



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

File Number:	A0719/10TEY	Zoning	R4 Z1.0 (PPR)
Owner(s):	BRACONDALE TERRACES INC	Ward:	St. Paul's (21)
Agent:	MAURIZIO TROTTA		
Property Address:	<b>4 BRACONDALE HILL RD (PARTS 1-6)</b>	Community:	
Legal Description:	PLAN D1366 PT LOT 10 PT LOT 11		

Notice was given and a Public Hearing was held on **Wednesday, January 26, 2011**, as required by the Planning Act.

**PURPOSE OF THE APPLICATION:**

To construct a three-storey semi-detached triplex dwelling with underground parking, accessed by the south abutting property, shared access and a common elevator.

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

- Section 2.(1), By-law 438-86**  
A semi-detached triplex is defined as a one of a pair of attached triplexes, each triplex divided vertically from the other by a party wall.  
The proposed semi-detached triplex will be partially divided by a party wall that is not continuous through the basement and is interrupted at all floors by a common elevator.
- Section 6.(3), Part II.5(I), By-law 438-86 & Chapter 10.10.40.30.(1), By-law 1156-2010**  
The maximum permitted building depth is 14 m.  
The new building will have a depth of 22.49 m.
- Section 6.(1)(A), By-law 438-86**  
A semi-detached triplex is not listed as a permitted use in an R1 Z0.35 Zone.
- Section 6.(3), Part I.1, By-law 438-86 & Chapters 10.10.40.40.(1) & 10.20.40.40.(1), By-law 1156-2010**  
The maximum permitted gross floor area/floor space index is 0.35 times the area of the lot and 1.0 times the area of the lot (266.05 m<sup>2</sup>).  
The new building will have a gross floor area/floor space index equal to 1.11 times the area of the lot (383.21 m<sup>2</sup>).

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

On a lot that exceeds an area of 250 m<sup>2</sup>, the maximum permitted gross floor area is 0.6 times the area of the lot and 0.35 times the area of the lot (176.85 m<sup>2</sup>).

**Chapters 900.2.10.(20) Exception R 20 & 900.3.10.(1250) Exception RD 1250, By-law 1156-2010**

On a lot that exceeds an area of 250 m<sup>2</sup>, the maximum permitted gross floor area is 0.6 times the area of the lot (207.6 m<sup>2</sup>).

The new building will have a gross floor area equal to 1.11 times the area of the lot (383.21 m<sup>2</sup>).

**6. Chapter 10.20.20.10, By-law 1156-2010**

In the portion of the lot zoned RD, a dwelling unit is a permitted principal use only if it is located in a detached house.

The 3 proposed dwelling units will be located in a semi-detached triplex dwelling.

**7. Chapter 10.10.40.70.(4)(E), By-law 1156-2010**

The minimum required side yard setback is 0.45 m.

The new building will be located 0 m from the south side lot line.

**8. Chapter 10.20.30.20.(1), By-law 1156-2010**

The minimum required lot frontage is 12 m.

The lot frontage is 7.62 m.

**9. Chapter 10.20.30.10.(1)(B), By-law 1156-2010**

The minimum required lot area is 360 m<sup>2</sup>.

The lot area is 345.6 m<sup>2</sup>.

**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

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Heather Gardiner

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Kay Gardner

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Sandeep Agrawal

DATE DECISION MAILED ON: **Tuesday, February 1, 2011**

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Tuesday, February 15, 2011**

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](http://www.omb.gov.on.ca).