

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

File Number:	A0840/14TEY	Zoning	R(f4.5; d1.0)(x835) & R3 Z1.0 (Waiver)
Owner(s):	TM CORP	Ward:	Trinity-Spadina (20)
Agent:	GIANCARLO GAROFALO		
Property Address:	162 HURON ST	Community:	Toronto
Legal Description:	PLAN D241 PT LOT 2		

Notice was given and a Public Hearing was held on **Wednesday, January 14, 2015**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the existing three-storey apartment building by constructing a complete fourth storey addition containing five new dwelling units, and to convert a basement furnace area into a new bachelor dwelling unit for a total of 24 residential dwelling units.

**REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:**

- Chapter 10.10.40.40.(1)(A), By-law 569-2013**  
The maximum permitted floor space index is 1.0 times the area of the lot (213.92 m<sup>2</sup>).  
The existing floor space index of the apartment building is 2.95 times the area of the lot (631.89 m<sup>2</sup>).  
The altered apartment building will have a floor space index equal to 3.87 times the area of the lot (828.7 m<sup>2</sup>).
- Chapter 10.10.40.30.(1)(B), By-law 569-2013**  
The maximum permitted building depth is 14.0 m.  
The altered apartment building will have a depth of 29.7 m.
- Chapter 10.10.40.50.(1)(A) & B, By-law 569-2013**  
A minimum of 96.0 m<sup>2</sup> of amenity space must be provided on the lot, of which a minimum of 48.0 m<sup>2</sup> must be interior amenity space, and a minimum of 40.0 m<sup>2</sup> must be outdoor amenity space that is in a location adjoining or directly accessible to the indoor amenity space.  
In this case, there will be zero indoor residential amenity space provided on the lot (0 m<sup>2</sup>), and zero outdoor residential amenity space provided on the lot (0 m<sup>2</sup>).
- Chapter 10.10.40.10.(1)(A), By-law 569-2013**  
The maximum permitted building height is 12.0 m.  
The altered building will have a height of 13.7 m, measured to the parapet of the main building.

5. **Chapter 200.5.10.1.(1), By-law 569-2013**  
The lawfully existing building is recognized to contain 11 bachelor units. For the 6 additional bachelor units, 5 additional one bedroom units, and 2 additional two bedroom units, five residential parking spaces, and one visitor parking space are to be provided on the lot.  
In this case, there will be no parking spaces provided on the lot.
1. **Section 4(2)(a), By-law 438-86**  
The maximum permitted building height is 12.0 m.  
The altered building will have a height of 13.7 m, measured to the parapet of the main building.
2. **Section 6(3) Part II 3.F(I)(2), By-law 438-86**  
The minimum required side yard setback is 1.2 m where the side wall contains openings.  
The altered building will be located 0.37 m from the north side lot line, and 0 m from the south side lot line.
3. **Section 6(3) Part II 5, By-law 438-86**  
The maximum permitted building depth is 14.0 m.  
The altered apartment building will have a depth of 29.7 m.
4. **Section 4(12), By-law 438-86**  
A minimum of 48.0 m<sup>2</sup> of indoor residential amenity space and 48.0 m<sup>2</sup> of outdoor residential amenity space must be provided on the lot.  
In this case, there will be no indoor residential amenity space provided on the lot (0 m<sup>2</sup>) and no outdoor residential amenity space provided on the lot (0 m<sup>2</sup>).
5. **Section 4(5)(b), By-law 438-86**  
A minimum of nine resident parking spaces and one visitor parking space are to be provided on the lot.  
In this case, there will be no parking spaces provided on the lot.
6. **Section 6(3) Part I 1, By-law 438-86**  
The maximum permitted gross floor area is 1.0 times the area of the lot (213.92 m<sup>2</sup>).  
The existing residential gross floor area of the apartment building is 2.95 times the area of the lot (631.89 m<sup>2</sup>).  
The altered apartment building will have a residential gross floor area equal to 3.87 times the area of the lot (828.7 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.

**SIGNATURE PAGE**

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**DISSENTED**

_____	_____	_____
Barbara Leonhardt (signed)	Donna McCormick	Mary Pitsitikas (signed)
_____	_____	
Christian Chan (signed)	Robert Brown (signed)	

DATE DECISION MAILED ON: **Tuesday, January 20, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, February 3, 2015**

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).

