

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

File Number:	A0925/13TEY	Zoning:	C (ZZC)
Owners:	MATINA NGOTZAMANIS LAZAROS NGOTZAMANIS	Ward:	Toronto-Danforth (29)
Agent:	EDDIE PERES		
Property Address:	476 COSBURN AVE	Community:	East York
Legal Description:	PLAN 3181 PT LOT 64		

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

PURPOSE OF THE APPLICATION:

To convert the existing mixed-use building by constructing a rear second-storey addition with a deck. The restaurant use on the ground floor will be replaced by an office in the front and a residential unit in the back. The second storey will be occupied by two residential units.

REQUESTED VARIANCES TO THE ZONING BY-LAW:

- 1. Section 8.4.2, By-law 6752**
The minimum required rear yard setback is 7.5 m.
The altered mixed-use building will have a rear yard setback of 5.02 m.
- 2. Section 8.5.1, By-law 6752**
The minimum required number of off-street parking spaces is five (three parking spaces are required for the residential units and two parking spaces are required for the office).
In this case, a total of two off-street parking spaces will be provided (one parking space will be provided for the residential units and one parking space will be provided for the office).
- 3. Section 8.1.2. (b), By-law 6752**
A commercial building or structure shall not contain a dwelling unit or dwelling units unless each storey that contains a habitable room or habitable rooms is above the lowest storey that is above grade.
In this case, the ground floor will contain a habitable room and is the lowest storey that is above grade.

4. Section 8.1.2. (c), By-law 6752

A commercial building or structure shall not contain a dwelling unit or dwelling units unless the commercial building or structure is located on a lot so that an area equal to not less than 50% of the lot area is provided and maintained, free of all construction and obstruction between the level of the floor of the lowest storey that contains a habitable room or rooms and the highest part of the roof of such building or structure (116.40 m²).

In this case, the area that will be provided and maintained, free of all construction and obstruction between the level of the floor of the lowest storey that contains a habitable room and the highest part of the roof of the building is equal to 5% of the lot area (10.96 m²).

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**The Minor Variance Application is Approved**

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

SIGNATURE PAGE

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Gillian Burton (signed)

David Pond (signed)

Yim Chan (signed)

DECLARED AN INTEREST

John Tassiopoulos

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

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