

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

Committee of Adjustment
Scarborough
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7

416-396-3223
coa.sc@toronto.ca

Wednesday, September 23, 2020

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

File Number: A0189/20SC
Property Address: 3655 KINGSTON RD
Legal Description: PLAN 2235 PT LOT 26,27
Agent: MARTIN QUARCOOPOME
Owner(s): 1416958 ONTARIO INC
Zoning: Apartment (A) & Residential Apartment (RA) Zone [ZR]
Ward: Scarborough-Guildwood (24)
Community: Scarborough Village Community
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Wednesday, September 23, 2020, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To permit additional variances for the 9 storey apartment building consisting of 106 residential dwelling units. A previous Committee of Adjustment application (A0035/19SC) permitted variances for lot coverage and floor area.

The development was the subject of a combined Official Plan and Zoning By-law Amendment application (File No. 15 245019 ESC 36 OZ). On October 4, 2017, City Council approved the application and adopted amendments to the Scarborough Village Community Zoning By-law No. 10010 and the Toronto Zoning By-law No. 569-2013 to permit the development. The proposed building setbacks, height and the entire building envelope have not changed since City Council passed the zoning by-law amendments.

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

- Chapter 15.10.40.1.(2), By-law No. 569-2013 and Performance Standard 278, By-law No. 10010**
The maximum permitted number of dwelling units is 99.
The proposed number of dwelling units is 106.

2. **Chapter 200.5.1.10.(2)(A)(iii), By-law No. 569-2013 and Provision 1.3.1(a), By-law No. 10010**

The parking spaces must have minimum vertical clearance of 2 m.

Parking spaces T78 and T79 are proposed to have a vertical clearance of 1.98 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 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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Table 1, Panel Member Digital Signatures

| | | |
|---|---|--|
|  _____ |  _____ |  _____ |
| Anne McCauley | Gary McKay | Hena Kabir |
|  _____ | | |
| Muhammad Saeed | | |

DATE DECISION MAILED ON: Monday, September 28, 2020

LAST DATE OF APPEAL: Tuesday, October 13, 2020

CERTIFIED TRUE COPY


Colin Ramdial
Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.sc@toronto.ca and Colin.Ramdial@toronto.ca 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).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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.
- \$400 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).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

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.