

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

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|--------------------|---------------------------------|------------|--------------------------|
| File Number: | A0751/10TEY | Zoning | MCR T2.5 C1.0 R2.0 (PPR) |
| Owner: | 1521863 ONTARIO LIMITED | Ward: | Toronto-Danforth (30) |
| Agent: | SASHA MILENOV | | |
| Property Address: | 1183 QUEEN ST E (PART 1) | Community: | |
| Legal Description: | PLAN M445 LOT 131 & 132 | | |

Notice was given and a Public Hearing was held on **Wednesday, August 17, 2011**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a four-storey townhouse dwelling with an integral garage at-grade, accessed by a future common element driveway.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- 1. Section 2(2), By-law 438-86**
Accessory uses shall be exclusively devoted to a principal use and shall be located on the same lot as the principal use.
The driveway and walkway will not be located on the same lot.
- 2. Section 8.(3), Part II.4(c)(i), By-law 438-86**
A building may not project into the 45 degree angular plane projected over the lot from the lot lines which abut a street, commencing 13 m above a street line.
The building will project into the required 45 degree angular planes along Rushbrooke Avenue and Queen Street East.
- 3. Section 8.(3), Part VII.1(ii), By-law 438-86**
The minimum required lot frontage is 6 m.
The lot frontage is 4.95 m.
- 4. Section 8.(3), Part I.3(A), By-law 438-86**
The maximum permitted gross floor area is 2.0 times the area of the lot (70.76 m²).
The new dwelling will have a gross floor area equal to 4.37 times the area of the lot (154.52 m²).
- 5. Section 4.(14)(A), By-law 438-86**
The minimum required setback from the original centre line of a public lane is 3.5 m.
The building will be located 2.5 m from the centre line of the public lane.

6. Section 8.(3), Part II.4.(c)(iii), By-law 438-86

A building may not penetrate into the 45 degree angular plane projected over the lot from the setback required (7.5 m) from any lot in an R or G district, commencing 10 m above the required setback.

The building will project into the required 45 degree angular plane along the required setback from an R district.

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

Fernando Costa (Signed)

Heather Gardiner

Kay Gardner (Signed)

Corinne Muccilli (Signed)

Sandeep Agrawal (Signed)

DATE DECISION MAILED ON: **Tuesday, August 23, 2011**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, September 6, 2011**

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.