

Thursday, February 13, 2020

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

File Number: A0284/19SC
Property Address: 1957-1961 KENNEDY RD
Legal Description: PLAN 9953 RCP PT LOT 28 NOW RP 66R9115 PART 1 AND RP 64R13132 PART 1 (7-9 PROGRESS AVE)
Agent: MB1 DEVELOPMENT CONSULTING INC
Owner(s): QUEEN PROGRESS INVESTMENTS LTD QUEEN PROGRESS INVESTMENTS LTD
Zoning: Mixed Employment (ME) Zone [ZR]
Ward: Scarborough Centre (21)
Community: Progress Employment District
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, February 13, 2020, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

Proposal to convert the basement at 1957 Kennedy Road into restaurant use to expand the existing Mr. Greek restaurant on the main floor, and to create additional restaurant floor area by converting Unit B3 at 7 Progress Avenue. No changes are proposed to the floor area of the existing buildings or the surface parking area.

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

By-law No. 24982:

- 1) The existing number of parking spaces 154;
Whereas the minimum required number of parking spaces is 205
- 2) The proposed Gross Floor Area of all Retail Stores, Restaurants, Financial Institutions, Personal Service Shops, Places of Entertainment and Recreational Uses is 0.35 times the area of the lot;
Whereas the Gross Floor Area of all Retail Stores, Restaurants, Financial Institutions, Personal Service Shops, Places of Entertainment and Recreational

Uses minus the Gross Floor Area of malls, public walkways and other common services may not exceed 0.32 times the area of the lot

- 3) The proposed Gross Floor Area of all restaurants is 1,613.2 m²;
Whereas the Gross Floor Area minus the gross floor area of malls, public walkways and other common services of all Restaurants may not exceed 1,000 m²

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 Approved

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 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

File Number: A0284/19SC

Property Address: 1957-1961 KENNEDY RD

Legal Description: PLAN 9953 RCP PT LOT 28 NOW RP 66R9115 PART 1 AND RP 64R13132 PART 1 (7-9 PROGRESS AVE)

Agent: MB1 DEVELOPMENT CONSULTING INC

Owner(s): QUEEN PROGRESS INVESTMENTS LTD QUEEN PROGRESS INVESTMENTS LTD

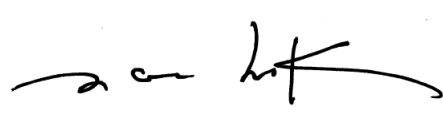
Zoning: Mixed Employment (ME) Zone [ZR]

Ward: Scarborough Centre (21)

Community: Progress Employment District

Heritage: Not Applicable

Table 1, Panel Member Digital Signatures

		
Amy Emm	Hena Kabir	Anne McCauley
		
Gary McKay	Muhammad Saeed	

DATE DECISION MAILED ON: Tuesday, February 18, 2020

LAST DATE OF APPEAL: Wednesday, March 4, 2020

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 stick; and
- \$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 website 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 digital format on a USB stick and in paper format; and
- \$300 with an additional reduced fee of \$25 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.