TORONTO
City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st 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:	A1120/16TEY	Zoning	CR (c2.0, r2.5) SS2 & MCR T3.0 C2.0 R2.5 (ZPR)
Owner(s):	KAREN TERMKRTCHYAN	Ward:	Toronto-Danforth (29)
Agent:	JOSEPH MAZZITELL	Heritage:	Not Applicable
Property Address:	**1090 - 1092 DANFORTH AVE**	Community:	Toronto
Legal Description:	PL 551 PT LTS 30 & 31 RP 63R601 PT 2 << ENTRANCE ADDRESS FOR 1092 DANFORTH AVE		

Notice was given and a Public Hearing was held on **Wednesday, March 1, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey mixed-use building containing ground floor commercial retail use, by adding a new dwelling unit on the ground floor and converting the existing dwelling unit on the second and third floor into four dwelling units, for a total of five dwelling units in the building.

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

1. **Chapter 40.10.40.1.(1), By-law 569-2013**
   In a mixed-use building, all residential use portions of the building must be located above non-residential use portions.
   In this case, the mixed-use building will contain residential and non-residential use portions on the same level.

2. **Chapter 900.11.10(2)(A)(i), By-law 569-2013**
   The minimum required number of parking spaces is 2 spaces.
   In this case, 0 parking spaces will be provided on-site.

1. **Section 4(3)(a), By-law 438-86**
   A mixed use building located on a lot with a frontage of 12.5 m or less, is served by a public or private lane, and contains no more than 12 dwelling units requires a parking facility provided on the lot having a depth of 6.0 m measured from a point greater or equal to the required setbacks, and a minimum width equal to the width of the lot at that location, minus, where they are provided, the width of three structural supports, the width of any passageway required by the Ontario Building code or passageway for bicycle parking, or the width required for boundary fences.
   In this case, no parking facility will be provided on the lot.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

SIGNATURE PAGE

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Edmund Carlson

Ewa Modlinska

Nancy Oomen

Worrick Russell

DATE DECISION MAILED ON: **Monday March 7, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday March 21, 2017**

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 $300.00, 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.