6 parking spaces may be provided within 9 m of the front lot line provided that: such spaces shall be adjacent only to driveways which lead to parking areas elsewhere on the lot, and such spaces shall be at right angles to such a driveway; no parking space shall be closer than 2.1 m to any lot line; and a hedge at least 0.9 m in height, which shall be planted and maintained in a healthy growing condition, or a 0.9 m high decorative masonry wall, shall be installed between the edge of such parking spaces and the front lines.
The front yard parking spaces are not at right angles to the driveway leading to the parking spaces; they are located 0 m from the front lot line; and the required hedge/masonry wall will not be provided.
8. **Section 6A(10)(f), By-law 7625**
Up to 20% of the required parking (4 spaces) are permitted to be provided in tandem parking only if it is located in the rear yard.
The tandem parking will be located in the side yard.
9. **Section 6A(3), By-law 7625**
The minimum required dimensions for a parallel parking space is 6.7 m by 2.6 m.
The parallel parking spaces will be 5.6 m by 3 m.
10. **Section 6A(5)(b), By-law 7625**
The minimum required access driveway width for parallel parking is 3.65 m for a one-way aisle and 6 m for a two-way parking aisle.
There is no access driveway proposed for the parallel parking spaces.
11. **Section 2.79.2, By-law 7625**
Tandem parking is defined as the configuration of parking spaces where it is intended that one motor vehicle may be parked behind another and the only access for one parking space is through another parking space.
The tandem parking arrangement is for multiple (5) vehicles.
12. **Section 6A(4)(a), By-law 7625**
All parking spaces shall be provided on the same lot occupied by the building, structure or use for which such parking spaces are required.
The front yard parking spaces project beyond the property line into City property.
13. **Section 6(26)(f)(iii), By-law 7625**
For places of worship on lots in an M Zone that are closer than 500 m from a lot that is zoned R or RM and on a road that is not an arterial or minor arterial road: there shall be no more than one place of worship per Block; and no place of worship on a lot that abuts a road that is not an arterial or minor arterial road may be located within 500 m of another place of worship on a lot that abuts a road that is not an arterial or minor arterial road.
The lot is located about 158 m from an RM Zone to the east, abuts Oakland Avenue, which is not an arterial or minor arterial road, and has multiple places of worship within a 500 m distance.

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.

Wednesday, November 28, 2007

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

File Number:	A601/07EYK	Zoning	M2 (PPR)
Owner(s):	REHOBOTH APOSTOLIC ARK CHURCH OF JESUS CHRIST	Ward:	York West (07)
Agent:	COLIN CAMPBELL		
Property Address:	19 OAKLAND AVE	Community:	
Legal Description:	PLAN 1953 LOT 41 N PT LOT 42		

Notice was given and a Public Hearing was held on Thursday, November 22, 2007, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the existing building into a place of worship, together with ancillary uses.

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

- Section 31.(6)(a)(i), By-law 7625**
The minimum required front yard setback is 9 m.
The existing building is located 5.1 m from the front lot line.
- Section 31.(6)(a)(iv), By-law 7625**
The minimum required rear yard setback is 7.5 m.
The existing building is located 4.8 m from the rear lot line.
- Section 31.(6)(a)(ii)(A), By-law 7625**
The minimum required side yard setback is 4.5 m for one side yard.
The existing building is located 4.1 m from the west side lot line.
- Section 31.(6)(a)(ii)(B), By-law 7625**
The minimum required side yard setback is 3 m for all the other side yards.
The existing building is located 1.8 m from the east side lot line.
- Section 6A.(2)(a), By-law 7625**
A total of 13 parking spaces are required for the site.
A total of 2 legal parking spaces will be provided.

6. **Section 31.(6)(b)(i), By-law 7625**

Not less than 50% of the required front yard shall be landscaped.
No landscaping will be provided in the required front yard.

7. **Section 6A.(10)(a), By-law 7625**

A maximum of 4 parking spaces may be provided in the minimum front yard setback of 9 m provided that: such parking spaces are at right angles to a driveway that leads to parking on the lot; no parking space shall be closer than 2.1 m to any lot line; and a hedge or masonry wall 0.9 m in height shall be located between the edge of the parking spaces and the front lot line.

The 6 front yard parking spaces, of which 2 are legal parking spaces, are not at right angles to the driveway leading to the parking spaces; they are located 0 m from the front lot line; and the required hedge/masonry wall will not be provided.

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.

