

Mailed on/before: Sunday, November 22, 2020

**PUBLIC HEARING NOTICE
MINOR VARIANCE/PERMISSION
(Section 45 of the *Planning Act*)**

MEETING DATE AND TIME: Wednesday, December 2, 2020 at 9:00 a.m.

LOCATION: This will be a virtual hearing.

- For those who wish to participate, by telephone, computer, smartphone or tablet by Webex (see pre-registration requirements below); and
- For those who wish to observe, by YouTube (Toronto City Planning channel)
<https://www.youtube.com/channel/UCudbgOL5gua8MaaUXUpEISQ>

Note: During the Declared Emergency in the City of Toronto, Committee of Adjustment Public Hearings continue to be conducted publicly and are being conducted by electronic means through Webex, an on-line digital platform, and streamed on the Toronto City Planning YouTube Channel. These measures are necessary to comply with physical distancing requirements and a Provincial Order that limits attendance at public gatherings.

File Number: A1176/19TEY
Property Address: 2376 DUNDAS ST W
Legal Description: CON 2 FB PT LOT 34
Agent: STRIKEMAN ELLIOTT LLP
Owner(s): DUN WEST PROPERTIES LIMITED
Zoning: SSBL 354-2014 (Waiver)
Ward: Parkdale-High Park (04)
Community: Toronto
Heritage: Not Applicable

PURPOSE OF THE APPLICATION:

To alter the development plan for the 24 storey mixed-use development by constructing an additional three storeys and adjusting occupant and visitor bicycle parking requirements.

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

1. Section 5(d) Bylaw 354-2014

The maximum permitted height within area "H 72m" as shown on Map 2 is 72 m.
The altered building will have a maximum permitted height of 81 m within area "H 81M" as shown on Map 2A.

2. Section 5(d) Bylaw 354-2014

The maximum permitted height within area "H 78m" as shown on Map 2 is 78 m.
The altered building will have a maximum permitted height of 87.5 m within area "H 87.5M" as shown on Map 2A.

3. Section 9(a) Bylaw 354-2014

The definition of "building envelope" means a building envelope for each height area within the site as shown by an "H", and as delineated by the lines on Map 2.
The altered definition of "building envelope" will mean a building envelope for each height area within the site as shown by an "H", and as delineated by the lines on Map 2A.

4. Section 5(d)(ii) Bylaw 354-2014

In addition to exceptions set out in Section 5(d)(ii)(A)-(D) to the height limits delineated on Map 2, within the building envelope area delineated on Map 2 as "Mechanical Penthouse H 78m", guard rails are permitted with a maximum height of 2.0 m above that height limit.
In this case, in addition to exceptions set out in Section 5(d)(ii)(A)-(D) to the height limits delineated on Map 2A, within the building envelope area delineated on Map 2A as "Mechanical Penthouse H 87.5m", parapets are permitted with a maximum height of 2.0 m above that height limit.

5. Section 5(e) Bylaw 354-2014

The components of the building located within the building envelope area delineated on Map 2, as "Mechanical Penthouse H 78m", shall be used only as a mechanical penthouse and associated stair enclosures at any point between a height of 72 m to 78 m above grade.
In this case, the components of the altered building located within the building envelope area delineated on Map 2A, as "Mechanical Penthouse H 87.5m", will be used only as a mechanical penthouse and associated stair enclosures at any point between a height of 81 m to 87.5 m above grade.

6. Section 5(f) Bylaw 354-2014

The components of the building located within the building envelope areas delineated on Map 2 as either "H72" or "Mechanical Penthouse H 78m" shall have a maximum floor plate size of 750 m² between a height of 28 m to 72 m above grade.
In this case, the components of the altered building located within the building envelope areas delineated on Map 2A as either "H81" or "Mechanical Penthouse H 87.5m" will have a maximum floor plate size of 750 square m between a height of 28 m to 81 m above grade.

7. Section 5(b) Bylaw 354-2014

The maximum permitted total combined non-residential gross floor area and residential gross floor area on the site is 25,211.5 m², of which the maximum total residential gross floor area shall not exceed 24,663.2 m².

In this case, the maximum total combined non-residential gross floor area and residential gross floor area will be 27,311.5 m², of which the maximum total residential gross floor area will be 26,745.5 m².

1. Section 8(2)5(i) Bylaw 438-86

The maximum permitted non-residential gross floor area for each retail store shall not exceed 465 m².

In this case, the maximum non-residential gross floor area for each retail store will be 566 m².

2. Section 2(1) Bylaw 438-86

An occupant bicycle parking space means an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, and where the bicycles are to be parked on a horizontal surface, having horizontal dimensions of at least 0.6 m by 1.8 m and a vertical dimension of at least 1.9 m, and in the case of a bicycle rack, is located in a secured room or area.

In this case, the bicycle parking spaces will have horizontal dimensions of 0.45 m by 1.9 m and a vertical dimension of 1.2 m.

3. Section 2(1) Bylaw 438-86

A visitor bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and where the bicycles are to be parked on a horizontal surface having dimensions of at least 0.6 m by 1.8 m and a vertical dimension of at least 1.9 m and may be located outdoors or indoors but not within a secured room, enclosure or bicycle locker.

In this case, a visitor bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and where the bicycles are to be parked on a horizontal stacked bicycle rack, having dimensions of 0.45 m by 1.9 m and a vertical dimension of 1.2 m and may be located within a secured room, enclosure or bicycle locker.

THE COMMITTEE OF ADJUSTMENT AND MINOR VARIANCES

The role of the Committee of Adjustment is to provide flexibility in dealing with minor adjustments to zoning by-law requirements. To approve such variances, the Committee must be satisfied that:

- the variance requested is minor;
- the proposal is desirable for the appropriate development or use of the land and/or building;
- the general intent and purpose of the City's Zoning Code and/or By-law are maintained; and
- the general intent and purpose of the Official Plan are maintained.

The Committee of Adjustment forms its opinion through its detailed review of all material filed with an application, letters received, deputations made at the public hearing and results of site inspections.

MAKING YOUR VIEWS KNOWN

This notice has been mailed to you, as required by the *Planning Act*, to ensure that, as an interested person, you may make your views known by:

- **Sending an e-mail with your comments.** Written submissions (in pdf format) to the Committee of Adjustment must be e-mailed to coa.tey@toronto.ca no later than 4:30 pm on Wednesday, November 25, 2020.
- **Participating in the Webex public virtual hearing by telephone or computer/smartphone/tablet.** To participate in the public Webex virtual hearing, you must register in advance no later than 4:30 pm on Monday, November 30, 2020. To register, either call 416-392-7565 and leave a voicemail or send an e-mail to coa.tey@toronto.ca. Provide your name, address, phone number, e-mail address and file number(s) you wish to speak to. When we receive your registration request, we will confirm your attendance and provide you with a confirmation message and instructions for participating in the public hearing on Tuesday, December 1, 2020.

Information you choose to disclose in your correspondence will be used to receive your views on the relevant issue(s) to enable the Committee to make its decision on this matter. This information will become part of the public record and will be posted online through the Application Information Centre: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

If you do not participate in the public Webex, or express your views in writing, the Committee may make a decision in your absence, and may recommend changes to the proposal.

TO VIEW THE MATERIALS IN THE APPLICATION FILE

Application plans and other related materials are available to be viewed **online** by visiting the Application Information Centre at <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

If you are not able to view plans online, copies of application submissions can be obtained by contacting the Committee of Adjustment office by e-mail at coa.tey@toronto.ca. Service fees may apply.

RECEIVING A COPY OF THE COMMITTEE'S DECISION

- The Committee will announce its decision on the application at the Public Hearing.
- To receive a copy of the Decision, contact the Committee of Adjustment office by e-mail at coa.tey@toronto.ca and provide the following: your name; address; e-mail address; date of hearing; file number; and address of the subject property.
- If you wish to appeal a Decision of the Committee, you must file your written request for a decision with the Deputy Secretary-Treasurer.
- Be advised that the appeal body may dismiss an appeal of the minor variance Decision if the person or public body that filed the appeal did not make a

submission to the Committee of Adjustment prior to the Decision having been made.

CONTACT

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