

City Planning Division
Gary Wright, Acting, Chief Planner and Executive Director

Committee of Adjustment 100 Queen Street West Toronto ON M5H 2N2 Tel: 416-392-7565 Fax: 416-392-0580

NOTICE OF DECISION MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number: Owner(s):

A0355/10TEY

PORTWELL DEVELOPMENTS

Zoning Ward:

RA (WAIVER)

Trinity-Spadina (20)

Agent:

INC SWEENY STERLING

FINLAYSON & CO

ARCHITECTS INC

Property Address:

508 - 516 WELLINGTON

Community:

STREET W

Legal Description:

PLAN 789 LOT 3 PLAN D45 PT LOT 4

Notice was given and a Public Hearing was held on Wednesday, May 26, 2010, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct 11-storey condominium building with three-storey and two-storey townhouse units and a nine-storey tower.

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

- 1. Section 4(16), By-law 438-86
 Passenger drop-off driveway is required
 No driveway is provided.
- 2. Section 7(3) Part IV 4 ii By-law 438-86
 Above grade parking is not permitted within 10.0 m of the street property line
 Surface parking will be located 0.0 m from the lot line abutting the lane and 9.14 m from the street line.
- 3. Section 7(3) Part II I (i), By-law 438-86
 The portion of building located 25 m beyond the street must be setback 7.5 m from side and rear lot lines
 The building is located 0.0 m from both the side lot lines and the rear lot line.
- 4. Section 12(2)246 (a), By-law 438-86

 The required height limited of the upper level setback is 3.0 m above 20.0 m.

 The proposed upper level setback is 26.47 m to the terrace guard rail.

- 5. Section 4(2)(a), By-law 438-86 The maximum permitted building height is 23.0 m The building will have a height of 35.5 m measured to the roof parapet and 35.70 m measured to the elevator overrun.
- 6. Section 4(12), By-law 438-86 The minimum required indoor amenity space is 204.0 m² In this case, 170 m² of indoor amenity and no outdoor amenity space will be provided.
- 7. Section 12(2) 246(f), By-law 438-86 One loading space - Type "G" is required. No loading space will be provided.
- 8. Section 4(5)(i)(ii), By-law 438-86 The ingress and egress from parking facilities shall be provided with an unobstructed driveway or passageway providing access to the public highway and having a minimum width of 5.5 m for two-way The parking facility is accessed by a public lane that varies in width from 4.27 m wide at the lane entrance to 5.5 m wide at the provided lane widening at 508 - 516 Wellington Street West.

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

- 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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STREET W PLAN 789 LOT 3 PLAN D45 PT LOT 4

Robert Brown Gillian Burton George Vasilopoulos

David Pond

DATE DECISION MAILED ON: Tuesday, June 1, 2010

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, June 15, 2010

CERTIFIED TRUE COPY

Anna 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.