



City Planning Division
Gary Wright, Chief Planner and Executive Director

Committee of Adjustment
150 Borough Drive
Scarborough, ON M1P 4N7
Tel: (416) 396-5280
Fax: (416) 396-7341

Thursday, December 8, 2011

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

| | | | |
|--------------------|---|------------|---|
| File Number: | A208/11SC | Zoning | Employment , Community Commercial, Recreational (E, CC, RU) |
| Owner(s): | 1150964 ONTARIO LIMITED TORGAN CONSTRUCTION LIMITED | Ward: | Scarborough-Rouge River (41) |
| Agent: | WESTON CONSULTING GROUP INC | | |
| Property Address: | 4186 FINCH AVE E | Community: | |
| Legal Description: | PL 3435 PT LT3, PL 3530 PT LT3,4, CON 4 PT LT26 & 27, PT RD CLSD. BETW'N LT26,27 NOW RP 64R12091 PT 1 TO 7 | | |

Notice was given and a Public Hearing was held on Thursday, December 8, 2011, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To include a restaurant in Unit 8 of the plaza which was formerly occupied by a take out restaurant.

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

1. To permit a total restaurant gross floor area of 0.96 m² for every 5 m² of total built area.
Whereas the Zoning By-law, as previously varied, restricts restaurants to a maximum of 0.94 m² for every 5 m² of total built area.
2. To permit a total of 386 parking spaces.
Whereas the Zoning By-law requires a minimum of 423 parking spaces.

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 variances are not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variances are not minor.

SIGNATURE PAGE

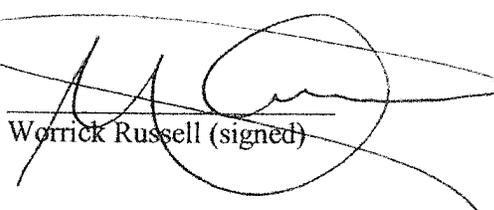
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Cynthia Lai (signed)


Rolf Rogde (signed)


S. Gopikrishna (signed)


Sean Karmali (signed)


Worrick Russell (signed)

DATE DECISION MAILED ON: Monday, December 12, 2011

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 28, 2011

CERTIFIED TRUE COPY


Marilyn Stuart
Manager & Deputy Secretary Treasurer
Scarborough 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.