

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

File Number:	A0759/10TEY	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 10)	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 4.(11)(B), By-law 438-86**
A residential building is not permitted to be located to the rear of another building.
The new dwelling will be located to the rear of another building.
- 3. 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.
- 4. Section 8.(3), Part VII.1(ii), By-law 438-86**
The minimum required lot frontage is 6 m.
The lot will not have any frontage.
- 5. 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 (57.48 m²).
The new dwelling will have a gross floor area equal to 5.19 times the area of the lot (149.1 m²).

6. Section 4.(11)(A), By-law 438-86

The minimum required front lot line for a building is 3.5 m fronting or abutting a highway assumed for public highway purposes.

The new dwelling will be located on a lot with a front lot line of 0 m.

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.