



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
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NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)

File Number:	A0945/13TEY	Zoning	CR 4.0 (c2.0; r4.0) SS1 (x2254) & CR T3.0 R3.0 (ZZC)
Owner:	MOTTY'S CAMERA AND ANTIQUES	Ward:	Toronto Centre-Rosedale (27)
Agent:	MOTEVALLI ALI		
Property Address:	155 CHURCH ST	Community:	Toronto
Legal Description:	PLAN 22A PT LOT 6		

Notice was given and a Public Hearing was held on **Wednesday, February 5, 2014**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To convert the basement of the existing two-storey mixed-use building into commercial space.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- Chapter 40.10.40.1.(2)(A), By-law 569-2013**
The floor level of the first storey of a non-residential use must be within 0.2 m of grade measured at the lot line abutting the street directly opposite each pedestrian entrance.
In this case, the level of the main floor of the commercial use will be 1.7 m below grade.
- Chapter 40.10.40.1.(2)(B), By-law 569-2013**
The first floor level of the first storey must have a pedestrian access by ramp which rises no more than 0.04 m vertically for every 1.0 m horizontally.
In this case, the entrance to the mixed use building is accessible by steps.
- Section 8(3) Part XI 2(1), By-law 438-86**
The main floor of every commercial use is required to be within 0.2 m of the level of the sidewalk opposite the door to such commercial use
In this case, the level of the main floor of the commercial use will be 1.7 m below the level of the sidewalk.
- Section 8(3) Part XI 2(3), By-law 438-86**
All exterior commercial entrance doors must be directly accessible from the sidewalk by a level surface or a ramp having a slope not greater than 1 in 25 (4%).
In this case, the entrance to the mixed use building is accessible by steps.

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

Gillian Burton (signed)

David Pond (signed)

Yim Chan

John Tassiopoulos (signed)

DATE DECISION MAILED ON: **Tuesday, Febraury 11, 2014**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, February 25, 2014**

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.