

Thursday, December 7, 2023

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

**File Number:** A0237/23NY  
**Property Address:** 717 MOUNT PLEASANT RD  
**Legal Description:** PLAN 694 BLK 1 PT LOT 7  
**Agent:** ROCKPORT (MPE) INC.  
**Owner(s):** ROCKPORT (MPE) INC.  
**Zoning:** CR [WAV]  
**Ward:** Don Valley West (15)  
**Community:** Toronto  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Thursday, December 7, 2023, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To permit the addition of 4 storeys above the approved 23 storey building, as well as squaring off the curvature nature of the west façade by reducing the north, south and west tower setbacks.

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

**1. Chapter 900.11.10(522), Exception 522, Regulation (K), By-law 569-2013**

The permitted maximum gross floor area for all buildings and structures on the lot is 17,500 square metres.

The proposed maximum gross floor area is 21,755 square metres.

**2. Chapter 900.11.10(522), Exception 522, Regulation (K)(i), By-law 569-2013**

The permitted maximum gross floor area for residential uses is 17,200 square metres.

The proposed maximum gross floor area for residential uses is 21,455 square metres.

**3. Chapter 900.11.10(522), Exception CR 522, Regulation (H), By-law 569-2013 and Diagram 3, By-law 1189-2022(OLT):**

The permitted maximum height of a building or structure is the numerical value in metres following the letters "HT" as shown on Diagram 3 of By-law 1189-2022(OLT). In this case, the permitted maximum overall height is 75.0 metres.

The proposed maximum height of a building or structure is the numerical value in metres following the letters "HT" as shown on the revised Diagram 3.

**4. Chapter 900.11.10(522), Exception CR 522, Regulation (M), By-law 569-2013 and Diagram 3, By-law 1189-2022(OLT):**

The required minimum building setbacks are as shown in metres on Diagram 3 of By-law 1189-2022(OLT)

The proposed minimum building setbacks are as shown in metres on the revised Diagram 3.

**5. Chapter 900.11.10(522), Exception 522, Regulation (N)(ii), By-law 569-2013**

A maximum of 3 balconies are permitted on each storey of the east main walls of the building above a height of 22.5m.

Proposed maximum of 3 balconies are permitted on each storey of the east main walls of the building above a height of 23m.

**6. Chapter 900.11.10(522), Exception 522, Regulation (N)(iii), By-law 569-2013**

Balconies shall not be within the areas labeled "Balcony restricted areas" at or above a height of 22.5m on Diagram 4 of By-law 1189-2022(OLT)

Proposed balconies shall not be within the areas labeled "Balcony restricted areas" at or above a height of 23m on Diagram 4 of By-law 1189-2022(OLT).

**7. Chapter 900.11.10(522), Exception CR 522, Regulation (T)(i), By-law 569-2013**

Residential parking spaces are to be provided at a minimum rate of 0.27 parking spaces per dwelling unit.

Proposed residential parking will be provided at a minimum rate of 0.21 parking spaces per unit dwelling.

**8. Chapter 900.11.10(522), Exception CR 522, Regulation (T)(ii), By-law 569-2013**

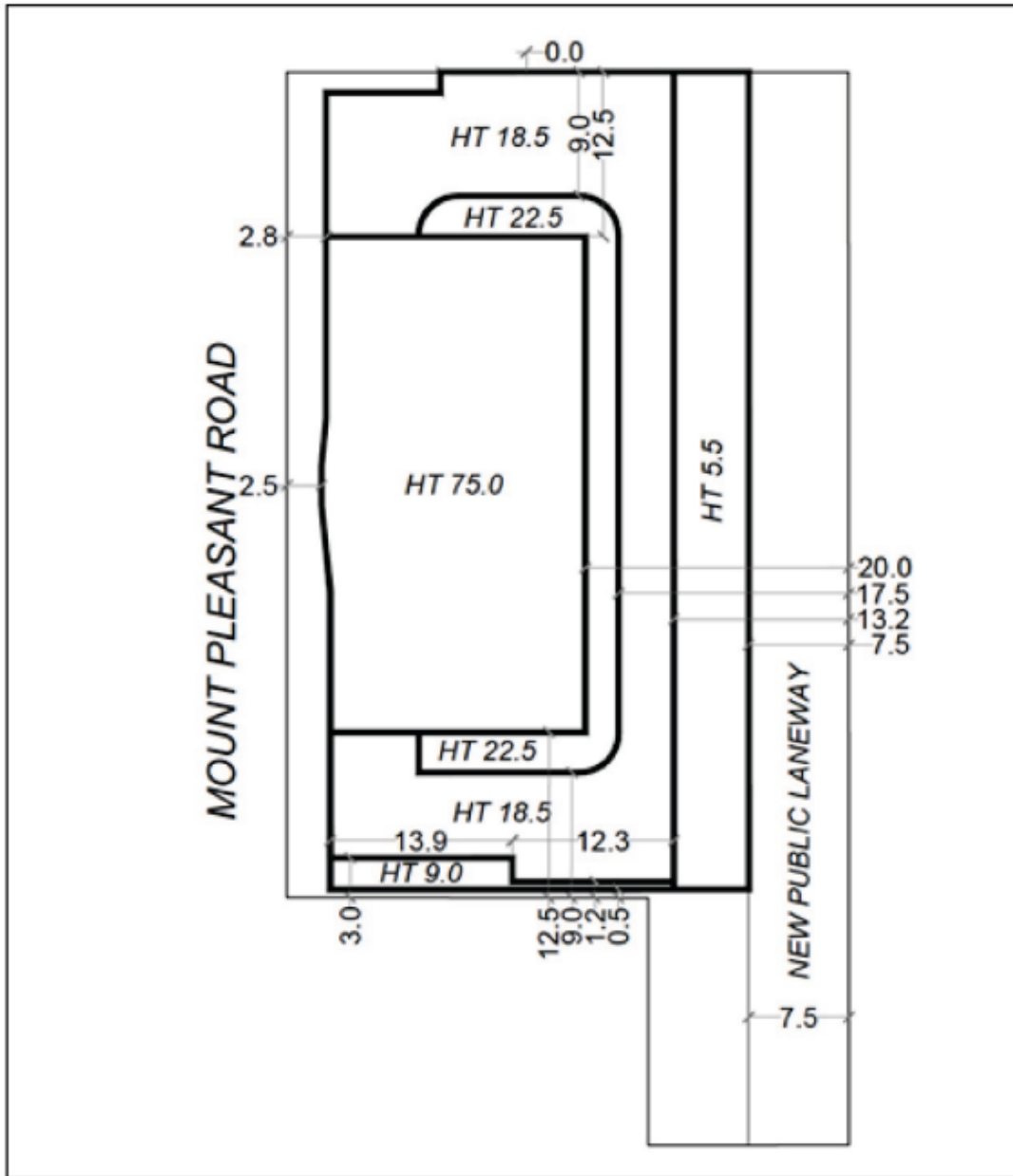
Parking spaces for the shared use of residential visitors and non-residential uses are to be provided at a minimum rate of 0.1 parking spaces per dwelling unit.

The proposed parking spaces for the shared use of residential visitors and non-residential uses will be provided at a minimum rate of 0.07 parking spaces per dwelling unit.

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.



 **Toronto**  
Diagram 3

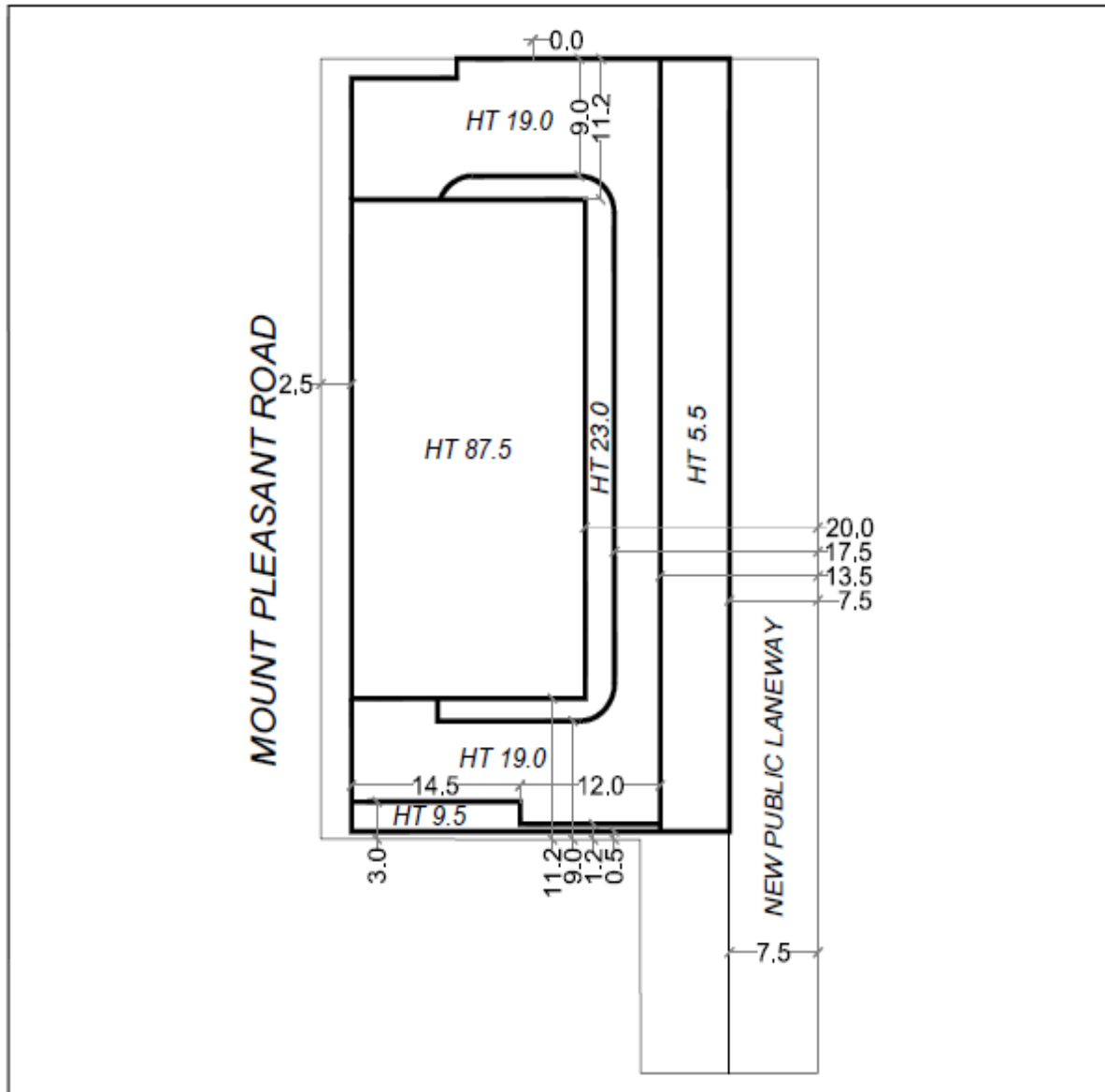
717, 719, 723 and 733 Mount Pleasant Road

File # 19 263788 NNY 15 02

  
City of Toronto By-law 569-2013  
Not to Scale  
03/30/2022

## Revised Diagram 3

City of Toronto By-law No. \_\_\_\_ - 2023 (OLT)



733 Mount Pleasant Road, Toronto

Diagram 3

File #18 \_\_\_\_\_



Not to Scale

City of Toronto By-law 569-2013



## City of Toronto By-law No. \_\_\_\_ - 2023 (OLT)



## SIGNATURE PAGE

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Larry Swartz (signed)



Jesse Auspitz (signed)

Mehdi Marzyari (signed)

DATE DECISION MAILED ON: Thursday, December 14, 2023

LAST DATE OF APPEAL: Wednesday, December 27, 2023

CERTIFIED TRUE COPY

**Sai-Man Lam**

Manager and Deputy Secretary-Treasurer

## Appeal Information

Only the applicant, the Minister, or a specified person or public body that has an interest in the matter may appeal this decision.

All appeals must be filed by e-mail with the Deputy Secretary-Treasurer, Committee of Adjustment to [coa.ny@toronto.ca](mailto:coa.ny@toronto.ca) and [sai-man.lam@toronto.ca](mailto:sai-man.lam@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 Ontario Land Tribunal (OLT) for the same matter.

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 should be submitted in accordance with the Ontario Land Tribunal (OLT) appeal instructions.

### TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB, you must submit 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.

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](http://www.toronto.ca/tlab).

### ONTARIO LAND TRIBUNAL (OLT) APPEAL INSTRUCTIONS

To appeal this decision to the OLT, you must submit the following:

- A completed OLT Appellant Form (A1).
- \$400 for each appeal type with an additional fee of \$25 for each connected appeal of the same type filed by the same appellant.
- Fees are payable by certified cheque, money order, or credit card, and must be in Canadian funds. Certified cheques and money orders should be made payable to the Minister of Finance. If you would like to pay the fee by credit card, please indicate this on the appeal form and staff will phone you to complete the transaction – do not record any credit card details on the appeal form.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the OLT website at <https://olt.gov.on.ca/appeals-process/>