

File A-3410

November 30, 2019

Section 14(1)

Re: FOI Request 2018-231 - Notice of Decision

This is in response to your request made under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56 (the "Act") for a copy of the 1992 minor variance permit for the property at 116 Centre Street North in Oshawa.

Enclosed are the available records which respond to your request.

According to Section 14 of the Act, a head shall refuse to disclose personal information to any individual other than to whom the information relates.

According to authority to delegate under the Act, I have responsibility for this decision.

You may request that this decision be reviewed by the Information and Privacy Commissioner at 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8. You have 30 days from the receipt of this letter to request a review.

In the event you appeal this decision, please provide the Commissioner's Office with the following:

- File number A-3410, FOI 2018-231
- A copy of this Notice
- A copy of the original request for information which you sent to the City
- Appeal Fee - \$25.00 in the form of a cheque or money order payable to the Minister of Finance.

If you require any further information, please contact Joanna Kurowski, Records and Information Analyst, City Clerk Services at the address below, by email at jkurowski@oshawa.ca, or by telephone at (905) 436-3311, ext. 2478.



Andrew Brouwer
City Clerk
AB/MM/jk

Enclosures



THE CORPORATION OF THE CITY OF OSHAWA

COMMITTEE OF ADJUSTMENT

50 Centre Street South
Oshawa, Ontario, L1H 3Z7, (416) 725-7351

MINUTES

File No.
A040/92
116 Centre Street North
Ward 7

IN THE MATTER OF SECTION 44 OF THE PLANNING ACT 1983

- and -

IN THE MATTER OF an application by Mike Heshmat on behalf of 921985 Ontario Limited, owner of the subject property municipally known as 116 Centre Street North, being Part of Lot 5, Plan H-50002, Oshawa, Ontario, for relief from the provisions of Zoning By-law Number 3415 so as to permit the conversion of a single family dwelling to a dual dwelling, such conversion will result in a front yard depth of 4.2m, whereas Zoning By-law Number 3415 requires a minimum front yard depth of 7.5m for a dual dwelling in an R-4Y Residential District subject to the provisions of Special Condition 90.

At the time of the hearing, it was noted and agreed that the application be amended to request additional relief from the provisions of Zoning By-law Number 3415 to permit the conversion of the single family dwelling to a dual dwelling, such conversion resulting in an accessory building setback of 0m and usable floor area of 43m² for the lower dwelling unit, whereas Zoning By-law Number 3415 requires a minimum accessory building setback of 0.45m and a minimum usable floor area of 65m² for each dwelling unit in a dual dwelling in an R-4Y Residential District subject to the provisions of Special Condition 90.

A meeting of the Oshawa Committee of Adjustment was held on March 25, 1992, at 5:30 P.M., in Council Chamber, Second Floor, City Hall, Oshawa, Ontario.

Present: D. Sager, G. Weisz, P. Hill, K. Allum, H. van der Veen, R. Pym and J. Nixon

Also Present: Mike Heshmat, 8 - 275 Ormond Drive, Oshawa, Ontario

A report received from the Department of Planning and Development indicated no objection to the approval of this application subject to the comments and conditions contained in that report.

A report received from the Public Works Department stated no objection to the approval of this application.

In response to a question from the Chairman, Mr. Heshmat agreed to the amendments and conditions as requested by the Department of Planning and Development. He advised that the property presently exists as single family dwelling.

Moved by K. Allum, seconded by P. Hill,

"THAT the application by Mike Heshmat on behalf of 921985 Ontario Limited for 116 Centre Street North, Oshawa, Ontario, as amended, be approved." The Chairman declared that the application, AS AMENDED, BE APPROVED, subject to the following conditions:


1. That a building permit be obtained for the conversion of the existing building to a dual dwelling. Properly drawn plans and all required fees must be submitted with the application for a building permit.
2. That the work required in accordance with the building permit referred to in Condition Number 1 above be completed within six (6) months of the decision of the Committee of Adjustment becoming final and binding.
3. That failure to satisfy Condition Numbers 1 and 2 above shall result in this decision becoming null and void.

The APPROVAL of the application granted herein is based upon the following reasons:

1. The Committee, having considered the application and the information presented at the hearing, is of the opinion that the variances granted are minor in nature.
2. The Committee, having considered the application and the information presented at the hearing, is of the opinion that the variances granted are desirable for the development of the property.

3. The Committee, having considered the application and the information presented at the hearing, is of the opinion that granting of the variances is consistent with the general purpose and intent of the Official Plan and Zoning By-law.

CARRIED.



Julie Nixon



THE CORPORATION OF THE CITY OF OSHAWA

COMMITTEE OF ADJUSTMENT

50 Centre Street South
Oshawa, Ontario, L1H 3Z7, (416) 725-7351

DECISION

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116 Centre Street North
Ward 7

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At the time of the hearing, it was noted and agreed that the application be amended to request additional relief from the provisions of Zoning By-law Number 3415 to permit the conversion of the single family dwelling to a dual dwelling, such conversion resulting in an accessory building setback of 0m and usable floor area of 43m² for the lower dwelling unit, whereas Zoning By-law Number 3415 requires a minimum accessory building setback of 0.45m and a minimum usable floor area of 65m² for each dwelling unit in a dual dwelling in an R-4Y Residential District subject to the provisions of Special Condition 90.

This application was heard by the Committee of Adjustment on March 25, 1992, and with Notice of Hearing having been given as directed by the Committee of Adjustment, THE DECISION OF THE COMMITTEE IS THAT THE APPLICATION, AS AMENDED, BE APPROVED, subject to the following conditions:

1. That a building permit be obtained for the conversion of the existing building to a dual dwelling. Properly drawn plans and all required fees must be submitted with the application for a building permit.
2. That the work required in accordance with the building permit referred to in Condition Number 1 above be completed within six (6) months of the decision of the Committee of Adjustment becoming final and binding.
3. That failure to satisfy Condition Numbers 1 and 2 above shall result in this decision becoming null and void.

The APPROVAL of the application granted herein is based upon the following reasons:

1. The Committee, having considered the application and the information presented at the hearing, is of the opinion that the variances granted are minor in nature.
2. The Committee, having considered the application and the information presented at the hearing, is of the opinion that the variances granted are desirable for the development of the property.
3. The Committee, having considered the application and the information presented at the hearing, is of the opinion that granting of the variances is consistent with the general purpose and intent of the Official Plan and Zoning By-law.

NOTE: Any appeal from the above decision must be made on or before the 24th day of April, 1992.

I hereby certify that this is a true copy of the decision of the Committee of Adjustment and that this is a true copy certified by me as the public officer who heard the application.

Secretary-Treasurer

P. Hill

G. Weisz

K. Allan

H. van der Veen

D. Baget, Chairman

THE CORPORATION OF THE CITY OF OSHAWA
DEPARTMENT OF PLANNING AND DEVELOPMENT

28

APPLICATION FOR PERMIT TO

ERECT ADD TO REPAIR INSTALL
 DEMOLISH ALTER REPLACE OCCUPY

SINGLE FAMILY DWELLING OTHER: CONVERT FROM S.F. TO
DUAL DWELLING (DUAL)
 SEMI-DETACHED DWELLING
 GARAGE-ATTACHED/DETACHED
 PRECAST/BRICK CHIMNEY

LOCAL NAME OF PROPOSED WORK	LOT NO	REGISTERED PLAN NO	UNIT
921995 out lid		116 Centre St N	116 Centre St N OSHAWA
ADDRESS	CITY	POSTAL CODE	PHONE
116 Centre St N	OSHAWA	L7S 2R70	723 2970
OWNER	CITY	POSTAL CODE	PHONE
M. HESHMAT	OSHAWA	L7S 2R70	723 2970
ADDRESS	CITY	POSTAL CODE	PHONE
275 CHARMON DR	OSHAWA	L7K 1S1	723 2970
APPROVED USE	ZONING DISTRICT	ESTIMATED VALUE OF PROPOSED WORK	
Dual Dwelling	R-4Y	4000.00	
LOT AREA	FRONT YARD	REAR YARD	SIDE YARD
116' x 116'	5' x 116'	5' x 116'	5' x 116'

The undersigned hereby applies for a permit in accordance with the application, plans, specifications and data sheets herewith submitted and acknowledges that the proposed work must comply with the provisions of The Building Code Act and the Ontario Building Code, both as amended, and any other statutes or regulations of the Province of Ontario; and all by-laws of the Corporation of The City of Oshawa and the Regional Municipality of Durham, it being expressly understood that neither the issuance of a permit nor the carrying out of inspections by the City shall relieve the applicant from full responsibility for compliance with all of the said statutes, regulations and by-laws.

X. M. HESHMAT of 275 CHARMON DR OSHAWA Ontario

1. Check one

THAT I am the owner named in the application

THAT I am the authorized agent of the owner named in the application

2. THAT all statements made and information supplied in connection with the application are true and factual

3. THAT the engineer or architect named in this application has been retained by the owner to carry out the field review of construction or completion of both pursuant to the provisions of the Building Code, where applicable

4. THAT I am responsible for the relocation of any underground or other utilities as determined by appropriate organizations, which could be damaged or interrupted by the proposed work.

Section 14(1)

455-0744
1753277 1/22/93
Phone Number Date

FOR OFFICE USE ONLY APPLICATION NUMBER 9200870

SPECIAL CONDITION:

APPROVED BY	DATE	SIGNATURE
<u>[Signature]</u>	<u>Jan 31/93</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Jan 21/93</u>	<u>[Signature]</u>
<u>[Signature]</u>	<u>Jan 21/93</u>	<u>[Signature]</u>

WHITE - BUILDINGS BRANCH BLUE - APPLICANTS COPY CANARY - TREASURY COPY PINK - RECORDS COPY