

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0435/16TEY	Zoning	RD (d0.35) (x961) & R2 Z0.6 (12.0 HGT) (Waiver)
Owner(s):	NASEER ANWAR ABBASI	Ward:	Beaches-East York (32)
Agent:	DANILO MARASIGAN	Heritage:	Not Applicable
Property Address:	25 PINE CRES	Community:	Toronto
Legal Description:	PLAN M390 PT LOT 51 PLAN 406 PT LOT 133		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter a two-storey detached dwelling by constructing a second floor addition on the northside with a roof top terrace garden and a third story addition.

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

- Chapter 10.20.40.70.(2)(A), By-law 569-2013**
The minimum required rear yard setback is 7.5 m.
The rear yard setback will be 0.18 m.
- Chapter 10.20.40.40.(1) (A), By-law 569-2013**
The maximum permitted floor space index is 0.35 times the area of the lot (115.37 m²).
The floor space index will be 0.774 times the area of the lot (255.21 m²).
- Chapter 10.20.40.10.(4)(A), By-law 569-2013**
The maximum permitted building height is 7.2 m.
The building height will be 9.64 m.
- Chapter 10.20.40.10.(4)(C), By-law 569-2013**
The maximum permitted number of stories in a building is two.
This altered building will have three stories.
- Chapter 10.20.40.50.(1) (B), By-law 569-2013**
The maximum permitted area of each platform at or above the second storey of a detached house is 4.0 m².
The area of the north side platform above the second storey will be 46.6 m².

6. Chapter 10.20.40.70.(3) (G), By-law 569-2013

The minimum required side yard setback is 3.0 m where the lot frontage is greater than 30.0 m.
The south side yard setback will be 0.71 m and the north side yard setback will be 1.47 m.

1. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback is 0.9 m for that portion of the building not exceeding 17.0 m in depth and where the side wall contains openings.
The side lot line setback will be 0.71 m on the south side and 1.47 m on the north side.

2. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 0.35 times the area of the lot (115.37 m²).
The residential gross floor area of the altered building will be 0.774 times the area of the lot (255.21 m²).

3. Section 6(3) Part II 4, By-law 438-86

The minimum required rear yard setback is 7.5 m.
The rear yard setback will be 0.18 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0435/16TEY	Zoning	RD (d0.35) (x961) & R2 Z0.6 (12.0 HGT) (Waiver)
Owner(s):	NASEER ANWAR ABBASI	Ward:	Beaches-East York (32)
Agent:	DANILO MARASIGAN	Heritage:	Not Applicable
Property Address:	25 PINE CRES	Community:	Toronto
Legal Description:	PLAN M390 PT LOT 51 PLAN 406 PT LOT 133		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0510/16TEY	Zoning	RD (f12.0; d0.6)(x1397) & R1 Z0.6 (ZZC)
Owner(s):	MANSOUR NAVAB MEHRNOOSH KASHANI	Ward:	Toronto Centre-Rosedale (27)
Agent:	TOM SPRAGGE	Heritage:	Not Applicable
Property Address:	145 ROSE PARK DR	Community:	Toronto
Legal Description:	PLAN 895 PT LOT 397		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing two-storey detached dwelling by constructing a rear two-storey addition, a third-storey addition, and to reconstruct the front covered porch and stairs.

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

1. Chapter 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (201.25 m²).

The altered dwelling will have a floor space index equal to 0.73 times the area of the lot (245.27 m²).

2. Chapter 10.5.40.71.(3), By-law 569-2013

The minimum required side yard setback is 0.33 m for the main wall and 0.13 m for the masonry projection.

The altered dwelling will be located 0.28 m from the east side lot line, measured to the main wall.

The altered dwelling will be located 0.08 m from the east side lot line, measured to the projection resulting from the addition of the stucco finish.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted gross floor area of a detached dwelling is 0.6 times the area of the lot (201.25 m²).

The altered dwelling will have a gross floor area equal to 0.73 times the area of the lot (245.27 m²).

2. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback for the portion of a detached dwelling not exceeding a depth of 17 m is 0.9 m.

The portion of the altered dwelling, not exceeding a depth of 17 m will be located 0.28 m from the east side lot line, and 0.08 m from the east side lot line, measured to the projection resulting from the addition of the stucco finish.

3. Section 6(3) Part II 3.B(II), By-law 438-86

The minimum required side lot line setback for the portion of a detached dwelling exceeding a depth of 17 m is 7.5 m.

The portion of the altered dwelling exceeding the 17 m depth, will be located 1.70 m from the west side lot line, and 1.08 m from the east side lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0510/16TEY	Zoning	RD (f12.0; d0.6)(x1397) & R1 Z0.6 (ZZC)
Owner(s):	MANSOUR NAVAB MEHRNOOSH KASHANI	Ward:	Toronto Centre-Rosedale (27)
Agent:	TOM SPRAGGE	Heritage:	Not Applicable
Property Address:	145 ROSE PARK DR	Community:	Toronto
Legal Description:	PLAN 895 PT LOT 397		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0591/16TEY	Zoning	RD (f15.0, d0.35) & R1 Z0.35 (ZZC)
Owner(s):	RISHENG YANG	Ward:	St. Paul's (21)
Agent:	MEHDY AJVAND	Heritage:	Not Applicable
Property Address:	18 BURTON RD	Community:	Toronto
Legal Description:	PLAN M502 LOT 88		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with an integral garage.

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

- Chapter 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length is 17.0 m.
The new three-storey detached dwelling will have a building length of 26.82 m.
 - Chapter 10.20.40.30.(1), By-law 569-2013**
The maximum permitted building depth is 19.0 m.
The new three-storey detached dwelling will have a building depth of 28.51 m.
 - Chapter 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.35 times the area of the lot (404.53 m²).
The new three-storey detached dwelling will have a floor space index equal to 0.64 times the area of the lot (737.71 m²).
-
- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.35 times the area of the lot (404.53 m²).
The new three-storey detached dwelling will have a residential gross floor area equal to 0.64 times the area of the lot (737.71 m²).
 - Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback for the portion of the dwelling exceeding a building depth of 17.0 m is 7.5 m.
The 6.51 m portion of the dwelling exceeding a building depth of 17.0 m will be located 1.8 m from the south side lot line.
The 2.0 m portion of the dwelling exceeding a building depth of 17.0 m will be located 1.8 m from the north side lot line.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

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.

This decision is subject to the following condition:

Urban Forestry, Tree Protection & Plan Review, recommends that approval of variances be conditional on the applicant adhering to the revised basement plan received by Toronto Urban Forestry on December 23, 2016.



SIGNATURE PAGE

File Number: A0591/16TEY
Owner(s): RISHENG YANG
Agent: MEHDY AJVAND
Property Address: **18 BURTON RD**
Legal Description: PLAN M502 LOT 88

Zoning: RD (f15.0, d0.35) & R1 Z0.35 (ZZC)
Ward: St. Paul's (21)
Heritage: Not Applicable
Community: Toronto

DISSENTED

Nancy Oomen (signed)

Ewa Modlinska

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

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

File Number:	A0599/16TEY	Zoning	RM (f12.0; u2; d0.8)(x252) & R2 (ZZC)
Owner(s):	MEDI ZADEGAN ARI ZADEGAN	Ward:	St. Paul's (21)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	522 ARLINGTON AVE	Community:	Toronto
Legal Description:	PLAN 1527 LOT 49		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new three-storey detached dwelling with integral garage and rear deck.

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

- 1. Chapter 10.80.40.10.(2)(A)(i), By-law 569-2013**
The maximum permitted height of all front exterior main walls is 8.5 m.
The height of the front exterior main walls will be 11.0 m.
- 2. Chapter 10.80.40.10.(2)(A)(ii), By-law 569-2013**
The maximum permitted height of all rear exterior main walls is 8.5 m.
The height of the rear exterior main wall will be 11.0 m.
- 3. Chapter 10.80.40.70.(3)(A), By-law 569-2013**
The minimum required side yard setback for a detached house is 1.2 m.
The new detached dwelling will be located 0.91 m to the north side lot line and 0.61 m to the south side lot line.
- 4. Chapter 10.80.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.8 times the area of the lot (254.46 m²).
The new detached dwelling will have a floor space index equal to 0.826 times the area of the lot (262.76 m²).
- 1. Section 3.(a) By-law 1-83 & 3623-97**
The minimum required north side yard setback is 1.2 m.
The new detached dwelling will be located 0.91 m to the north side lot line.

2. Section 3.(a), By-law 1-83 & 3623-97

The maximum permitted floor space index is 0.8 times the area of the lot (254.46 m²).

The new detached dwelling will have a floor space index equal to 0.826 times the area of the lot (262.76 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

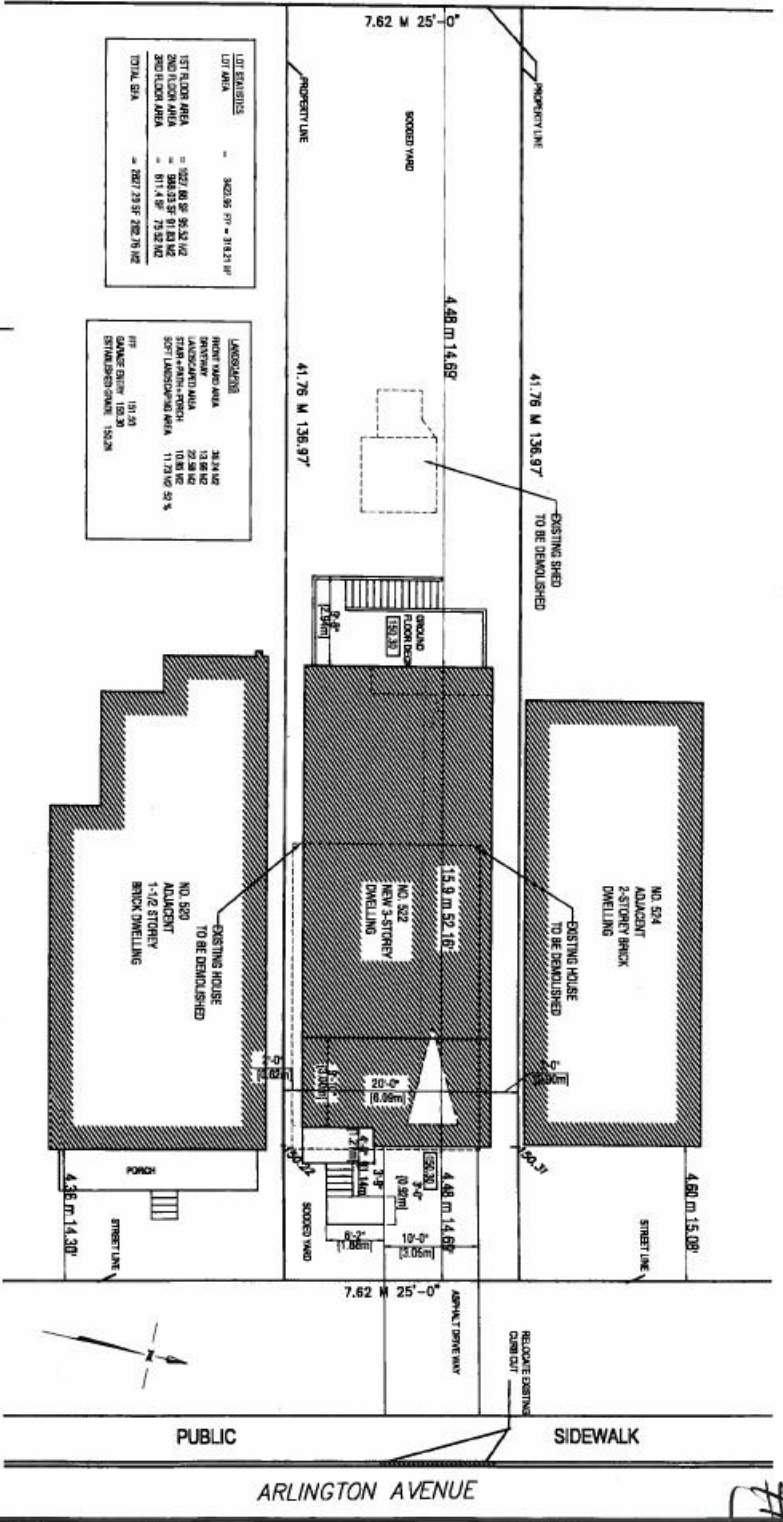
It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- 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.

This decision is subject to the following condition:

The third storey of the dwelling shall be constructed with a step back of 3 m, measured from the front main wall, as illustrated on the revised site plan and elevation drawings (Drawings A-1, A-5, A-8 and A-9) as received by the Committee of Adjustment at the public hearing on January 11, 2017. Any other variances that may appear on these plans but are not listed in the written decision are NOT authorized.

#2



LOT STATISTICS

LOT AREA	3002.56 SQ. M. = 318.21 AC.
1ST FLOOR AREA	1022.06 SQ. M. = 106.24 AC.
2ND FLOOR AREA	871.48 SQ. M. = 90.24 AC.
TOTAL AREA	1887.23 SQ. M. = 196.48 AC.

LANDSCAPING

LANDSCAPED AREA	28.24 AC.
LANDSCAPED AREA	22.28 AC.
STREET LANDSCAPED AREA	11.23 AC. = 50 %
TOTAL LANDSCAPED AREA	15.28 AC.

DAVID STOCKNEY + ASSOCIATES
149 LORTHER AVENUE
TORONTO, ONTARIO

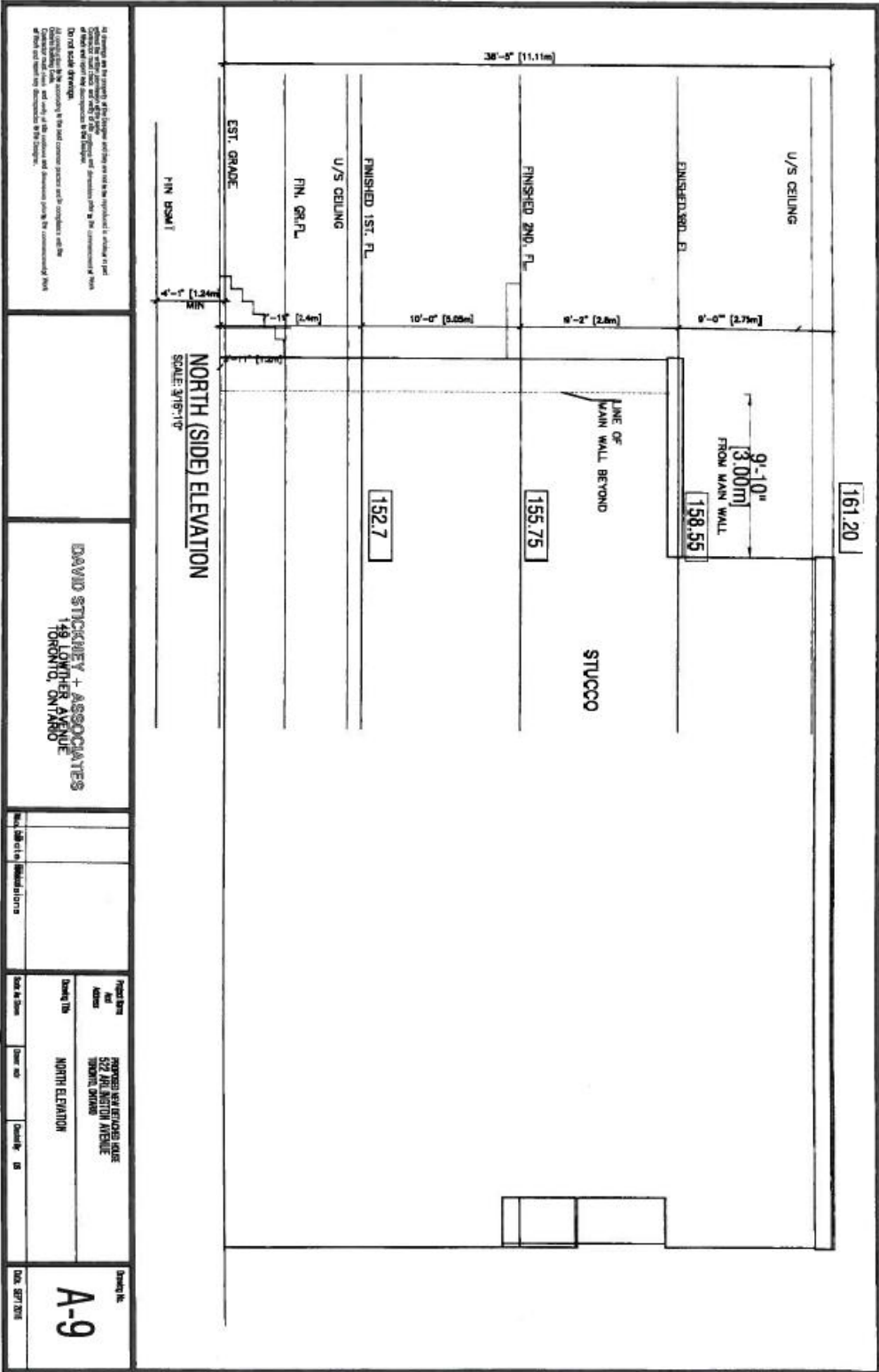
Project Name: **PROPOSED NEW 3-STORY HOUSE**
Address: **522 ARLINGTON AVENUE**
TORONTO, ONTARIO

By: **Site Plan and Zoning Information**

Drawn by: **A-1**

Date: **07/2011**

RECEIVED
JAN 11 2017
COMMITTEE OF
ADJUSTMENT
Revised



Revised

RECEIVED
JAN 11 2017
COMMUNITY DEVELOPMENT

SIGNATURE PAGE

File Number:	A0599/16TEY	Zoning	RM (f12.0; u2; d0.8)(x252) & R2 (ZZC)
Owner(s):	MEDI ZADEGAN ARI ZADEGAN	Ward:	St. Paul's (21)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	522 ARLINGTON AVE	Community:	Toronto
Legal Description:	PLAN 1527 LOT 49		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0637/16TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	ALEX KOSYAKOV	Ward:	Davenport (18)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	79 MARGUERETTA ST	Community:	Toronto
Legal Description:	PLAN 567 PT LOT 3		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey detached dwelling by constructing: a rear second-storey addition with a roof top deck, a rear third-storey addition, a front third-storey addition, a front basement walkout and to convert the dwelling into two units.

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

1. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.6 times the area of the lot (140.75 m²).

The converted dwelling will have a floor space index equal to 0.92 times the area of the lot (216.0 m²).

2. Chapter 150.10.40.1.(3)(A), By-law 569-2013

A secondary suite is a permitted use provided that an addition or exterior alteration to a building to accommodate a secondary suite does not alter or add to a main wall or roof that faces a street.

The front basement walkout and the third-storey addition will alter a wall and a roof that faces Margueretta Street.

1. Section 6(3) Part I 1, By-law 438-86

The maximum permitted residential gross floor area is 0.6 times the area of the lot (140.75 m²).

The converted dwelling will have a residential gross floor area equal to 0.92 times the area of the lot (216.0 m²).

2. Section 6(3) Part II 3.F(I)(1)(A), By-law 438-86

The minimum required side lot line setback is 0.45 m, where the side wall contains no openings.

The converted dwelling will be located 0.0 m from the north side lot line, measured from the rear third-storey addition.

The converted dwelling will be located 0.43 m from the north side lot line, measured from the rear second-storey addition.

3. Section 6(3) Part II 5(I), By-law 438-86

The maximum permitted building depth is 14.0 m.

The converted detached dwelling will have a building depth of 16.97 m.

4. Section 6(2) 1(iii)A, By-law 438-86

A converted house is a permitted use provided there is no addition or alteration of the front main wall of the building that faces a street.

The front basement walkout and front third-storey addition alter the front main wall of the building that faces Margueretta Street.

5. Section 6(2) I (v), by-law 438-86

A converted house is a permitted use provided there is no substantial change in the appearance of the building as a result of the conversion.

The front basement walkout, front third-storey addition, rear second-storey addition with roof top deck and rear third-storey addition significantly change the appearance of the building.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

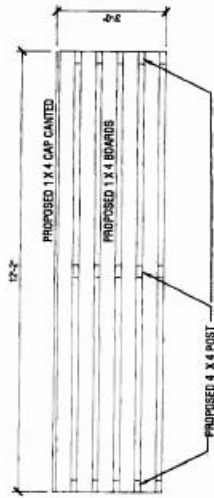
- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- (1) The front basement walkout shall be screened with landscaping, as illustrated on the landscape plan filed at the public hearing on January 11, 2017, to the satisfaction of the Director, Community Planning, City Planning, Toronto and East York District.
- (2) The rear third storey deck shall be constructed with permanent opaque screening or fencing along the north and south edges, a minimum height of 1.5 m, measured from the floor of the deck.

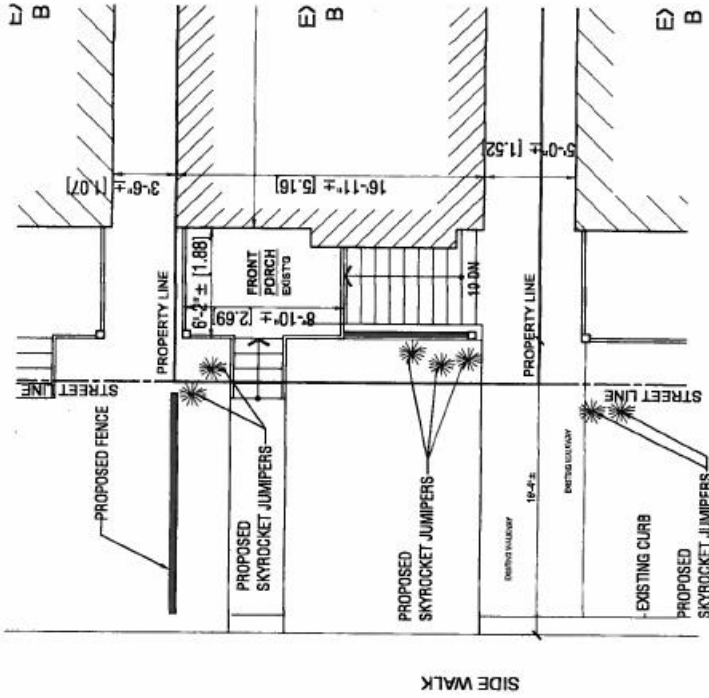
#5

MARGUERETTA STREET



FENCE DETAIL

SITE PLAN
SCALE: 3/32"=1'-0"



ALL DRAWINGS ARE THE PROPERTY OF TAG
ENGINEERING INC. AND THEY ARE NOT TO BE
REPRODUCED OR USED IN ANY MANNER
WITHOUT THE WRITTEN PERMISSION
OF TAG ENGINEERING INC. ANY
REPRODUCTION OR USE WITHOUT
CONSENT IS PROHIBITED. ANY
VIOLATION OF THIS AGREEMENT
WILL BE CONSIDERED A BREACH
OF CONTRACT AND WILL BE
PUNISHED BY THE COURT.

SCOPE OF WORK:
- 2nd FLOOR ADDITION
- 3rd FLOOR ADDITION
- NEW PORCH
- INTERIOR ALTERATION
- SECONDARY SUITE IN BASEMENT

1288 BLOOR ST. W. SUITE 203
TORONTO, ONTARIO, M6H 1N9
www.taginc.ca T: 416 597 8888 F: 416 527 7479

Project Name
And Address
2nd & 3rd FLOOR ADDITIONS &
INTERIOR ALTERATIONS
79 MARGUERETTA STREET
TORONTO

Drawing No.
A-01
16-P04
Date APR, 2016

Drawing Title
SITE PLAN
Scale As Shown: AU
Checked By: Sh. Tural
Date APR, 2016

SIGNATURE PAGE

File Number:	A0637/16TEY	Zoning	R (d0.6) & R2 Z0.6 (ZZC)
Owner(s):	ALEX KOSYAKOV	Ward:	Davenport (18)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	79 MARGUERETTA ST	Community:	Toronto
Legal Description:	PLAN 567 PT LOT 3		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0723/16TEY	Zoning	R3 Z3.0 (Waiver)
Owner(s):	CITY OF TORONTO	Ward:	St. Paul's (22)
Agent:	CALVIN LANTZ	Heritage:	Not Applicable
Property Address:	200 MADISON AVE	Community:	Toronto
Legal Description:	PLAN M2 LOTS 259 TO 262 EXEMPT PER SEC.3(1)9 OF THE ASSMT ACT R.S.O.(90) C.A.31		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the residential development approved under Site Specific By-law 1148-2008 for a six-storey building by: increasing the residential gross floor area and the heights of portions of the building; reducing the landscaped open space, number of parking spaces and the vertical clearance for stacked bicycle parking spaces; and, permitting building element encroachments.

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

1. Section 2(b), By-law 1148-2008

The maximum permitted total residential gross floor area erected and used on the lot is 6,100 m².
The total residential gross floor area erected and used on the lot will be 7,350 m².

2. Section 2(c), By-law 1148-2008

The minimum required landscaped open space on the lot is 33% (788.37 m²).
The landscaped open space on the lot will be 27% (645.03 m²).

3. Section 2(d), By-law 1148-2008

No portion of the building above grade is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2 with the exception of lighting fixtures, eaves, windowsills, guardrails, railings, stairs or stair enclosures within the interior courtyard, and landscape features, all of which may extend beyond the heavy lines on the attached Map 2.

No portion of the building above grade will be located otherwise than wholly within the areas delineated by heavy lines on the attached Revised Map 2 with the exception of:

- i) canopies, awnings or similar structures up to a maximum permitted projection of 3.5 m;
- ii) lighting fixtures, eaves, and windowsills, up to a maximum permitted projection of 1.0 m where not located within the interior courtyard;
- iii) lighting fixtures, eaves, windowsills within the interior courtyard; and,
- iv) guardrails, railings, stairs, stair enclosures, and landscape features, all of which may extend beyond the heavy lines on the attached Revised Map 2.

4. Section 2(e), By-law 1148-2008

The maximum permitted height of any building or structure shall not exceed the height shown in metres on Map 2.

The maximum permitted height of any building or structure shall not exceed the height shown in metres on Revised Map 2.

5. Section 2(e)(i), By-law 1148-2008

A mechanical penthouse, elevator shaft and associated equipment or other heating, cooling or ventilating equipment may exceed the maximum height limits as shown on Map 2 by no more than 5 m.

A mechanical penthouse, elevator shaft and associated equipment, stairwell and other heating, cooling or ventilating equipment may exceed the maximum height limits as shown on Revised Map 2 by no more than 3.8 m and a garbage chute or similar feature may exceed the maximum height limits as shown on Revised Map 2 by no more than 4.8 m.

6. Section 2(e)(ii), By-law 1148-2008

Landscaped open structures and parapets may exceed the maximum height limits as shown on Map 2 by no more than 2 m.

Landscaped open structures, parapets and canopies, awnings or similar structures may exceed the maximum height limits as shown on Revised Map 2 by no more than 2.5 m.

7. Section 4(4)(b), By-law 438-86

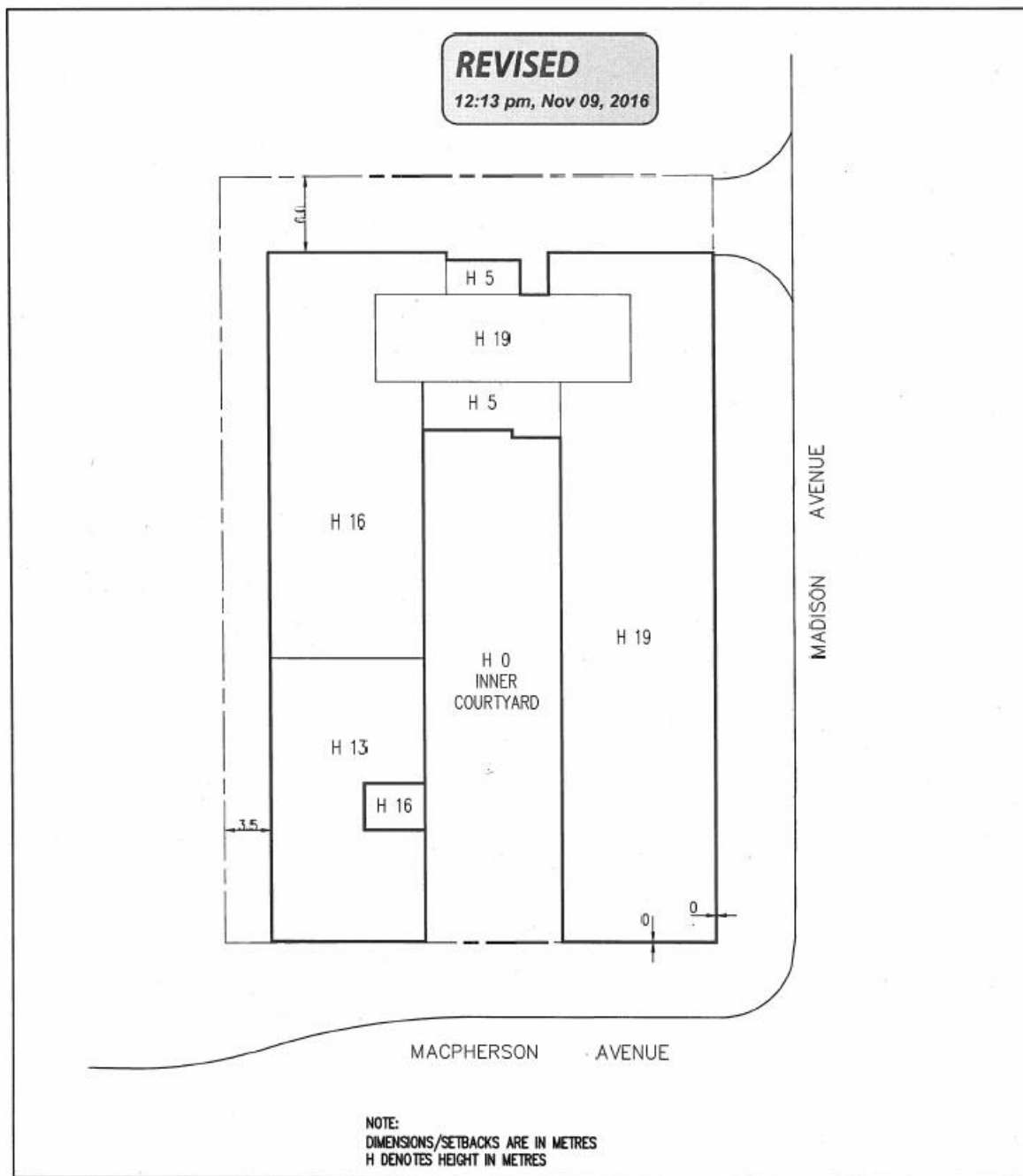
The minimum required number of parking spaces is 9.

In this case, 7 parking spaces will be provided.

8. Section 2(1), By-law 438-86

The minimum vertical clearance of horizontally stacked bicycle parking spaces is 3.8m.

In this case, the vertical clearance for horizontally stacked bicycle parking spaces will be 2.6 m.



REVISED MAP 2

200 MADISON AVENUE

↑
NOT TO SCALE
11/07/2016

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0723/16TEY	Zoning	R3 Z3.0 (Waiver)
Owner(s):	CITY OF TORONTO	Ward:	St. Paul's (22)
Agent:	CALVIN LANTZ	Heritage:	Not Applicable
Property Address:	200 MADISON AVE	Community:	Toronto
Legal Description:	PLAN M2 LOTS 259 TO 262 EXEMPT PER SEC.3(1)9 OF THE ASSMT ACT R.S.O.(90) C.A.31		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0708/16TEY	Zoning	R(d0.6)(x930) & R2Z0.6 (PPR)
Owner(s):	HAIDER ASHRAF AYESHA HAIDER	Ward:	St. Paul's (22)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	433 BELSIZE DR	Community:	Toronto
Legal Description:	PLAN 1788 PT LOT 263		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a two storey detached dwelling.

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

- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.6 times the area of the lot (188.14 m²).
The floor space index will be 0.61 times the area of the lot (190.8 m²).
- Chapter 10.10.40.70.(3)(A)i), By-law 569-2013**
The minimum required side yard setback for a detached house is 0.9 m.
The side yard setback will be 0.6 m from the easterly side lot line.
- Chapter 10.5.50.10.(3) (A), By-law 569-2013**
A lot with a residential building, other than an apartment building, must have a minimum of 50% of the rear yard for soft landscaping (63.2 m²).
The rear yard landscaping area will be **35% (43.54 m²)**.
- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area 0.6 times the area of the lot (188.14 m²).
The residential gross floor area of the new house will be 0.61 times the area of the lot (190.8 m²).
- Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback is 7.5 m for that portion of the building exceeding 17.0 ms in depth.
For the 0.44 m building depth exceeding the permitted 17.0 m, the east side lot line setback is 0.61 m and the west side lot line setback will be 2.74 m.

3. Section 6(3) Part II 3.B(II), By-law 438-86

A detached house is required to have a minimum side lot line setback of 0.9 m for that portion of the building not exceeding 17.0 m in depth, where the side wall contains openings.

The east side lot line setback will be 0.6 m.

4. Section 6(3) Part III 1(A), By-law 438-86

The minimum required landscaped open space equal is 30% of the area of the lot (94.0 m²).

The landscaped open space will be **25%** (78.3 m²).

5. Section 6(3) Part III 1(A), By-law 438-86

The minimum required landscaped open space is equal to 30% of the area of the lot (94.0 m²).

The landscaped open space will be 25% (77.4 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0708/16TEY	Zoning	R(d0.6)(x930) & R2Z0.6 (PPR)
Owner(s):	HAIDER ASHRAF AYESHA HAIDER	Ward:	St. Paul's (22)
Agent:	LEO MASTRANDREA	Heritage:	Not Applicable
Property Address:	433 BELSIZE DR	Community:	Toronto
Legal Description:	PLAN 1788 PT LOT 263		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0720/16TEY	Zoning	R(d1.0)(x900) & R2 Z1.0 (WAIVER)
Owner(s):	VALERI BARATOV	Ward:	Trinity-Spadina (20)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	1035 BATHURST ST	Community:	Toronto
Legal Description:	PLAN 324 BLK A PT LOTS 10 11		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the existing three-storey semi-detached dwelling containing three dwelling units by constructing a rear third storey addition.

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

- Chapter 10.10.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 1.0 times the area of the lot (149.66 m²).
The altered building will have a floor space index equal to 1.53 times the area of the lot (228.72 m²).
 - Chapter 10.5.40.60.(3)(A)(iii), By-law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6 m.
The stairs will be located 0.0 m from the lot line.
 - Chapter 200.5.10.1.(1), By-law 569-2013**
A minimum of two parking spaces are required to be provided.
In this case, zero parking spaces will be provided.
-
- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted gross floor area is 1.0 times the area of the lot (149.66 m²).
The altered building will have a gross floor area equal to 1.23 times the area of the lot (228.72 m²).
 - Section 4(5)), By-law 438-86**
A minimum of two parking spaces are required to be provided.
In this case, there will be zero parking spaces provided.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0720/16TEY	Zoning	R(d1.0)(x900) & R2 Z1.0 (WAIVER)
Owner(s):	VALERI BARATOV	Ward:	Trinity-Spadina (20)
Agent:	DAVID STICKNEY	Heritage:	Not Applicable
Property Address:	1035 BATHURST ST	Community:	Toronto
Legal Description:	PLAN 324 BLK A PT LOTS 10 11		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A0791/16TEY	Zoning	RD (f15.0, d0.65)(x1321) & R1 Z0.6 (PPR)
Owner(s):	SERGIO ROSA AMELIA ROSA	Ward:	St. Paul's (21)
Agent:	LORNE ROSE	Heritage:	Not Applicable
Property Address:	7 AVA CRES	Community:	Toronto
Legal Description:	PLAN M502 PT LOT 27		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey single detached family dwelling.

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

- 1. Chapter 10.20.40.20.(1), By-law 569-2013**
The maximum permitted building length for a detached house is 17.0 m.
The building length will be 21.46 m.
- 2. Chapter 10.20.40.30.(1), By-law 569-2013**
The maximum permitted building depth for a detached house is 19.0 m.
The building depth will be 21.46 m.
- 3. Chapter 10.20.40.40.(1)(A), By-law 569-2013**
The maximum permitted floor space index is 0.65 times the area of the lot (524.95 m²).
The floor space index will be 0.698 times the area of the lot (563.73 m²).
- 4. Chapter 10.20.40.70.(1), By-law 569-2013**
The minimum required front yard setback is 7.58 m.
The front yard setback will be **6.9 m**.
- 5. Chapter 10.20.40.70.(2) (B), By-law 569-2013**
The minimum required rear yard setback is 8.82 m.
The rear yard setback will be 7.61 m.

6. **Chapter 10.20.40.70.(6)(A), By-law 569-2013**
The minimum required side yard setback is 3.0 m for a corner lot where the required lot frontage is 12.0 m or more.
The side yard setback will be 2.22 m.
7. **Chapter 10.20.40.10.(6) (6), By-law 569-2013**
The maximum permitted height of the first floor above established grade is 1.2 m.
The height of the first floor above established grade is 1.4 m.
8. **Chapter 10.5.100.1.(2) (B), By-law 569-2013**
The maximum permitted driveway width is 3.2 m.
The driveway width will be 6.0 m.
9. **Chapter 10.5.40.60.(3)(A)(i), By-law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure.
The proposed stairs are 2.0 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure.
10. **Chapter 10.5.40.60.(3)(A)(ii), By-law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no wider than 2.0 m.
The width of the front porch stairs will be 3.35 m.
1. **Section 6(3) Part IV 4(b), 438-86**
A driveway which does not pass through a front yard is to be a maximum width of 3.2 m for its entire length.
The driveway width will be 6.0 m.
2. **Section 6(3) Part II 3.B(II), By-law 438-86**
The minimum required side lot line setback is 7.5 m from the side lot line for that portion of the building exceeding 17.0 m in depth.
The side lot line setback will be 5.57 m on the east side and 1.62 m on the west side for the portion of the building exceeding 17.0 m in depth.
3. **Section 6(3) Part II 3.A(II), By-law 438-86**
A building is required to have a minimum flanking street setback of 6.0 m.
The flanking street setback will be 2.22 m.
4. **Section 6(3) Part II 2(III), By-law 438-86**
The minimum required front lot line set back is to be equal to the shortest distance by which the front wall of the only adjacent building is set back from its front lot line (7.58 m).
The front lot line will be set back **6.9 m**.
5. **Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.6 times the area of the lot (484.57 m²). The residential gross floor area will be 0.698 times the area of the lot (563.73 m²).

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

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.

This decision is subject to the following condition(s):

Prior to the issuance of a building permit, the applicant/owner shall obtain approval from the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.

SIGNATURE PAGE

File Number:	A0791/16TEY	Zoning	RD (f15.0, d0.65)(x1321) & R1 Z0.6 (PPR)
Owner(s):	SERGIO ROSA AMELIA ROSA	Ward:	St. Paul's (21)
Agent:	LORNE ROSE	Heritage:	Not Applicable
Property Address:	7 AVA CRES	Community:	Toronto
Legal Description:	PLAN M502 PT LOT 27		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: Tuesday, January 17, 2017

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Tuesday, January 31, 2017

CERTIFIED TRUE COPY

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Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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NOTICE OF DECISION

MINOR VARIANCE/PERMISSION

(Section 45 of the Planning Act)

File Number:	A0799/16TEY	Zoning	R(d0.60)(x736) & R2 Z0.6 (PPR)
Owner(s):	DANIEL SHEREMETO	Ward:	Toronto-Danforth (30)
Agent:	CARY LINDEN	Heritage:	Not Applicable
Property Address:	105 SIMPSON AVE	Community:	Toronto
Legal Description:	PLAN M95 LOT 55		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a third storey rear addition to the existing single family dwelling.

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

- Chapter 10.10.40.10.(1)(A), By-law 569-2013**
The maximum permitted height of a building or structure is 10.0 m.
The height of the building will be 10.69 m.
- Chapter 10.10.40.40.(1) (A), By-law 569-2013**
The maximum permitted floor space index is 0.60 times the area of the lot (163.04 m²).
The floor space index is 0.783 times the area of the lot (212.9 m²).
- Section 6(3) Part II 3.B(I), By-law 438-86**
The minimum required side lot line setback is 0.45 m for a depth not exceeding 17.0 m where the side walls contain no openings.
The east side lot line setback will be 0.308 m.
- Section 6(3) Part I 1, By-law 438-86**
The maximum permitted residential gross floor area is 0.60 times the area of the lot (163.04 m²).
The residential gross floor area will be 0.783 times the area of the lot (212.9 m²).
- Section 4(2) (a), By-law 438-86**
No person shall erect a building or structure on the lot having a greater height than 10.0 m.
The height of the building will be 10.91 m.

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

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

File Number:	A0799/16TEY	Zoning	R(d0.60)(x736) & R2 Z0.6 (PPR)
Owner(s):	DANIEL SHEREMETO	Ward:	Toronto-Danforth (30)
Agent:	CARY LINDEN	Heritage:	Not Applicable
Property Address:	105 SIMPSON AVE	Community:	Toronto
Legal Description:	PLAN M95 LOT 55		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

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

File Number:	A0850/16TEY	Zoning:	CR (By-law 168-93) (ZPR)
Owner(s):	45 BAY STREET PROPERTY I INC 45 BAY STREET PROPERTY II INC & 45 BAY STREET PROPERTY III	Ward:	Toronto Centre-Rosedale (28)
Agent:	FRANK LEWINBERG	Heritage:	Not Applicable
Property Address:	45 BAY ST	Community:	Toronto
Legal Description:	PLAN 655E PT BLK 6 RP 64R15016 PART 1 PLAN 12164 PT LOT 18 RP 66R24072 PARTS 1 AND 2		

Notice was given and a Public Hearing was held on **Wednesday, January 11, 2017**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To alter the redevelopment scheme comprised of a 48-storey office building (excluding the mechanical penthouse) with an integrated bus terminal within the podium and publicly accessible open space that bridges over the rail corridor to the north, by reducing common outdoor space, non-residential gross floor area, drive aisle widths, and the amount of retail frontage along Bay Street.

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

1. Section 6(3) Part III 1, By-law 168-93

No person shall erect or use a non-residential building on a lot if the lot has less common outdoor space than 1532.36 m².

Decision A1039/14TEY permitted the common outdoor space as 1,363.66 m².

In this case, the common outdoor space will be 1,296.18 m².

2. Section 6(4) 8(2) Part I 1, By-law 168-93

No person shall erect or use a non-residential building within Block 2A, where the non-residential gross floor area or the combined residential and non-residential gross floor area within the Block exceeds 111,480 m².

Decision A1039/14TEY permitted a non-residential gross floor area of 134,687 m².

In this case, the non-residential gross floor area will be 135,387 m².

3. Section 6(4) 8(2) Part I 3, By-law 168-93

No person shall erect or use a building or structure on a lot on Block 2A, in which the non-residential gross floor area exceeds 96% of the maximum non-residential gross floor area permitted unless street-related retail and service uses occupy at least 60% of the length of the building face as shown by the heavy line marked on Alternate Map 10; a minimum of 42.78 m. The maximum permitted non-residential gross floor area is 107,020.8 m².

Decision A1039/14TEY permitted the street related retail and service use along Bay Street to be 24.81% of the frontage (17.69 m) and the non-residential use on the lot to be 134,687 m², as shown on the Revised Alternate Map 10.

In this case, the street related retail and service use will be at least 60% of the length of the building face shown by the heavy line marked on revised Alternate Map 10 (attached), and the street-related retail and service uses along Bay Street will occupy 17.1 m of the building face. The maximum permitted non-residential gross floor area will be 135,387 m².

4. Section 6(4) 8(5) Part IV 3(ii), By-law 168-93

None of the provisions of Alternate Height Map 50G-323 shall apply to prevent the erection or use of any building or structure with a height not exceeding 181 m within that portion of Block 2A identified as Area A on Alternate Map 14, provided no building or structure exceeds an elevation of 96 m on any other portion of Block 2A.

In this case, the building height within that portion of Block 2A identified as Area A on Alternate Map 14 will be 238.24 m and the height of the building in the remainder of Block 2A will be 41.44 m.

5. Section 6(4) 8(4) Part III 3(ii), By-law 168-93

No person shall erect a building or structure on Block 2A unless there is an area of the exterior face of such building or structure from grade to an elevation of 96 m built within 1.2 m of either side of the line identified as the Build To Line on Alternate Map 6, which area is equal to at least 90% of the area determined by the length of such Build To Line and the vertical distance between grade and an elevation of 96 m.

Decision A1039/14TEY permitted the building to be located less than 1.2 m to either side of the Build To Line, as shown on the Revised Alternate Map 6.

In this case, the required area of the exterior face of the building will be built within 1.2 m of either side of the Build To Line, as shown on the attached Revised Alternate Map 6.

6. Section 4(5)(b), By-law 168-93

The owner or occupant shall provide and maintain 416 parking spaces for the office and retail uses. Decision A1039/14TEY permitted a total of 366 parking spaces instead of 405 parking spaces for office and retail uses.

In this case, 366 parking spaces will be provided for the office and retail uses.

7. Section 4(5)(i), By-law 168-93

Ingress and egress to and from parking facilities required by this subsection in respect of a building or structure other than row housing shall be provided by unobstructed driveways or passageways having a minimum width of 3.5 m for one-way operation and a minimum width of 5.5 m for two-way operation.

Decision A1039/14TEY permitted drive aisle widths of 3.0 m on Parking Level 1 for one-way operation.

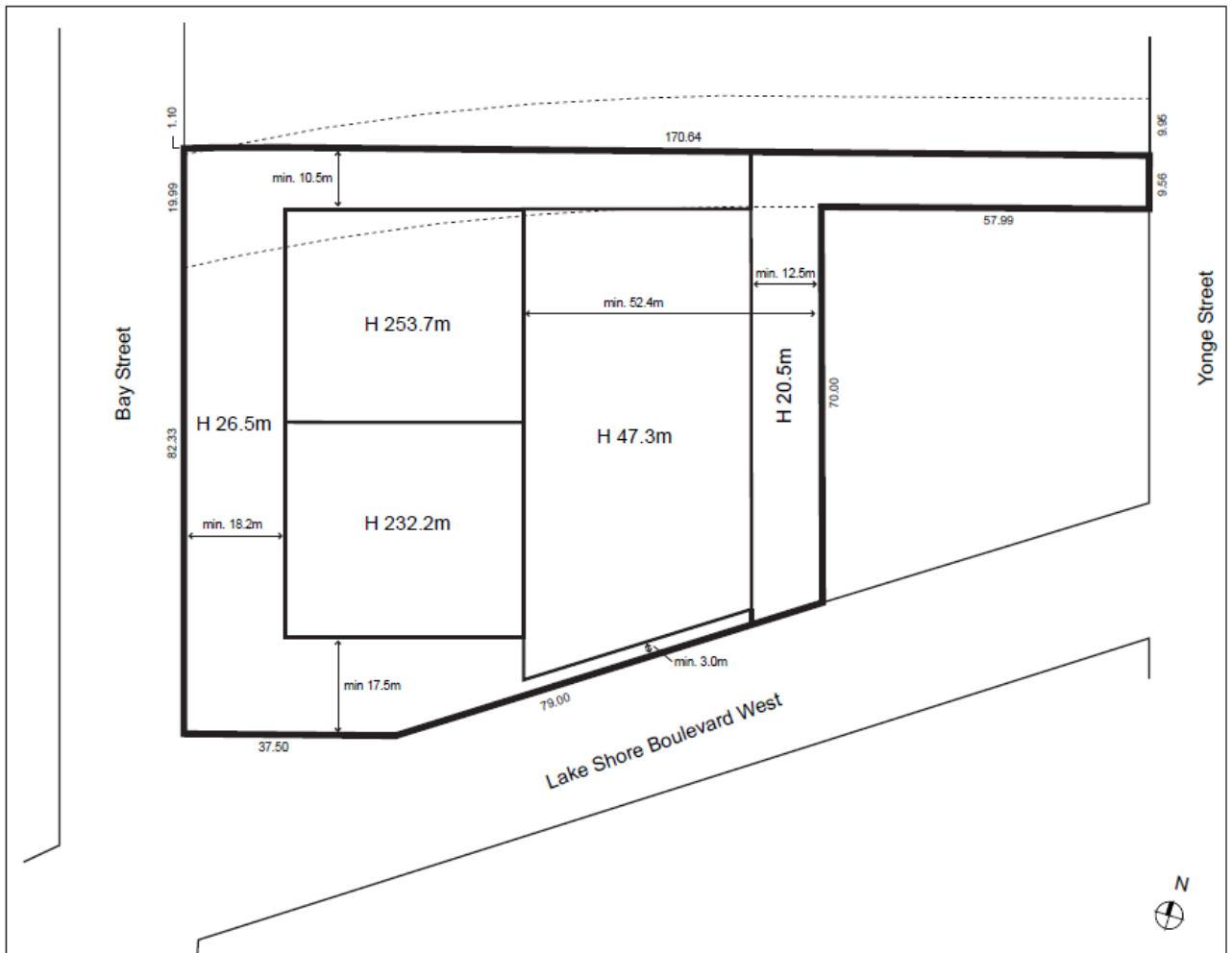
In this case, multiple one-way drive aisles will be less than 3.5 m for one-way operation; the narrowest one-way drive aisle on LEVEL P1 will have a width of **3.0** m, and the narrowest one-way drive aisle on LEVEL P2 will have a width of 3.41 m.

8. Section 4(3)(a), By-law 168-93

No person shall erect or use a building on any lot with any portion of the roof of such building having a greater height in m above grade than 137.0 m at the west side of the lot and 100.0 m at the east side of the lot as shown on Height Map 50G-323.

Decision A1039/14TEY permitted a height of 253.64 m as shown on the revised Height Map.

In this case, the height of the new office building will be 253.64 m.

RECEIVED*By C of A TEY at 2:23 pm, Aug 24, 2016***45 Bay Street**

Heights measured from established grade of 77.06m

Minor Variance Application

Maximum Heights Schedule

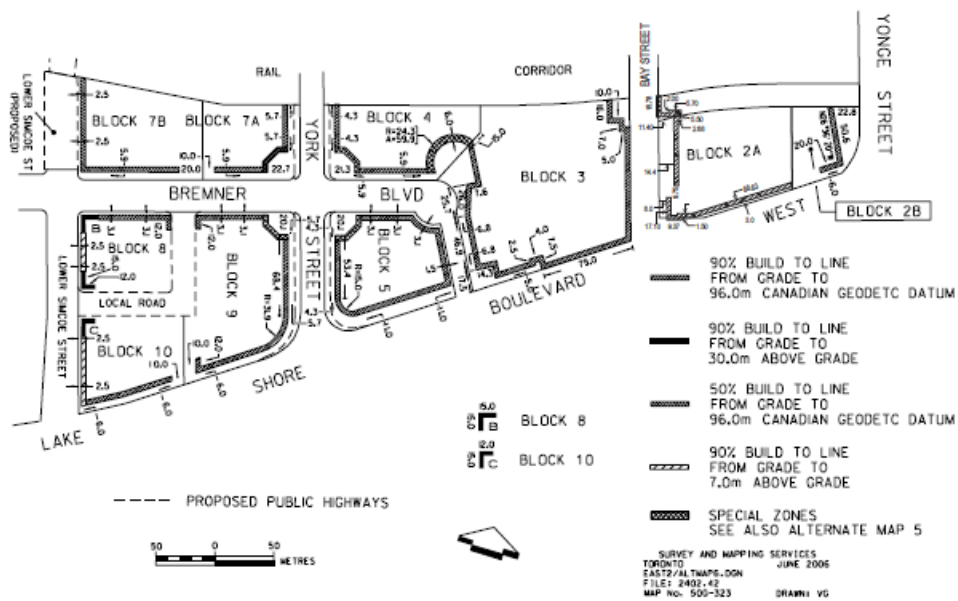
August 21, 2016

Committee of Adjustment
 45 Bay Street
 Revised Alternate Map 6 (Bylaw 168-93)
 Prepared by Urban Strategies
 October 21, 2016

RECEIVED

By C of A TEY at 1:57 pm, Oct 25, 2016

ALTERNATE MAP 6



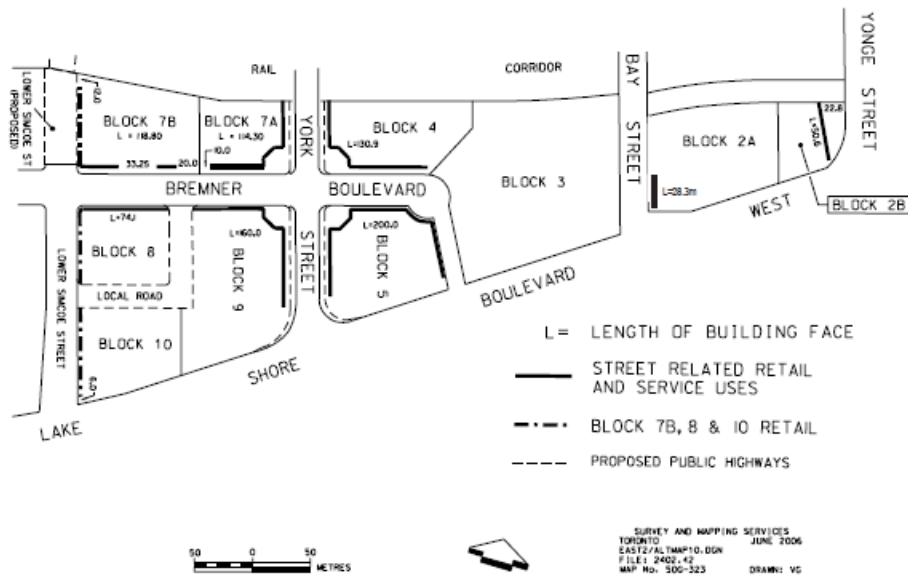
(549-2002) (1086-2005)

Committee of Adjustment
 45 Bay Street
 Revised Alternate Map 10 (Bylaw 168-93)
 Prepared by Urban Strategies
 August 21, 2016

RECEIVED

By C of A TEY at 2:23 pm, Aug 24, 2016

ALTERNATE MAP 10



(549-2002) (1086-2005)

The Committee of Adjustment considered any written and oral submissions in making its decision. For a list of submissions, please refer to the minutes.

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

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.

This decision is subject to the following condition(s):

The redevelopment scheme shall be constructed substantially in accordance with the plans date stamped by the Committee of Adjustment on August 24, 2016 (the “Plans”) and for clarity shall include a privately-owned publically-accessible open space spanning the rail corridor. Notwithstanding the previous sentence, the following shall be deemed not to contravene this condition:

- (i) a reduction in the density, height or scale of the office tower portion of the development;
- (ii) a change to the podium or internal areas of the development that does not alter the POPS;
- (iii) any change that is a change to the Plans to ensure concordance with the final approved plans and drawings for Site Plan Application No. 14 229173 STE 28 SA; or
- (iv) any other change approved by the Chief Planner.

SIGNATURE PAGE

File Number:	A0850/16TEY	Zoning	CR (By-law 168-93) (ZPR)
Owner(s):	45 BAY STREET PROPERTY I INC 45 BAY STREET PROPERTY II INC & 45 BAY STREET PROPERTY III	Ward:	Toronto Centre-Rosedale (28)
Agent:	FRANK LEWINBERG	Heritage:	Not Applicable
Property Address:	45 BAY ST	Community:	Toronto
Legal Description:	PLAN 655E PT BLK 6 RP 64R15016 PART 1 PLAN 12164 PT LOT 18 RP 66R24072 PARTS 1 AND 2		

Nancy Oomen (signed)

Ewa Modlinska (signed)

Worrick Russell (signed)

DATE DECISION MAILED ON: **Tuesday, January 17, 2017**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, January 31, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

To appeal this decision to the Ontario Municipal Board, send a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.