

Thursday, June 14, 2018

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

File Number: A0697/17NY
Property Address: 80 BRAESIDE RD
Legal Description: PLAN 591E PT BLK A PLAN 2335
Agent: PETER HIGGINS ARCHITECT INC
Owner(s): LEILA TAHERZADEH
Zoning: R(x933)/R3 G/R2 [ZZC]
Ward: Don Valley West (25)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Public Hearing was held on Thursday, June 14, 2018, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a dwelling with an integral garage.

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

- 1. Chapter 10.10.40.10.(1), By-Law 569-2013**
The permitted maximum height of a building or structure is 10.0m.
The proposed height of the building is **10.49m**.
- 2. Chapter 10.10.40.70.(3), By-Law 569-2013**
The required minimum side yard setback for a detached house is 0.9m.
The proposed south side yard setback is **0.6m**.
- 3. Chapter 10.5.40.60.(3), By-Law 569-2013**
Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no closer to a lot line than 0.6m.
The proposed stairs are 0.32m from the front lot line.

- 4. Chapter 10.5.40.50.(2), By-Law 569-2013**
A platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3m of a building, must comply with the required minimum building setbacks for the zone(0.9m).
The proposed rear yard side yard setback **0.6m**.
- 5. Chapter 10.10.40.40.(1), By-Law 569-2013**
The permitted maximum floor space index is 0.6 times the area of the lot.
The proposed floor space index is **2.49** times the area of the lot.
- 6. Chapter 10.5.40.50.(4), By-Law 569-2013**
The level of the floor of a platform, such as a deck or balcony, located at or below the level of the first storey of a residential building other than an apartment building, may be no higher than 1.2m above the ground at any point below the platform, except where the platform is attached to or within 0.3m of:
(A) a front main wall, the floor of the platform may be no higher than 1.2m above established grade;
(B) a side main wall, the floor of the platform may be no higher than the level of the floor from which it gains access; and
(C) a rear main wall, any part of the platform floor located 2.5m or less from the rear main wall may be no higher than the level of the floor from which it gains access.
The proposed rear deck projects 3.57m from the wall and is 1.9m above ground.
- 7. Chapter 5.10.40.70.(6), By-Law 569-2013**
If the Toronto and Region Conservation Authority (TRCA) determines that a shoreline hazard limit or a stable top-of-bank crosses a lot, a building or structure on that lot must be set back a minimum of 10.0m from that shoreline hazard limit or stable top-of-bank.
The proposed setback is 0m.
- 8. Chapter 5.10.40.80.(1), By-Law 569-2013**
On lands under the jurisdiction of the TRCA, a building or structure on a lot must be no closer than 10.0m from a shoreline hazard limit or a stable top-of-bank not on that lot.
The proposed setback is 0m.
- 9. Chapter 90.20.20.10.(1), By-Law 569-2013**
A residential dwelling (rear deck) is not permitted in the Open Space-Natural Zone.
The proposed use is a residential dwelling (rear deck).

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

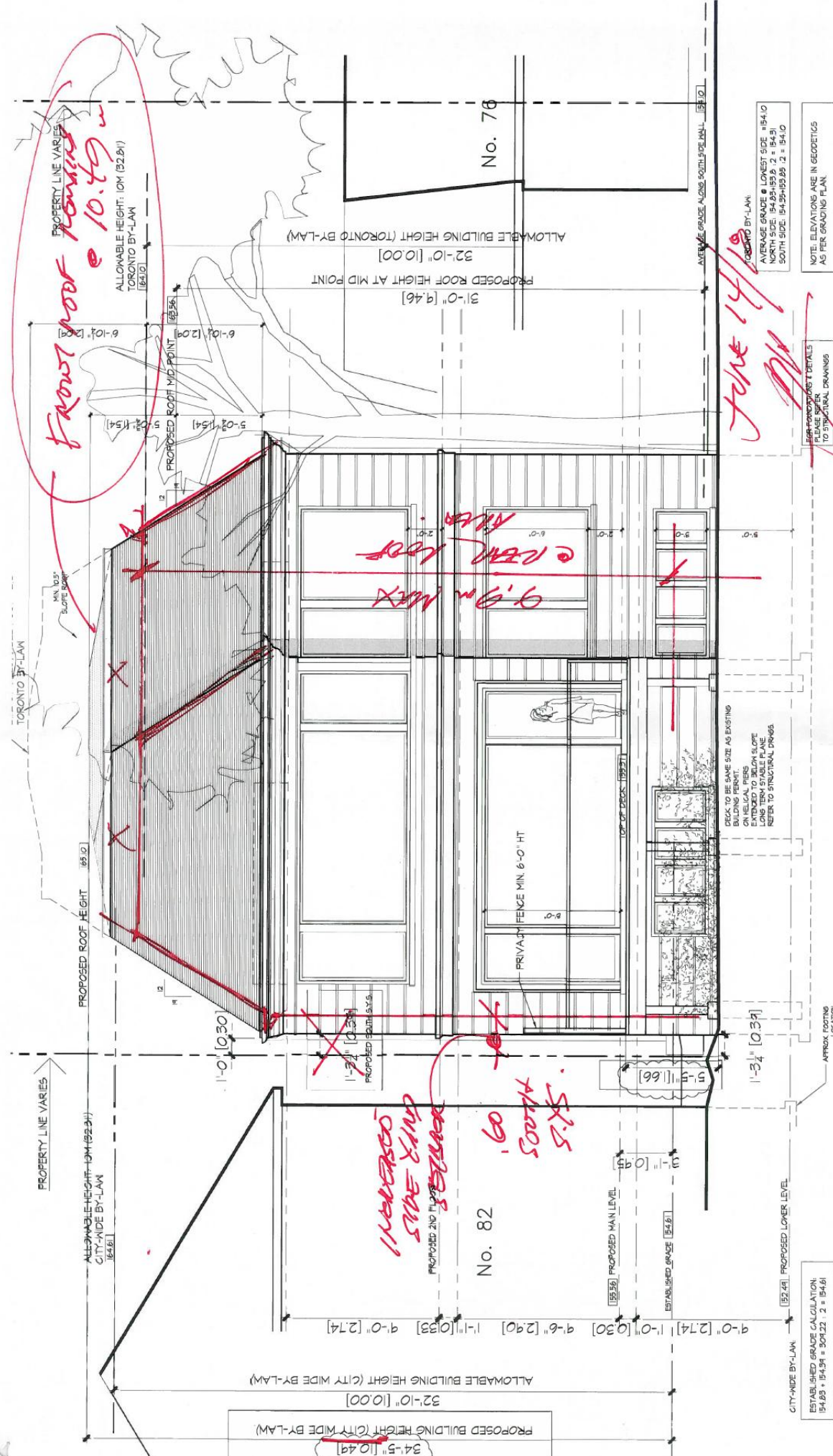
The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to authorize 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 property being developed substantially in accordance with the north, south and east elevations, signed and dated June 14, 2018, attached to this decision.
Any other variance(s) that may appear on these plans but are not listed in the written decision are NOT authorized.



REVISIONS / ISSUE DATES

1	12MAR18	ISSUED FOR CLIENT REVIEW
2	13MAR18	ISSUED FOR ZONING REVIEW
3	15MAR18	ISSUED TO TRCA
4	16APR18	ISSUED TO CSA
5	30MAY18	ISSUED FOR NEIGHBOURS APPROVED DRAWING IN HAND
6	01JUN18	ISSUED TO REVISED COFA

PLEASE SHALL VERIFY ALL DIMENSIONS AND ALL SITE CONDITIONS PRIOR TO PROCEEDING WITH CONSTRUCTION AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ARCHITECT.
 ONLY THE LATEST APPROVED DRAWINGS ARE TO BE USED FOR CONSTRUCTION.
 IT IS THE BUILDERS DUTY TO ENSURE THAT THEY HAVE THE LATEST APPROVED DRAWING IN HAND.

ESTABLISHED GRADE CALCULATION:
 54.83 + 154.51 = 309.22 2 = 154.61

PROPERTY LINE VARIES
 ALLOWABLE BUILDING HEIGHT (CITY WIDE BY-LAW) 164.81
 CITY-WIDE BY-LAW 164.81
 ALLOWABLE HEIGHT: 10M (32.81)
 PROPERTY LINE VARIES

PROPOSED ROOF HEIGHT 165.02
 MIN. 10% SLOPE SPENT
 TORONTO BY-LAW

PROPOSED ROOF MID POINT 165.58
 6'-10 1/2" [2.09]
 5'-0 1/2" [1.54]
 5'-0 1/2" [1.54]
 31'-0" [9.46]
 32'-10" [10.00]
 ALLOWABLE BUILDING HEIGHT (TORONTO BY-LAW)
 No. 78

PROPOSED ROOF HEIGHT AT MID POINT
 31'-0" [9.46]
 AVERAGE GRADE ALONG SOUTH SIDE WALL 165.10
 TORONTO BY-LAW

NOTE: ELEVATIONS ARE IN GEODETIC AS PER GRADING PLAN.
 PLEASE REFER TO STRUCTURAL DRAWINGS FOR FOUNDATIONS & DETAILS

AVERAGE GRADE @ LOWEST SIDE = 154.0
 NORTH SIDE: 154.85-155.0 2 = 154.5
 SOUTH SIDE: 154.95-155.05 2 = 154.0

DRAWN BY: C.W.
 DATE: 12MAY18
 CHECKED BY: P.J.H.
 ECN: 4208
 SCALE: 3/16"
 DRAWING: EAST ELEV
 PROJECT NO.: 16-041

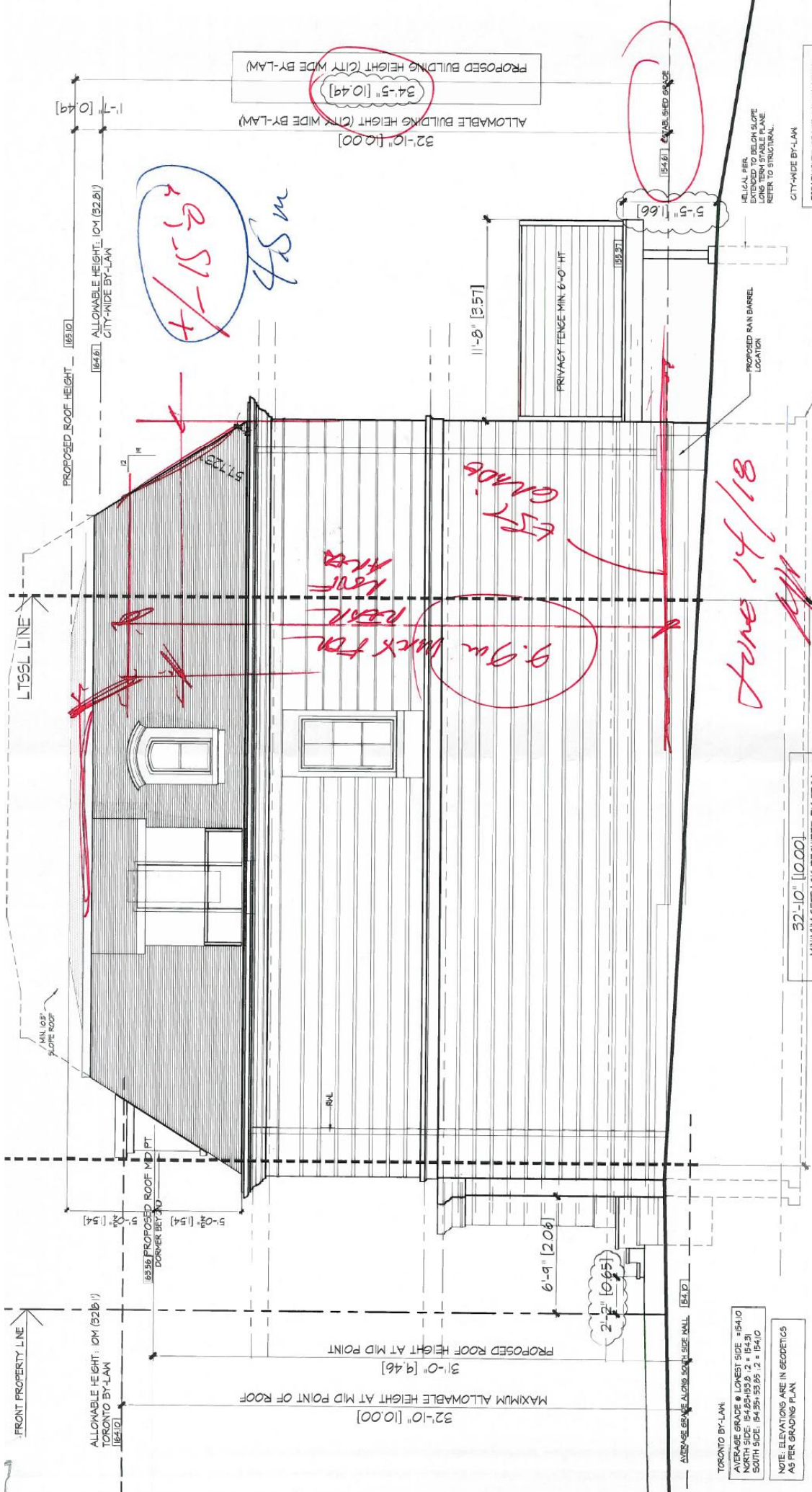
DRAWING NO.: A-9

PROJECT: 80 BRAESIDE ROAD
 TORONTO, ONTARIO



PETER HIGGINS ARCHITECT INC.
 124 MERTON STREET, SUITE 204
 TORONTO, ONTARIO, M5S 2Z2
 TEL: (416) 461-9868
 FAX: (416) 461-9864





ESTABLISHED GRADE
 154.81

HELICAL PIER
 EXTENDED TO BELOW SLOPE
 LONG TERM STABLE PLANE
 REFER TO STRUCTURAL

CITY-WIDE BY-LAW

ESTABLISHED GRADE CALCULATION:
 154.83 + 154.34 = 309.22 / 2 = 154.61

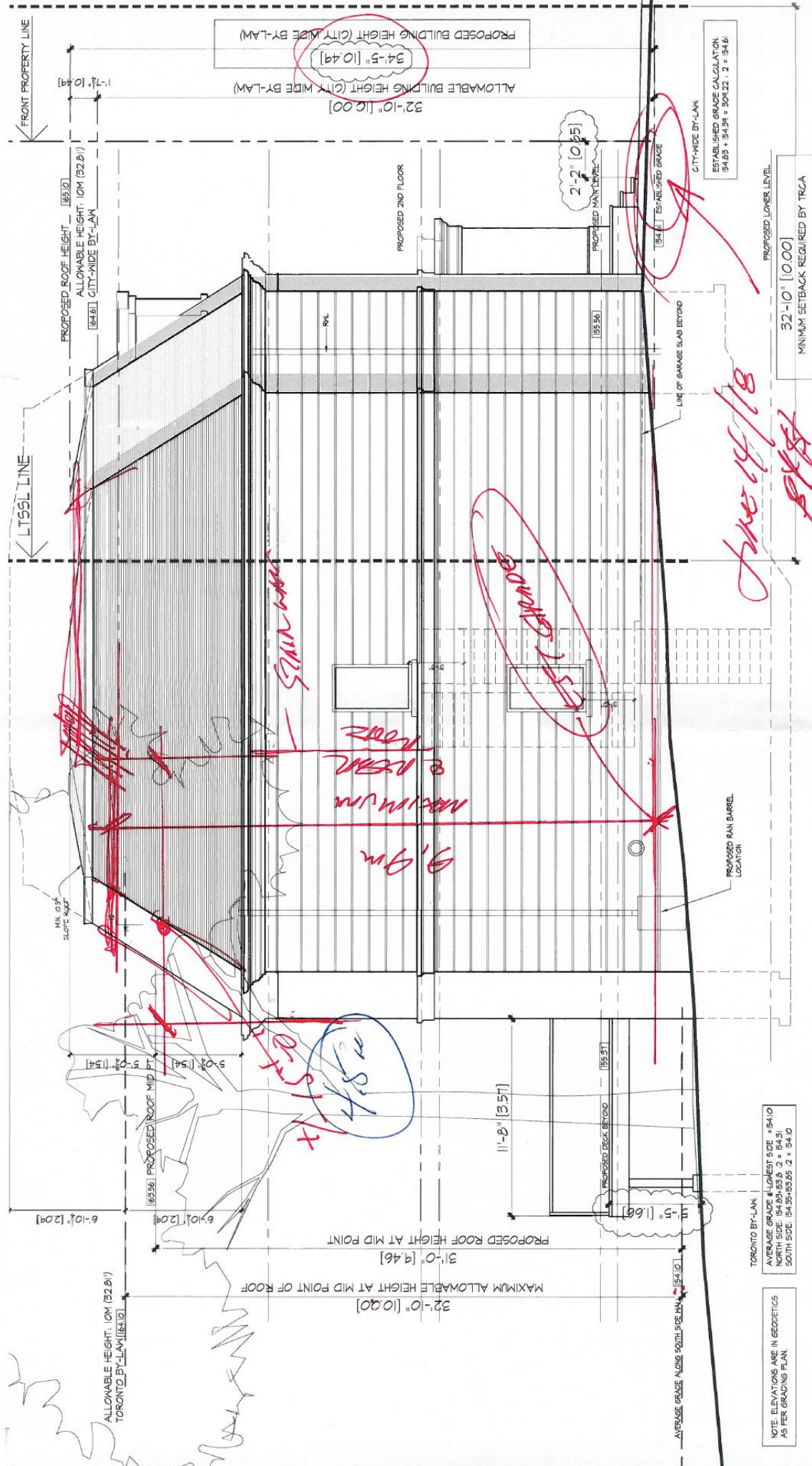
REFER TO STRUCTURAL DRAWINGS
 FOR FOUNDATION DETAILS TYPICAL

MINIMUM SETBACK REQUIRED BY TRCA
 32'-10" (10.00)

TORONTO BY-LAW
 AVERAGE GRADE & LOWEST SIDE: 154.10
 NORTH SIDE: 154.55 + 154.55 = 154.55
 SOUTH SIDE: 154.55 + 153.95 = 154.25

NOTE: ELEVATIONS ARE IN DECIMETRICS
 AS PER GRADING PLAN

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PROJECT: 80 BRAESIDE ROAD TORONTO, ONTARIO		ASSOCIATION OF ARCHITECTS ONTARIO PETER HIGGINS ARCHITECT INC. 124 HURON STREET, SUITE 104 TORONTO, ONTARIO, M5S 2Z2 TEL: (416) 481-8228 FAX: (416) 481-8284	
DRAWING NO.: A-11		DRAWING NO.: 16-041	
DRAWN BY: C.W.		DATE: 12MAY18	
CHECKED BY: P.H.		BCN: 4378	
SCALE: 3/16"		3486	
DRAWING NO.: SOUTH ELEV		3486	



DRAWING NO. A-10

DATE: 12/MAR/18
 CHECKED BY: P.H.
 SCALE: 3/16"
 PROJECT NO: 18-041

PROJECT: 80 BRAESIDE ROAD
 TORONTO, ONTARIO



PETER HIGGINS ARCHITECT INC.
 124 MERTON STREET, SUITE 204
 TORONTO, ONTARIO, M4S 2Z2
 TEL: (416) 481-5229
 FAX: (416) 481-5084



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NOTE: ELEVATIONS ARE IN GEODETICS AS PER GRADING PLAN.

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AVERAGE GRADE ALONG SOUTH SIDE MAIN [54.10]
 TORONTO BY-LAW
 AVERAGE GRADE (LOWEST SIDE) = 54.10
 NORTH SIDE (54.25-53.5) 2 = 54.31
 SOUTH SIDE (54.25-53.5) 2 = 54.0

SIGNATURE PAGE

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Ward: Don Valley West (25)
Community: Toronto
Heritage: Not Applicable

Bruce Mullock (signed)

Derek Lett (signed)

Isaac Lallouz (signed)

Nadini Sankar (signed)

Nazila Atarodi (signed)

DATE DECISION MAILED ON: Thursday, June 21, 2018

LAST DATE OF APPEAL: Wednesday, July 4, 2018

CERTIFIED TRUE COPY

Dan Antonacci
Manager & Deputy Secretary Treasurer
North York Panel

Appeal Information

All appeals must be filed with the Deputy Secretary-Treasurer, Committee of Adjustment by the last date of appeal as shown on the signature page.

Your appeal to the Toronto Local Appeal Body (TLAB) should be submitted in accordance with the instructions below unless there is a related appeal* to the Local Planning Appeal Tribunal (LPAT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- a completed TLAB Notice of Appeal (Form 1) in **digital format** on a CD/DVD or USB;
- \$300 for each appeal filed regardless if related and submitted by the same appellant;
- Fees are payable to the **City of Toronto** by cash, certified cheque or money order (Canadian funds).

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

To appeal this decision to the LPAT you need the following:

- a completed LPAT Appellant Form (A1) in **paper format**;
- \$300.00 with an additional reduced fee of \$25.00 for each connected appeal filed by the same appellant
- Fees are payable to the Minister of Finance by certified cheque or money order (Canadian funds).

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>.

*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.