

Caroline Samuel, MCIP, RPPActing Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of

Adjustment

Etobicoke York

2 Civic Centre Crt

Toronto, ON M9C 5A3

416-394-8060

coa.ey@toronto.ca

Thursday, August 29, 2024

**NOTICE OF DECISION
MINOR VARIANCE/PERMISSION
(Section 45 of the Planning Act)****File Number: A0266/24EYK****Property Address: 1306 THE QUEENSWAY**

Legal Description: PLAN 940 PT LOTS 1 AND 2

Agent: KS 1306-1310 THE QUEENSWAY INC

Owner(s): KS 1306-1310 THE QUEENSWAY INC

Zoning: CR 2.0 (Waiver)

Ward: Etobicoke-Lakeshore (03)

Community:

Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, August 29, 2024, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To modify the development standards from site specific By-law 199-2022.

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

- 1. Section 900.11.10.(317)(H), By-law 569-2013 & Section 8(H), By-law 199-2022**
The permitted maximum gross floor area of all buildings and structures is 68 000 m² and the permitted maximum gross floor area for residential uses is 66 500 m². The proposed gross floor area of all buildings and structures is 75 292 m² and the proposed gross floor area for residential uses is 74 125 m².
- 2. Section 900.11.10.(317)(L), By-law 569-2013 & Section 8(L), By-law 199-2022**
The required minimum building setbacks and above-ground separation distance between main walls are as shown on Diagram 6.
The proposed building setbacks and above-ground separation distance between main walls is shown on Revised Diagram 6.

3. **Section 900.11.10.(317)(N), By-law 569-2013 & Section 8(M), By-law 199-2022**
 Encroachments are permitted into the required minimum building setbacks, angular plane and above-ground separation distance between main walls is shown on Diagram 6 of By-law 199-2022.
 Encroachments are permitted into the required minimum building setbacks and above-ground separation distance between main walls is shown on Diagram 6 of By-law 199-2022.
4. **Section 900.11.10.(317)(E), By-law 569-2013 & Section 8(E), By-law 199-2022**
 The permitted maximum number of storeys in any portion of a mixed use building is the numerical value followed by the "ST" as shown on Diagram 6.
 The proposed maximum number of storeys in any portion of the mixed use building is the numerical value followed by the "ST" shown on Revised Diagram 6.
5. **Section 900.11.10.(317)(D), By-law 569-2013 & Section 8(D), By-law 199-2022**
 The permitted maximum height of a building or structure is the height in metres specified by the numbers following symbol "HT" on Diagram 6.
 The proposed maximum height of a building or structure is the height in metres specified by the numbers following symbol "HT" on Revised Diagram 6.
6. **Section 900.11.10.(317)(N), By-law 569-2013 & Section 8(N), By-law 199-2022**
 No portion of a building, excluding those features listed in (F) and (M) above, may penetrate a 45-degree angular plane projected over the lot, starting at a line along a lot line of any lot in the O, ON or OR Zone or the Residential Zone category or Residential Apartment Zone category.
 The proposed upper levels of the towers and the building fronting Kipling Avenue will penetrate a 45-degree angular plane from the closest Residential Zone Category.
7. **Section 900.11.10.(317)(T)(i), By-law 569-2013 & Section 8(T)(i), By-law 199-2022**
 One (1) Type "G" loading space and one (1) Type "B" loading space must be provided.
 Despite Regulation T(i) above, one (1) Type "B" loading space may be satisfied through the provision of one (1) Type "G" loading space.

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.

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- 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

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Community:
Heritage: Not Applicable



Donald Taylor (signed)



Laura Alderson (signed)



Dominic Gulli (signed)



Natalija Popovic (signed)



Rick Ross (signed)

DATE DECISION MAILED ON: Friday, September 6, 2024

LAST DATE OF APPEAL: Wednesday, September 18, 2024

CERTIFIED TRUE COPY

Barbara Bartosik

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.ey@toronto.ca and Barbara.Bartosik@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.

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/>