



City Planning Division
Gary Wright, Acting, Chief Planner and Executive Director

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

File Number:	A0169/09TEY	Zoning	R2 Z0.6 (PPR)
Owner(s):	PALAVENUE GP INC	Ward:	St. Paul's (22)
Agent:	RAW DESIGN		
Property Address:	60-62 ORIOLE RD	Community:	Toronto
Legal Description:	PL 890 PT LT58		

Notice was given and a Public Hearing was held on **Wednesday, March 4, 2009**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To demolish the two existing detached dwellings and construct a new four-storey apartment building with 18 dwelling units.

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

- Section 12(2).262(g), By-law 438-86**
The by-law requires that, in an apartment building, the lowest floor of each dwelling unit shall be no higher than three storeys above grade, and the principal means of ingress and egress to each dwelling unit shall be provided by means other than an elevator, or other mechanical device.
The apartment building will provide for three dwelling units at the fourth storey, and the principal access to all dwelling units above the first storey is provided by means of an elevator.
- Section 6(3) Part II 2(II), By-law 438-86**
The by-law requires a minimum front lot line setback of 5.48 m.
The front second-storey balcony will have a front lot line setback of 4.5 m.
- Section 6(3) Part II 5(I), By-law 438-86**
The by-law limits a building to a depth of 14.0 m.
The apartment building will have a depth of 35.43 m.
- Section 6(3) Part VII 1(I), By-law 438-86**
The by-law requires the lot to have a minimum lot frontage of 30.0 m.
The site will have a lot frontage of 27.44 m.

5. **Section 6(3) Part I 1, By-law 438-86**
The by-law limits the residential gross floor area to 0.60 times the area of the lot (864.90 m²).
The apartment building will have a residential gross floor area equal to 1.28 times the area of the lot (1843.50 m²).
6. **Section 4(4)(B), By-law 438-86**
The by-law requires a minimum of 18 parking spaces plus 5 visitor parking spaces to be provided.
The site will provide 14 parking spaces plus 3 visitor parking spaces.
7. **Section 4(4)(c)(ii), By-law 438-86**
The by-law requires a parking facility to be accessible by a driveway having a minimum width of 5.5 m, for two-way operation.
The driveway will have a width of 4.75 m.
8. **Section 4(2)(a), By-law 438-86**
The by-law limits buildings to a maximum height of 11.0 m.
The apartment building will have a height of 13.72 m.
9. **Section 2(1), By-law 438-86**
The by-law defines a parking space as “an unimpeded area, readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle.”
The single-vehicle mechanical lift and tandem parking spaces do not constitute parking spaces as defined.
10. **Section 4(17), By-law 438-86**
The by-law requires parking spaces to have minimum dimensions of 5.6 m x 2.6 m, and 5.6 m x 2.9 m where a parking space is adjacent to a wall or obstructed on one side and minimum dimensions of 5.6 m x 3.2 m where a parking space is obstructed on both sides.
The apartment building will have 11 parking spaces which are obstructed on one side having dimensions of 5.6 m x 2.6 m and will have 6 parking spaces which are obstructed on two sides having dimensions of 5.6 m x 2.6 m.

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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Fernando Costa (Signed)

Heather Gardiner (Signed)

Kay Gardner (Signed)

Corinne Muccilli (Signed)

DATE DECISION MAILED ON: **Tuesday, March 10, 2009**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, March 24, 2009**

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 \$125.00, 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.