

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 operation.
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 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: A0355/10TEY
Owner(s): PORTWELL DEVELOPMENTS INC
Agent: SWEENEY STERLING FINLAYSON & CO ARCHITECTS INC
Property Address: 508 - 516 WELLINGTON STREET W
Legal Description: PLAN 789 LOT 3 PLAN D45 PT LOT 4
Zoning: RA (WAIVER)
Ward: Trinity-Spadina (20)
Community:

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

Anita M. MacLedd
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.