

DECISION AND ORDER

Decision Issue Date Monday, February 26, 2018

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

Appellant(s): NORMAN WONG

Applicant: MONDA MANIOS

Property Address/Description: 169 GOULDING AVE

Committee of Adjustment Case File Number: 17 107646 NNY 23 CO, 17 107652 NNY 23 MV, 17 107655 NNY 23 MV

TLAB Case File Number: **17 242389 S45 23 TLAB, 17 242391 S45 23 TLAB**

Hearing date: Thursday, February 15, 2018

DECISION DELIVERED BY G. Burton

APPEARANCES

Name	Roles	Representative
Norman Wong	Appellant	Ian Andres
City of Toronto	Party	Nathan Muscat

INTRODUCTION

The Committee of Adjustment (the "COA") granted the applicant a consent to sever the subject property at 169 Goulding Avenue in North York into two undersized residential lots. Each lot would be redeveloped with a new detached dwelling. The severance is not under appeal, and the parties have reached a settlement on the requested variances that were appealed to the Toronto Local Appeal Body ("TLAB").

BACKGROUND

The subject property is located on the south side of Goulding Avenue, southwest of Yonge Street and Steeles Avenue West. It is zoned R4 under the North York Zoning By-Law No. 7625 ("North York By-law") and RD(f15.0; a610,i'x5) under the City of Toronto Zoning By-law No. 569-2013 ("New By-law"). It is designated Neighbourhoods in the City of Toronto Official Plan.

In its decision of September 15, 2017, the COA approved the severance, resulting in Part 1 to the east, with a lot frontage of 13.01 metres and a lot area of 523.15 sq. m. Part 2 would have the same lot frontage of 13.01 metres with the lot area of 626.43 sq. m. It would be a corner lot, flanked on the west by Cactus Avenue.

The COA also approved most of the variances for Part 1 (first floor configuration, lot area, width, frontage, front and side yard setbacks, length, height, platform setback), but first modified and then approved those requested for lot coverage and the height of the front and rear exterior main walls. Because of a clerical error it issued a Corrected Notice of Decision for Part 1 (Exhibit 1) on October 17, 2017, setting out their approved variances. The decision for Part 2, also containing all of the variances as approved, was dated September 15 (Exhibit 2.)

New plans were required to reflect the variances now requested. A revised list of variances is set out below for each Part. The parties now agree with the revised variances and the plans for both Parts.

MATTERS IN ISSUE

The TLAB must decide whether the proposed variances, although agreed to by the parties, meet the tests in the Act. It is to be a new consideration of the variances for both lots.

JURISDICTION

For variance appeals, the TLAB must ensure that each of the variances sought meets the tests in subsection 45(1) of the Act. This involves a reconsideration of 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:

- is desirable for the appropriate development or use of the land, building or structure;
- maintains the general intent and purpose of the official plan;
- maintains the general intent and purpose of the zoning by-law; and

- 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 section 2 of the Act, and the variances must be consistent with provincial policy statements and conform with provincial plans (s. 3 of the Act). A decision of the TLAB must therefore be consistent with the 2014 Provincial Policy Statement (‘PPS’) and conform to (or not conflict with) any provincial plan such as the Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) for the subject area.

Under s. 2.1(1) of the Act, TLAB is also to have regard for the earlier Committee decision and the materials that were before that body.

EVIDENCE

The owner’s professional planning evidence was provided by Ms. Janice Robinson, a very experienced land use planner. Ms. Simona Rasanu, Assistant Planner for the City of Toronto, also attended to respond to any questions.

One of the variances required for the new dwellings caused some delay in finalizing the settlement. The issue of how lot coverage is defined took time to resolve. Plans have been altered to address this technical issue. Small alterations to the variances have resulted in a new agreed-upon list of variances, reflective of the most recent ZTC or zoning notice.

Ms. Robinson submitted a revised list of variances for each Part. The City has verified these lists. She elaborated on the slight changes made to the variances following the COA’s alterations to the few that they had approved with modifications (for coverage, side yard setbacks and exterior main wall height). Variances for Part 1 are seen in Exhibit 6. These are:

PART 1 (Exhibit 6)

Variances Under By-law 569-2013

1. The proposed area of the first floor within 4m of the front main wall is 6.45m², WHEREAS a minimum area of 10m² of the first floor must be within 4m. [ch.10.5.40.10(5)].
2. The proposed west side yard setback is 1.22m for the house, rear deck and front porch/canopy, WHEREAS the minimum side yard setback is 1.8m [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].

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3. The proposed east side yard setback is 1.52m, WHEREAS the minimum side yard setback is 1.8m. [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].
4. The proposed lot area is 523.15m², WHEREAS the minimum required lot area is 610m² [Ch. 10.20.30.10.(1)(A)].
5. The proposed lot frontage is 13.01m, WHEREAS the minimum required lot frontage is 15.0m.[Ch. 10.20.30.20.(1)(A)].
6. The proposed lot coverage is 32% of the lot area (167.4m²), WHEREAS the maximum permitted lot coverage is 30% of the lot area (156.95m²) [Ch. 10.20.30.40.(1)(A)].
7. The proposed height of the front exterior main walls is 7.9m for 57.6% of the width and 8.6m for 42.4% of the width, WHEREAS the maximum permitted height of all front exterior main walls is 7.5m for no less than 60% of the total width of all front walls. [Ch. 10.20.40.10.(2)(A)(i)].
8. The proposed height of the rear exterior main walls is 7.9m for 100% of the width, WHEREAS the maximum permitted height of all rear exterior main walls is 7.5m. [Ch. 0.20.40.10.(2)(A)(ii)].
9. The proposed platform is 0.58m closer to the side lot line than the required setback, WHEREAS a platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5m if it is no closer to a side lot line than the required side yard setback. [Ch. 10.5.40.60.(1)(A)(i)].

Variances Under By-law 7625

10. The proposed lot frontage is 13.01m, WHEREAS the minimum required lot frontage is 15.0m. [s. 13.2.1].
11. The proposed lot width is 13.01, WHEREAS the minimum lot width is not to be less than the lot frontage for the zone in which the building is constructed. The minimum required lot frontage is 15.0m. [s. 6(8)].
12. The proposed lot area is 523.15m², WHEREAS the minimum required lot area is 550m² [s. 13.2.2].
13. The proposed west side yard setback is 1.22m for the house, rear deck and front/porch canopy, WHEREAS the minimum required west side yard setback is 1.61m [s. 13.2.3(b)].
14. The proposed east side yard setback is 1.52m, WHEREAS the minimum required east side yard setback is 1.61m [s. 13.2.3(b)].
15. The proposed building height of 9.27m, WHEREAS the maximum permitted building height is 8.8m [s. 13.2.6].

PART 2 (Exhibit 7)

Variances Under By-law 569-2013

Decision of Toronto Local Appeal Body Panel Member: G. Burton
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1. The proposed west side yard setback is 1.22m, and the proposed east side yard setback is 1.52m, WHEREAS the minimum side yard setback is 1.8m [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].
2. The proposed front yard setback is 6.55m, WHEREAS the minimum required building setback is 7.28m [Ch. 10.5.40.70.(1)(B)].
3. The proposed area of the first floor within 4m of the front main wall is 5.94m², WHEREAS a minimum area of 10m² of the first floor must be within 4m [Ch. 10.5.40.10.(5)].
4. The proposed lot frontage is 14.03m, WHEREAS the minimum required lot frontage is 15.0m [Ch. 10.20.30.20.(1)(A)].
5. The proposed lot coverage is 30.57% of the lot area (191.5m²), WHEREAS the maximum permitted lot coverage is 30% of the lot area (187.93m²) [Ch. 10.20.30.40.(1)(A)].
6. The proposed height of the front exterior main walls is 8.91m for 22.2% of the width and 8.1m for the remainder, WHEREAS the maximum permitted height of all front exterior main walls is 7.5m for no less than 60% of the total width of all front walls [Ch. 10.20.40.10.(2)(A)(i)].
7. The proposed height of the rear exterior main walls is 8.1m, WHEREAS the maximum permitted height of all rear exterior main walls is 7.5m [Ch. 10.20.40.10.(2)(A)(ii)].
8. The proposed building length is 17.27m, WHEREAS the maximum permitted building length is 17.0m [ch.10.20.40.20(1)].
9. The proposed platform encroaches 2.62m into the required front yard setback and is 1.11m closer to the side lot line than the required setback, WHEREAS a platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5m if it is no closer to a side lot line than the required side yard setback [Ch. 10.5.40.60.(1)(A)(i)].
10. The proposed vehicle access to a parking space is from the front yard street, WHEREAS vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street [Ch. 10.5.80.40(3)(B)].

Variances Under By-law 7625

11. The proposed lot frontage is 14.11m, WHEREAS the minimum required lot frontage is 15.0m [s. 13.2.1].
12. The proposed lot width is 14.03, WHEREAS the minimum lot width is not to be less than the lot frontage for the zone in which the building is constructed. The minimum required lot frontage is 15.0m [s. 6(8)].
13. The proposed west side yard setback is 1.22m, WHEREAS the minimum required west side yard setback is 1.7m [s. 13.2.3(b)].
14. The proposed east side yard setback is 1.52m, WHEREAS the minimum required east side yard setback is 1.7m [s. 13.2.3(b)].
15. The proposed building height of 9.21m, WHEREAS the maximum permitted building height is 8.8m [s. 13.2.6].

Planning Staff in their report to the COA dated July 25, 2017 had supported the severance. While generally favouring the variances, they recommended modifications to a few of them to better meet the intent of the zoning by-laws. They stated that the provisions for lot coverage, side yard setbacks, and exterior main wall height work together to ensure a stable built form throughout the neighbourhood while maintaining adequate separation distance from adjacent properties. They recommended reductions in the figures sought.

Ms. Robinson reviewed all of the variances sought for both lots, pointing out that they were indeed minor in measurement and effect. She focused on the alterations made by the COA. The present appeal includes subsequent small adjustments to enable the plans to better conform to the measurements approved.

For Part 1, the COA had modified variances 7, 8 and 15, concerning the lot coverage and the maximum height of the front and rear exterior main walls. It settled on and approved a 32.00% lot coverage rather than the 30% allowed, and “7.50m” for the maximum height of the front and rear main walls (although the New By-law permits “7.5 m”).

Ms. Robinson testified that the plans for Part 1, dated December 27, 2017 (Exhibit 3) now illustrate the 32.00% lot coverage as granted by the COA, and that the coverage is not under appeal. The only variances that are named in the appeal (while all remain subject to review) are the **front and rear main wall heights**, Variances 7 and 8 for Part 1 (Variance 7 for the front - 7.9m for 57.6% of the width and 8.6m for 42.4% of the width versus the permitted 7.5m for no less than 60% of the total width; and Variance 8 for the rear: 7.9m for 100% of the width, versus the permitted 7.5m.)

She testified that the measurements of the exterior walls can be considered to run to the underside of the eaves. The dimension then would be only 7.9m., very close to the required 7.5m, and the height would be less noticeable. These were measured by the examiners to the top of the front columns on the design drawings instead.

The COA decision for Part 2 was similar. The lot coverage was approved at 31.2%, but this is now requested at 30.57%, reduced because the side yard setback increased to 1.52m on the west exterior side. Ms. Robinson observed that a coverage of 32% or less is routinely approved under the North York By-law. While always below this, Part 2 now reflects a lower measurement of 30.57% because of the increased west side yard setback. As well, because it is a corner lot, there is a variance required for vehicle access from Goulding Avenue rather than the flanking street (Variance 10 under the New By-law).

For Part 2, the proposed plans (Exhibit 4) indicate the alterations to the exterior wall heights and the change to the west side yard setback. The requested heights differ somewhat from Part 1 because of the articulation of the side and front walls on the corner site. The relatively small slope and pitch of the roof somewhat reduces the

appearance of the actual height requested (rear - 8.1m versus the requirement of 7.5m; front - 8.91m for 22.2% of the width and 8.1m for the remainder, versus the requirement of 7.5m for no less than 60% of the total width of front wall). The intent of the By-law restriction was not to prevent this style, in Ms. Robinson's opinion.

Ms. Robinson addressed the new plans (Exhibits 3 and 4), pointing out how they reflect all of the variances granted by the Committee, as well as those now sought for the front and rear exterior main wall heights. There had been insufficient time to address the latter concern at the COA hearing, and this resulted in its modifications before approval. Recent ZZCs of January 4, 2018 (Part 1) and December 20, 2017 (Part 2) have provided confirmation that the plans reflect all of the requested variances.

She provided her opinion that the plans are consistent with the PPS, and conform to the Growth Plan. They also conform with policies in the Neighbourhoods designation in the Official Plan (4.15 and 4.18 concerning zoning standards). Therefore individually and cumulatively the severance and variances maintain the general intent and purpose of the OP, as is required by subsection 45(1) of the Act. Her opinion is similar for compatibility with the general intent and purpose of the zoning by-laws.

The test of "minor" in subsection 45(1) is met because the variances are small numerically as well as in their potential impact. No objections were made by any neighbours, and the City is in support. They are also desirable, as required by the test, as the proposal represents a valuable investment in the area. The original property was comprised of two lots, and this proposal would restore this lot pattern. The attractive designs would provide additional family housing and contribute to the ongoing stability of the neighbourhood.

Mr. Muskat provided confirmation that the City endorses the settlement. The east side yard setbacks now are larger in both plans. Also, for Part 2, the west side yard setback of 1.22m applies only to the front corner at the northwest side (the bump out for the bathroom visible on the plans for Part 2) and for the two other places shown. The dwelling widens out at the rear.

ANALYSIS, FINDINGS, REASONS

Before the COA hearing, Planning staff had conducted an analysis of 572 lot patterns in the neighbourhood. (generally bounded by Moore Park Avenue to the north, Patricia Avenue to the south, Crossen Drive to the east, and Chelmsford Avenue to the west.) They concluded in their July 25, 2017 COA report that the lot configuration that was being proposed was consistent with the pattern of lots that exists the surrounding neighbourhood. Thus the COA relied on this opinion and approved the consent.

The variances

However, as mentioned, Planning Staff had recommended modifications to certain variances to better meet the intent of the zoning by-laws.

The COA took the advice and approved a modified figure of 32% lot coverage, and a maximum height of all front and rear exterior walls of 7.50m. for both lots. (This measurement is rather unusual since the New By-law requires a “7.5”m maximum.)

The applicant now requests approval of almost all of the variances approved by the COA, with some adjustments to the exterior main wall heights to achieve the design goals. I found that these modifications, together with those necessitated during the plan preparation process, better meet the test for minor variances than those approved by the COA.

I have carefully reviewed all of the evidence provided by Ms. Robinson, and agree that the tests in subsection 45(1) are met. She pointed out the many duplications in the provisions of the New By-law and the North York By-law, adding to the impression of many variances in the application. The only variance of significance still is that for the exterior main wall height in the New By-law. I accept that this will have no visible impact on the designs. Variances for lot frontage, side yard setbacks, front yard setbacks, lot area, length, front platform, height and reduced area of the first floors are minor numerically, and will have no discernable impact on this neighbourhood, where there are many newer designs.

I am satisfied all the statutory tests are met for all the variances sought.

DECISION AND ORDER

The TLAB orders that:

1. The variances to the North York By-law #7625, as listed in Attachment 1 to this decision as “proposed” are authorized.
2. The variances to Zoning By-law No. 569-2013 as listed in Attachment 2 to this decision as ‘proposed’ are authorized, contingent upon the relevant provisions of this By-law coming into force and effect.
3. The new detached dwelling for Part 1 shall be constructed substantially in accordance with the Site Plan, Front Elevation, Rear Elevation, East Elevation and West Elevation, prepared by ManArch Design, dated December 27, 2017 filed as Exhibit 3, and attached as Attachment 3 to this decision.
4. The new detached dwelling for Part 2 shall be constructed substantially in accordance with the Site Plan, Front Elevation, Rear Elevation, East Elevation and West Elevation, prepared by ManArch Design, dated November 10, 2017, filed as Exhibit 4, and attached as Attachment 4 to this decision.

Any other variances that may appear on these plans that are not listed in this decision are not authorized.

ATTACHMENT 1

Part 1: North York Zoning By-Law No. 7625 ("North York By-law")

10. The proposed lot frontage is 13.01m, WHEREAS the minimum required lot frontage is 15.0m. [s. 13.2.1].

11. The proposed lot width is 13.01, WHEREAS the minimum lot width is not to be less than the lot frontage for the zone in which the building is constructed. The minimum required lot frontage is 15.0m. [s. 6(8)].

12. The proposed lot area is 523.15m², WHEREAS the minimum required lot area is 550m² [s. 13.2.2].

13. The proposed west side yard setback is 1.22m for the house, rear deck and front/porch canopy, WHEREAS the minimum required west side yard setback is 1.61m [s. 13.2.3(b)].

14. The proposed east side yard setback is 1.52m, WHEREAS the minimum required east side yard setback is 1.61m [s. 13.2.3(b)].

15. The proposed building height of 9.27m, WHEREAS the maximum permitted building height is 8.8m [s. 13.2.6].

Part 2: North York Zoning By-Law No. 7625 ("North York By-law")

11. The proposed lot frontage is 14.11m, WHEREAS the minimum required lot frontage is 15.0m [s. 13.2.1].

12. The proposed lot width is 14.03, WHEREAS the minimum lot width is not to be less than the lot frontage for the zone in which the building is constructed. The minimum required lot frontage is 15.0m [s. 6(8)].

13. The proposed west side yard setback is 1.22m, WHEREAS the minimum required west side yard setback is 1.7m [s. 13.2.3(b)].

14. The proposed east side yard setback is 1.52m, WHEREAS the minimum required east side yard setback is 1.7m [s. 13.2.3(b)].

15. The proposed building height of 9.21m, WHEREAS the maximum permitted building height is 8.8m [s. 13.2.6].

ATTACHMENT 2:

Part 1: City of Toronto By-law No. 569-2013

Decision of Toronto Local Appeal Body Panel Member: G. Burton
TLAB Case File Number: 17 242389 S45 23 TLAB, 17 242391 S45 23 TLAB

1. The proposed area of the first floor within 4m of the front main wall is 6.45m², WHEREAS a minimum area of 10m² of the first floor must be within 4m. [ch.10.5.40.10(5)].
2. The proposed west side yard setback is 1.22m for the house, rear deck and front porch/canopy, WHEREAS the minimum side yard setback is 1.8m [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].
3. The proposed east side yard setback is 1.52m, WHEREAS the minimum side yard setback is 1.8m. [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].
4. The proposed lot area is 523.15m², WHEREAS the minimum required lot area is 610m² [Ch. 10.20.30.10.(1)(A)].
5. The proposed lot frontage is 13.01m, WHEREAS the minimum required lot frontage is 15.0m. [Ch. 10.20.30.20.(1)(A)].
6. The proposed lot coverage is 32% of the lot area (167.4m²), WHEREAS the maximum permitted lot coverage is 30% of the lot area (156.95m²) [Ch. 10.20.30.40.(1)(A)].
7. The proposed height of the front exterior main walls is 7.9m for 57.6% of the width and 8.6m for 42.4% of the width, WHEREAS the maximum permitted height of all front exterior main walls is 7.5m for no less than 60% of the total width of all front walls. [Ch. 10.20.40.10.(2)(A)(i)].
8. The proposed height of the rear exterior main walls is 7.9m for 100% of the width, WHEREAS the maximum permitted height of all rear exterior main walls is 7.5m. [Ch. 0.20.40.10.(2)(A)(ii)].
9. The proposed platform is 0.58m closer to the side lot line than the required setback, WHEREAS a platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5m if it is no closer to a side lot line than the required side yard setback. [Ch. 10.5.40.60.(1)(A)(i)].

Part 2: By-law No. 569-2013

1. The proposed west side yard setback is 1.22m, and the proposed east side yard setback is 1.52m, WHEREAS the minimum side yard setback is 1.8m [Ch. A 10.20.40.70.(3)(A), (5) Exception RD 5].
2. The proposed front yard setback is 6.55m, WHEREAS the minimum required building setback is 7.28m [Ch. 10.5.40.70.(1)(B)].
3. The proposed area of the first floor within 4m of the front main wall is 5.94m², WHEREAS a minimum area of 10m² of the first floor must be within 4m [Ch. 10.5.40.10.(5)].
4. The proposed lot frontage is 14.03m, WHEREAS the minimum required lot frontage is 15.0m [Ch. 10.20.30.20.(1)(A)].

5. The proposed lot coverage is 30.57% of the lot area (191.5m²), WHEREAS the maximum permitted lot coverage is 30% of the lot area (187.93m²) [Ch. 10.20.30.40.(1)(A)].

6. The proposed height of the front exterior main walls is 8.91m for 22.2% of the width and 8.1m for the remainder, WHEREAS the maximum permitted height of all front exterior main walls is 7.5m for no less than 60% of the total width of all front walls [Ch. 10.20.40.10.(2)(A)(i)].

7. The proposed height of the rear exterior main walls is 8.1m, WHEREAS the maximum permitted height of all rear exterior main walls is 7.5m [Ch. 10.20.40.10.(2)(A)(ii)].

8. The proposed building length is 17.27m, WHEREAS the maximum permitted building length is 17.0m [ch.10.20.40.20(1)].

9. The proposed platform encroaches 2.62m into the required front yard setback and is 1.11m closer to the side lot line than the required setback, WHEREAS a platform without main walls, attached to or less than 0.3m from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5m if it is no closer to a side lot line than the required side yard setback [Ch. 10.5.40.60.(1)(A)(i)].

10. The proposed vehicle access to a parking space is from the front yard street, WHEREAS vehicle access to a parking space on a corner lot must be from a flanking street that is not a major street [Ch. 10.5.80.40(3)(B)].

ATTACHMENT 3: EXHIBIT 3 – PLANS FOR PART 1

ATTACHMENT 4: EXHIBIT 4 – PLANS FOR PART 2

X 

G. Burton

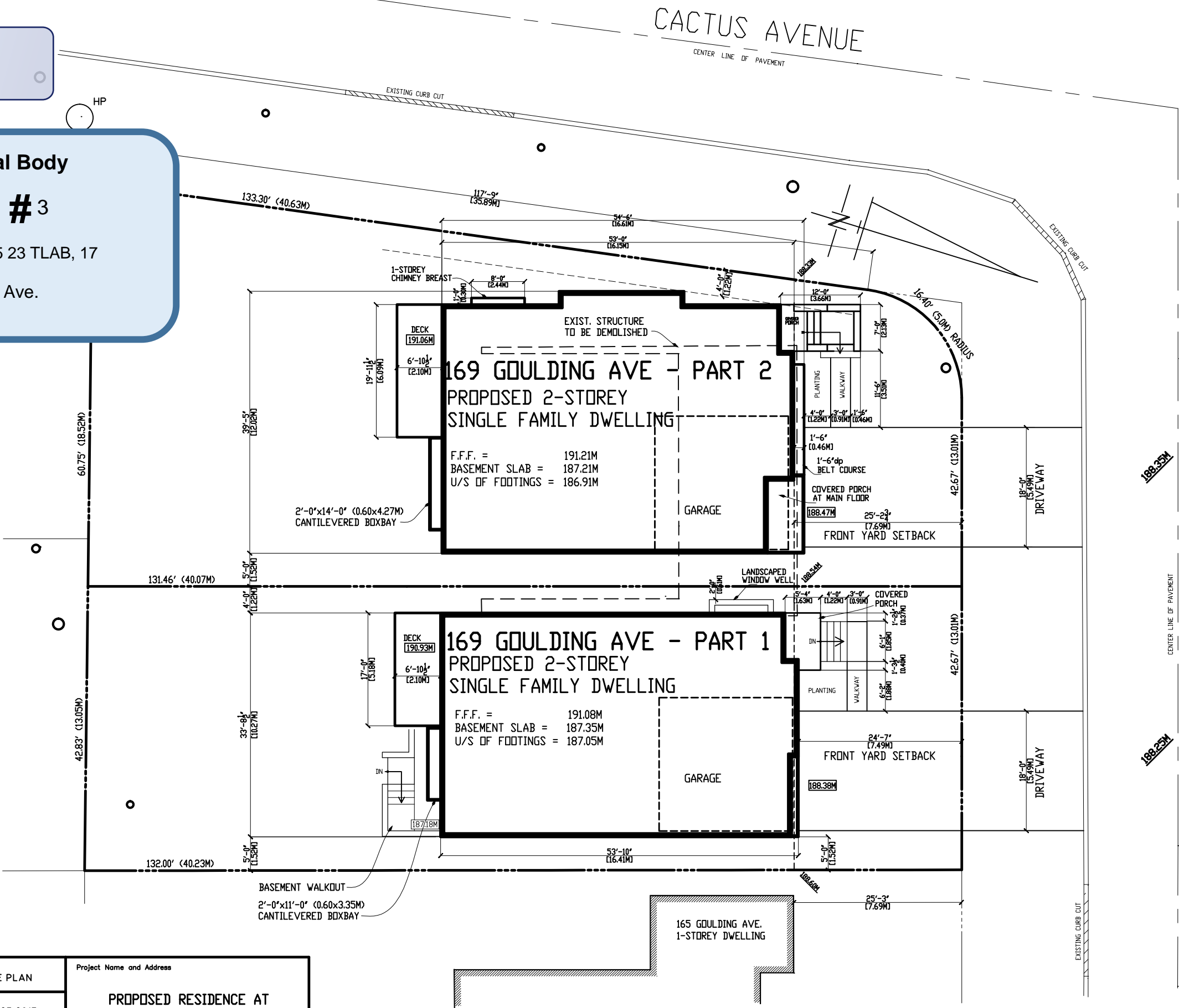
Panel Chair, Toronto Local Appeal Body

RECEIVED February 1 2018
By Toronto Local Appeal Body

Toronto Local Appeal Body

EXHIBIT #3

Case File Number: 17 242389 S45 23 TLAB, 17 242391 S45 23 TLAB
Property Address: 169 Goulding Ave.
Date Marked: February 15, 2018



Firm Name and Address
MD ManArch Design
1 Teakwood Grove
Toronto, Ont. M3B 2H9
Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing
SITE PLAN
Date
DEC 27 2017
Scale
1/16" = 1'-0"
Issue
REVISED & REISSUED

Project Name and Address
PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 1 & 2
NORTH YORK

CITY OF TORONTO ZONING BYLAW 569-2013

ZONING:	RD (F15.0 A610) X5	
LOT AREA:	523.15	sq.m.
ALLOWABLE COVERAGE: 30%	156.94	sq.m.
GROUND FLOOR	166.13	sq.m.
SECOND FLOOR	167.13	sq.m.
PARKING SPACE	39.89	sq.m.
LOWER LEVEL	167.23	sq.m. (INCL. GARAGE)

TOTAL COVERAGE	31.97%	167.23	sq.m.
TOTAL GFA		332.26	sq.m.

SETBACKS	ALLOWABLE	PROPOSED
FRONT (AVG. OF NEIGH.)	7.49	7.49
REAR (25% OF LOT DEPTH 132.0')	10.06	15.94
SIDE (EAST)	1.80	1.52
SIDE (WEST)	1.80	1.22
GROUND FLOOR ELEVATION ABOVE ESTABLISHED GRADE	1.20	1.18
BUILDING HEIGHT TO ROOF PEAK	10.00	9.85
MAIN FRONT / REAR WALL HEIGHT ABOVE ESTABLISHED GRADE	7.50	7.90
MAIN SIDE WALL HEIGHT ABOVE ESTABLISHED GRADE	7.50	7.90
BUILDING LENGTH	17.00	16.41
BUILDING DEPTH	19.00	16.41
DRIVEWAY WIDTH	5.81	5.49
PARKING SPACES	1	2
GARAGE ELEVATION ABOVE GRADE AT LOT LINE		+0.01
LOT FRONTAGE	15.00	13.01
MIN. LOT AREA	610.0	sq.m. 523.15

REAR YARD LANDSCAPE CALCULATION

REAR YARD AREA	208.55	sq.m.
MINIMUM SOFT LANDSCAPING (50%)	104.77	sq.m.
PROPOSED HARD LANDSCAPING	24.34	sq.m.
MINIMUM SOFT LANDSCAPING (88.3%)	184.21	sq.m.

NORTH YORK ZONING BYLAW 7625

ZONING:	R4	
LOT AREA:	523.15	sq.m.
ALLOWABLE COVERAGE: 30%	156.94	sq.m.
GROUND FLOOR	166.13	sq.m.
SECOND FLOOR	167.13	sq.m.
PARKING SPACE	39.89	sq.m.
LOWER LEVEL	167.23	sq.m. (INCL. GARAGE)

TOTAL COVERAGE	31.97%	167.23	sq.m.
TOTAL GFA		332.26	sq.m.

SETBACKS	ALLOWABLE	PROPOSED
FRONT (+/-1.0M)	7.50	7.28
REAR	9.50	15.94
SIDE (EAST)	1.61	1.52
SIDE (WEST)	1.61	1.22
GROUND FLOOR ELEVATION ABOVE C.L. OF STREET	1.50	1.50
BUILDING HEIGHT TO CL OF ROOF	8.80	9.27
BUILDING LENGTH	16.80	16.41
O/A BUILDING LENGTH	18.90	16.41
ACTUAL BUILDING LENGTH	16.80	16.41
DRIVEWAY WIDTH	5.81	5.49
PARKING SPACES	2	2
GARAGE ELEVATION ABOVE GRADE AT CL OF ROAD		+0.13
LOT FRONTAGE / WIDTH	15.00	13.01
MIN. LOT AREA	610.0	sq.m. 523.15

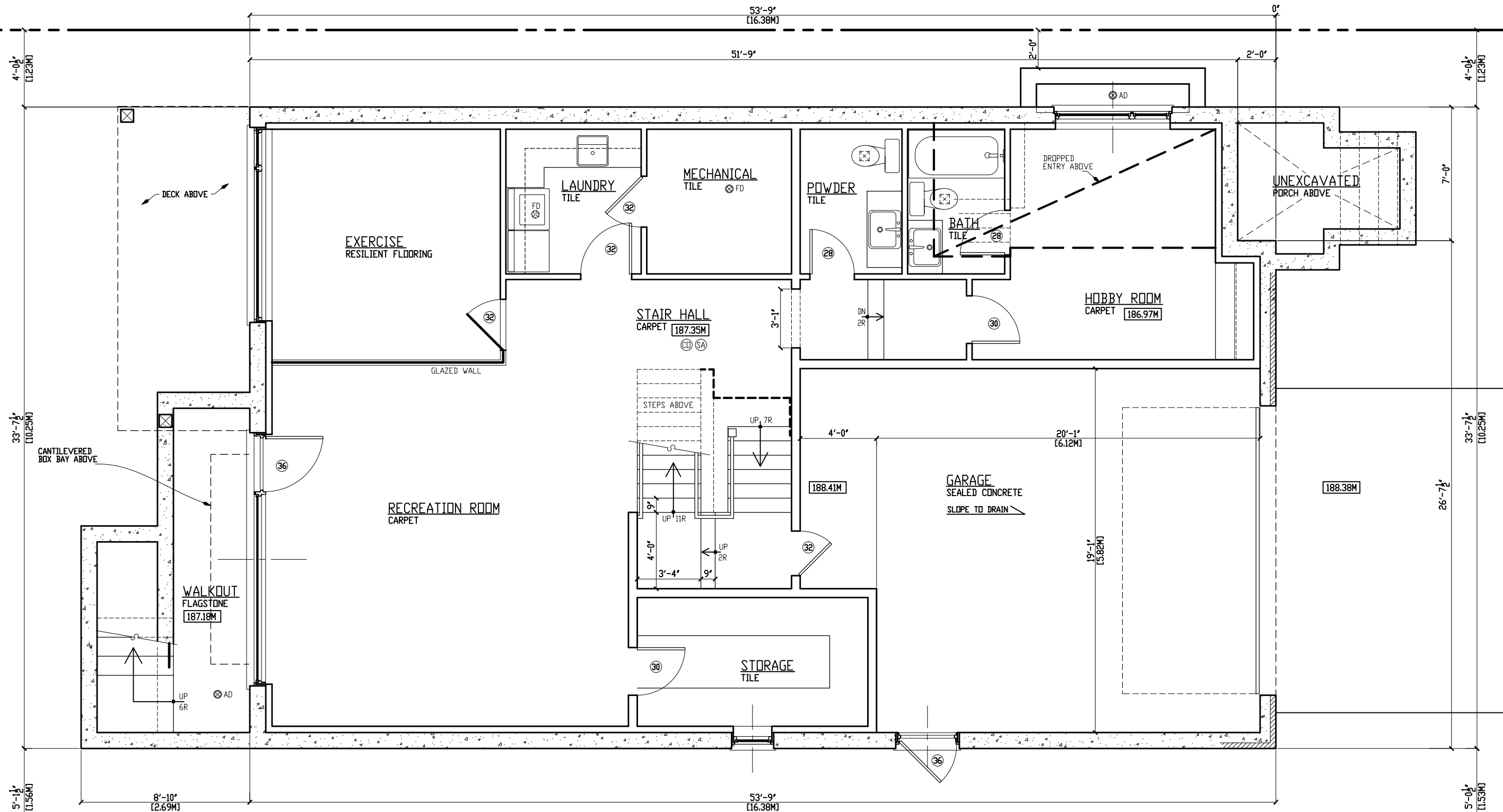
FRONT YARD LANDSCAPE CALCULATION

FRONT YARD AREA	102.26	sq.m.
ALLOWABLE FRONT YARD LANDSCAPING (50%)	51.13	sq.m.
ALLOWABLE FRONT YARD SOFT LANDSCAPING (75%)	45.05	sq.m.
PROPOSED DRIVEWAY	42.19	sq.m.
PROPOSED PORCH/WALKWAY	10.72	sq.m.
PROPOSED FRONT YARD LANDSCAPING	60.07	sq.m.
PROPOSED FRONT YARD SOFT LANDSCAPING	49.35	sq.m.

NOTE:

SURVEY INFORMATION TAKEN FROM SURVEY
PART OF LOT 243 REGISTERED PLAN 2366
CITY OF TORONTO BY MITSCHKE AND AZIZ INC. OLS
DATED OCTOBER 31, 2016

PART 1
ZONING



Firm Name and Address

MD ManArch Design

1 Teakwood Grove
Toronto, Ont. M3B 2H9
Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing

BASEMENT

Date

DECEMBER 27 2017

Scale

3/16" = 1'-0"

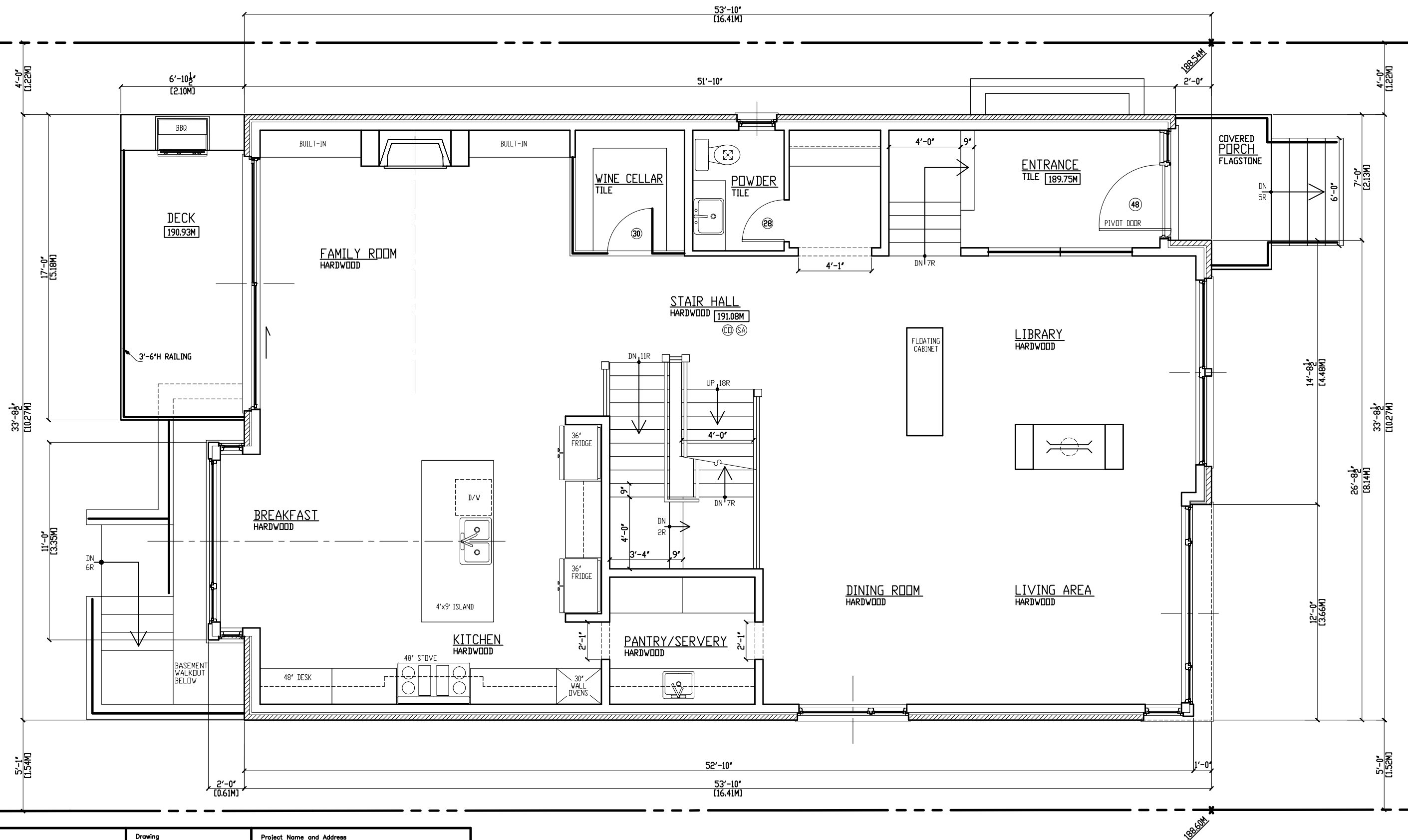
Issue

REVISED & REISSUED

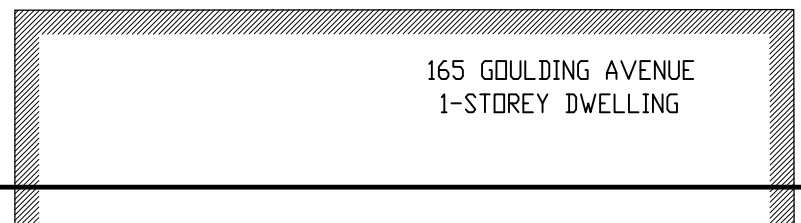
Project Name and Address

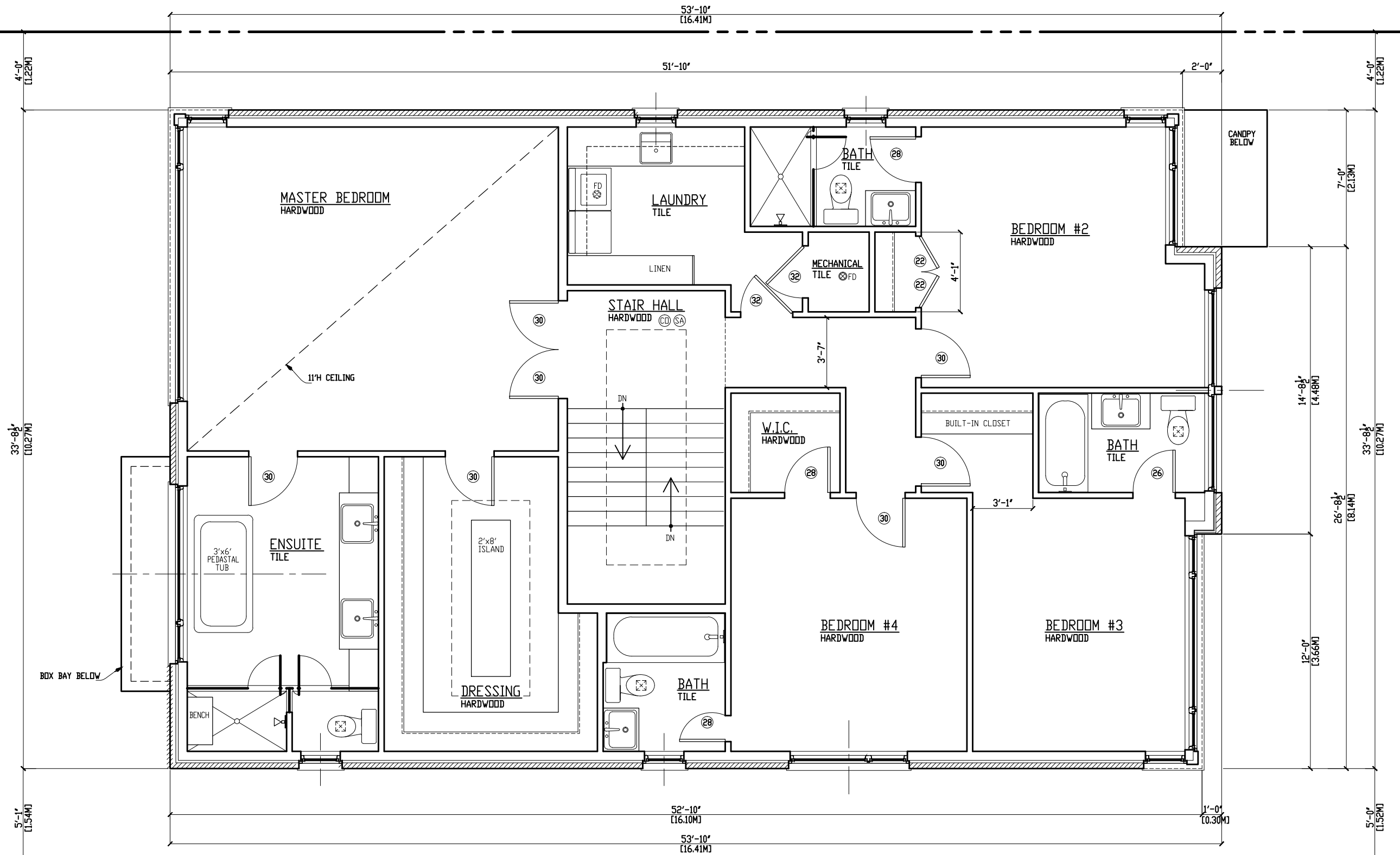
PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 1
NORTH YORK

165 GOULDING AVENUE
1-STOREY DWELLING



Firm Name and Address MD ManArch Design 1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca	Drawing GROUND FLOOR	Project Name and Address PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 1 NORTH YORK
	Date DECEMBER 27 2017	
	Scale 3/16" = 1'-0"	
	Issue REVISED & REISSUED	





Firm Name and Address

MD ManArch Design

1 Teakwood Grove
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Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing

SECOND FLOOR

Date

DECEMBER 27 2017

Scale

3/16" = 1'-0"

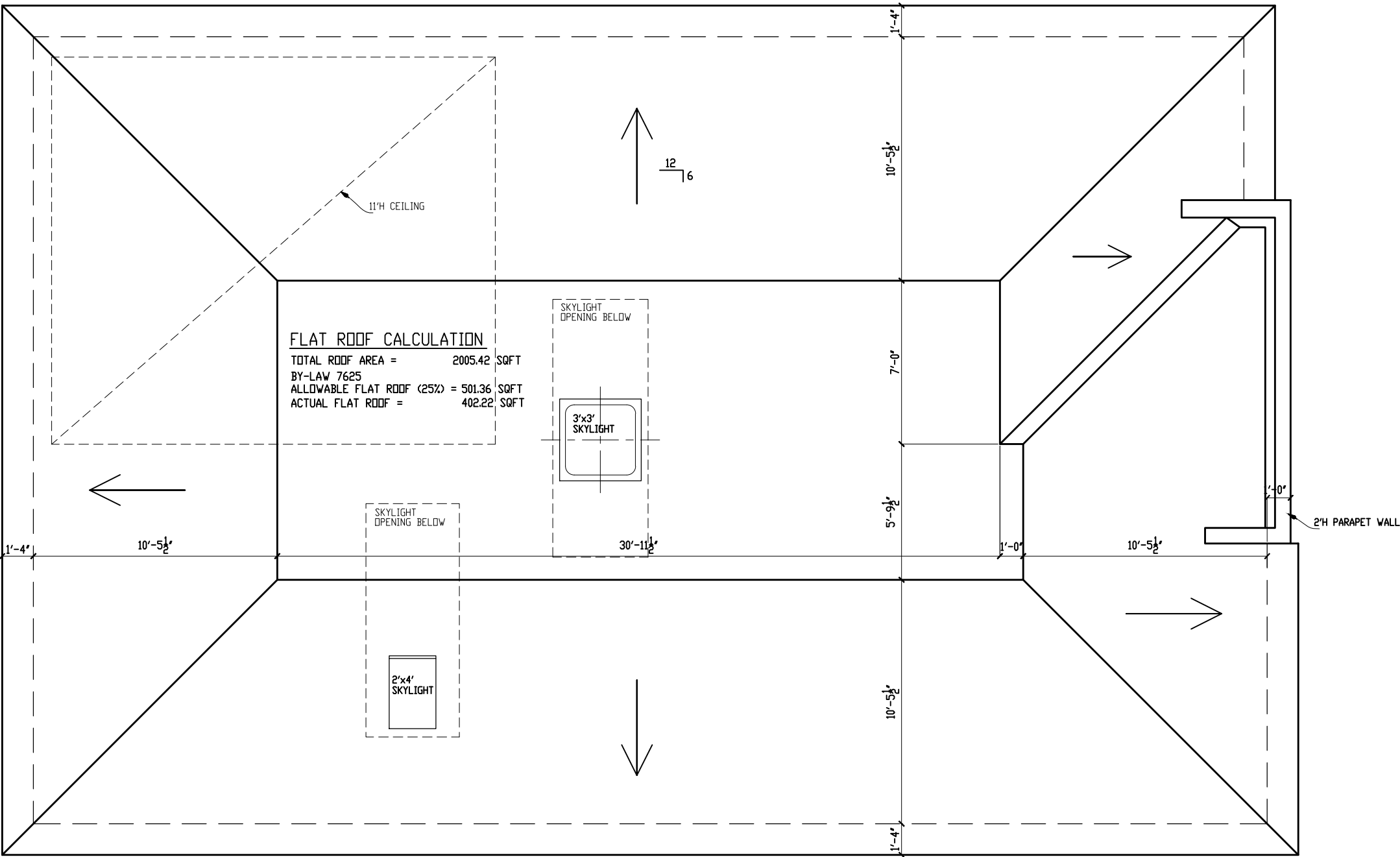
Issue

REVISED & REISSUED

Project Name and Address

PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 1
NORTH YORK

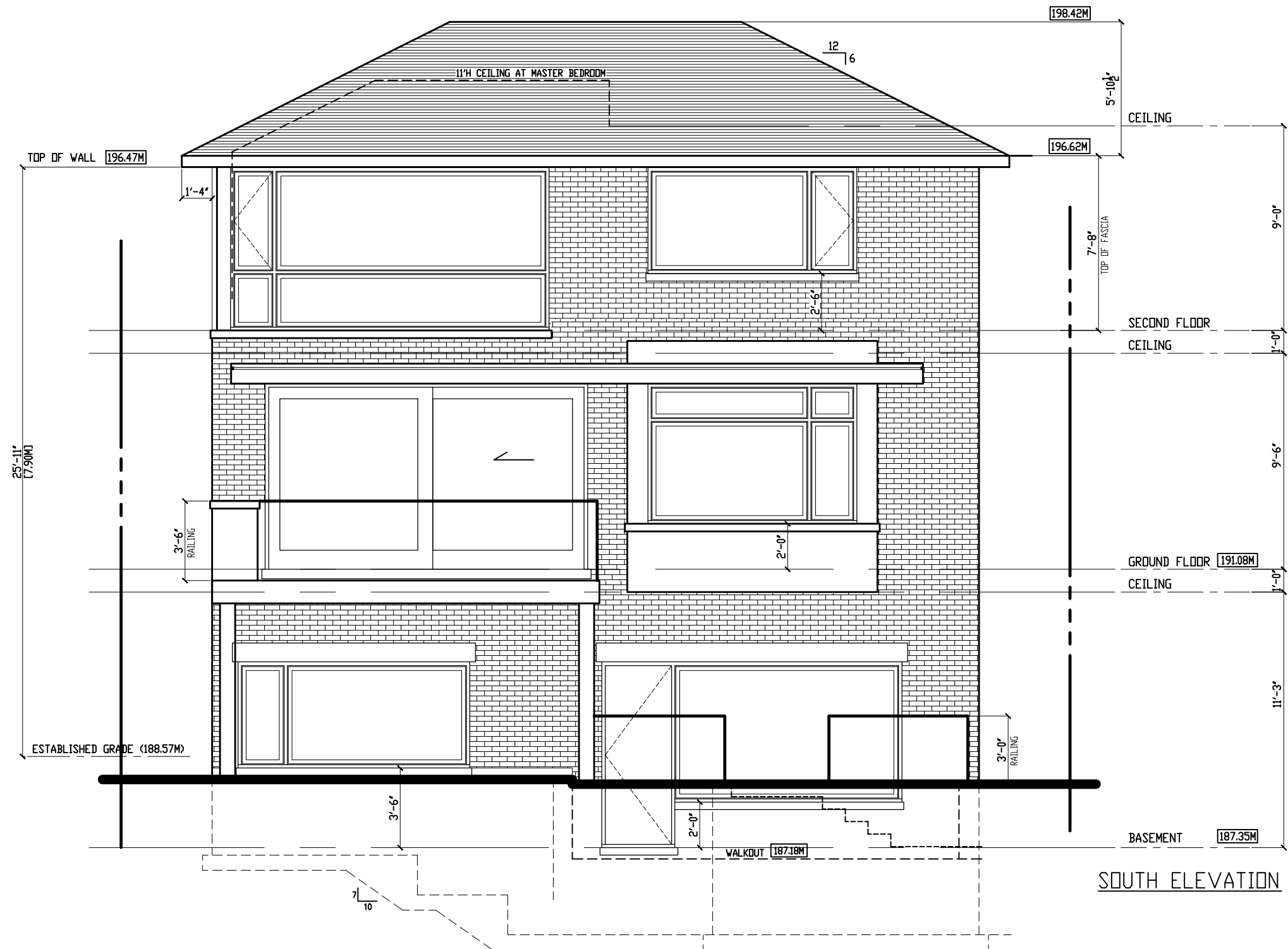
165 GOULDING AVENUE
1-STOREY DWELLING



Firm Name and Address	Drawing	Project Name and Address
	ROOF PLAN	
	Date	
	DECEMBER 27 2017	
	Scale	
<div><div>Md</div><div>ManArch Design</div><div>1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca</div></div>	3 / 16" = 1' - 0"	PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 1 NORTH YORK
	Issue	
	REVISED & REISSUED	







Firm Name and Address

MD ManArch Design

1 Teakwood Grove
Toronto, Ont. M3B 2H9
Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing

SOUTH ELEVATION

Date

DECEMBER 27 2017

Scale

3/16" = 1'-0"

Issue

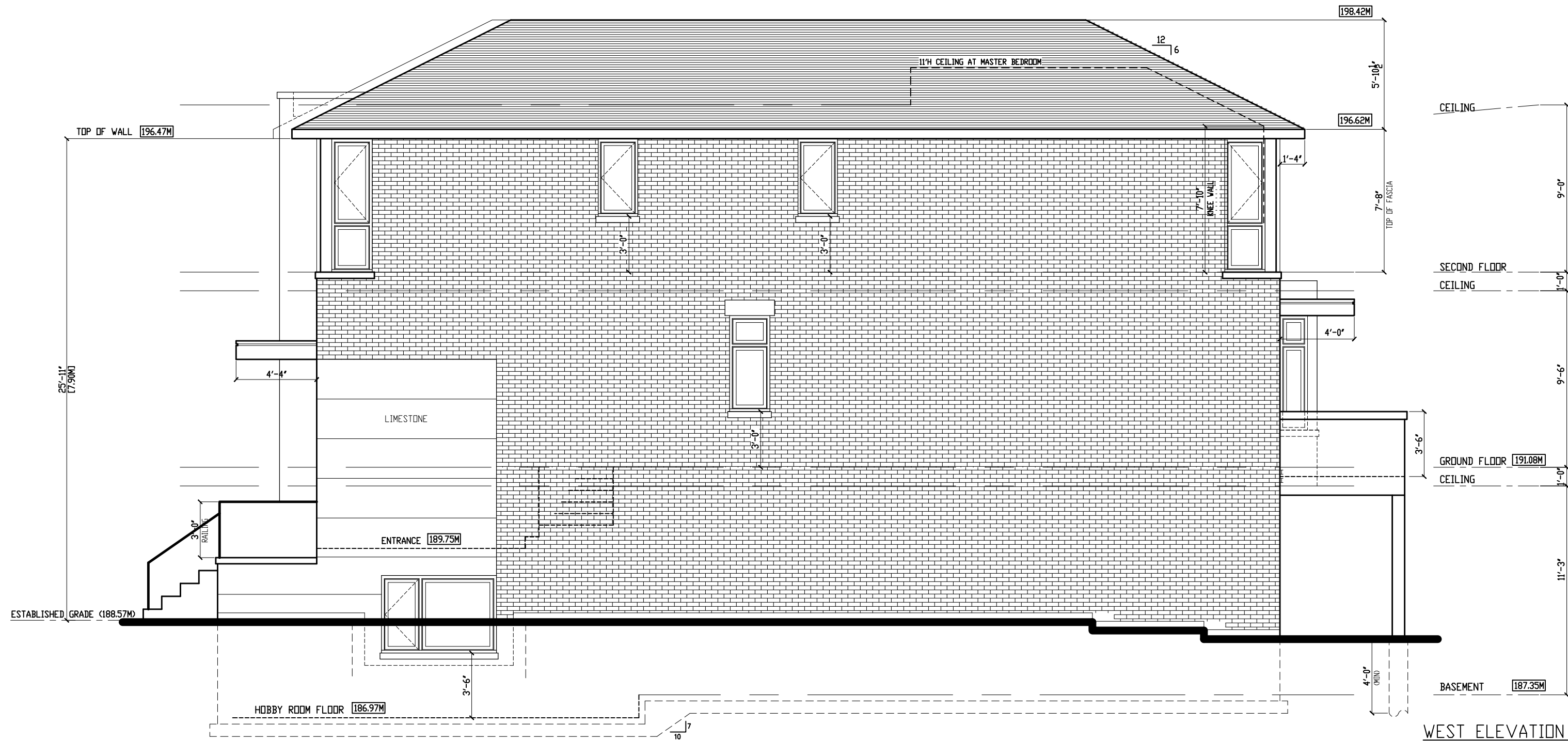
REVISED & REISSUED

Project Name and Address

PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 1
NORTH YORK



Firm Name and Address MD ManArch Design 1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca	Drawing EAST ELEVATION	Project Name and Address PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 1 NORTH YORK
	Date DECEMBER 27 2017	
	Scale 3/16" = 1'-0"	
	Issue REVISED & REISSUED	



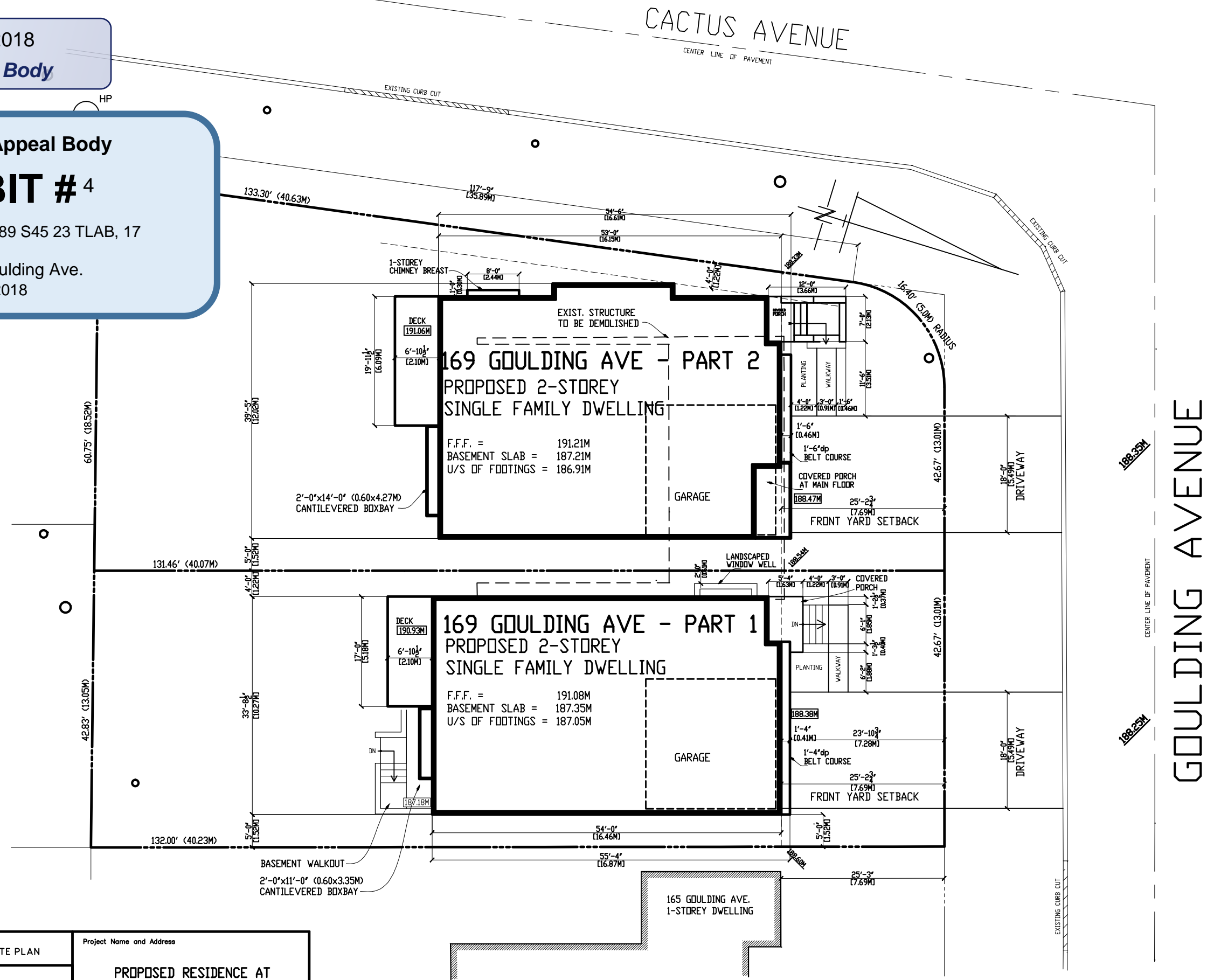
Firm Name and Address MD ManArch Design 1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca	Drawing WEST ELEVATION	Project Name and Address PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 1 NORTH YORK
	Date DECEMBER 27 2017	
	Scale 3/16" = 1'-0"	
	Issue REVISED & REISSUED	

RECEIVED February 1 2018
By Toronto Local Appeal Body

Toronto Local Appeal Body

EXHIBIT # 4

Case File Number: 17 242389 S45 23 TLAB, 17
242391 S45 23 TLAB
Property Address: 169 Goulding Ave.
Date Marked: February 15, 2018



Firm Name and Address
MD ManArch Design
1 Teakwood Grove
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Drawing
SITE PLAN
Date
REV. NOV 10, 2017
Scale
1/16" = 1'-0"
Issue
REVISED & REISSUED

Project Name and Address
PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 1 & 2
NORTH YORK

(BY REGISTERED PLAN 2366)
PIN 10152-0289 (LT)

METRIC: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

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* THIS REPORT WAS PREPARED FOR OCEAN BREEZE HOMES, AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

* LOTS 243 & 244 , REGISTERED F
TITLE SEARCH INDICATES

ZONING

ENCROACHMENTS

* PLEASE NOTE THE POSITION OF THE FENCES IN RELATION TO THE SOUTHERLY, EASTERLY & WESTERLY BOUNDARIES; THEY ARE LOCATED OVER THE SUBJECT BOUNDARIES TO THE EXTENT SHOWN ON THE PLAN.

GEODETTIC:

* ELEVATIONS SHOWN GEODETIC DRIVEN FROM CITY OF TORONTO BENCH MARK # NY34020, ELEVATION 181.895m

BEARING NOTE

* BEARING HEREON ARE GRID AND ARE DRIVEN FROM OBSERVED REFERENCE POINTS A & P BY REAL TIME NETWORK OBSERVATIONS MTM, ZONE 10, NAD 83 (CSRSV6) (EPOCH 2010.00)

POINT	NORTHING	EASTING
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B	4849869.364	310194.956

I CERTIFY THAT:



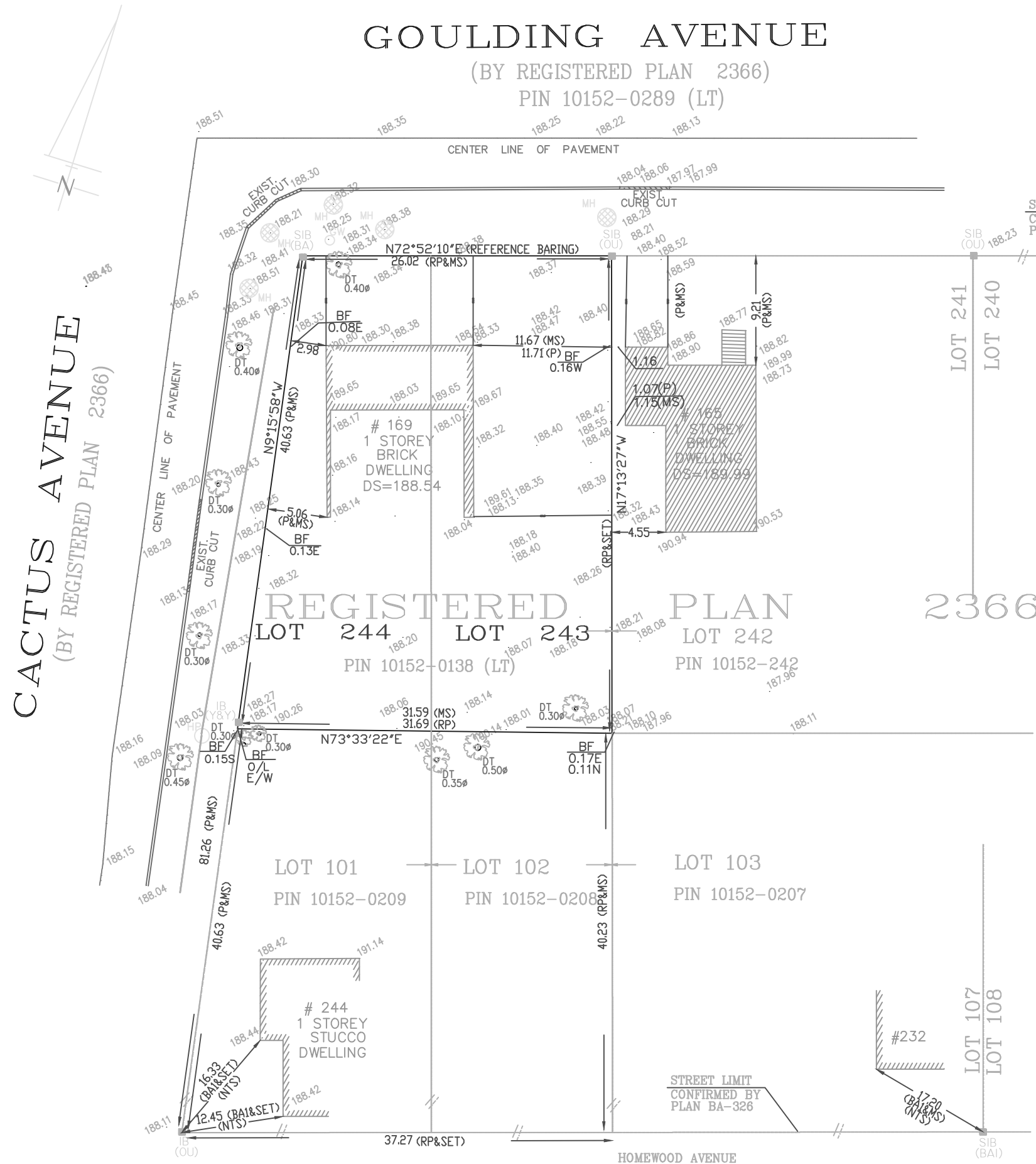
DATE: OCTOBER 31, 2016.

A. ABDEL SHAHID
ONTARIO LAND SURVEYOR

ONTARIO LAND SURVEYORS

PROJECT NUMBER		PROJECT	
16-383		169 GOULDING AVENUE (SR-PR)	
DRAWN BY	R.A	CHECKED BY	A.A

CACTUS AVENUE
(BY REGISTERED PLAN 2366)



LEGEND:

CITY OF TORONTO ZONING BYLAW 569-2013

ZONING:	RD (F15.0 A610) X5		
LOT AREA:	626.43	sq.m.	
ALLOWABLE COVERAGE: 30%	187.93	sq.m.	
GROUND FLOOR	183.53	sq.m.	
SECOND FLOOR	182.41	sq.m.	
PARKING SPACE	35.59	sq.m.	
LOWER LEVEL	187.60	sq.m.	(INCL. GARAGE)
BELT COURSE / SURROUNDS	7.85	sq.m.	
TOTAL COVERAGE	31.2%	195.45	sq.m.
TOTAL GFA		365.94	sq.m.

SETBACKS	ALLOWABLE	PROPOSED
FRONT (AVG. OF NEIGH.)	7.28	6.55
REAR (25% OF LOT DEPTH 132.0')	10.06	16.08
SIDE (EAST)	1.80	1.52
SIDE (WEST)	1.80	1.22
GROUND FLOOR ELEVATION ABOVE ESTABLISHED GRADE	1.20	1.20
BUILDING HEIGHT TO ROOF PEAK	10.00	10.00
MAIN FRONT / REAR WALL HEIGHT ABOVE ESTABLISHED GRADE	7.50	8.10
MAIN SIDE WALL HEIGHT ABOVE ESTABLISHED GRADE	7.50	8.10
BUILDING LENGTH	17.00	17.27
BUILDING DEPTH	19.00	17.27
ACTUAL LENGTH	17.00	16.15
DRIVEWAY WIDTH	5.81	5.49
PARKING SPACES	1	2
GARAGE ELEVATION	ABOVE GRADE AT LOT LINE	+0.09
LOT FRONTAGE	15.00	14.03
MIN. LOT AREA	610.0 sq.m.	626.43 sq.m.

REAR YARD LANDSCAPE CALCULATION

REAR YARD AREA	280.93 sq.m.
MINIMUM SOFT LANDSCAPING (50%)	140.46 sq.m.
PROPOSED HARD LANDSCAPING	24.53 sq.m.
MINIMUM SOFT LANDSCAPING (91.3%)	256.40 sq.m.

EXTERIOR YARD LANDSCAPE CALCULATION

EXTERIOR YARD AREA	33.39 sq.m.
ALLOWABLE SOFT YARD LANDSCAPING (50%)	16.70 sq.m.
PROPOSED WINDOW WELL, ETC.	6.10 sq.m.
PROPOSED EXTERIOR YARD SOFT LANDSCAPING	27.29 sq.m.

NORTH YORK ZONING BYLAW 7625

ZONING:	R4		
LOT AREA:	626.43	sq.m.	
ALLOWABLE COVERAGE: 30%	187.93	sq.m.	
GROUND FLOOR	183.53	sq.m.	
SECOND FLOOR	182.41	sq.m.	
PARKING SPACE	35.59	sq.m.	
LOWER LEVEL	187.60	sq.m.	(INCL. GARAGE)
BELT COURSE / SURROUNDS	7.85	sq.m.	
TOTAL COVERAGE	31.2%	195.45	sq.m.
TOTAL GFA		365.94	sq.m.

SETBACKS	ALLOWABLE	PROPOSED
FRONT (+/-1.0M)	7.50	6.55
REAR	9.50	16.08
SIDE (EAST)	1.70	1.52
SIDE (WEST)	1.70	1.22
GROUND FLOOR ELEVATION ABOVE C.L. OF STREET	1.50	1.28
BUILDING HEIGHT TO CL OF ROOF	8.80	9.21
BUILDING LENGTH	16.80	16.15
O/A BUILDING LENGTH	18.90	16.15
DRIVEWAY WIDTH	5.81	5.49
PARKING SPACES	2	2
GARAGE ELEVATION	ABOVE GRADE AT CL OF ROAD	+0.12
LOT FRONTAGE	15.00	14.11
LOT WIDTH	15.00	14.03
MIN. LOT AREA	610.0 sq.m.	626.43 sq.m.

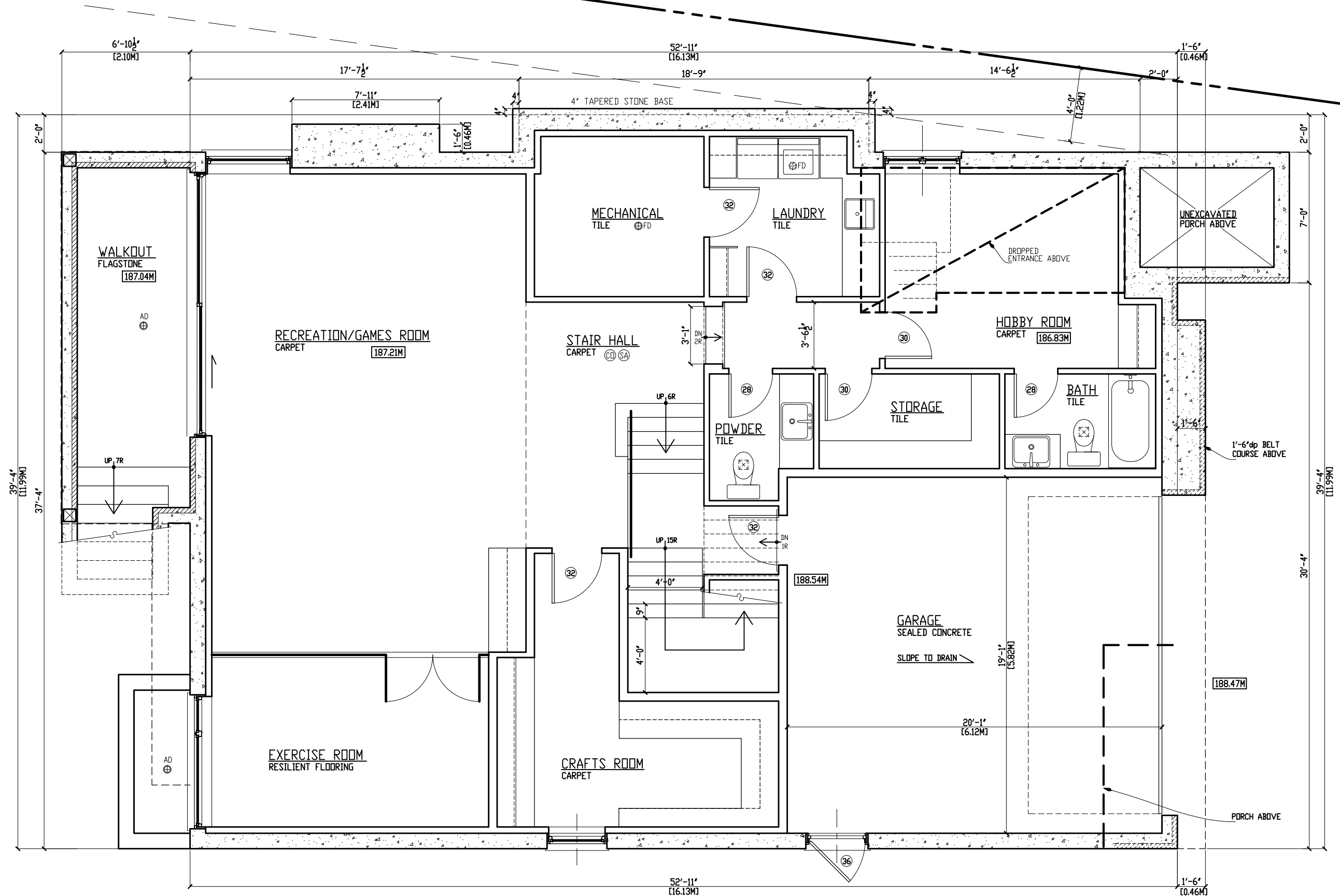
FRONT YARD LANDSCAPE CALCULATION

FRONT YARD AREA	102.33 sq.m.
ALLOWABLE FRONT YARD LANDSCAPING (50%)	51.17 sq.m.
ALLOWABLE FRONT YARD SOFT LANDSCAPING (75%)	45.10 sq.m.
PROPOSED DRIVEWAY	42.19 sq.m.
PROPOSED PORCH/WALKWAY	11.29 sq.m.
PROPOSED FRONT YARD LANDSCAPING	60.14 sq.m.
PROPOSED FRONT YARD SOFT LANDSCAPING	48.85 sq.m.

NOTE:

SURVEY INFORMATION TAKEN FROM SURVEY
PART OF LOT 243 & LOT 244 REG. PLAN 2366
CITY OF TORONTO BY MITSCHKE AND AZIZ INC. OLS
DATED OCTOBER 31, 2016

PART 2
ZONING



Firm Name and Address

MD ManArch Design

1 Teakwood Grove
Toronto, Ont. M3B 2H9
Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing

BASEMENT

Date

NOVEMBER 10 2017

Scale

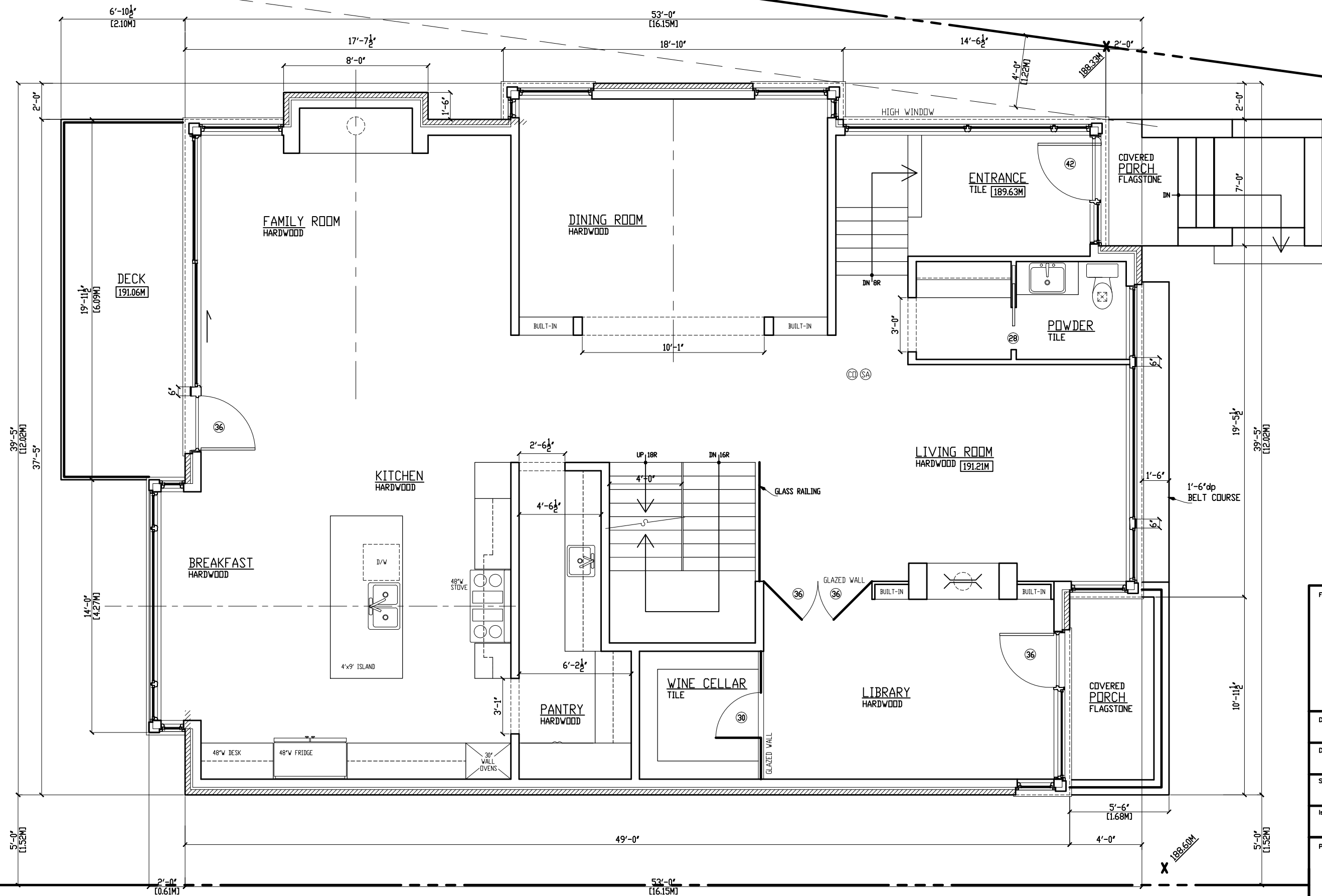
3/16" = 1'-0"

Issue

REVISED & REISSUED

Project Name and Address

PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 2
NORTH YORK



Firm Name and Address

MD ManArch Design

1 Teakwood Grove
Toronto, Ont. M3B 2H9
Tel. (416) 414-2635
Website: manarch.ca
Email: mahir@manarch.ca

Drawing

GROUND FLOOR

Date

NOVEMBER 10 2017

Scale

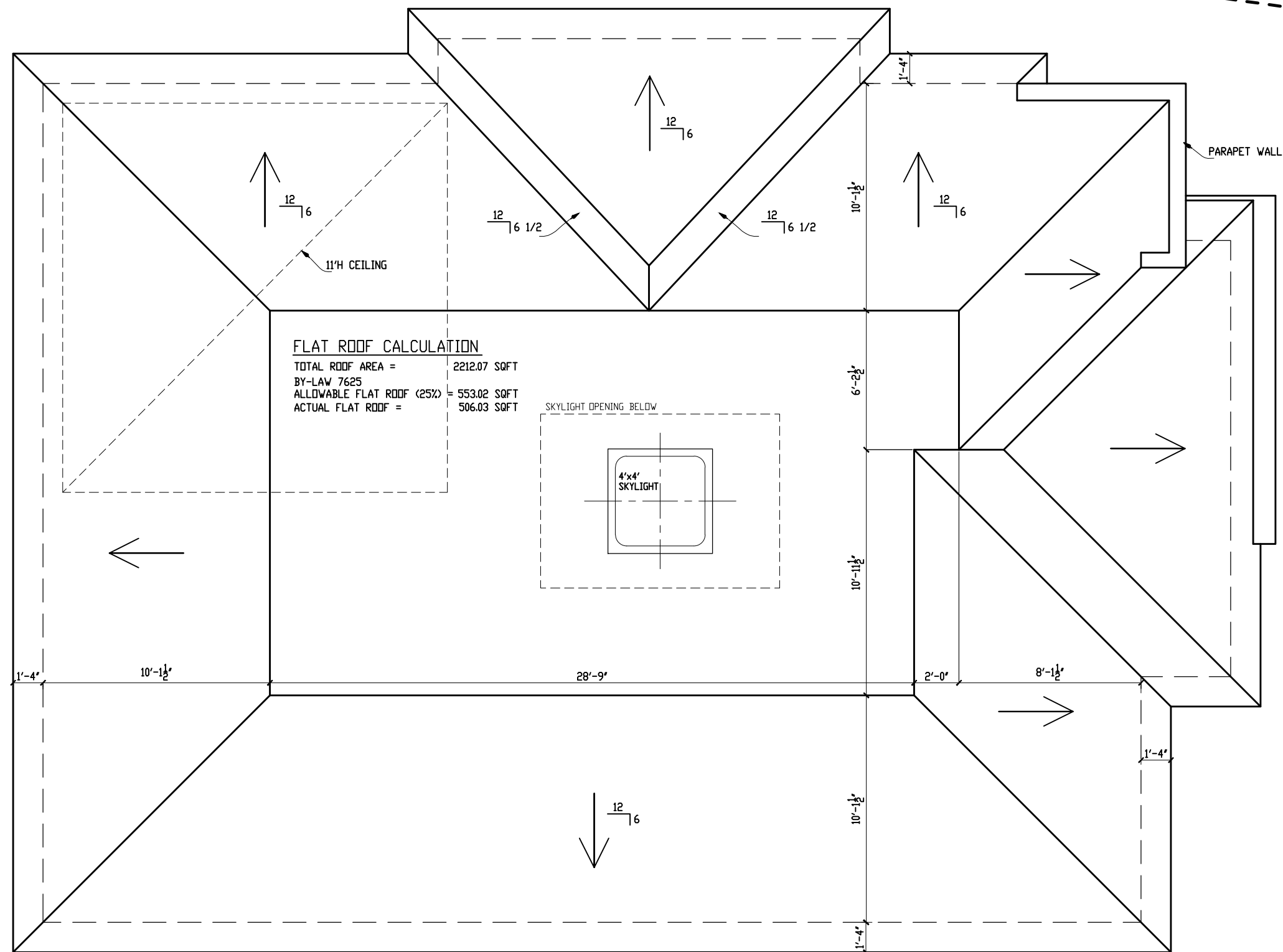
3/16" = 1'-0"

Issue

REVISED & REISSUED

Project Name and Address

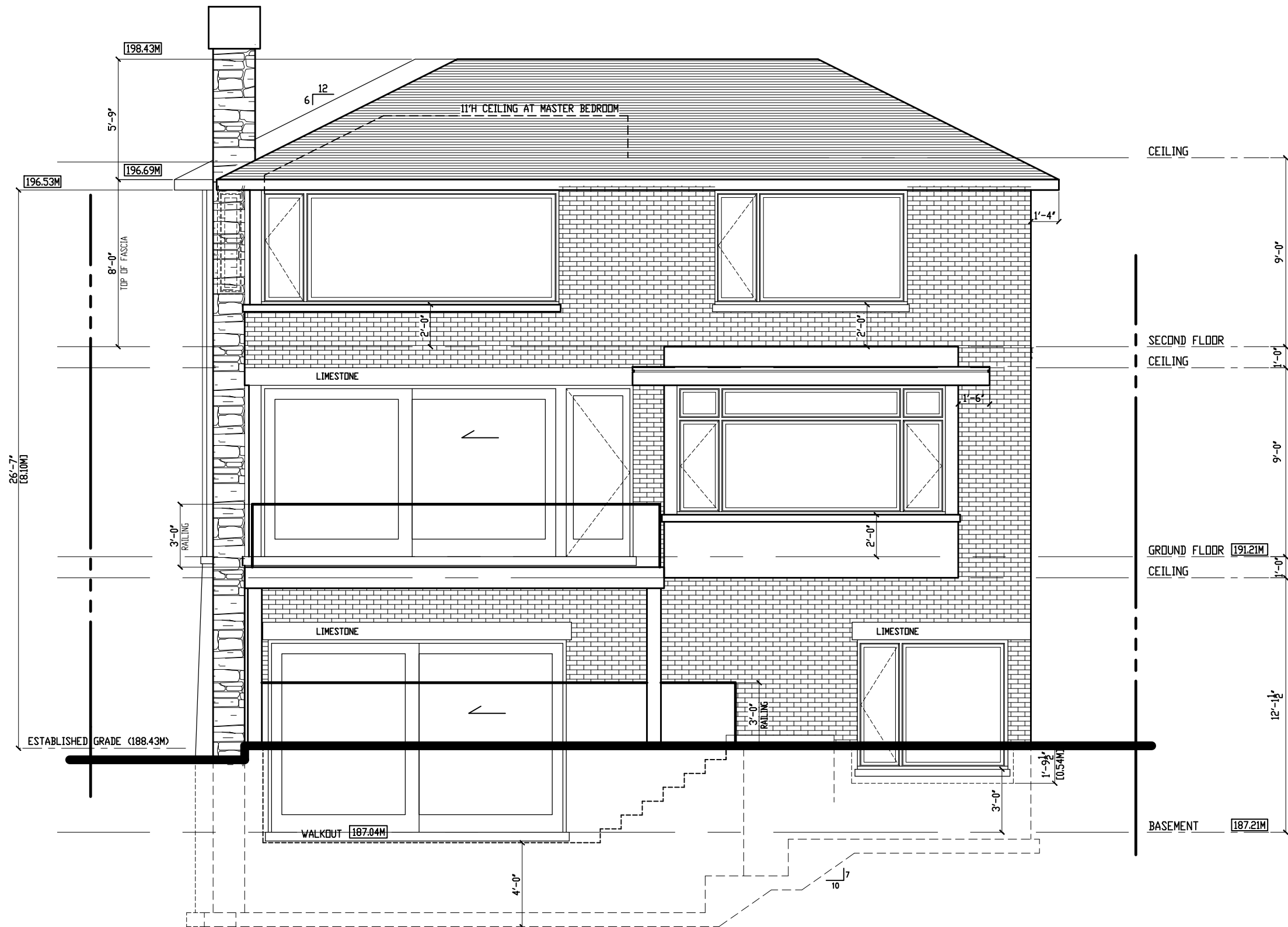
PROPOSED RESIDENCE AT
169 GOULDING AVENUE
PART 2
NORTH YORK



Firm Name and Address	
MD ManArch Design 1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca	
Drawing	ROOF PLAN
Date	NOVEMBER 10 2017
Scale	3/16" = 1'-0"
Issue	REVISED & REISSUED
Project Name and Address	
PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 2 NORTH YORK	

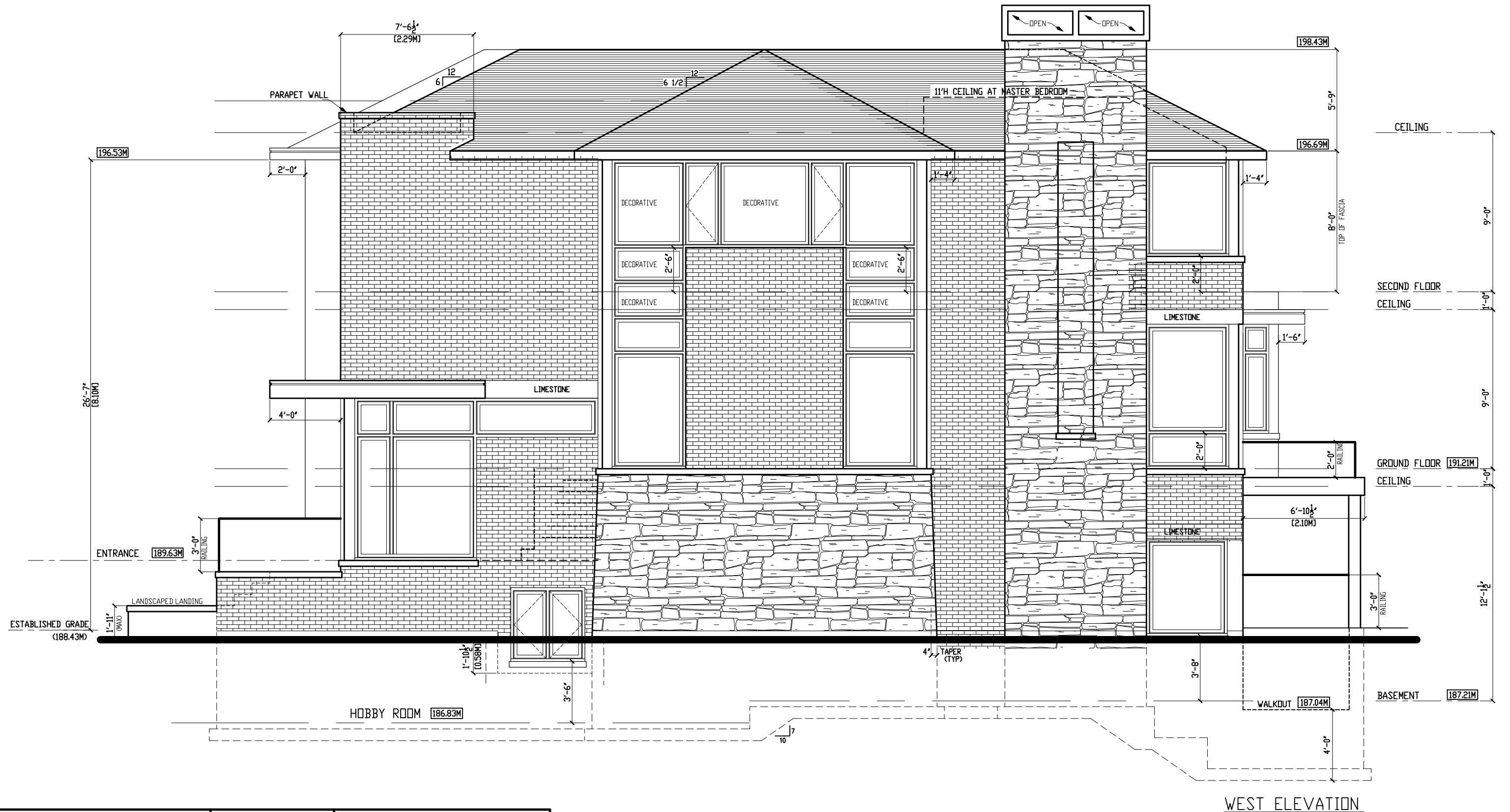


<p>Firm Name and Address</p> <p>MD ManArch Design</p> <p>1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca</p>	<p>Drawing</p> <p>NORTH ELEVATION</p> <p>Date</p> <p>NOVEMBER 10 2017</p> <p>Scale</p> <p>3/16" = 1'-0"</p> <p>Issue</p> <p>REVISED & REISSUED</p>	<p>Project Name and Address</p> <p>PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 2 NORTH YORK</p>
--	--	--



Firm Name and Address





<div>Firm Name and Address</div> <div>MD ManArch Design</div> <div>1 Teakwood Grove Toronto, Ont. M3B 2H9 Tel. (416) 414-2635 Website: manarch.ca Email: mahir@manarch.ca</div>	<div>Drawing</div> <div>WEST ELEVATION</div> <div>Date</div> <div>NOVEMBER 10 2017</div> <div>Scale</div> <div>3/16" = 1'-0"</div> <div>Issue</div> <div>REVISED & REISSUED</div>	<div>Project Name and Address</div> <div>PROPOSED RESIDENCE AT 169 GOULDING AVENUE PART 2 NORTH YORK</div>
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