

Wednesday, April 16, 2008

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

File Number:	A0382/08TEY	Zoning	CR T6.7 C5.1 R1.7 (PPR)
Owner(s):	PINNACLE INTERNATIONAL (BAY ST) LTD	Ward:	Toronto Centre-Rosedale (28)
Agent:	JASON PARK		
Property Address:	33 BAY ST	Community:	Toronto
Legal Description:	PLAN 655E PT BLK 5 RP63R4064 PT PARTS 1 3 9 PARTS 10 TO 15 RP66R22447 PARTS 1 TO 4 9 14 TO 51 AND 54 TO 57		

Notice was given and a Public Hearing was held on Wednesday, April 16, 2008, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a 53-storey mixed-use building and a 46-storey mixed-use building.

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

- 1. Section 3(k)(ix), By-law 362-1998**
Parts 6, 7, 8, 9 and 10 are required to be shown on Plan 2 of Schedule 1.
Parts 6, 7, 8, 9 and 10 will not be shown on Plan 2 of Schedule 1.
- 2. Section 3(b), By-law 362-1998**
The total permitted number of dwelling units is 1,500.
The Committee of Adjustment previously approved 1,832 dwelling units.
The proposed total number of dwelling units is 1,924.
- 3. Section 3(b), By-law 362-1998**
The maximum permitted gross floor area is 140,960 m².
The Committee of Adjustment previously approved a gross floor area of 150,005 m².
The proposed gross floor area is 154,854 m².
- 4. Section 3(b), By-law 362-1998**
The maximum permitted gross floor area for dwelling units is 120,630 m².
The Committee of Adjustment previously approved a gross floor area for dwelling units of 137,170 m².
The proposed gross floor area for dwelling units is 144,700 m².
- 5. Section 3(k)(xi)2, By-law 362-1998**

The minimum required indoor residential amenity space is 3,848 m².
The proposed indoor residential amenity space is 3,660 m².

6. Schedule 2, By-law 362-1998

The by-law requires parking to be provided at a rate of 0.9 parking spaces per dwelling unit (1624 parking spaces).

The buildings will provide 1538 resident parking spaces plus 9 car-share resident parking spaces.

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 owner shall enter into an amended Site Plan Agreement, to the satisfaction of the Chief Planner.
- (2) The owner/applicant shall make a financial contribution in the form of a certified cheque, made payable to the Treasurer, City of Toronto, in the amount of \$690,000, for the purpose of streetscape improvements in the area bounded by Front Street on the north, 200 m west of Bay Street on the west, 200 m east of Yonge Street on the east and Queens Quay on the South. The payment shall be submitted no later than June 5, 2008, and to the satisfaction of the City Solicitor.