

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

File Number:	A0973/15TEY	Zoning	CR 2.5 (c2.0; r2.0) SS2 (x1865) & CR T2.5 C2.0 R2.0 (WAIVER)
Owner:	SPADINA COURT LTD	Ward:	Trinity-Spadina (20)
Agent:	ZOHAR PHILOSOPH	Heritage:	Not Applicable
Property Address:	374 SPADINA AVE	Community:	Toronto
Legal Description:	PLAN D15 PT LOT 5		

Notice was given and a Public Hearing was held on **Wednesday, December 2, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new one-storey retail coffee shop with a mezzanine.

REQUESTED VARIANCE TO THE ZONING BY-LAW:

- Chapter 40.10.40.10.(4)(A), By-law 569-2013**
The minimum required building height is 10.5 m and it must have at least three storeys.
The new building will have a height of 10.5 m and it will have two storeys.
- Chapter 40.10.40.70.(2)(B)(i), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The new building will be located 0.5 m from the west rear lot line.

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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Robert Brown (signed)

Edmund Carlson (signed)

Worrick Russell (signed)

DISSENTED

Nancy Oomen

DATE DECISION MAILED ON: **Tuesday, December 8, 2015**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, December 22, 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.