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

Committee of Adjustment
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Mailed on/before: Friday, April 4, 2008

PUBLIC HEARING NOTICE

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

MEETING DATE AND TIME: Wednesday, April 16, 2008 at 3:30 p.m.

LOCATION: Committee Room 2, Second Floor, Toronto City Hall, 100 Queen St W, M5H 2N2

File Number:	A0349/07TEY	Zoning	CR T1.0 C1.0 R0 & Site Specific By-law 1996-0483 (Waiver)
Owner(s):	PIER 27 TORONTO INC	Ward:	Toronto Centre-Rosedale (28)
Agent:	MCCARTHY TETRAULT		
Property Address:	**25 QUEENS QUAY E**	Community**:**	
Legal Description:	PL 63R 3521 OWNER PT 1		

PURPOSE OF THE APPLICATION:

To construct 2 fourteen-storey residential condominium buildings with below grade parking.

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

1.	Definitions
(a)	**Section 4(2), By-law 1996-0438** *Attenuated* is defined as an opening complying with the sound isolation performance standards described in the *Section 37 Agreement* and *Three Party Agreement*. As a result of updated sound information, the proposal is to redefine the term *attenuated,* referred to throughout By-law 1996-0438 and the variances requested herein, to mean the sound isolation requirements described only in the *Section 37 Agreement*, as amended.

(b)	**Section 4(3), By-law 1996-0438** *Blinder ledge* is defined as an opaque or *translucent* structure which may include louvers, projecting horizontally a minimum of at least 1.5 metres from the wall at the base of an *attenuated* window, and shall: (i) be at least the same width as the *attenuated* window; and (ii) be located at a minimum height relative to the finished floor level of the room in which the *attenuated* window is located, of between 1.0 metre and 1.5 metres above such floor level; provided, in the case of louvers, the construction is such that any straight line drawn from any point on such window through the *blinder ledge* is intercepted by a portion of the *blinder ledge*. The proposal is to redefine the term *blinder ledge*, as referred to throughout By-law 1996-0438 and the variances requested herein, to mean a horizontal ledge, composed of an opaque or *translucent* material provided at the base of all *attenuated* windows on *New Wall A3*, with a minimum horizontal projection outwards from *New Wall A3* of 1.8 metres, perpendicular to and extending at least the full horizontal width of such windows. Such ledge may include louvers, with openings that do not exceed a width of 100 millimetres, and have a minimum depth of 100 millimetres. Any such louvers shall project down from the frame of the ledge at an angle between 85^{o} and 95^{o}. No portion of a *blinder ledge* may function as a terrace or a balcony
(c)	**Section 4(5), By-law 1996-0438** By-law 1996-0483 defines *building A, building B, building C* as those buildings shown as Building A, Building B and Building C on Plan 1B. The proposal is to delete the terms *building A* and *building B*, and to replace the term *building B* as referred to throughout By-law 1996-0438 and the variances requested herein, with the term *New Building B*, which shall mean *New Building B* as shown as "New Building B" on Revised Plan 1B. The proposal is to vary the term *building C* such that it excludes: the area below finished ground on the *site*, the area identified as *New Building B* on Revised Plan 1A and Revised Plan 1B, and any area above finished ground which is used for accessory or ancillary structures or uses associated with *New Building B* and or *New Building D*.
(d)	**Section 4(6), By-law 1996-0438** By-law 1996-0483 defines *building envelope* as the line designated as such on Plans 1A and 1B. The proposal is to redefine *building envelope* as referred to throughout By-law 1996-0438 and the variances requested herein, to mean the line designated as such on Revised Plan 1A and Revised Plan 1B.
(e)	**Section 4(7), By-law 1996-0438** By-law 1996-0483 defines *building D* as referred to throughout By-law 1996-0438 and the variances requested herein, as any building constructed within "Area D" as shown on Plan 1A. The proposal is to replace the term *building D*, as referred to throughout By-law 1996-0438, and the variances requested herein with the term *New Building D* to mean a building constructed within "New Area D" as shown Revised Plan 1A.
(f)	**Section 4(10), By-law 1996-0438** By-law 1996-0483 defines *continuous masonry wall* as a masonry or concrete wall without any *openings*, except *glass block* where permitted by this By-law, that is constructed so as to comply with the sound isolation performance standards in accordance with the *Section 37 Agreement* and *Three Party Agreement*. As a result of updated sound information, the proposal is to redefine *continuous masonry wall*, as

	referred to throughout By-law 1996-0438 and the variances requested herein, to mean a masonry or concrete wall without any openings that is constructed to comply with the sound isolation requirements in accordance with the *Section 37 Agreement,* as amended.
(g)	**Section 4(19), By-law 1996-0438** By-law 1996-0483 defines *non-operable* as a window or door that cannot be opened and that is *attenuated* in accordance with the *Section 37 Agreement* and *Three Party Agreement*. The proposal is to redefine *non-operable*, as referred to throughout By-law 1996-0438 and the variances requested herein, to mean a window, which does not include building materials which are non-vision spandrel glass, opaque glass, or a door that cannot be opened, and that are *attenuated*, in accordance with the *Section 37 Agreement*, as amended.
(h)	**Section 4(21), By-law 1996-0438** By-law 1996-0483 defines *opening* as windows, skylights, doors, exhaust openings, vents, air intakes and the like building elements, excluding *glass block*. The proposal is to redefine *opening*, as referred to throughout By-law 1996-0438 and the variances requested herein, to mean windows, skylights, doors, exhaust openings, vents, air intakes and the like building elements, excluding *glass block*, non-vision spandrel glass, and opaque glass.
(i)	**Section 4(30), By-law 1996-0438, Definition of *wall A1*, etc.** By-law 1996-0483 defines *wall A1, wall A2, wall A3, wall A4, wall A5, wall A6, wall A7, wall A8, wall A9, wall A10, wall B1, wall B2, wall B3, wall B4, wall C1, wall C2, wall C3, wall C4, wall C5, wall C6, wall C7* and wall *C8* as those walls of a building, respectively designated and shown as wall A1, wall A2, wall A3, wall A4, wall A5, wall A6, wall A7, wall A8, wall A9, wall A10, wall B1, wall B2, wall B3, wall B4, wall C1, wall C2, wall C3, wall C4, wall C5, wall C6, wall C7 and wall C8 on Plan 1B. The proposal is to redefine the walls as referred to throughout By-law 1996-0438, and the variances requested herein such that the only walls to be referred to with respect to *New Building B* are *New Wall A1, New Wall A2, New Wall A3, New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B2, New Wall B4, New Wall C1, New Wall C2,* and *New Wall C4*, which are those walls of a building respectively designated and shown as New Wall A1, New Wall A2, New Wall A3, New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B2, New Wall B4, New Wall C1, New Wall C2, and New Wall C4 on Revised Plan 1B.

2. Wall Requirements/Building Envelope

(a) **Section 3(3) and Plan 1B, By-law 1996-0483**
The walls of *building A, building B* and *building C* shall be erected in the locations shown on Plan 1B, with certain exceptions.

The proposal is to erect *New Building B* with the exterior walls listed in Column A in the locations above finished ground generally shown as the *building envelope* on Revised Plan 1B, subject to the permitted setbacks listed in Column B and any applicable qualifications in Column C set out in the table below. Any wall of *New Building B* which is at or setback from the *building envelope* shall be interpreted as a defined wall on Revised Plan 1B and shall be subject to the requirements and restrictions of such wall. In the event that a wall can be interpreted as more than one defined wall, the more restrictive requirements and restrictions shall apply.

Column A: *New Walls*	Column B: Permitted Setback from the Building Envelope as shown on Revised Plan 1A and 1B.	Column C: Other Applicable Qualifications
A1, A4, A5, A6, A7, A8, A9, A10, C4 B4	no restriction	not applicable
A2, B2, C2	0.3 metres	not applicable
A3	maximum 5 metres	up to a *height* of 32 metres
	maximum 18.5 metres	beyond a *height* of 32 metres
C1	maximum 8.7 metres	not applicable

(b) **Section 3(4), By-law 1996-0483**

Section 3(4) provides that no portions of any buildings above finished ground level on the *site* shall be located otherwise than within the *building envelope*, except for the structures listed in the table as permitted projections and encroachments.

It is proposed that:

(i) no portion of *New Building B* and *New Building D* above finished ground level on the *site* shall be located otherwise than at or within the *building envelope* except the structures listed in Column A of the table below;

(ii) the table in section 3(4) be replaced with the table below; and

(iii) sections 3(4)(i) to (iii) continue to apply with reference to Revised Plan 1A and table below.

Row	Column A: Structure	Column B: Maximum Permitted Projection/ Encroachment Beyond the *Building Envelope*	Column C: Other Applicable Qualifications	Column D: Buildings and Walls to Which the Projections/ Encroachment Apply
A	eaves or cornices	0.5 m	none	*New Building B* and *New Building D*
B	landscape features, curbs, light standards, parking garage ramps with associated retaining walls and enclosures, stairs, stair enclosures, fences and safety railings, vents, swimming pool, and outdoor amenity features	no restrictions	(i) height of fence or safety railing not to exceed 2.0m (ii) with the exception of landscape features, curbs and light standards, such structures shall not be located in Setback Area A or Setback Area B on Revised Plan 1A	*New Building B* and *New Building D*
C	balconies	1.5m	No balconies are permitted within Setback Area A and New Setback Area C and no balconies shall be located within a vertical distance of 6.0 metres of	*New Building B and New Building D*

			finished ground	
D	canopies	1m	permitted within 6.0m of finished ground level	*New Building B* and *New Building D*
E	wall B as shown on Revised Plan 3, subject to the variance to the term *continuous masonry wall*.	the extent shown on Revised Plan 3	other restrictions set out in s. 3(11) shall apply as varied herein.	not applicable

(c) **Table in Section 3(7) By-law 1996-0483**

Section 3(7) provides a table of wall requirements and permitted wall openings for certain walls, not including *wall A5, wall A8, wall B4,* and *wall C4.*

The following identifies the By-law requirement or permission, and the proposed requirement or permission for the wall identified to be built:

Table Row	By-law Requirement or Permission:	Proposed
1	A *continuous masonry wall* is required for *wall A1, wall A2, wall A10, wall B1, wall B2, wall B3, wall C2,* and *wall C3* with certain *openings* permitted on *wall A1, wall A2, wall A10, wall B1, wall B3* and *wall C2.*	*New Wall A2*, *New Wall B2*, and *New Wall C2* shall be composed of a variety of materials, including but not limited to non-vision spandrel glass, opaque glass, concrete, granite, metal and masonry with *openings* as identified in the rows below as proposed.
2	*Wall C3* shall be physically connected and adjacent to *wall B1* along the entire length and height of *wall B1*.	*Wall B1* and w*all C3* are not proposed to be built.
3	*Wall B3* shall be physically connected and adjacent to *wall A1* for a continuous length of 5m and the remainder of the wall shall be a minimum *height* of 27m.	*Wall B3* is not proposed to be built. The requirement for *wall A1* shall not apply.
4	Exhaust vents and air intakes are only permitted on *wall A1, wall A4, wall A6, wall A7,* and *wall C1* subject to certain conditions.	It is proposed that exhaust vents and air intakes only be permitted on *New Wall A1, New Wall A3, New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B4, New Wall C1 and New Wall C4.*

<table>
<tr>
<td>5</td>
<td>Non-operable windows are permitted without qualifications on wall A4 and wall A6.

Non-operable windows are permitted on wall A1, wall A2, wall A3, wall A7, wall A9, wall C1, and wall C2 subject to certain qualifications including:

<table>
<tr><td>wall A1:</td><td>opening only permitted at ground floor level</td></tr>
<tr><td>wall A2, & wall C2:</td><td>Non-operable windows are permitted only where they are located at the ground floor level, provided they are set back from the easterly site limit</td></tr>
<tr><td>wall A3, wall A7, & wall A9:</td><td>bay windows are not permitted</td></tr>
<tr><td>wall C1:</td><td>bay windows are not permitted within 60 m of the easterly site limit.</td></tr>
<tr><td>wall A10, wall B1, wall B2, wall B3 & wall C3:</td><td>Non-operable windows are not permitted</td></tr>
</table>
</td>
<td>Clerestory non-operable windows are the only windows, other than a light shaft, which are permitted on all floors of New Wall A2, New Wall B2 and New Wall C2, subject to the following:

(i) clerestory non-operable windows shall not be a permitted opening into a dwelling unit, and shall be located a minimum of 1.8 metres above the interior finished floor level of each building storey; and,

(ii) A non-operable window in the form of a light shaft which is attenuated, is proposed on New Wall B2 which will have interior translucent glass to obscure views and shall not be a permitted opening into a dwelling unit.

Non-operable windows are permitted on all other walls of New Building B and New Building D without qualification.</td>
</tr>
<tr>
<td>6</td>
<td>Operable windows are permitted on the following walls subject to the identified qualifications:

wall A1: located at the ground floor only
wall A7: located at the ground floor only and cannot have bay windows

Operable windows are not permitted on wall A4 for the portion of the wall located within 27.0 metres of the southerly site limit that is above a height of 12.0 metres.

Operable windows are not permitted on wall A6 within 41.0 metres of the southerly site limit that is above a height</td>
<td>Operable windows on New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B4, New Wall C4 are permitted without qualification.

Operable windows on New Wall A1 are permitted as follows:

(i) on the ground floor level; and,
(ii) on that portion of the wall located on floors 12 to 14 to the west of New Wall A10.</td>
</tr>
</table>

		of 12.0 metres.	
		Operable windows are not permitted on *wall A9* above a *height* of 23 metres.	
		Operable windows are not permitted on *wall A10*.	
	8	Ground floor doors are permitted on *wall A10*, subject to the qualification that such doors shall not open directly into a *dwelling unit*.	Ground floor doors are permitted on *New Wall A10* without qualification.
		Ground floor doors are permitted on *wall A1, wall A3, wall A7, wall A9* and *wall C1* subject to the qualification that such doors shall not open directly into a *dwelling unit*.	Ground floor doors are permitted on *New Wall A1, New Wall A3, New Wall A5, New Wall A7, New Wall A9 and New Wall C1* subject to the qualification that such door shall not open directly into a *dwelling unit.*
		Ground floor doors are permitted without qualification on *wall A4* and *wall A6*.	Ground floor doors are permitted on *New Wall A4, New Wall A6, New Wall A8, New Wall B4 and New Wall C4* without qualification.
	10	Balconies and terraces 4 metres or less in depth are permitted on the following walls including access doors thereto, subject to qualifications: *wall A4*: not permitted on a portion of the wall located within 27.0 metres of the *southerly site limit* above a *height* of 12.0 metres. *wall A6*: not permitted on a portion of the wall located within 41.0 metres of the *southerly site limit* that is above a *height* of 12.0 metres. *wall A9*: permitted only below a *height* of 23.0 metres.	It is proposed that balconies and terraces including access doors thereto, be permitted on *New Wall A3, New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B4, New Wall C1* and *New Wall C4*, subject to the following qualifications: (i) subject to the provisions of (ii), any balconies and terraces shall not exceed a depth of 4 metres; (ii) terraces located on *New Wall A3, New Wall A5, New Wall A7, New Wall A8, New Wall A9, New Wall A10* and *New Wall C1* may exceed a depth of 4 metres, subject to section 3(18) as varied; and (iii) no balconies are permitted on *New Wall A3* and *New Wall C1*.

(d)	**Section 3(11), By-law 1996-0483** No person shall erect or use any building unless a *continuous masonry wall* has been erected along the *easterly site limit* in accordance with the *Section 37 Agreement*, to the specifications both vertically and horizontally, as set out in Plan 3. The proposal is to erect a *continuous masonry wall* in accordance with the *Section 37 Agreement*, as amended, to the specifications both vertically and horizontally, as set out in accordance with Revised Plan 3, prior to the use of any building on the *site*, other than a sales office.
(e)	**Section 3(12), By-law 1996-0483** Despite section 3(11), where *wall A2* or *wall C2* are erected such that they are setback from the *easterly site limit*, the portion of the wall required to be provided as set out in subsection (11), that is directly opposite *wall A2* or *wall C2* that is setback, shall be a minimum *height* of 4.0 metres. It is proposed that despite subsection 3(11), where *New Wall A2*, *New Wall B2*, and *New Wall C2* are setback from the *easterly site limit* no more than 0.3 metres, there is no requirement for an additional wall to be constructed opposite *New Wall A2*, *New Wall B2*, and *New Wall C2*.
(f)	**Section 3(13)(a)(d)(e)(f), By-law 1996-0483** (a) Except for the portion of *building A* shown crosshatched on Plan 1B, the unhatched portions of *building A* and *building C* shown on Plan 1B, shall be erected to a *height* such that a horizontal line drawn at right angles from the *easterly site limit* to any portion of the unhatched area of the building, exclusive of mechanical space, shall be intersected in plan and elevation by a portion of *building A*, *building B* or *building C*, within the hatched area shown on Plan 1B, as the case may be, along such line. It is proposed that the hatched portions of *New Building B* shown on Revised Plan 1B, shall be erected to a *height* such that a horizontal line drawn at right angles from the *easterly site limit* to any portion of the hatched area of *New Building B*, exclusive of mechanical space, shall be intersected in plan and elevation by a portion of *New Building B* within the unhatched area, as the case may be, along such line. (d) The minimum *height* of *wall A1* within 15 metres of the *easterly site limit* is 39 metres. It is proposed that the minimum *height* of New Wall A1 within 11 metres of the *easterly site limit* is a minimum of 49 metres. (e) The minimum *height* of *wall A2* shall be 30.0 metres. It is proposed that *New Wall A2* have a minimum *height* of 36.0 metres. (f) The minimum *height* of *wall B2* and *wall B3* shall be 27.0 metres. *Wall B3* is not proposed. *New Wall B2* shall be a minimum of 36 metres.

(g)	**Section 3(15) By-law 1996-0483** (a) *Blinder walls* are required to be provided extending in a north-south direction on *wall A3, wall A7* and *wall A9* subject to certain specifications. It is proposed that *Blinder walls* are not required to be provided on *New Wall A3, New Wall A7* or *New Wall A9*. It is proposed that above a *height* of 12 metres, an opaque wall will be provided extending generally in a southerly direction located on the east side of any window or terrace attached to or part of *New Wall A3*. (b) In the case of *wall A3*, all windows above a *height* of 12.0 metres are required to have *blinder ledges*. It is proposed that all windows in *New Wall A3* are required to have *blinder ledges*.
3.	Phasing of Buildings
(a)	**Section 3(14), By-law 1996-0483** Section 3(14)(b) provides that none of the provisions of Section 3(14) shall apply if each of *building A, building B* and *building C* have been erected. It is proposed that none of the provisions of section 3(14) shall apply, subject to the following: Until *New Building B* has been substantially completed, the owner shall not give notice of completion of *New Building D*, or any other residential building under Section 11 of the Building Code Act to the Chief Building Official and the owner shall not permit occupancy of *New Building D*.
4.	Height Limit
(a)	**Section 3(5), Plan 2A, and Plan 2B of By-law 1996-0483** Section 3(5) permits a maximum building *height* of 44.0 metres, subject to certain angular plane requirements, and permitted exceptions. The proposed maximum *height* for *New Building B* and *New Building D* is 51 metres, excluding permitted exceptions referred to in section 4(2)(a) of By-law 438-86 which continue to apply, and portions of *New Building B* and *New Building D* may extend outside the required angular planes.

5.	Balconies and Terraces
(a)	**Section 3(8)(a)(i)(ii) and (c), By-law 1996-0483** Section 3(8)(a) restricts the area of the roof on *building B* that may be used as a terrace or balcony, to (i) that portion of the roof that abuts a portion of the building having a minimum depth of 3.0 metres and a minimum height of 3.0 metres higher than the level of the roof to be used for such purposes; and (ii) is located in a manner that the portion of the building referred to in (i), is located between the *easterly site limit* and the portion of the roof used for such purposes. Section 3(8)(c) additionally requires a *continuous masonry wall* as a screening wall for an adjacent balcony or terrace, for the entire distance of the balcony or terrace adjacent to *wall A1, wall A3, wall A7, wall A9, wall B1 and wall B3*, subject to the *continuous masonry wall* having a minimum height if 3.0 metres higher than the level of the roof where the balcony or terrace is located, for the entire distance of the balcony or terrace adjacent to such wall. It is proposed that only balconies or terraces permitted on *New Wall A3* and *New Wall C1* are required to have a screening wall, which may be constructed with a variety of materials including but not limited to metal, masonry, concrete and non-vision spandrel glass and opaque glass, and that such screening wall has a minimum height of 3.0 metres higher than the level of the roof where the balcony or terrace is located and is required only for the eastern side of the balcony or terrace which is parallel to the *easterly site limit*. Section 3(8)(a)(i) and (iii) continue to apply to *New Building B.*
(b)	**Section 3(8)(b), By-law 1996-0483** Any *openings* onto rooftop balconies or terraces referred to in section 3(8)(a), with respect to *building B* shall not be *easterly facing* and shall be *attenuated.* It is proposed that *openings* onto rooftop balconies and terraces referred to in section 3(8)(a) with respect to *New Building B*, will not be considered to be *easterly facing*, other than *openings* along *New Wall A6* and *New Wall A10*, and shall be *attenuated*.

(c) **Section 3(18), By-law 1996-0483**

Section 3(18) requires that no balcony or terrace, including rooftop balconies and terraces, located on *building B*, shall exceed a depth of 4.0 metres, except where such balcony or terrace is located on *wall A8* or *wall C8*.

It is proposed that terraces and balconies, which will not exceed a depth of 4.0 metres, may be located on *New Wall A4, New Wall A5, New Wall A6, New Wall A7, New Wall A8, New Wall A9, New Wall A10, New Wall B4, New Wall C1*, and *New Wall C4*.

It is proposed that the location and maximum depth of terraces which may exceed a depth of 4.0 metres are set out below follows:

New Wall	Maximum Depth	Location
A3	15.6 metres	floor 11
A5	57 metres	floor 12
A7	4.1 metres	Floor 11
A8	4.2 metres	floor 12
A9	4.6 metres	floor 12
A10	4.1 metres	floor 12
C1	7.8 metres	floor 11

6. Street Related Retail Uses – Frontage

(a) **Section 3(17), By-law 1996-0483**

Section 3(17) provides that *street related retail and service uses* are required for a minimum of 50% of each building face along the Queens Quay East or alternatively along the Yonge Street Slip frontage.

Street related retail and service uses are not proposed for *New Building B* or *New Building D*.

7. Window Setback

(a) **Section 8 (3) Part II, 1. By-law 438-86**

Section 8(3) Part II, 1 & 2 provide that the minimum *dwelling unit* window separation is 11 metres to a window of another *dwelling unit* or 5.5 metres to a wall or lot line that is not a street line or that does not abut a *public park*.

It is proposed that *dwelling units* located in *New Building D* are setback a minimum of 0 metres from the north-west lot line, and such line is identified on Revised Plan 1A with a dimension of 35.9 metres.

8.	Visitor Bicycle Parking Spaces
(a)	**Section 2(1), By-law 438-86** *Bicycle parking spaces- Visitor* are not permitted in a secured room, enclosure or bicycle lockers. It is proposed that *Bicycle parking spaces- Visitor* will be provided within the parking garage, in a secured area.
9.	Low-End-of-Market Housing Units
(a)	**Section 3(24), By-law 1996-0483** A minimum number of 208 (30%) *Low-End-of-Market Housing Units* must be provided on the *site*. It is proposed that *New Building B* and *New Building D* provide a minimum of 187 *Low-End-of- Market Housing Units* on the *site*.
10.	Vehicle Access
(a)	**Section 3(20), By-law 1996-0438** Motor vehicular access to any building on the *site* shall only be provided from the north-south public *street*, referred to in the *Section 37 Agreement*. It is proposed that motor vehicular access to any building on the *site* shall only be provided from a private driveway.
11.	Section 37 Agreement
(a)	**Section 3(26)(a)(i)B & 3(26)(a)(ii), By-law 1996-0438** An area contiguous to the Toronto Harbour Edge public promenade and within the hatched area forming part of Setback Area B shown on Plan 1A is required to be conveyed to the City for parks purposes and the remainder of Setback Area B is to be conveyed for the purpose of providing a 20.0 metre wide north/south public street, being a southerly projection of Freeland Street, together with adjacent landscaped area and turnaround area. It is proposed that neither requirement shall apply and that a 20.0 metre wide north-south public easement and a private driveway will be provided in lieu of the required conveyances.
(b)	**Section 3(26)(b), By-law 1996-0438** A sum of not less than $107.64 for each square metre of land conveyed to the City for park purposes pursuant to (a)(i), for the construction of basic park improvements on the lands to be conveyed pursuant to (a)(i) above, which lands total 8,913.5 m^2. It is proposed that for the land no longer required to be conveyed for park purposes, that an equivalent amount, (which is $107.64 times the area of land of 8,913.5 m^2) shall be paid to the City for park purposes or public improvements in the vicinity.

(c)	**Section 3(26)(c), By-law 1996-0438** The street and adjacent landscaped area, including all municipal services shall be constructed to the satisfaction of the Commissioner of City Works Services. The street is not proposed to be built, so this requirement is proposed to not apply.
(d)	**Section 3(26)(i), By-law 1996-0438** Prior to the approval of any plans by the City pursuant to Section 41 of the Planning Act or for *building permit* purposes, a *Master Concept Plan* for the *site* shall be prepared and submitted to the satisfaction of the City. It is proposed that a *Master Concept Plan* not be required for the approval of any plans for *New Building B* and *New Building* D pursuant to Section 41 of the Planning Act or for *building permit* purposes.

12.	Mapping
(a)	It is proposed that Revised Plan 1A, Revised Plan 1B and Revised Plan 3 form part of the variances and replace Plan 1A, Plan 1B and Plan 3 of By-law 1996-0438, with respect to *New Buildng B* and *New Building D*, including accessory and ancillary structures and uses.

THE COMMITTEE OF ADJUSTMENT & MINOR VARIANCES

The role of the Committee of Adjustment is to provide flexibility in dealing with minor adjustments to zoning by-law requirements. To approve such variances, the Committee must be satisfied that:

- the variance requested is minor;
- the proposal is appropriate for the development of the land and/or building;
- the general intent and purpose of the City's Zoning Code and/or By-law are maintained; and
- the general intent and purpose of the Official Plan are maintained.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application, letters received, deputations made at the public hearing and results of site inspections.

MAKING YOUR VIEWS KNOWN

The notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Attending the Public Hearing.** Attendant Care Services can be made available with some advance notice.
- **Sending a letter by Mail or Fax.** Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record.

If you do not attend the public hearing, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal

TO VIEW THE MATERIALS IN THE APPLICATION FILE

Attend the Committee of Adjustment office at the above address Monday to Friday, 8:30 a.m. to 4:30 p.m. Plans filed with the application **will not be photocopied**.

RECEIVING A COPY OF THE COMMITTEE'S DECISION

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, fill out the Decision Request Form at our office or at the Public Hearing or write a letter requesting a copy of the Decision and send it to our office.
- If you wish to appeal a Decision of the Committee to the Ontario Municipal Board, you must file your written request for a decision with the Deputy Secretary-Treasurer.

For more information please telephone our office. Call **Grant Munday, (416) 392-1299,** Office of the Committee of Adjustment, Toronto City Hall, Toronto, ON, M5H 2N2.

Anita M. MacLeod
Manager & Deputy Secretary Treasurer
Toronto and East York Panel