



City Planning Division
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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: A0447/13TEY Zoning: CR T2.0 C2.0 R1.5 (Waiver)
Owner: 160 PEARS AVENUE LIMITED Ward: Trinity-Spadina (20)
1033421 ONTARIO LTD
Agent: KIM KOVAR
Property Address: 160 PEARS AVE Community: Toronto
Legal Description: PLAN M52 LOT 67 TO 70 PLAN E120 LOT 21 & 22 RP R1527 PARTS 1 & 5

Notice was given and a Public Hearing was held on **Wednesday, July 31, 2013**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a three-storey addition above the existing four-storey office building.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

1. **Section 8(3) Part 1 (2) and Section 12(2) 270, By-law 438-86**
The maximum permitted gross floor area is 2.0 times the area of the lot (4,262 m²).
The altered seven-storey building will have a non-residential gross floor area equal to 4.78 times the area of the lot (10,184 m²).
2. **Section 12(2) 270, By-law 438-86**
The maximum permitted gross floor area of certain uses including showrooms is the amount which existed on the lot in July 20, 1993, plus an additional 1,800 m² (6,754 m²).
The altered seven-storey building will have a total gross floor area of 7,944 m² for showroom purposes.
3. **Section 4(2)(a), By-law 438-86**
The maximum permitted building height is 14 m to the roof plus 5 m for a mechanical penthouse for a total building height of 19 m.
The altered seven-storey building will have a building height of 25.92 m measured to the roof with a 2.5 m mechanical penthouse for a total building height of 28.42 m.
4. **Section 4(5)(a), By-law 438-86**
A total of 28 on-site parking spaces are required to be provided for the non-residential use.
A total of 17 on-site parking spaces will be provided.
5. **Section 4(6)(b), By-law 438-86**
Two Type B loading spaces, one Type C loading space, and 157.5 m² of loading area are required.
No on-site loading spaces/loading area will be provided.

6. **Section 4(17), By-law 438-86**

The minimum dimensions of a parking space, accessed by a two way drive aisle having a width of less than 6.0 m measured at the entrance to the parking space, shall have a parking space width of 3.0 m, except when that minimum required width of a parking space shall be increased by 0.3 m when one or both sides of the parking space is obstructed.

In this case: four existing spaces with an aisle width of 5.94 m have a parking space width of 2.6 m; two existing spaces with an aisle width of 5.56 m have a parking space width of 2.6 m; one existing parking space with an aisle width of 5.56 m has a parking space width of 2.83 m; and one existing parking space with obstruction on both sides and an aisle width of 5.56 m has a parking space width of 2.6 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.

