

Thursday, August 22, 2019

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

**File Number:** A0278/17SC  
**Property Address:** 939 WARDEN AVE  
**Legal Description:** PLAN 4087 LOT 13  
**Agent:** BATTAGLIA ARCHITECT INC  
**Owner(s):** 1742385 ONTARIO INC  
**Zoning:** Industrial (M) Zone [Waiver]  
**Ward:** Scarborough Centre (21)  
**Community:** Golden Mile Employment District  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, August 22, 2019, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To permit the required rear yard setback to be reduced for the existing building and one-storey, 183 square metre addition to the east side of the existing warehouse building.

**REQUESTED VARIANCES TO THE ZONING BY-LAW:**

By-law No. 24982:

- 1) [Schedule "B" - Performance Standards - 991.Rear Yard Setback]  
The proposed rear yard setback is 4.97 m  
Whereas the minimum required rear yard setback is 7.5 m

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**

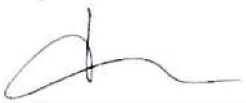
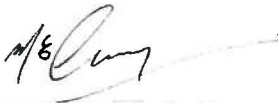


It is the decision of the Committee of Adjustment to authorize this variance application for the following reasons:

- **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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**Table 1, Panel Member Digital Signatures**

 _____ Dominic Gulli	 _____ Eden Gajraj	 _____ Hena Kabir
 _____ Nimrod Salamon		

DATE DECISION MAILED ON: Tuesday, August 27, 2019

LAST DATE OF APPEAL: Wednesday, September 11, 2019

CERTIFIED TRUE COPY



Andre Robichaud  
Manager & Deputy Secretary Treasurer  
Scarborough Panel

## **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](http://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.