



City Planning Division
Gary Wright, Chief Planner and Executive Director

Committee of Adjustment
100 Queen Street West
Toronto ON M5H 2N2
Tel: 416-392-7565
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Wednesday, December 3, 2008

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

File Number:	A0991/08TEY	Zoning:	RA (PPR)
Owner(s):	1302207 ONTARIO LIMITED ALLIED PROPERTIES	Ward:	Trinity-Spadina (20)
Agent:	SWEENEY, STERLING, FINLAYSON AND CO ARCHITECTS INC		
Property Address:	134 PETER ST & 364-370 RICHMOND ST W	Community:	
Legal Description:	CON 1 FB PT LTS 14 TO 17		

Notice was given and a Public Hearing was held on Wednesday, December 3, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a 16-storey office building where the ground floor will link the two existing office buildings with a new common lobby open to a five storey atrium above, with entrances off both Peter and Richmond Streets.

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

- Section 7(3) Part II 1(I) & 3, By-law 438-86**
A building located beyond 25 m of street or a public park shall have a minimum distance of 7.5 m from the side and rear lot lines.
The building will be located 3.41 m from the north side lot line and 1.16 m south side lot line.
- Section 4(2) a, By-law 438-86**
The maximum permitted height of a building is 30.0 m.
The building will have a height of 72.47 m, which includes the mechanical penthouse.
- Section 12(2) 246(A), By-law 438-86**
The by-law requires the portion of the building exceeding a height of 20 m to be set back at least 3 m from the main wall of the building.
The 52.47 m portion of the building above a height of 20 m will be set back 1.16 m from the main wall at Peter Street.

4. Section 12(2) 246 (C), By-law 438-86

A building shall be located within 50.0 m of the street.
The building will be located 59.42 m from Peter Street.

5. Section 12(2) 246 (F), By-law 438-86

One type A loading space and three type B loading spaces are required to be provided on site.
In this case, one type G loading space and three type C loading spaces will 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.

SIGNATURE PAGE

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DISSENTED

Robert Brown (signed)

Gillian Burton (signed)

George Vasilopoulos

DATE DECISION MAILED ON: Tuesday, December 9, 2008

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, December 23, 2008

CERTIFIED TRUE COPY

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.