

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

File Number:	A0720/10TEY	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</b> <b>(PARTS 7-12)</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 a below-grade driveway, shared access and a common elevator. Parking for the site will be provided on the north abutting property.

**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 22.9 m.
- Section 6.(3), Part IV.3(II), By-law 438-86**  
An integral garage where the floor level is located below grade and the vehicle access is located in a wall facing the front lot line is not permitted.  
The proposed integral garage will be below grade.
- Section 6.(3), Part I.1, By-law 438-86 & Chapter 10.10.40.40.(1), By-law 1156-2010**  
The maximum permitted gross floor area/floor space index is 1.0 times the area of the lot (313 m<sup>2</sup>).  
The new building will have a gross floor area/floor space index equal to 1.2 times the area of the lot (374.36 m<sup>2</sup>).

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

A total of 3 parking spaces are required for the site.

**Chapter 5.10.80.10.(1), By-law 1156-2010**

Parking spaces shall be located on the lot containing the use for which the parking space is required. No on-site parking spaces will be provided. A total of 3 parking spaces will be provided within the basement level of the north abutting property.

6. **Section 6.(3), Part I.1, By-law 438-86 & Chapter 900.2.10.(20) Exception R20, 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 (187.8 m<sup>2</sup>).

The new building will have a gross floor area equal to 1.2 times the area of the lot (374.36 m<sup>2</sup>).

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 north side lot line.

**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).