



City Planning Division

Committee of Adjustment  
Toronto and East York District

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

File Number:	A1229/15TEY	Zoning	E1.0 (x229) & MCI(e)(H) & HPI-(H) (WAIVER)
Owner:	TCI REALTY HOLDINGS INC	Ward:	Beaches-East York (31)
Agent:	TONY MANTECON	Heritage:	Not Applicable
Property Address:	<b>5 BERMONDSEY RD &amp; 1200 O'CONNOR DR</b>	Community:	East York
Legal Description:	PLAN 3281 PT BLK B		

Notice was given and a Public Hearing was held on **Tuesday, March 8, 2016**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To alter the existing industrial building by constructing a new south side addition, new unloading station and new silos in the north side yard.

**REQUEST FOR PERMISSION:**

The property has lawful-nonconforming status under the *Planning Act*, as the manufacturing of goods and materials including the accessory factory retail outlet existed prior to the passing of **Section 8.C.2(a), By-law 6752, 89-2003, and 589-2008** which does not list the said use as being permitted on the portion of the subject property zoned MCI(e)(H). Any change of use, alteration or addition to the building requires the permission of the Committee of Adjustment.

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

- Chapter 900.20.10.(229)(B), By-law 569-2013**  
The maximum permitted lot coverage is 65% of the lot area (18,912 m<sup>2</sup>). The lot coverage will be equal to 72% of the lot area (20,946 m<sup>2</sup>).
- Chapter 900.20.10.(229)(B), By-law 569-2013**  
The maximum permitted building height is 15 m.  
The altered building will have a roof height of 17.5 m, with a mechanical penthouse height of 22.5 m, silo height of 19.5 m and high roof access height of 19 m.
- Chapter 60.20.40.70.(2), By-law 569-2013**  
The minimum required side yard setback is 3.0 m.  
The altered building will be located 1.0 m from the south side lot line.

4. **Chapter 60.20.90.40.(2), By-law 569-2013**  
A loading space may not have its vehicle access through a main wall that faces a street. In this case, vehicle access to the loading spaces in the addition will be through the main wall that faces a street (Cranfield Road).
5. **Chapter 200.5.10.1.(1), By-law 569-2013**  
A minimum of 282 parking spaces are required to be provided.  
In this case, 72 parking spaces will be provided.
1. **Section 8.C.2(c)(iv) and 9.4.(a)(v), By-law 6752, 89-2003, and 589-2008**  
The minimum required side yard setback is 6.0 m in both the MCI(e)(H) and HPI-(H) zones.  
The altered building will be located 1.0 m from the south side lot line in both the MCI(e)(H) and HPI-(H) zones.
2. **Section 8.C.2(c)(vi) and 9.4.(a)(vii), By-law 6752, 89-2003, and 589-2008**  
The maximum permitted building height is 15 m in both the MCI(e)(H) and HPI-(H) zones.  
The altered building will have a roof height of 17.5 m, with a mechanical penthouse height of 22.5 m, silo height of 19.5 m and high roof access height of 19 m in both the MCI(e)(H) and HPI-(H) zones.
3. **Section 8.C.2(g)(i) and 9.4.(b)(i), By-law 6752, 89-2003, and 589-2008**  
A minimum of 205 parking spaces are required to be provided in both the MCI(e)(H) and HPI-(H) zones.  
In this case, 72 parking spaces will be provided.
4. **Section 8.C.2(k)(iii), By-law 6752, 89-2003, and 589-2008**  
In the MCI(e)(H) zone, no loading space is permitted to be located in any yard adjoining a street.  
In this case, two loading spaces will be located in the north side yard adjoining Bermondsey Road.
5. **Section 8.C.2(c)(vii), By-law 6752, 89-2003, and 589-2008**  
The maximum permitted floor space index is 1.0 times the area of the lot (29,095 m<sup>2</sup>) in the MCI(e)(H) zone.  
The altered building will have a floor space index equal to 1.17 times the area of the lot (33,811.25 m<sup>2</sup>).
6. **Section 9.4.(a), By-law 6752, 89-2003, and 589-2008**  
The maximum permitted lot coverage is 65% of the lot area (18,912 m<sup>2</sup>) in the HPI-(H) zone.  
The lot coverage will be equal to 72% of the lot area (20,946 m<sup>2</sup>).
7. **Section 9.6.(a), By-law 6752, 89-2003, and 589-2008**  
In the HPI-(H) zone, a loading space or a loading door is not permitted to be located in any yard or wall of any building facing a street.  
In this case, the entrance leading to the loading spaces in the addition, and an additional loading door and space will be located within the walls and yard facing a street (Cranfield Rd).

**IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

**The Minor Variance and Permission Application is Approved on Condition**

It is the opinion of the Committee of Adjustment, that the request:

- maintains the general intent and purpose of the Official Plan;
- maintains the general intent and purpose of the Zoning By-law;
- represents desirable and appropriate development of the land;
- is minor; and.
- has met the requirements of subsections 45(2)(a)(i)(ii) of the Planning Act.

This decision is subject to the following condition(s):

- (1) The height of the building shall be constructed in accordance with the attached Site Plan drawing SP-1H, as drawn by Vanderwesten Rutherford Mantecon Inc. on October 2015, as revised to February 15, 2016 and date stamped received by Community Planning on February 25, 2016.
- (2) The owner shall owner provide streetscaping on the abutting public right-of-ways to the satisfaction of the Director of Community Planning, Toronto and East York District.
- (3) The owner shall enter into an agreement to secure the above noted streetscaping, including posting of any financial securities, to the satisfaction of the City Solicitor.
- (4) The applicant/owner shall provide a total of 176 parking spaces to serve the site/development, both on-site and off-site to the satisfaction of the Acting Manager, Traffic Planning, Transportation Services, Toronto and East York District.