



City Planning Division

Committee of Adjustment  
Toronto and East York District

100 Queen Street West, 1<sup>st</sup> Floor  
Toronto, Ontario M5H 2N2  
Tel: 416-392-7565  
Fax: 416-392-0580

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

|                    |                     |            |                         |
|--------------------|---------------------|------------|-------------------------|
| File Number:       | A0468/13TEY         | Zoning:    | MCR T3.0 C2.5 R1.5(ZZC) |
| Owner:             | 2348613 ONTARIO INC | Ward:      | Trinity-Spadina (20)    |
| Agent:             | KYLE ABDO           |            |                         |
| Property Address:  | 399 DUNDAS ST W     | Community: | Toronto                 |
| Legal Description: | PLAN D116 PT LOT 4  |            |                         |

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 construct a new four-storey building with commercial on the first and second floors, and residential on the third and fourth floors.

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

- Section 8(3) Part I 3(a), By-law 438-86**  
The maximum permitted residential gross floor area is 1.5 times the area of the lot (340.19 m<sup>2</sup>).  
The new building will have a residential gross floor area equal to 1.73 times the area of the lot (393.59 m<sup>2</sup>).
- Section 4(5)(b), By-law 438-86**  
A minimum of 3 retail parking spaces and a residential parking area shall be provided on-site.  
A total of 0 retail parking spaces and a residential parking area will be provided on-site.
- Section 8(3) Part I 1, By-law 438-86**  
The maximum permitted combined non-residential gross floor area and residential gross floor area is 3.0 times the area of the lot (680.73 m<sup>2</sup>).  
The new building will have a combined gross floor area of 3.52 times the area of the lot (798.83 m<sup>2</sup>).

**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 and represents overdevelopment of the subject property.

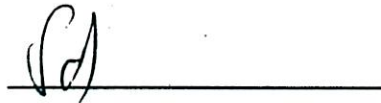
## SIGNATURE PAGE

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Owner: 2348613 ONTARIO INC  
Agent: KYLE ABDO  
Property Address: 399 DUNDAS ST W  
Legal Description: PLAN D116 PT LOT 4

Zoning: MCR T3.0 C2.5 R1.5(ZZC)  
Ward: Trinity-Spadina (20)  
Community: Toronto



Gillian Burton



David Pond



Yim Chan



John Tassiopoulos

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](http://www.omb.gov.on.ca).