

Thursday, November 26, 2015

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

File Number:	A0778/15NY	Zoning	site specific By-law 222-2013(waiver)
Owner(s):	ALI AHMAD BEAUX PROPERTIES INTERNATIONAL INC	Ward:	Don Valley West (25)
Agent:	GOODMANS LLP	Heritage:	Not Applicable
Property Address:	99 ERSKINE AVE	Community:	Toronto
Legal Description:	TSCP 2034 LEVEL 1 UNIT 1		

Notice was given and a Public Hearing was held on Thursday, November 26, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To permit the addition of two-storeys to the approved 32-storey building, resulting in a 34-storey residential apartment building. No other changes are proposed to the built form. Related planning files include consent application B033/14NY, 07 277684 NNY 25 OZ and 10 288680 NNY 25 SA.

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

- 1. Section 4(c), By-law No. 222-2013**
The permitted total floor space index for existing Building C and proposed Buildings A and B as shown on Schedule B shall be 4.4, based on the area of the lot as shown on Schedule A.
The proposed floor space index for existing Building C and proposed Buildings A and B as shown on Schedule B is 4.58.
- 2. Section 4(e), By-law No. 222-2013**
The total residential gross floor area of Buildings A and B to be erected on the lot shall not exceed 32,350m².
The proposed residential gross floor area of Buildings A and B to be erected on the lot is 34,775m².
- 3. Section 4(f), By-law No. 222-2013**
The maximum number of dwelling units does not exceed 432.
The proposed number of dwellings units is 435.

4. Section 4(h), By-law No. 222-2013

No part of any building or structure erected or used above finished ground level shall exceed the height limits above grade for such building in metres specified by the numbers following the symbol "H" or, with respect to existing Building C, the height of existing Building C as shown on Schedule B.

The proposed height of Building A is 108.20m and 34 storeys, instead of 101.25m and 32 storeys.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

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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Rick Ross (signed)

Bruce Mullock (signed)

Denise Graham (signed)

Giacomo Tonon (signed)

DATE DECISION MAILED ON: Thursday, December 3, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Wednesday, December 16, 2015

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North 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.