

**Michael Mizzi**  
Director, Zoning and Secretary-Treasurer  
Committee of Adjustment  
City Planning Division

Committee of Adjustment  
Scarborough  
Scarborough Civic Centre  
150 Borough Drive  
Toronto ON M1P 4N7

416-396-3223  
coa.sc@toronto.ca

Thursday, November 14, 2019

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

**File Number:** A0205/19SC  
**Property Address:** 3272 - 3274 DANFORTH AVE  
**Legal Description:** PLAN 1952 PT LOT 87 PT LOT 88  
**Agent:** LEO MASTANDREA  
**Owner(s):** KAYRA HOLDINGS INC  
**Zoning:** Commercial Residential (CR) Zone [ZR]  
**Ward:** Scarborough Southwest (20)  
**Community:** Oakridge Community  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, November 14, 2019, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

Proposed third storey addition and three-storey rear addition to the existing commercial and residential building.

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

By-law No. 569-2013:

- 1) The proposed dwelling units are located on the second and third storey  
Whereas a dwelling unit must be entirely located above the second above-grade storey of the building; or at least 18.0 m from a lot line that abuts Danforth Avenue
- 2) The proposed building setback is 6.17 m from the rear lot line abutting the Residential Zone category  
Whereas the minimum required building setback from a lot line that abuts a lot in a Residential Zone category is 7.5 m
- 3) The east side elevation wall with windows and doors is setback 1.21 m from the side lot line  
Whereas where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 m from a side lot line that is not adjacent to a street or lane (otherwise no building setback is required)
- 4) A soft landscaping strip would not be provided along the rear lot line abutting the residential zone

- Whereas if a lot in the CR zone abuts a lot in the Residential Zone category, a minimum 1.5 m wide strip of land used only for soft landscaping must be provided along the part of the lot line abutting the lot in the Residential Zone category
- 5) No accessible parking spaces are proposed  
Whereas one accessible parking space is required
  - 6) A vehicle parking stacker for 9 cars is proposed at the rear of the building  
Whereas the existing and proposed retail, visitor and residential uses require 13 parking spaces
  - 7) The dimensions of the proposed parking spaces located inside the parking stacker are 2.5 m wide by 5.4 m long by 1.75 m high for each space  
Whereas the minimum required minimum parking space size is 3.2 m wide by 5.6 m long by 2 m high for an obstructed parking space.

By-law No. 9812:

- 8) A vehicle parking stacker for 9 cars is proposed at the rear of the building  
Whereas the retail and residential uses require 11 parking spaces
- 9) The dimensions of the proposed parking spaces located inside the parking stacker are 2.5 m wide by 5.4 m long by 1.75 m high for each space  
Whereas the required minimum parking space size is 3.3 m wide by 5.6 m long by 2 m high for an obstructed parking space

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Minor Variance Application is Approved**





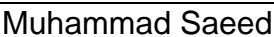
It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- **The general intent and purpose of the Official Plan is maintained.**
- **The general intent and purpose of the Zoning By-law is maintained.**
- **The variance(s) is considered desirable for the appropriate development of the land.**
- **In the opinion of the Committee, the variance(s) is minor.**

## SIGNATURE PAGE

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**Table 1, Panel Member Digital Signatures**

	 Hena Kabir	 Anne McCauley
 Gary McKay	 Muhammad Saeed	

DATE DECISION MAILED ON: Tuesday, November 19, 2019

LAST DATE OF APPEAL: Wednesday, December 4, 2019

CERTIFIED TRUE COPY



Andre Robichaud  
Manager & Deputy Secretary Treasurer  
Scarborough Panel

## Appeal Information

All appeals must be filed with the Deputy Secretary-Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal\* to the Local Planning Appeal Tribunal (LPAT) for the same matter.

### **TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS**

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD or USB stick; and
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds).

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at [www.toronto.ca/tlab](http://www.toronto.ca/tlab).

### **LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS**

To appeal this decision to the LPAT you need the following:

- a completed LPAT Appellant Form (A1) in digital format on a USB stick and in paper format; and
- \$300 with an additional reduced fee of \$25 for each connected appeal filed by the same appellant.
- Fees are payable to the Minister of Finance by certified cheque or money order (Canadian funds).

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

\*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.