



City Planning Division
Michael Mizzi, MCIP, RPP
Director, Zoning and Secretary-Treasurer,
Committee of Adjustment

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
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**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)**

File Number: A0452/18TEY
Property Address: 2401 QUEEN ST E
Legal Description: PLAN 1038Y LOT 10
Agent: DAVID WEISS
Owner(s): WESTWOOD HOLDINGS (V) INC
WESTWOOD HOLDINGS INC
Zoning: MCR T2.0 C0.5 R2.0 (ZZC)
Ward: Beaches-East York (19)
Beaches-East York (32)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on **Wednesday, February 27, 2019**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey 21-unit apartment building by constructing a rear three storey and third storey addition and adding one live/work unit.

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

- 1. Section 8(3) Part I 3(A), By-law 438-86**
The maximum permitted residential gross floor area is 2.0 times the area of the lot (1462.0 m²).
The altered building will have a residential gross floor area equal to 2.12 times the area of the lot (1547.0 m²).
- 2. Section 8(3) Part I 1, By-law 438-86**
The maximum permitted combined gross floor area is 2.0 times the area of the lot (1462.0 m²).
The altered building will have a combined gross floor area equal to 2.12 times the area of the lot (1547.0 m²).
- 3. Section 8(3) Part II 4(A), By-law 438-86**
The minimum required rear yard setback is 7.5 m from a lot in a residential or park district.
The altered mixed-use building will be located 1.14 m from the rear lot line.

4. Section 8(3) Part II 4(C)(III), By-law 438-86

A building is required to be within the 45 degree angular plane projected over the lot from an elevation of 10.0 m above the average elevation of the ground at a distance of 7.5 m from a lot in a residential or park district.

The altered building will penetrate this angular plane.

5. Section 4(3)(a), By-law 438-86

A minimum of one parking space is required for the additional unit.

In this case, no additional parking spaces will be provided.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **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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ABSTAINED

DISSENTED

Lisa Valentini (signed)

Michael Clark

Donald Granatstein

Carl Knipfel (signed)

DATE DECISION MAILED ON: **TUESDAY, MARCH 5, 2019**

LAST DATE OF APPEAL: **TUESDAY, MARCH 19, 2019**

CERTIFIED TRUE COPY

Anita M. MacLeod (signed)
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

All appeals must be filed with the Deputy Secretary-Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the Toronto Local Appeal Body (TLAB) should be submitted in accordance with the instructions below unless there is a related appeal* to the Local Planning Appeal Tribunal (LPAT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD or USB;
- \$300 for each appeal filed regardless if related and submitted by the same appellant;
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds).

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

To appeal this decision to the LPAT you need the following:

- a completed LPAT Appellant Form (A1) in **paper format**;
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- Fees are payable to the Minister of Finance by certified cheque or money order (Canadian funds).

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.