

DECISION AND ORDER

Decision Issue Date Tuesday, February 13, 2018

PROCEEDING COMMENCED UNDER section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): DEL-MAR INC (C/O Vittorio Deluca)

Applicant: David Colussi

Property Address/Description: 81 Garthdale Crt

Committee of Adjustment Case File Number: 17 126824 NNY 10 MV (A0245/17NY)

TLAB Case File Number: 17 212360 S45 10 TLAB

Hearing date: Friday, December 15, 2017

DECISION DELIVERED BY S. RUDDOCK

APPERANCES

Parties

Vittorio Deluca

Participants

Lorena Chioran

INTRODUCTION & BACKGROUND

The Applicant made an application to the Committee of Adjustment for a variance in order to convert an existing garage into a new apartment; construct a new apartment above a new at-grade parking structure for 3 cars and construct a new retaining wall, on the property municipally known as 81 Garthdale Court (the 'Property'). The proposal intends to add two residential rental units to the existing building by converting two of the existing internal garage parking spaces, as well as an addition to the east side of the building.

The Property is located on the east side of Garthdale Court, east of Dufferin Street and south of Finch Avenue. It is occupied by an existing three storey apartment building with surface parking at the rear. Garthdale Court consist of a variety of building types, including duplexes, triplexes and other multi-unit residential buildings. There is a single detached dwelling adjacent to the subject property at 87 Garthdale Court.

The Application requested minor variances from North York By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013, as applicable, as follows:

1. Chapter 10.80.30.40.(1), By-law No. 569-2013

The permitted maximum lot coverage is 35% of the lot area.
The proposed lot coverage is 44.28% of the lot area.

2. Chapter 10.80.40.70.(2), By-law No. 569-2013

The required minimum rear yard setback is 9.76 m.
The proposed rear yard setback is 0.2 m.

3. Chapter 10.80.40.70.(3), By-law No. 569-2013

The required minimum side yard setback for a fourplex/ apartment building/ non-residential is 2.4 m.
The proposed side yard setback is 0.2 m.

4. Chapter 200.15.10, By-law No. 569-2013

The required minimum number of accessible parking spaces is 12.
The proposed number of accessible parking spaces is 6.

5. Chapter 200.5.1.10.(12), By-law No. 569-2013

The required minimum entrance and exit for a two-way driveway is 5.5 m.
The proposed vehicle entrance and exit is 5.26 m.

6. Section 20.2.2, By-law No. 7625

The maximum permitted lot coverage is 35% of the lot area.
The proposed lot coverage is 44.28% of the lot area.

7. Section 20.2.4 (c), By-law No. 7625

The minimum required rear yard setback is 7.5 m.
The proposed rear yard setback is 0.2 m.

8. Section 20.2.4(b), By-law No. 7625

The minimum required south side yard setback is 3.5 m
The proposed south side yard setback is 0.2 m.

9. Section 20.2.5, By-law No. 7625

The maximum permitted gross floor area is 1000 m².
The proposed gross floor area is 1115 m².

10. Section 6A(2)a, By-law No. 7625

The minimum required number of parking spaces is 13 and 4 visitor spaces.
The proposed number of parking spaces is 6.

11. Section 6A(5), By-law No. 7625

The minimum access required for parking areas is 6 m.
The proposed access to parking is 5.26 m.

An additional variance request (#12), regarding the existing accessory structure in the front yard, was withdrawn at the COA. The Committee of Adjustment ('COA') refused the 11 requested variances in the application on July 19, 2017. The Applicant appealed the COA refusal to TLAB. No amendments were made to the requested variances for the TLAB appeal.

JURISDICTION AND MATTERS IN ISSUE

On an appeal, the TLAB must be satisfied that each of the variances sought meets the tests in subsection 45(1) of the Act. This involves a reconsideration of all the variances considered by the Committee, in the physical and planning context. The subsection requires a conclusion that each of the variances, individually and cumulatively:

- maintains the general intent and purpose of the Official Plan;
- maintains the general intent and purpose of the zoning by-law; and
- is desirable for the appropriate development or use of the land, building or structure;
- is minor.

These are usually expressed as the "four tests", and all must be satisfied for each variance. In addition, TLAB must have regard to matters of provincial interest as set out in s. 2 of the Act, the variances must be consistent with provincial policy statements and conform with provincial plans, as set out in s. 3 of the Act. A decision of the TLAB must therefore be consistent with the 2014 Provincial Policy Statement ('PPS') and conform to any provincial plan such as the Growth Plan for the Greater Golden Horseshoe ('Growth Plan') for the subject area. Under s. 2.1 of the Planning Act, TLAB is also to have regard for the earlier Committee decision and the materials that were before that body.

EVIDENCE

The Applicant:

The Applicant, Vittorio Deluca, stated that he has owned the apartment building on the subject site since 1979. He stated that he has consulted with the owner of the neighboring property, a single detached dwelling at 87 Garthdale Court, and she

supports his application. Mr. Deluca indicated that he tried to consult with the owner of the other neighboring property, a three-storey building at 77 Garthdale Court, who he understands has objection to application, but he was not able to do so.

Mr. Deluca stated that he has taken his neighbors in mind when designing the proposed development on his property. He explained that the proposal will address issues with the overflowing of rain water which occurs on his side yard which slopes down, making parts unusable for tenants and also impacts the neighbors. With respect to parking, Mr. Deluca indicated that he has always rented parking separately from the units, from month to month, and there has never been any spill-over parking onto the streets. Mr. Deluca stated that the COA was concerned about the shadowing impact of his proposal onto 87 Garthdale Court. He explained that he did not have a shadow impact study for the COA application, but he has completed one for the TLAB appeal. Mr. Deluca presented expert evidence from a registered architect and a planner in support of his application.

The Architect:

The Applicant retained David Colussi, a registered architect, to provide professional evidence in support of the TLAB appeal. Mr. Colussi was qualified to give expert evidence based on his experience and training. It was his opinion that the applicant's proposal does not contravene the four tests of a Minor Variance under the Planning Act and therefore it should be allowed to proceed.

Mr. Colussi presented sketches from a sun shadow study showing the shadowing impact on the neighboring properties. He stated that the majority of shadowing is on the subject property because of the lower grade of the property. In his evidence, Mr. Colussi reviewed the architectural plans, at Exhibit 2, which he indicated were the same plans submitted to the COA. Mr. Colussi explained that the Property is at a lower grade than the adjoining property at 87 Garthdale Court, because of this, when you look at the proposal from the viewpoint of that property, the proposed addition looks like a single storey addition. It was Mr. Colussi's opinion that the specific topography of this area may not have been clear to the COA. Mr. Colussi stated that this also is why the shadowing is so minimal - because of the grade level, the shadow distance is shorter.

In his expert witness statement, Mr. Colussi addressed the objections to the proposal that had been presented at the COA by the City. These objections were outlined in the July 10, 2017 Staff Report prepared by Joe Nanos, and a July 11, 2017 Memorandum prepared by Kam Ma; they were based on identifying a lack of sufficient on-site parking (variances 4 & 9) and overall building size/setbacks (variances 1, 2 & 6, 7).

With respect to parking, Mr. Colussi stated that the existing tenant parking is rented separately from apartment occupancy of the Property and is not fully subscribed. He indicated that a parking study carried out by Paradigm Transportation Solutions confirmed that at no time does the demand for parking exceed the on-site provision. Mr. Colussi stated that there is no proposed change to any existing, non-compliant parking provision on site. It was his opinion that the parking provision is consistent with

parking patterns on other similar multi-unit residential buildings in the neighbourhood and has been used since the building was originally constructed in 1962.

It was Mr. Colussi's opinion that the area is well served by transit (close proximity to Sheppard West Station), and that there are ample alternatives to private car ownership (car-share, zipcar & uber) provide additional options for tenants. He opined that all of this confirms parking pressure on the Property will further reduce over time, and on-site parking provision should not form the basis for objection to this proposal.

With respect to setbacks/lot coverage, Mr. Colussi stated that the subject property is an irregularly shaped, corner lot. It was his opinion that this technically makes the north property line the "front" and defines the significant front and rear yard setbacks. The existing building does not (and never could) comply with these provisions. It was Mr. Colussi's opinion that the proposed addition results in a nominal decrease to the existing/non-compliant rear yard setback standard; while the (east) side yard setback is maintained along the majority of the east property line.

Mr. Colussi reiterated that the location of the proposed addition (south-east corner) is at a particularly low point topographically, which results in its practical appearance as a single story building when viewed from the neighbor to the east (87 Garthdale), who has provided a letter of support for the project. He indicated that to the south, the proposed addition would be located immediately adjacent to the parking garage of the neighbor (77 Garthdale). Mr. Colussi stated that as the staff report notes, the intent of setbacks is to preserve privacy and minimize overlook conditions; he opined that neither of these objectives are compromised by this proposal.

Mr. Colussi noted that, similarly, the Staff Report identifies the proposed lot coverage of 44% (vs 35% permitted) is an indication that the massing of the proposal is out of scale with the neighborhood. It was his opinion, as outlined above, that the rise of existing topography to both the south and east minimizes the massing impact of the proposed addition.

The Planner:

The Applicant retained Marcus Gagliardi to provide professional land use planning evidence in support of the TLAB appeal. Mr. Gagliardi was qualified to give expert evidence based on his experience and training. In preparation for the hearing, he had visited the site, reviewed the COA file and relevant land use planning legislation and regulations. Mr. Gagliardi prepared disclosures documents relevant to his analysis and opinion, including a photographic survey.

Mr. Gagliardi stated that the subject lands are located on the east and south side of Garthdale Court and are occupied by an existing three storey apartment building with surface parking at the rear. He explained that the site slopes from Garthdale Court up toward the property at 87 Garthdale Court. The rear of the property where the proposed addition is to take place is uniquely below the average grades of both adjacent properties at 77 Garthdale Court and 87 Garthdale Court. Garthdale Court is made up of a variety of building types, including single detached dwellings and apartment buildings.

Decision of Toronto Local Appeal Body Panel Member: S. Ruddock
TLAB Case File Number: 17 212360 S45 10 TLAB

It was Mr. Gagliardi's opinion that that the proposed variances satisfy each of the four tests under subsection 45(1) of the Planning Act. With respect to section 3(5) of the Act, he opined that the application is consistent with the Provincial Policy Statement, and conforms, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Mr. Gagliardi, stated that of the twelve proposed variances from the COA, five of the variances represent existing legal non-compliant conditions on the subject lands:

- Variance 4: number of parking spaces;
- Variance 5: width for a two-way driveway;
- Variance 10: required number of parking spaces;
- Variance 11: access required to parking areas;
- Variance 12: accessory structure located in the front yard;

As indicated above, variance 12 regarding the accessory in the front yard, was withdrawn at the COA, and is not part of the TLAB appeal. Mr. Gagliardi stated that this structure is proposed to be demolished as part of the proposal and was labelled as such on the site plan. Mr. Gagliardi provided his opinion on the remaining existing legal non-compliant conditions.

With respect to parking spaces, Mr. Gagliardi stated the existing building currently has 10 residential units and Zoning staff have only accounted for the 6 spaces on the subject lands that meet the minimum requirements of the By-law. However, Mr. Gagliardi stated that after visiting the site, and reviewing the site plan, it was his understanding that there are 6 surface parking spaces, 4 on the property, as well as 2 that operate daily but are located within the City's right-of-way. He stated that in addition to this, there is one space internal that will be preserved – this was not counted as the original plans mistakenly showed this space as an internal amenity space, which is not the case.

Mr. Gagliardi explained that the proposal seeks to add three parking spaces under the proposed unit, and the site has a parking space at the west side of the site adjacent to Garthdale Court. He stated that this in total equates to 11 spaces that would be functioning on the site and within the City right-of-way, immediately adjacent to the site. Mr. Gagliardi indicated that the parking study prepared by Paradigm indicated that the highest parking demand for the site was 8 spaces, which equates to a rate of 0.9 spaces per unit at peak periods for both resident and visitors combined. He noted that no parking spillovers were identified by Paradigm during their survey periods.

Mr. Gagliardi stated that the drive aisle into the site and within the parking area is deficient. He stated that Transportation Services recognized this in the July 11, 2017 report; this report also makes note that the proposal seeks to improve this existing condition by expanding the drive aisle.

Consistent With Provincial Policy Statement (PPS) and Growth Plan:

In reference to s.1.1.1 of the PPS, Mr. Gagliardi, opined that the proposal provides the opportunity to add to the residential rental stock in the surrounding area

with none to minimal impact to the surrounding land uses. It was his opinion that in relation to section 1.1.3.2 of the PPS, the proposal maximizes the use of the subject lands by proposing an addition to an existing rental building within the existing footprint, as well as over top of the existing parking area, in an area that is walking distance to public transit. With the two additional units in the proposal, Mr. Gagliardi opined that the proposal contributes to a compact built form by maximizing the use of the subject lands to create and add to the affordable residential rental stock within the surrounding area, in conformity to the policies of the Growth Plan.

Maintains The General Intent and Purpose of The Official Plan:

The expert evidence included a particularized review of each of the four tests for a minor variance. It was Mr. Gagliardi's opinion that the application maintains the general intent and purpose of the City of Toronto's Official Plan. The subject lands are designated as '*Neighbourhoods*' in the Official Plan. Mr. Gagliardi opined that the proposal responds to the development criteria in policy 4.1.5 a-h, in several aspects, some of which follow:

- b) The size and/or configuration of the existing lot is not altered to facilitate the proposal.
- c) The surrounding area is populated with a variety of building types including 3-storey apartment buildings and single detached houses. This particular portion of Garthdale Court is occupied by 3-storey apartment buildings with parking at the rear. A number of buildings have detached accessory structures in the rear yard – in particular the building located at 77 Garthdale Court immediately adjacent to the subject lands. The proposed addition is under the permitted maximum height of the Zoning By-law, and height contemplated within the Official Plan.
- e) The setbacks from Garthdale Court are not affected by the proposed addition.
- f) The buildings along the east side of Garthdale Court provide space for landscaping along the Garthdale Court frontages. The buildings as noted, have accessory structures/detached garages in the rear or side yard.

Mr. Gagliardi noted that the City Staff report prepared by the planning staff identifies policies b) and f) noted above, with very little explanation or rationale. Mr. Gagliardi's stated that the rear yards along Garthdale Court, particularly the lands immediately adjacent at 77 Garthdale Court, and 72 Garthdale Court, have detached garages that are adjacent to the residential properties to their rear. These garage's have no windows, or openings that face the residential properties. Mr. Gagliardi stated that the proposed addition to the existing building at 81 Garthdale Court contains similar qualities: i) it is located adjacent to the rear yard of a single detached residential property, and ii) it does not contain windows or openings that face the adjacent property. In this respect, it was his opinion that the proposed addition to the existing building does not alter the character of the relationship between the apartment building properties along Garthdale Court with the single detached properties to the

rear. The massing, while slightly larger than the adjacent apartment buildings, is not out of character for this particular portion of Garthdale Court.

Maintain the General Intent and Purpose of the Zoning By-laws:

With respect to the Zoning By-laws, it was Mr. Gagliardi opinion that the revised variances maintain the general intent and purpose of the Zoning By-laws. In support of this opinion Mr. Gagliardi presented a detailed analysis of the variances respecting gross floor area, lot coverage, setbacks and parking. With respect to the gross floor area, Mr. Gagliardi noted that aside from the one unit that is being proposed through the addition, the other unit is being contained within the existing footprint without the requirement for any expansion to the building or building façade. It was his opinion that the increase in gross floor area ultimately assists in contributing to the rental stock in the area, within a massing that is not out of character or negatively impacting its surroundings.

With respect to the lot coverage, Mr. Gagliardi stated that the proposed addition while requesting an increase in the maximum lot coverage from 35% to 44.28%, the coverage is being placed in the rear corner of the site. He opined that this allows the appearance of the building from Garthdale Court to remain the same, while preserving the existing landscaping along Garthdale Court on the north and west portions of the site.

With respect to the side yard setback, Mr. Gagliardi stated that while he understands the City's position in their planning report, the proposed addition is not injurious to the apartment building adjacent to the side yard. He stated that the existing building is currently setback further from Garthdale Court than the building at 77 Garthdale Court. Mr. Gagliardi stated the proposed addition as such is immediately adjacent to the existing detached garage at the rear of 77 Garthdale Court. He added further that no windows are proposed for the addition, eliminating any opportunity of privacy or overlook.

With respect to the rear yard setback, Mr. Gagliardi opined that, the issue that is being overlooked, particularly for the rear yard, is the characteristic of the proposed addition – no windows or openings proposed along the wall adjacent to the single detached property at 87 Garthdale Court. He stated that, in addition, the topography and existing grading of the site also present a unique situation – the site itself slopes up toward 87 Garthdale, and the ground floor of the existing building actually sits below the grade of the house at 87 Garthdale. Mr. Gagliardi stated that when you combine this grading with the proposed addition, the addition sits at the rear lot line similar to how a detached garage would if the grades were at the same height for both sites.

Mr. Gagliardi, stated that, while the variance numerically may seem large, in his opinion the site is unique in its existing landscape and topography, and the requested setbacks pose minimal to no impacts to the existing land uses. For the setbacks, Mr. Gagliardi further noted that, the sun shadow study prepared by the architect, indicates that there would be no adverse shadowing on either of the properties at 87 Garthdale Court or 77 Garthdale Court.

With respect to parking, Mr. Gagliardi's opined that the Paradigm study confirms that the proposed parking spaces (6 lawful spaces, and 4 non-compliant spaces) are sufficient to accommodate the proposed addition without any spillover parking onto Garthdale Court.

Desirable For The Appropriate Development Or Use Of The Land:

It was Mr. Gagliardi's opinion that the variances are desirable for the appropriate development of the Property. He referred to a number of points in support of this position including that the overall intent of the proposal is to add to the rental housing stock in the Garthdale Court through a minor form of intensification. He opined that the proposed design of the addition takes both adjacent properties at 77 Garthdale Court and 87 Garthdale Court into consideration and that that the impact of the setback to these adjacent properties is minimal. It was Mr. Gagliardi's opinion that parking is adequate to service the site. Mr. Gagliardi added that the proposals retaining wall will address the problem of erosion in the rear yard effecting 87 Garthdale and the subject site.

Minor in Nature:

It was Mr. Gagliardi's opinion that the variances are minor. He stated that the proposed additions, being kept within the back corner of the site, has no impact on Garthdale Court – the existing vehicular network and circulation around the site are not affected. Mr. Gagliardi noted that the proposal recognizes several variances that are representative of existing deficient conditions on the subject lands. He stated that the proposed gross floor area is required to facilitate the additional unit above the proposed parking spaces, as well as the unit that is contained within the existing footprint in the converted garage. Mr. Gagliardi opined that the reduction in parking is supported by the parking study prepared by Paradigm, but also in the subject lands proximity to Dufferin Street and public transit.

Mr. Gagliardi concluded that while he understands the City's position in their refusal report, after visiting the subject lands, it was his opinion that the site topography and layout offer an opportunity to facilitate the proposed addition with little to no impact to the adjacent land uses. He opined that the requested variances represent good planning and are in the public interest.

The Participant:

Lorena Chioran lives in the single detached dwelling directly adjacent to the subject property at 87 Garthdale Court. Ms. Chioran stated that she has consulted with Mr. Deluca and has no objections to the proposal. She indicated that the proposal would have a positive impact on her property, especially the proposed retaining wall which would address the problem with erosion. She stated that there is no problem with the proposed one-storey apartment facing her backyard. She indicated that her backyard gets sun shine all day long and as there are no windows proposed that are of concern, she does not have any issues with privacy. She noted that the existing

apartments on the subject site have balconies that overlook her now, and there is no issue.

ANALYSIS, FINDINGS, REASONS

TLAB accepts the expert evidence of Mr. Colussi and Mr. Gagliardi that the variances meet the four tests under s.45(1) of the Act. The variances proposed are minor and are desirable for the appropriate use of the land. The physical character of this neighbourhood is dominated by multi-unit residential buildings, and the application is in keeping with this. Given the unique topography and existing landscape of this site, the proposal has minimal impact to adjacent land uses. The proposed addition respects and reinforces the existing physical character of the neighbourhood and does not present any adverse impacts to neighboring properties, the neighbourhood, or the Garthdale Court streetscape.

TLAB agrees that the variances are consistent with the standards of the Zoning By-laws and the policies of the Official Plan, and therefore maintain the general intent and purpose of both By-laws and the Official Plan. The proposal contributes to a compact built form by maximizing the use of the subject lands to create and add to the affordable residential rental stock within the surrounding area, with minimal impacts to the surrounding land uses. The parking study presented indicated that there was sufficient parking to accommodate the proposed addition without any spillover parking onto Garthdale Court. From a streetscape perspective the proposed addition seamlessly integrates into the neighbourhood.

DECISION AND ORDER

For all the reasons expressed above, the appeal is allowed. The TLAB orders:

The variances to Zoning By-law No. 569-2013 (contingent on its effective date) and No. 7625 as listed below as 'proposed' are authorized, subject to the condition that follows.

1. Chapter 10.80.30.40.(1), By-law No. 569-2013

The permitted maximum lot coverage is 35% of the lot area.

The proposed lot coverage is 44.28% of the lot area.

2. Chapter 10.80.40.70.(2), By-law No. 569-2013

The required minimum rear yard setback is 9.76 m.

The proposed rear yard setback is 0.2 m.

3. Chapter 10.80.40.70.(3), By-law No. 569-2013

The required minimum side yard setback for a fourplex/ apartment building/ non-residential is 2.4 m.

The proposed side yard setback is 0.2 m.

4. Chapter 200.15.10, By-law No. 569-2013

The required minimum number of accessible parking spaces is 12.

The proposed number of accessible parking spaces is 6.

5. Chapter 200.5.1.10.(12), By-law No. 569-2013

The required minimum entrance and exit for a two-way driveway is 5.5 m.

The proposed vehicle entrance and exit is 5.26 m.

6. Section 20.2.2, By-law No. 7625

The maximum permitted lot coverage is 35% of the lot area.

The proposed lot coverage is 44.28% of the lot area.

7. Section 20.2.4 (c), By-law No. 7625

The minimum required rear yard setback is 7.5 m.

The proposed rear yard setback is 0.2 m.

8. Section 20.2.4(b), By-law No. 7625

The minimum required south side yard setback is 3.5 m

The proposed south side yard setback is 0.2 m.

9. Section 20.2.5, By-law No. 7625

The maximum permitted gross floor area is 1000 m².

The proposed gross floor area is 1115 m².

10. Section 6A(2)a, By-law No. 7625

The minimum required number of parking spaces is 13 and 4 visitor spaces.

The proposed number of parking spaces is 6.

11. Section 6A(5), By-law No. 7625

The minimum access required for parking areas is 6 m.

The proposed access to parking is 5.26 m.

The condition of approval is as follows:

- (a) The proposal shall be built and located on the Property substantially in accordance with the Plans, (Exhibit 2) attached as Attachment 1 to this decision. Any other variances that may appear on these plans that are not listed in this decision are not authorized.

[Attachment 1 – Plans (Exhibit 2)]

X



S. Ruddock
Panel Chair, Toronto Local Appeal Body
Signed by: Sophia Ruddock

Attachment 1

RECEIVED September 20 2017
By Toronto Local Appeal Body

Zoning Summary

Project Summary

Existing building consists of a 3-storey 11184 sq ft/1039m2 Gross Floor Area). Existing use is an apartment building, as permitted under City of Toronto Zoning By-Law 569-2013.

Scope of Proposed Renovation/Addition:
Provide new retaining wall at east property line to mitigate erosion of existing slope/silt runoff into existing catch basin.

Convert existing garage into 1 new dwelling unit plus addition of one new dwelling unit over new at-grade parking area.

Proposed new gross floor area: 76m2
Proposed area of renovation: 76m2

Proposed use: unchanged (Apartment)

Toronto Local Appeal Body

EXHIBIT #2

Case File Number: 17 212360 S45 10 TLAB
Property Address: 81 Garthdale Crt.
Date Marked: December 15, 2017

Zoning: RM5/RM (f21.0; a835) (x474)		Part of Lots 46 & 47, Registered Plan 5186, City of Toronto	
Lot Area: 1000 m2	Frontage: 39m	Depth: 27.2m	
Gross Floor Area	Existing 1039 m2	Permitted 1000m2	Proposed 1115m2
Floor Space Index	Existing 1.0	Permitted not limited	Proposed 1.1
Front Setback	Existing 3m	Required 6m	Proposed 3m (unchanged)
Side Setback (West)	Existing 9.6-12.5m	Required 2.4/3.5m	Proposed 9.5-12.5m (unchanged)
Side Setback (East)	Existing 9.2-12.8m	Required 2.4/3.5m	Proposed 0.2m
Rear Setback	Existing 2.4m	Required 9.76/7.5m	Proposed 0.2m
Open Space	Existing 65%	Required 65%	Proposed 55.72%
Building Height	Existing 8.9m	Permitted 12m	Proposed 8.9m (unchanged)
Parking driveway	Existing 4.9m	Required 5.5/6m	Proposed 5.26m
Accessory structure in front yard	Existing yes	Permitted no	Proposed demolished
Parking	Existing 5*	Required 12/17	Proposed 6
Existing building currently provides 5 lawful parking spaces as per 200.5.10.11 of By-law 569-2013. Site also provides 4 existing/non-conforming parking spaces (to remain unchanged)			

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DATE	ISSUE/REVISION
March 17	Minor Variance
June 17	Reissued for Minor Variance



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fax: 416.849.0383
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Garthdale
Apartments

81 Garthdale Court, North York
M3H 5P7

Scale: As indicated
Drawn by: EC
Checked by: DC
Date: 17.06.26

Statistics

drawing number

MV1

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Garthdale
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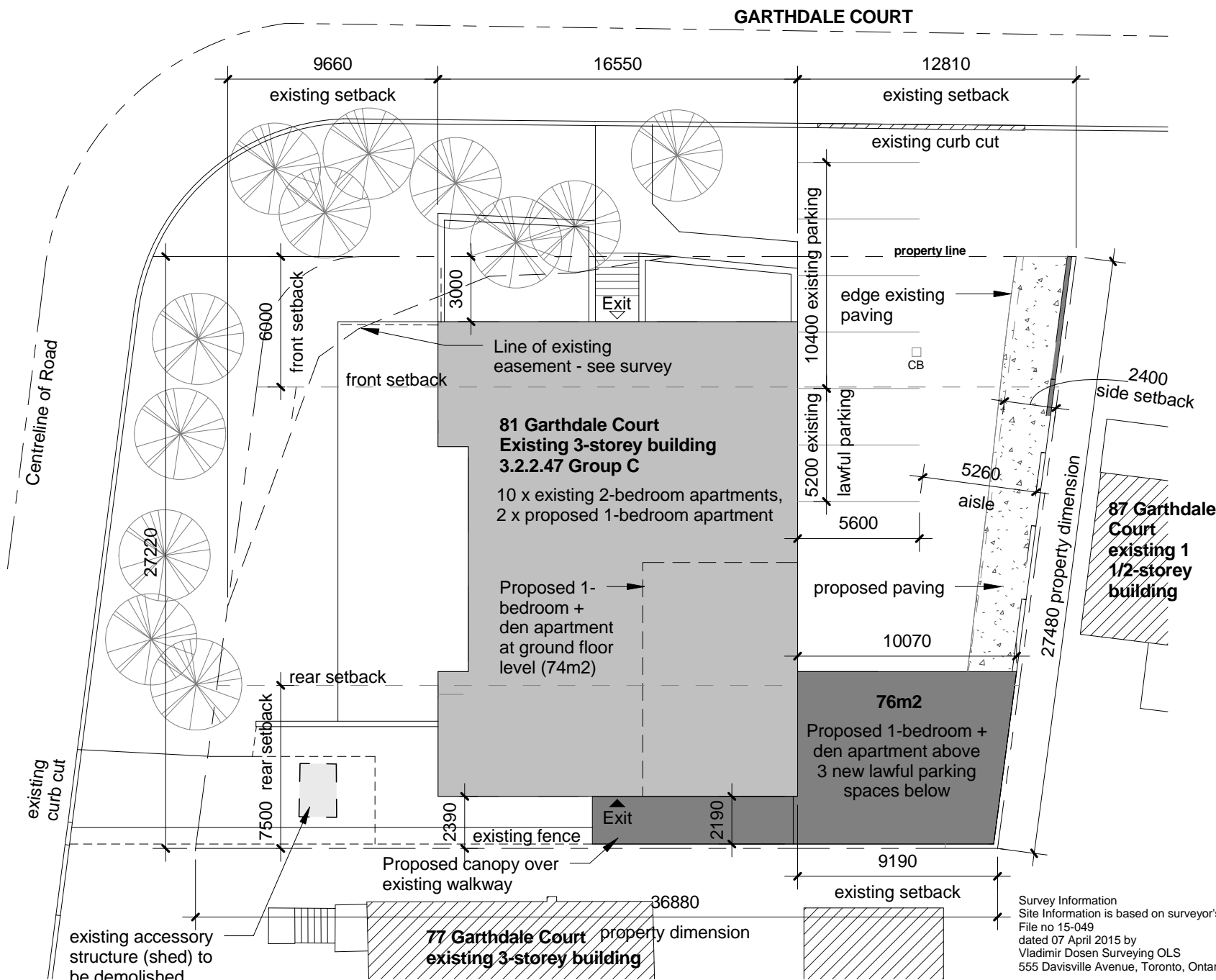
81 Garthdale Court, North York
M3H 5P7

Scale:	As indicated
Drawn by:	EC
Checked by:	DC
Date:	17.06.26

Site Plan

drawing number

MV2



1 Site Plan
1 : 250

Survey Information
Site Information is based on surveyor's
File no 15-049
dated 07 April 2015 by
Vladimir Dosen Surveying OLS
555 Davisville Avenue, Toronto, Ontario

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**Garthdale
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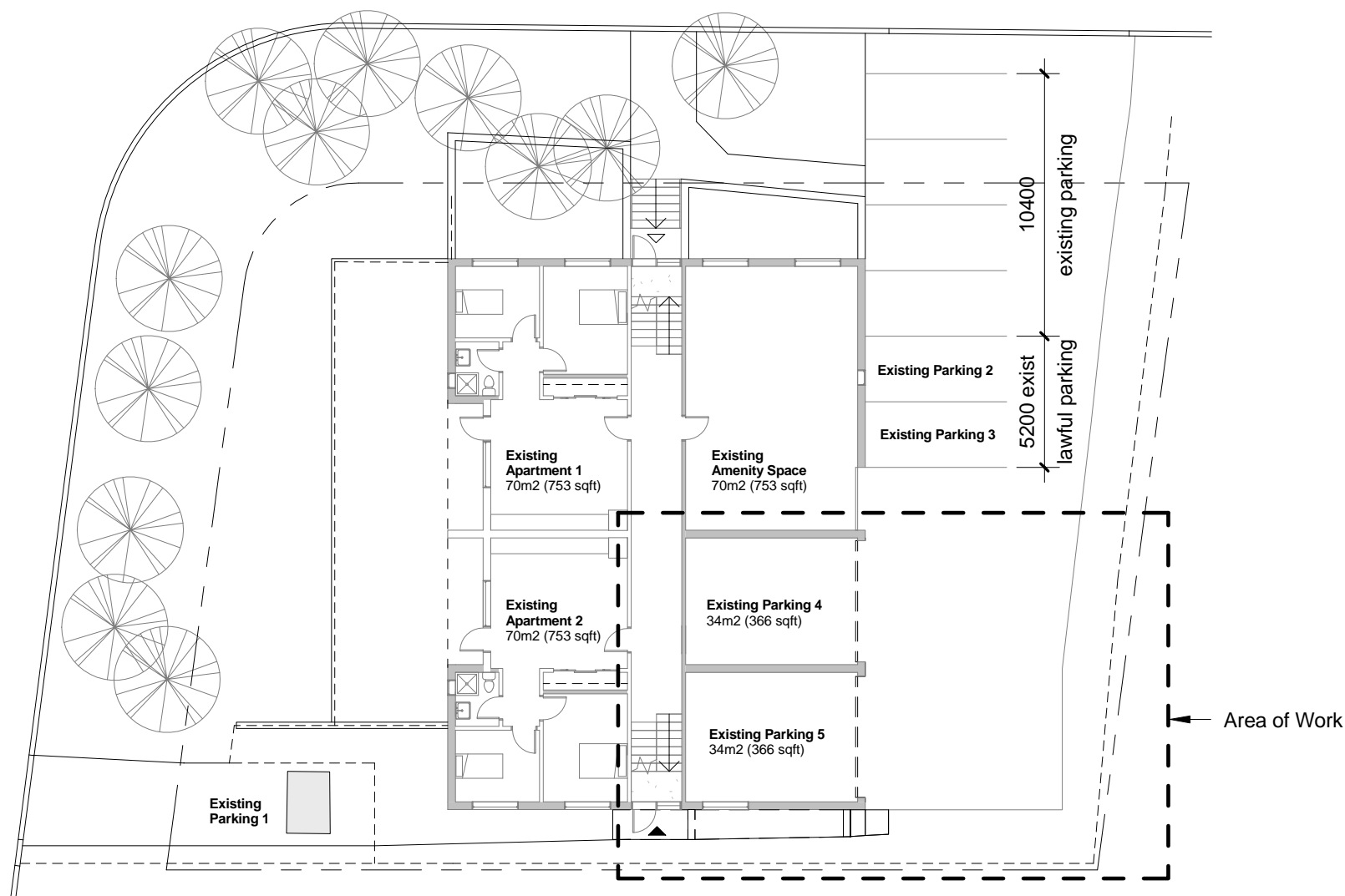
81 Garthdale Court, North York
M3H 5P7

Scale: As indicated
Drawn by: EC
Checked by: DC
Date: 17.06.26

Level 1 Existing Plan

drawing number

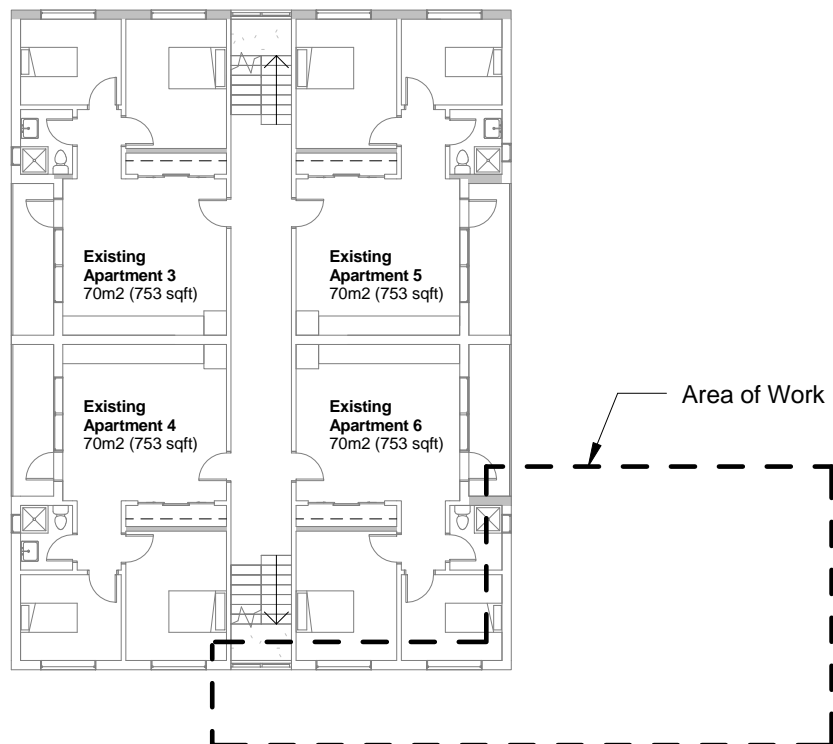
MV3



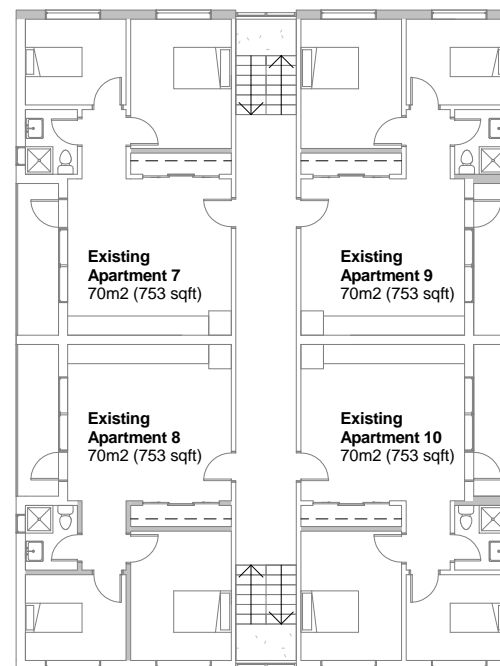
1 Level 1 Existing Plan
1 : 250

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1 **Level 2 Existing Plan**
1 : 250



2 **Level 3 Existing Plan**
1 : 250



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**Garthdale
Apartments**

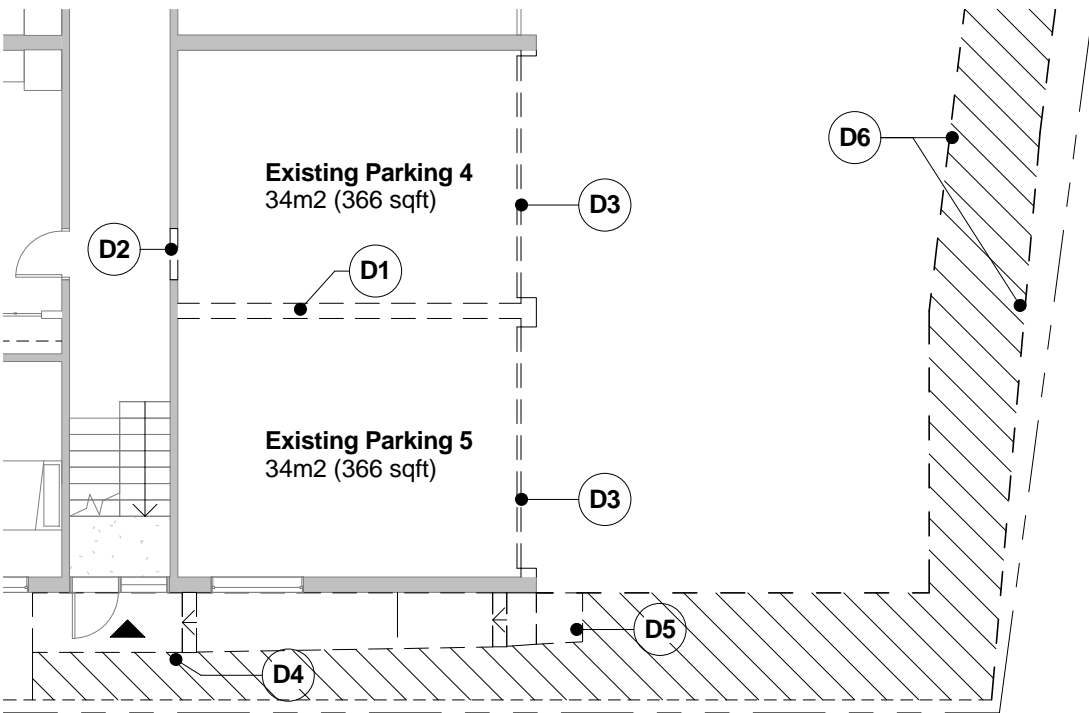
81 Garthdale Court, North York
M3H 5P7

Scale:	As indicated
Drawn by:	EC
Checked by:	DC
Date:	17.06.26

**Level 2 and 3 Existing
Plans**

drawing number

MV4



1 **Level 1 Demolition Plan**
1 : 150

Demolition Notes	
Note	Description
D1	Demolish wall as indicated. Make good adjacent surfaces.
D2	Cut wall and prepare for new door. Make good adjacent surfaces.
D3	Demolish garage door and infill wall to suit.
D4	Demolish roof canopy above. Make good adjacent surfaces.
D5	Demolish back stair and level out grade.
D6	Cut back/excavate existing grade to suit new retaining wall. Prep surface to receive new pavement. Demolish adjacent fence.

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Level 1 Demolition Plan

drawing number

MV5

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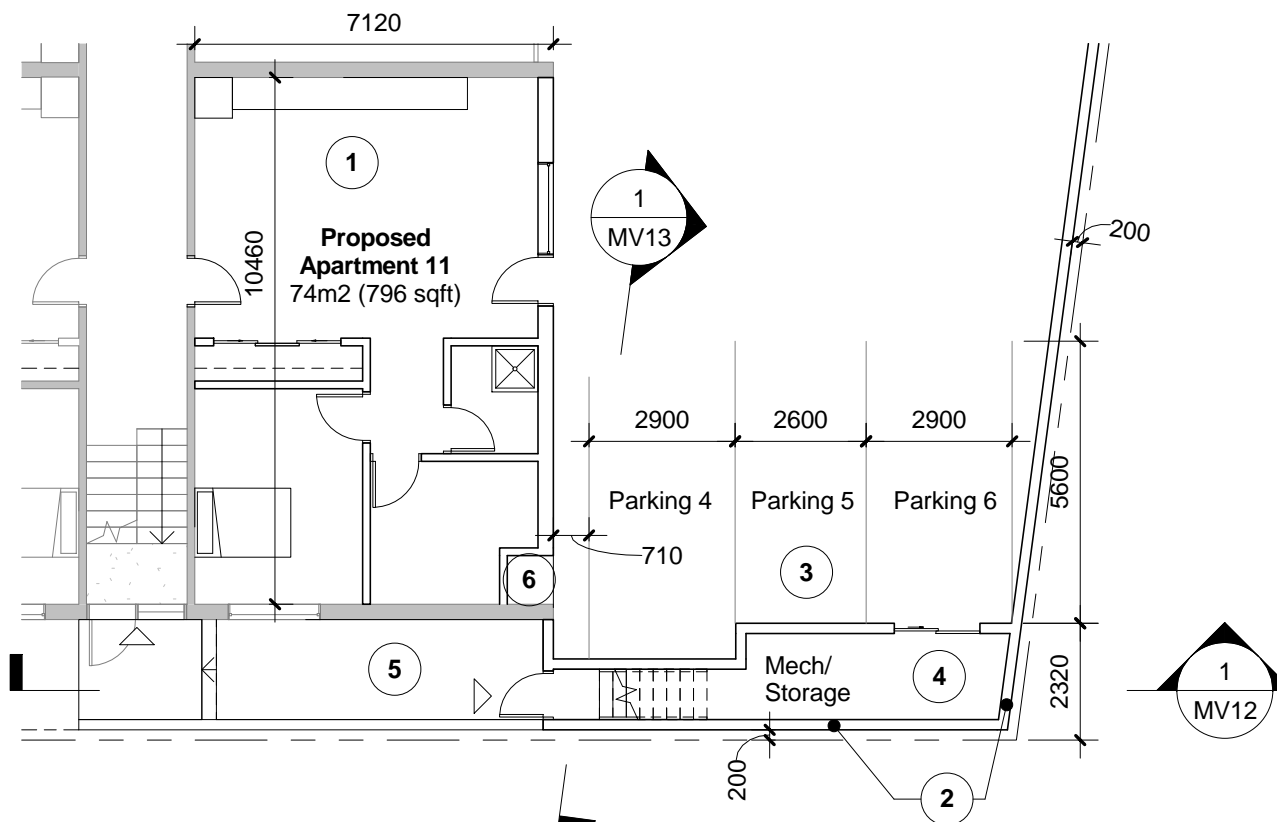
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Level 1 Proposed Plan



1 Level 1 Proposed Plan
1 : 150

General Notes Level 1

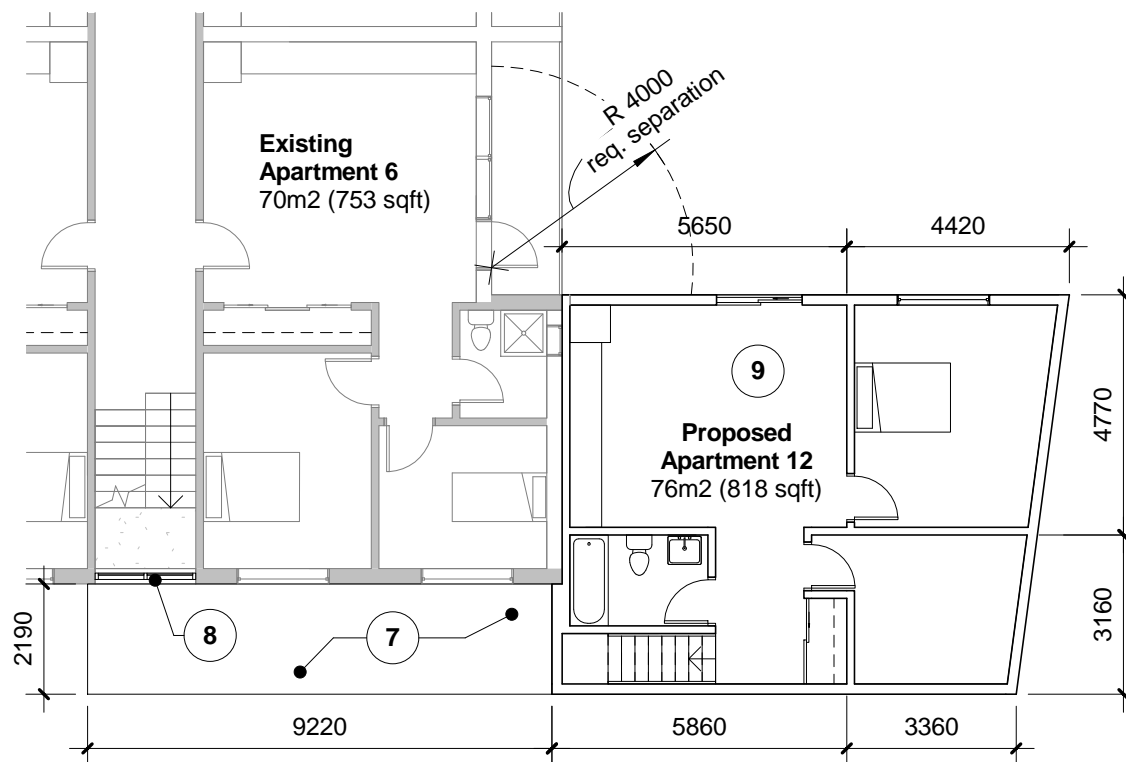
Note	Description
1	Newly renovated apartment to match existing layouts.
2	Full height perimeter retaining wall parallel to property lines.
3	New parking spots
4	New storage access under stair.
5	New concrete back stair.
6	New telephone closet.

drawing number

MV6

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1 **Level 2 Proposed Plan**
1 : 150

General Notes Level 2

Note	Description
7	Canopy to extend over back stair path.
8	Replacement of curtain wall window.
9	New upper level apartment.



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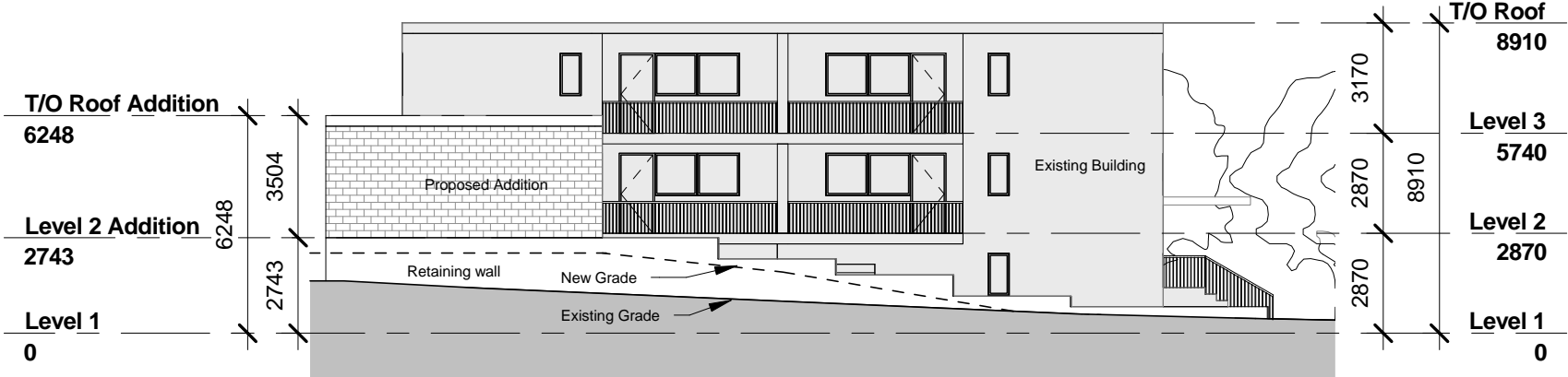
Level 2 Proposed Plan

drawing number

MV7

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1 Proposed East Elevation
1 : 200



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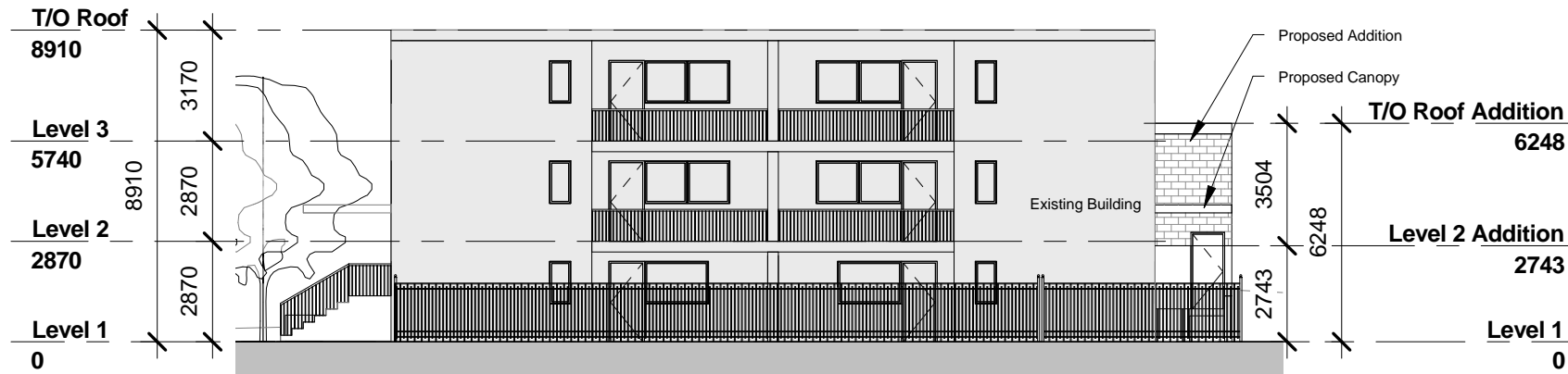
Proposed East Elevation

drawing number

MV8

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1 **Proposed West Elevation**
1 : 200



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**Garthdale
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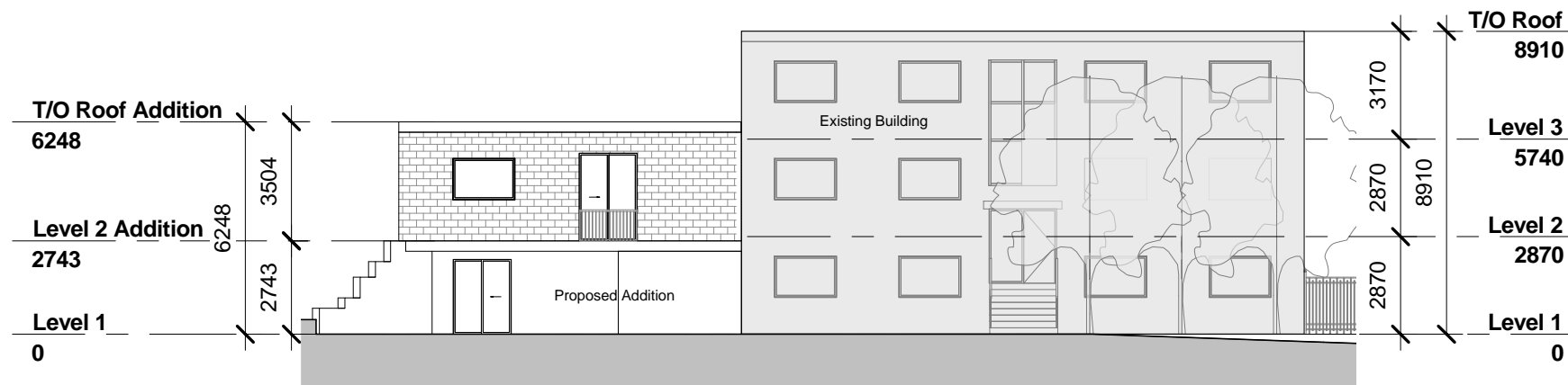
Proposed West Elevation

drawing number

MV9

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1 **Proposed North Elevation**
1 : 200



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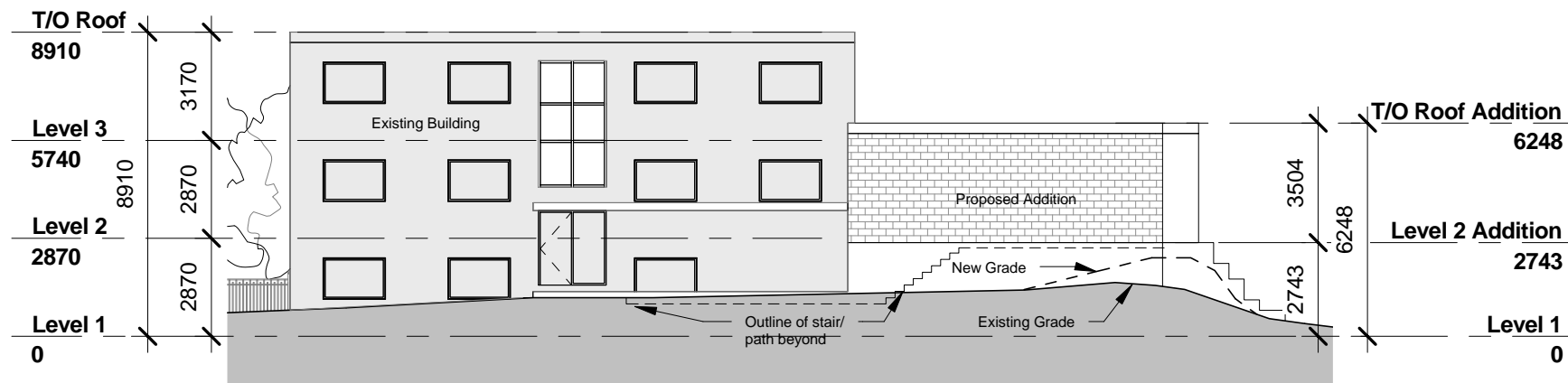
Proposed North Elevation

drawing number

MV10

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1 Proposed South Elevation
1 : 200



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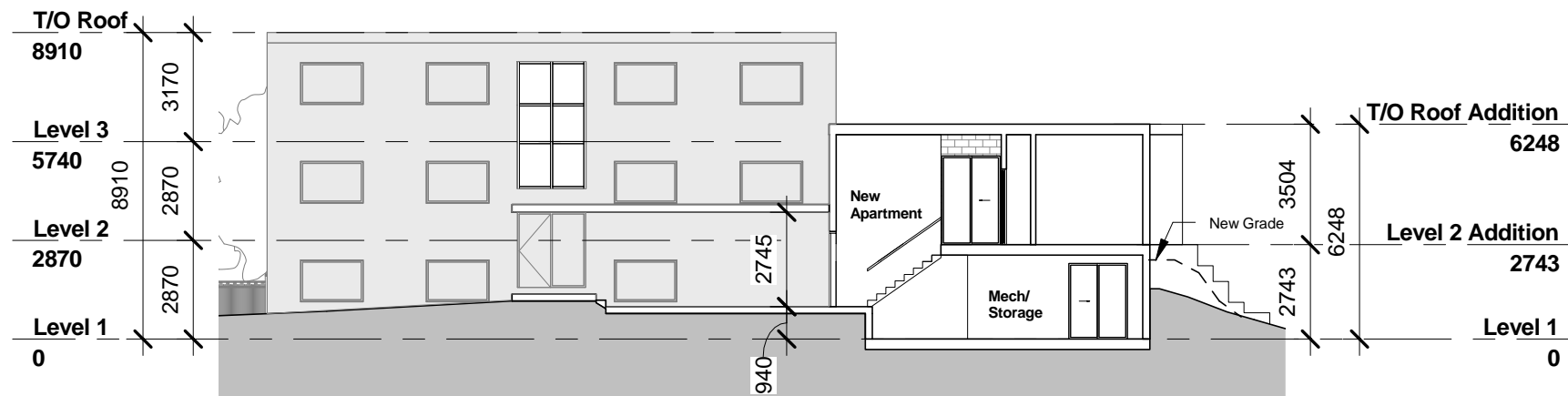
Proposed South Elevation

drawing number

MV11

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1 Section - Back Entry
1 : 200



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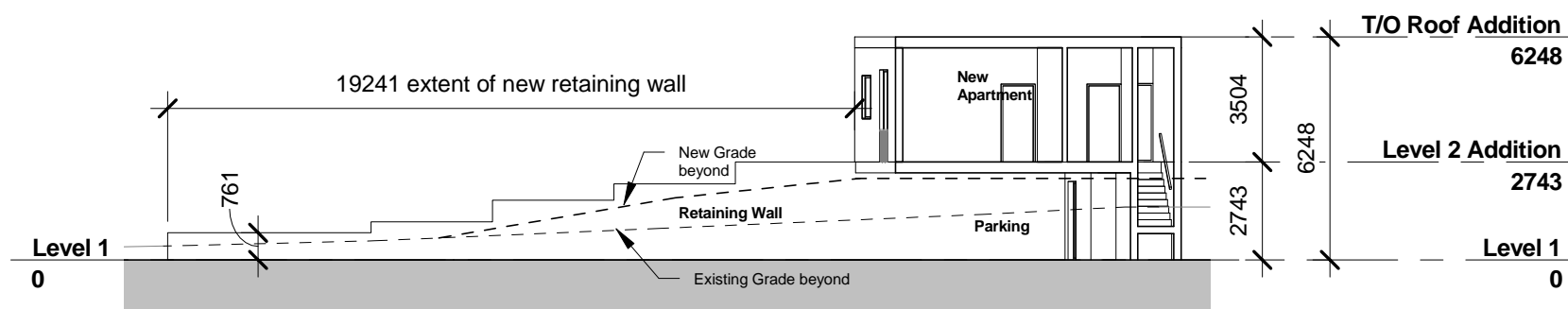
Section - Back Entry

drawing number

MV12

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1 Section - Retaining Wall 1 : 200



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Section - Retaining Wall

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MV13