

Thursday, June 11, 2015

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

File Number:	A0390/15NY	Zoning	R(f7.0; d0.6)(x933)/R2 Z0.6 [ZZC]
Owner(s):	CAROLE HALL	Ward:	Don Valley West (25)
Agent:	SIA ZANJANI		
Property Address:	44 BRAESIDE RD	Community:	Toronto
Legal Description:	PLAN 1707 LOT 191		

Notice was given and a Public Hearing was held on Thursday, June 11, 2015, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a new two-storey dwelling with an integral garage. The existing dwelling would be demolished.

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

- 1. Chapter 10.10.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.60 times the lot area.
The proposed floor space index is **0.63** times the lot area.
- 2. Chapter 10.10.40.70.(3), By-law No. 569-2013**
The minimum required side yard setback is 0.90m.
The proposed east side yard setback is **0.6m**.
- 3. Section 6(3) Part I 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.60 times the lot area.
The proposed gross floor area is **0.63** times the lot area.
- 4. Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 0.90m.
The proposed east side yard setback is **0.6m**.

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** the following variance(s):

- 2. Chapter 10.10.40.70.(3), By-law No. 569-2013**

The minimum required side yard setback is 0.90m.
The proposed east side yard setback is **0.6m**.

4. **Section 6(3) Part II 3.B(II), By-law No. 438-86**
The minimum required side yard setback is 0.90m.
The proposed east side yard setback is **0.6m**.

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.

It is the decision of the Committee of Adjustment to **REFUSE** the following variance(s):

1. **Chapter 10.10.40.40.(1), By-law No. 569-2013**
The maximum permitted floor space index is 0.60 times the lot area.
The proposed floor space index is **0.63** times the lot area.
3. **Section 6(3) Part I 1, By-law No. 438-86**
The maximum permitted gross floor area is 0.60 times the lot area.
The proposed gross floor area is **0.63** times the lot area.

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.

This decision is subject to the following condition(s):

- 1) City of Toronto Municipal Code Chapter 813, Article II, City-owned trees
(www.toronto.ca/trees/city_trees.htm)
- 2) City of Toronto Municipal Code Chapter 813, Article III, Privately-owned trees
(www.toronto.ca/trees/private_trees.htm)

SIGNATURE PAGE

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Astra Burka (signed)

Nicholas Sion (signed)

Richard Ross (signed)

DATE DECISION MAILED ON: Thursday, June 18, 2015

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: Thursday, July 2, 2015

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North 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.

