



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

File Number:	B0011/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 LESMOUNT AVE</b> <b>(PART 1 &amp; 2)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

Notice was given and a Public Hearing was held on **Wednesday, May 4, 2016**, as required by the Planning Act.

**THE CONSENT REQUESTED:**

To obtain consent to sever the property into two residential lots, with Part 2 being combined with the north adjacent parcel of land (Part 3) as described in Consent Application B0012/16TEY. Parts 2 and 3 will be merged to create a new residential lot.

**Retained – Part 1, Draft R-Plan**  
**44 Lesmount Avenue**

The lot frontage is 6.096 m and the lot area is 185.80 m<sup>2</sup>. A new two-storey detached dwelling will be constructed and will require variances to the Zoning By-law, outlined in Application number A0201/16TEY.

**Conveyed – Part 2, Draft R-Plan**

**To be merged with Part 3, Draft R-Plan (Address to be assigned)**

The lot frontage is 3.705 m and the lot area is 112.90 m<sup>2</sup>. Part 2 will be combined with Part 3 created by application B0012/16TEY for a new lot that will contain a new three-storey detached dwelling, and will require variances to the Zoning By-law, outlined in Application number A0202/16TEY.

**Application numbers B0011/16TEY, B0012/16TEY, A0201/16TEY, A0202/16TEY and A0203/16TEY were considered jointly.**

**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:	B0011/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 LESMOUNT AVE (PART 1 &amp; 2)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

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Robert Brown (signed)	Edmund Carlson (signed)	Ewa Modlinska (signed)
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Nancy Oomen (signed)	Worrick Russell (signed)
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DATE DECISION MAILED ON: **Tuesday, May 10, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Monday, May 30, 2015**

CERTIFIED TRUE COPY

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Anita M. MacLeod  
Manager & Deputy Secretary-Treasurer  
Toronto and East 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).  
**NOTE:** Only individuals, corporations and public agencies may appeal a decision to the Ontario Municipal Board. 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.



## NOTICE OF DECISION

### CONSENT

#### (Section 53 of the Planning Act)

File Number:	B0012/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	KRIKOR BOYAJIAN	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>48 LESMOUNT AVE (PART 3 &amp; 4)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 46 PT LOT 47		

Notice was given and a Public Hearing was held on **Wednesday, May 4, 2016**, as required by the Planning Act.

#### **THE CONSENT REQUESTED:**

To obtain consent to sever the property into two residential lots, with Part 3 being combined with the south adjacent parcel of land (Part 2) as described in Consent Application B0011/16TEY. Parts 2 and 3 will be merged to create a new residential lot.

#### **Retained – Part 4, Draft R-Plan**

##### **48 Lesmount Avenue**

The lot frontage is 6.096 m and the lot area is 185.80 m<sup>2</sup>. A new two-storey detached dwelling will be constructed and will require variances to the Zoning By-law, outlined in Application number A0203/16TEY.

#### **Conveyed – Part 3, Draft R-Plan**

##### **To be merged with Part 3, Draft R-Plan (Address to be assigned)**

The lot frontage is 3.406 m and the lot area is 103.80 m<sup>2</sup>. Part 3 will be combined with Part 2 created by application B0011/16TEY for a new lot that will contain a new three-storey detached dwelling, and will require variances to the Zoning By-law, outlined in Application number A0202/16TEY.

**Application numbers B0011/16TEY, B0012/16TEY, A0201/16TEY, A0202/16TEY and A0203/16TEY were considered jointly.**

#### **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:	B0012/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	KRIKOR BOYAJIAN	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>48 LESMOUNT AVE (PART 3 &amp; 4)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 46 PT LOT 47		

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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

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Nancy Oomen (signed)

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Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, May 10, 2015**

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

File Number:	A0201/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 LESMOUNT AVE (PART 1)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

Notice was given and a Public Hearing was held on **Wednesday, May 4, 2016**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with integral garage on the Retained Lot described in Consent Application B0011/16TEY.

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

- Chapter 10.5.40.10.(5), By-law 569-2013**  
A minimum of 10.0 m<sup>2</sup> of the first floor must be within 4.0 m of the front wall.  
In this case, the first floor foyer within 4.0 m of the front wall will be 4.90 m<sup>2</sup>.
- Chapter 10.40.30.40.(1)(A), By-law 569-2013**  
The maximum permitted lot coverage is 35% of the lot area (65.03 m<sup>2</sup>).  
In this case, the lot coverage will be equal to 47.3% of the lot area (87.8 m<sup>2</sup>).
- Chapter 10.40.40.10.(2)(B)(ii), By-law 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.0 m.  
The height of the side exterior main walls facing a side lot line is 7.98 m.
- Chapter 10.40.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 0.75 times the area of the lot (139.35 m<sup>2</sup>).  
The new two-storey detached dwelling will have a floor space index equal to 0.806 times the area of the lot (149.71 m<sup>2</sup>).
- Chapter 10.40.40.70.(3)(A), By-law 569-2013**  
The minimum required side yard setback is 0.9 m.  
The new two-storey detached dwelling will be located 0.30 m to the north side lot line and 0.46 m to the south side lot line.

**6. Chapter 200.5.1.10.(2),(A)(i), By-law 569-2013**

The minimum required width of a parking space is 3.2 m.  
In this case, the parking space(s) will have a width of 2.73 m.

**1. Section 7.5.3, By-law 6752**

The maximum permitted floor space index is 0.75 times the area of the lot (139.35 m<sup>2</sup>).  
The new two-storey detached dwelling will have a floor space index equal to 1.08 times the area of the lot (200.52 m<sup>2</sup>). (\*Note – a portion of the basement is included in the overall gross floor area as the portion does not meet the definition of a basement).

**2. Section 7.5.3, By-law 6752**

The minimum required front yard setback is 6.0 m.  
The new two-storey detached dwelling will be located 4.63 m to the east front lot line.

**3. Section 7.5.3, By-law 6752**

The maximum permitted lot coverage is 35% of the lot area (65.03 m<sup>2</sup>).  
In this case, the lot coverage will be equal to 47.3% of the lot area (87.8 m<sup>2</sup>).

**4. Section 7.5.3, By-law 6752**

The minimum required side yard setback is 0.60 m.  
The new two-storey detached dwelling will be located 0.30 m to the north side lot line and 0.46 m to the south side lot line.

**5. Section 5.40, By-law 6752**

The minimum required width of a parking space is 3.2 m.  
In this case, the parking space will have a width of 2.73 m.

**Application numbers B0011/16TEY, B0012/16TEY, A0201/16TEY, A0202/16TEY and A0203/16TEY were considered jointly.**

**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:	A0201/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 LESMOUNT AVE (PART 1)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

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Nancy Oomen (signed)

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Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, May 10, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, May 24, 2016**

CERTIFIED TRUE COPY

Anita M. MacLeod  
Manager & Deputy Secretary-Treasurer  
Toronto and East York Panel

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

File Number:	A0202/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 – 48 LESMOUNT AVE</b> <b>(PART 2 &amp; 3)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

Notice was given and a Public Hearing was held on **Wednesday, May 4, 2016**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new three-storey detached dwelling with integral garage on the new Conveyed Lot described in Consent Applications B0011/16TEY and B0012/16TEY.

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

- Chapter 10.40.30.40.(1)(A), By-law 569-2013**  
The maximum permitted lot coverage is 35% of the area of the lot (75.64 m<sup>2</sup>).  
In this case, the lot coverage will be equal to 43.9% of the lot area (94.83 m<sup>2</sup>).
- Chapter 10.40.40.10.(1)(A), By-law 569-2013**  
The maximum permitted height of a building or structure is 8.5 m.  
The new three-storey detached dwelling will have a height of **9.0 m**.
- Chapter 10.40.40.10.(2)(B)(ii), By-law 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.0 m.  
In this case, the side exterior main walls which face a side lot line will have a height of **9.0 m**.
- Chapter 10.40.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 0.75 times the area of the lot (162.08 m<sup>2</sup>).  
The new three-storey detached dwelling will have a floor space index equal to 1.097 times the area of the lot (237.01 m<sup>2</sup>).
- Chapter 10.40.40.70.(3)(A), By-law 569-2013**  
The minimum required side yard setback is 0.9 m.  
The new three-storey detached dwelling will be located 0.46 m to the north and south side lot lines.

**1. Section 7.5.3, By-law 6752**

The maximum permitted building height is 8.5 m.

The new three-storey detached dwelling will have a height of **9.0 m**.

**2. Section 7.5.3, By-law 6752**

The maximum permitted floor space index is 0.75 times the area of the lot (162.08 m<sup>2</sup>).

The new three-storey detached dwelling will have a floor space index equal to 1.097 times the area of the lot (237.01 m<sup>2</sup>).

**3. Section 7.5.3, By-law 6752**

The minimum required front yard setback is 6.0 m.

The new three-storey detached dwelling will be located 5.24 m to the east front lot line.

**4. Section 7.5.3, By-law 6752**

The maximum permitted lot coverage is 35% of the area of the lot (75.64 m<sup>2</sup>).

In this case, the lot coverage will be equal to 43.9% of the lot area (94.83 m<sup>2</sup>).

**5. Section 7.5.3, By-law 6752**

The minimum required side yard setback is 0.60 m.

The new three-storey detached dwelling will be located 0.46 m to the north and south side lot lines.

**Application numbers B0011/16TEY, B0012/16TEY, A0201/16TEY, A0202/16TEY and A0203/16TEY were considered jointly.**

**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:	A0202/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	1936559 ONTARIO LTD.	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>44 – 48 LESMOUNT AVE (PART 2 &amp; 3)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 47 PT LOT 48		

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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

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Nancy Oomen (signed)

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Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, May 10, 2016**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, May 24, 2016**

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Manager & Deputy Secretary-Treasurer  
Toronto and East York Panel

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

File Number:	A0203/16TEY	Zoning	RS (f10.5; a325; d0.75) (x312) & R2A (ZZC)
Owner(s):	KRIKOR BOYAJIAN	Ward:	Toronto-Danforth (29)
Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>48 LESMOUNT AVE (PART 4)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 46 PT LOT 47		

Notice was given and a Public Hearing was held on **Wednesday, May 4, 2016**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a new two-storey detached dwelling with integral garage on the Retained Lot as described in Consent Application B0012/16TEY.

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

- Chapter 10.5.40.10.(5), By-law 569-2013**  
A minimum of 10.0 m<sup>2</sup> of the first floor must be within 4.0 m of the front wall.  
In this case, the first floor foyer within 4.0 m of the front wall will be 4.90 m<sup>2</sup>.
- Chapter 10.40.30.40.(1)(A), By-law 569-2013**  
The maximum permitted lot coverage is 35% of the lot area (65.03 m<sup>2</sup>).  
In this case, the lot coverage will be equal to 47.3% of the lot area (87.8 m<sup>2</sup>).
- Chapter 10.40.40.10.(2)(B)(ii), By-law 569-2013**  
The maximum permitted height of all side exterior main walls facing a side lot line is 7.0 m.  
The height of the side exterior main walls facing a side lot line will be 7.98 m.
- Chapter 10.40.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 0.75 times the area of the lot (139.35 m<sup>2</sup>).  
The new two-storey detached dwelling will have a floor space index equal to 0.806 times the area of the lot (149.71 m<sup>2</sup>).
- Chapter 10.40.40.70.(3)(A), By-law 569-2013**  
The minimum required side yard setback is 0.9 m.  
The new two-storey detached dwelling will be located 0.46 m to the north side lot line and 0.30 m to the south side lot line.

**6. Chapter 200.5.1.10.(2),(A)(i), By-law 569-2013**

The minimum required width of a parking space is 3.2 m.  
In this case, the parking space(s) will have a width of 2.73 m.

**1. Section 7.5.3, By-law 6752**

The maximum permitted floor space index is 0.75 times the area of the lot (139.35 m<sup>2</sup>).  
The new two-storey detached dwelling will have a floor space index equal to 1.08 times the area of the lot (200.52 m<sup>2</sup>). (\*Note – a portion of the basement is included in the overall gross floor area as the portion does not meet the definition of a basement).

**2. Section 7.5.3, By-law 6752**

The minimum required front yard setback is 6.0 m.  
The new two-storey detached dwelling will be located 4.63 m to the east front lot line.

**3. Section 7.5.3, By-law 6752**

The maximum permitted lot coverage is 35% of the lot area (65.03 m<sup>2</sup>).  
In this case, the lot coverage will be equal to 47.3% of the lot area (87.8 m<sup>2</sup>).

**4. Section 7.5.3, By-law 6752**

The minimum required side yard setback is 0.60 m.  
The new two-storey detached dwelling will be located 0.46 m to the north side lot line and 0.30 m to the south side lot line.

**5. Section 5.40, By-law 6752**

The minimum required width of a parking space is 3.2 m.  
In this case, the parking space will have a width of 2.73 m.

**Application numbers B0011/16TEY, B0012/16TEY, A0201/16TEY, A0202/16TEY and A0203/16TEY were considered jointly.**

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Minor Variance Application is Refused**

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Agent:	NAVID ARBABI	Heritage:	Not Applicable
Property Address:	<b>48 LESMOUNT AVE (PART 4)</b>	Community:	East York
Legal Description:	PLAN 2377 PT LOT 46 PT LOT 47		

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Robert Brown (signed)

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Edmund Carlson (signed)

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Ewa Modlinska (signed)

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