TORONTO

**City Planning Division**
Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner & Executive Director

Committee of Adjustment
Toronto and East York District

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

| | | | |
|---|---|---|---|
| File Number: | A0001/13TEY | Zoning | MCR T2.5 C1.0 R2.0 (Waiver) |
| Owner: | JEREMY DAY | Ward: | Parkdale-High Park (14) |
| Agent: | DAVID FOOTMAN | | |
| Property Address: | **1330 QUEEN ST W** | Community**:** | Toronto |
| Legal Description: | PLAN 429 PT LOT 6 | | |

Notice was given and a Public Hearing was held on **Wednesday, February 20, 2013**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To maintain the existing outdoor patio located to the rear of the restaurant on the main floor of the building.

**REQUESTED VARIANCE TO THE ZONING BY-LAW:**

**Section 8(2) 7 a (i), By-law 438-86**
A patio between the rear wall and rear lot line shall be located at least 10.0 m from an "R" district.
In this case, the patio is located 3.66 m 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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Barbara Leonhardt (signed)

Donna McCormick (signed)

Mary Pitsitikas (signed)

Christian Chan (signed)

Robert Brown (signed)

DATE DECISION MAILED ON: **Tuesday, February 26, 2013**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 12, 2013**

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.