



**Kyle Knoeck, M.Sc.Pl., MCIP, RPP**  
Director, Zoning and Secretary-Treasurer  
Committee of Adjustment  
City Planning Division

Colin Ramdial  
Manager and Deputy Secretary-Treasurer

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Monday, March 17, 2025

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

**File Number:** A0220/24SC  
**Property Address:** 1160 BIRCHMOUNT RD - UNIT 4  
**Legal Description:** PLAN 4329 PT BLK C RP 66R17412 PART 1  
**Agent:** HARPER DELL & ASSOCIATES INC  
**Owner(s):** SONEIL BIRCHMOUNT INC  
**Zoning:** E 1.0 [ZAP]  
**Ward:** Scarborough Centre (21)  
**Community:**  
**Heritage:** Not Applicable

Notice was given and a Public Hearing was held on Wednesday, March 12, 2025, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To permit recreation use in Unit 4 of the existing one-and-one-half-storey building containing industrial uses. Also, to permit a reduction in the number of accessible parking spaces provided.

\*NOTE: This Revised Notice of Decision is being issued to correct the Signature Page.

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

- 1. Chapter 60.30.20.10.(1), By-law 569-2013**  
In the EH zone, the following uses are permitted:
  - Ambulance Depot
  - Animal Shelter
  - Bindery
  - Building Supply Yards
  - Carpenter's Shop
  - Chemical Materials Storage
  - Cold Storage
  - Contractors Establishment
  - Custom Workshop
  - Dry Cleaning or Laundry Plant
  - Fire Hall
  - Fuel Storage

Industrial Sales and Service Use  
Laboratory  
All Manufacturing Uses except:  
1) Ammunition, Firearms or Fireworks Factory;  
2) Crude Petroleum Oil or Coal Refinery;  
3) Explosives Factory;  
4) Tannery  
Police Station  
Public Utility  
Public Works Yard  
Recovery Facility  
Service Shop  
Shipping Terminal  
Vehicle Depot  
Vehicle Repair Shop  
Warehouse  
Waste Transfer Station [ By-law: OMB PL130592 ]  
Recreation is proposed as a permitted use.

**2. Chapter 200.15.10.10.(1), By-law 569-2013**

In accordance with Table 200.15.10.5, if the number of parking spaces associated with dwelling units is 5 or more, or if the number of parking spaces associated with uses in Tiers 1, 2, 3, or 4, excluding medical offices and clinics, is 1 or more, clearly identified off street accessible parking spaces must be provided on the same lot as every building or structure erected or enlarged, as follows:

(A) if the number of effective parking spaces is less than 13, a minimum of 1 parking space must comply with all regulations for an accessible parking space in Section 200.15;

(B) if the number of effective parking spaces is 13 to 100, a minimum of 1 parking space for every 25 effective parking spaces or part thereof must comply with all regulations for an accessible parking space in Section 200.15; and

(C) if the number of effective parking spaces is more than 100, a minimum of 5 parking spaces plus 1 parking space for every 50 effective parking spaces or part thereof in excess of 100 parking spaces must comply with all regulations for an accessible parking space in Section 200.15. [ By-law: 1048-2022 ]

The minimum required number of accessible parking spaces is 1.

The proposed number of accessible parking spaces is 0.

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 approve 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

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DAVID STINSON (CHAIR)



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ANNE MCCAULEY

**\*DISSENTED**

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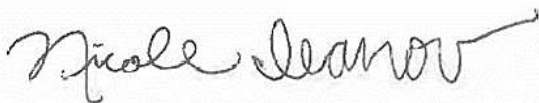
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NANCY OOMEN

DATE DECISION MAILED ON: **Monday, March 17, 2025**

LAST DATE OF APPEAL: **Tuesday, April 1, 2025**

CERTIFIED TRUE COPY



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**Nicole Ivanov**

Acting Manager and Deputy Secretary-Treasurer  
Committee of Adjustment, Scarborough District

## 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.sc@toronto.ca](mailto:coa.sc@toronto.ca) and [Colin.Ramdial@toronto.ca](mailto: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 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/>