

# DECISION AND ORDER

**Decision Issue Date** Friday, March 23, 2018

PROCEEDING COMMENCED UNDER Section 53, subsection 53(19), and Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s)/ Applicant: BEHFAR AZIZIAN KOHAN

Appellant's Legal Representative: MICHAEL FORTE

Property Address/Description: 436 VALERMO DR

Committee of Adjustment Case File Number: 17 140213 WET 06 CO (B0031/17EYK)  
17 140234 WET 06 MV (A0319/17EYK)  
17 140235 WET 06 MV (A0320/17EYK)

TLAB Case File Number: **17 244467 S53 06 TLAB**  
**17 244468 S45 06 TLAB**  
**17 244469 S45 06 TLAB**

**Hearing date:** Tuesday, March 13, 2018

**DECISION DELIVERED BY G. BURTON**

## APPEARANCES

Name	Role	Representative
Behfar Azizian Kohan	Applicant/Appellant	Michael Forte
Dana Ford	Participant	

## INTRODUCTION

This was an appeal to the Toronto Local Appeal Body (the "TLAB") by the owner of 436 Valermo Drive in the City of Toronto, of the Committee of Adjustment (the "COA") refusal of the requested consent to sever the parcel, and of variances to permit the construction of a townhouse style of semi-detached dwellings on the severed lots. The

property is zoned Residential Multiple (RM) (u3) (x18) in the new City of Toronto By-law 569-2013 (the “New By-law”, not yet in force); and Third Density Residential (R3) under the Etobicoke Zoning Code, as amended by By-laws 1979-67 and 1981-272.

## BACKGROUND

Since the refusals of the COA, the appellant Mr. Kohan has worked with the City Planning Staff and the Zoning Examiner to reduce the variances sought in the appeal. He filed a TLAB Form 3 together with updated plans and zoning notices on November 15, 2017, in which he indicated that the number of variances has been reduced. The alterations can be seen in the Zoning Examiner’s notices of November 7, 2017 (Exhibit 1) and in the plans filed November 16, 2017 (Exhibit 4). The height, length and width and the gross floor area (“GFA”) were reduced, and the balconies moved closer to the proposed midline, farther away from neighbouring properties.

## MATTERS IN ISSUE

The hearing of these appeals is a hearing *de novo*, as if the COA hearing had not taken place. Thus the TLAB must satisfy itself that the consent and variances meet the tests in the Planning Act, and must hear evidence on both parts of the application.

The applicant worked closely with all relevant staff while revising the plans and variances. The one objector at the COA was present in the TLAB hearing, and provided testimony as to her objections. Therefore I saw no prejudice to any person in accepting and considering the revised plans at the time of the hearing.

To the extent that the variances requested differ from those before the COA, I accepted that the applicant’s proposed revisions as set out below are principally reductions from the original application. As such, I found that no further notice is required pursuant to s. 45 (18.1.1) of the Act, and the revisions can be considered. The hearing on the merits then proceeded.

## JURISDICTION

On an appeal of a consent application, the TLAB must be satisfied that the relevant provisions of subsection 51(24) of the Act are satisfied. The subsection requires that

regard be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and (quoting in part) to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2 of the Planning Act;....

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

(d) the suitability of the land for the purposes for which it is to be subdivided;...

(f) the dimensions and shapes of the proposed lots;.....

(h) conservation of natural resources.....:

Respecting the 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 appellant’s evidence was provided by the architect who prepared the plans, Mr. Michael Forte. His principal argument in favour of both the severance and variances was that there were many similar developments close by that the COA had approved. The application for a consent remained unchanged from that before the COA. He proceeded to explain the proposal and the requested variances.

The applicant proposed freehold townhomes, constructed as semi-detached, one on each lot. They would be three storeys with internal garages, similar to many others built more recently on the street. Many older semis on Valermo appear to have been used as apartments with multiple tenancies. He referred especially to newer structures such as one at 274 Beta Street, to the north and east of the subject property. It was recently

severed, from the same lot size as the subject, and 11 variances were granted for the new structures. It has frontages about 6.705 m, or one foot larger than the proposed at 6.42 m. He submitted in Exhibit 3 a photo book of precedents for this proposal.

426 Valermo (shown as such on Google Maps, which may not be the exact address) was constructed four years ago. It is a similar development in appearance (garages, steps up to entrance, etc.), but is actually two freestanding dwellings with very small side yard setbacks. 420 was severed with lot frontages of only 7.01 m and lot areas of 282.01 sq. m. (the requested variances for the subject frontages is 6.42 m. and lot areas are 258.46 for the east lot, and 245.67 for the west.) 435 and 440 Valermo illustrate duplex townhomes with a similar massing to the proposed, but they are two storeys. 452 also has two storey townhomes, on very narrow lots, not much wider than the walkways. Also similar in design are 466 and 478, and at 481 Valermo directly across is an example of the same idea, townhomes but with a shared driveway.

The severance application has not been changed. Before the Committee it stated:

“To obtain consent to sever the property into two undersized residential lots.

**Retained - Part 2**

The lot frontage is 6.425 m and the lot area is 258.45 m<sup>2</sup>. The existing dwelling will be demolished and the property will be redeveloped as the site of the east half of a pair of semi-detached dwellings with an attached garage, requiring variances to the Zoning By-law.

**Conveyed - Part 1**

The lot frontage is 6.425 m and the lot area is 245.67 m<sup>2</sup>. The existing dwelling will be demolished and the property will be redeveloped as the site of the west half of a pair of semi-detached dwellings with an attached garage, requiring variances to the Zoning By-law.”

The variances now requested for both lots are found in the Zoning Notices of November 7, 2017 (Exhibit 1.)

LOT A

For Lot A (Part 1), the west lot, these are:

1. Section 900.6.10 (18)(A)(ii), By-law No. 569-2013

The minimum required lot area for a semi-detached house is 665 square metres.

The proposed lot area is 245.67 square metres.

2. Section 900.6.10 (18) (B)(ii), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The minimum required lot frontage for a semi-detached house is 18.0 metres.

The proposed lot frontage is 6.42 metres.

3. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 98.27 square metres.

The proposed gross floor area is 0.78 times the lot area or 191.26 square metres.

4. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

5. Section 10.80.40.50.(2) By-law No. 569-2013

The required minimum setback for a deck at the rear of the dwelling located at or above the second story is 1.8 metres from the common wall dividing the dwelling units.

The proposed setback is 0.91 metre.

6. Section 10.5.50.10.(1) By-law No. 569-2013

On a lot with a semi-detached house, a minimum of 75 percent of the required front yard landscaping must be soft landscaping: 22.8 square metres.

The proposed front yard soft landscaping area is 45 percent: 13.82 square metres.

7. Site Specific By-laws 1979-67 & 1981-272

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 98.27 square metres.

The proposed gross floor area is 0.78 times the lot area or 191.26 square metres.

8. Site Specific By-laws 1979-67 & 1981-272

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

### LOT B

Variances for Lot B (Part 2) the east lot, are:

1. Section 900.6.10 (18)(A)(ii), By-law No. 569-2013

The minimum required lot area for a semi-detached house is 665 square metres.

The proposed lot area is 258.46 square metres.

2. Section 900.6.10 (18) (B)(ii), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The minimum required lot frontage for a semi-detached house is 18.0 metres.

The proposed lot frontage is 6.42 metres.

3. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 103.38 square metres.

The proposed gross floor area is 0.74 times the lot area or 191.26 square metres.

4. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

**5. Section 10.80.40.50.(2) By-law No. 569-2013**

The required minimum setback for a deck at the rear of the dwelling located at or above the second story is 1.8 metres from the common wall dividing the dwelling units.

The proposed setback is 0.91 metre.

**6. Section 10.5.50.10.(1) By-law No. 569-2013**

On a lot with a semi-detached house, a minimum of 75 percent of the required front yard landscaping must be soft landscaping: 22.8 square metres.

The proposed front yard soft landscaping area is 45 percent: 13.82 square metres.

**7. Site Specific By-laws 1979-67 & 1981-272**

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 103.38 square metres.

The proposed gross floor area is 0.74 times the lot area or 191.26 square metres.

**8. Site Specific By-laws 1979-67 & 1981-272**

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

Mr. Forte gave few details of compliance with the Official Plan and zoning requirements, finding it sufficient that there were several similar developments close by in the neighbourhood as precedents. The physical evidence on the street is “overwhelming” in his opinion. In reviewing the requested variances he stated that there are similar reduced minimum lot areas elsewhere. The proposed areas differed slightly because the lot has an irregular shape. He realized that the neighbours had concerns about the GFA, but this is not excessive. The variance for height is minimal. He had no concerns with the proposed conditions requested by the various City departments.

Ms. Dana Ford of 434 Valermo Dr. to the east, had made objections to the COA, and appeared with her husband Andrew at the TLAB hearing. Although they had not filed a Form 4 to become a participant in the hearing, I made an exception as permitted under TLAB Rule 2.10 and heard her testimony as it was part of the TLAB file. She objected that the severed lots would be too small, even compared to the others nearby. A width of 6.42 m did not suffice. The height and width would dwarf nearby bungalows. She stressed Urban Forestry’s objection to removing a privately owned tree, as in her opinion the mature trees in the neighbourhood (she referred to those on Aldercrest) should be preserved. Removing one would affect the look of the street. (She referred to a reduction in the side yard setback, but this variance was deleted.) They foresee a “prison yard” in the rear because of the “giant brick wall”. It would reduce the natural light to the rear garden, as would the height increase.

Another concern was increased traffic, as there are 100 new homes under construction to the east on Valermo. Many 50 foot lots can be severed in the future, but it is premature to sever smaller lots. She stated that the severances offered as comparables all started with much larger lots.

Mr. Forte clarified that technically these would be two storey structures even though they appear to be three, based on how high the ground floor is above grade as defined in the Building Code. He also stated that since sunlight comes from the south, there would be minimal additional shadowing to the north garden. The height and depth proposed are virtually within the by-law requirements.

## **ANALYSIS, FINDINGS, REASONS**

There is indeed significant reinvestment taking place in the subject area and on Valermo itself. I was initially struck by the objection of the Planning Staff in their July 20, 2017 memo to the COA. It was stated that "...the proposed new lots would not respect the prevailing lot fabric in the area. Although there have been approvals for lot severances in the neighbourhood, the lot frontages have been larger in size compared to the current proposed severance, which would create two undersized lots, each with a lot frontage of 6.42 metres." Staff found failure to satisfy the consent criteria and the four tests for minor variance on this one ground, and recommended the refusal of the application. There was no update of this memo following the revisions to the variances, but neither did the City object or appear at the TLAB hearing, as it could have done.

There are still concerns about the size of the frontages, which are the smallest even among the many redeveloped lots cited by Mr. Forte. The question to be determined then is whether the reductions to the variances ameliorate the proposal sufficiently to allow it to meet the section 45 tests. The GFA was reduced significantly for both lots as was the overall height, and the height of the deck. Variances for side yard setbacks and maximum height of exterior main walls were deleted. The resulting buildings better suit the lots to be created if the severance is approved.

The Urban Forestry department had also objected to the application before the COA. It said in its memo of September 22, 2017 that approval of the variances would result in construction that will require the removal or injury of a 63 cm in diameter healthy privately owned Norway maple tree, which as a valuable part of the Urban Forest that should be retained. It cited OP policies respecting tree protection. It requested conditions attached to any approval which would require a permit under City of Toronto Municipal Code Chapter 813, Article III. prior to any construction.

It can be seen from the Site Plan (Exhibit 4) that the new structures would extend beyond the rear of the neighbours' dwelling at 434. This may create some concerns about light to their rear yard, but not sufficient for refusal of the designs. It becomes a balancing act between the rights of the owner to develop (with respect for the by-laws), and the rights of the neighbours to retain their existing situation. There are no length or depth variances required for the proposed structures, and a minimal height variance. Thus the depth of the proposed dwellings is permitted under the by-laws. While loss of light from the sun is unfortunate, there is no protection for this factor in the applicable by-laws. There was no claim of reduced privacy. There are only small windows at the upper level of Part B next to their home, so I do not think this is a factor.

Therefore the TLAB decision comes down to evaluating the tests for severances in subsection 51(24) of the Act, as well as those for variances in subsection 45(1) of the Act. I am satisfied that the dimensions and shapes of the proposed lots [clause 51(24)(f)] are acceptable, given the many similar ones nearby. Respecting clause (h), conservation of natural resources, if the condition requested by Urban Forestry requiring a permit for the significant tree is imposed, no construction can occur unless that department is satisfied that the tree is subject to further review.

There was no specific evidence directed to the four tests for a minor variance. There is the requirement that the general intent and purpose of the zoning by-laws be met. The general intent and purpose is to regulate the use of the land to ensure that development both fits on a given site and within its surrounding context, and reduces impacts on adjacent properties. The proposed size of these dwellings requires several exceptions from the zoning limits. The variances that may not generally be considered minor in this application are for reduced frontage, minimum lot area (these lots will be well below the area required), and GFA (it has been reduced for the dwellings but it is still almost double the by-law limitation.)

I find however that quite similar lots and structures have come to be part of the “neighbourhood” as envisaged by the OP sections, given the evidence of the many designs nearby. I confirmed this by a site visit. While I find that the example of 274 Beta Street is too removed to be a comparable for designs in this neighbourhood, there are others closer. Therefore this proposal would constitute an acceptable “fit” as required in the OP, and will not extend the by-law requirements significantly beyond their purpose in this context.

I therefore find that the variances are minor numerically, and have an acceptable degree of impact on the surrounding properties. In their context, they are desirable for the appropriate development of the land.

I likewise find that the proposal, being compatible with the City’s Official Plan and Zoning, properly addresses matters of provincial interest as set out in section 2 of the Act, and that the variances are consistent with provincial policy statements and conform with provincial plans (s. 3 of the Act). Therefore it is consistent with the 2014 Provincial Policy Statement (‘PPS’) and conforms to the Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’).

## **DECISION AND ORDER**

The TLAB orders that:

1. The appeal is allowed and that provisional consent is given to sever 436 Valermo Drive into two Parts in accordance with the Plans for Part 1 and Part 2 filed as Exhibit 4, appended as Attachment 1 to this decision, and subject to the conditions at # 5 below:

### **Retained - Part 2**

The lot frontage is 6.425 m and the proposed lot area is 258.45 m<sup>2</sup>.



**Conveyed - Part 1**

The lot frontage is 6.425 m and the lot area is 245.67 m<sup>2</sup>.

2. Variances 7 and 8 to the Etobicoke Zoning Code as amended by By-laws 1979-67 & 1981-272, as set out above for each Part, and appended as Attachment 2 to this decision, are authorized, subject to the following condition:

The applicant shall submit an application for permit to injure or remove trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article III.

3. Variances 1 through 6 to Zoning By-law No. 569-2013 as set out above for each Part and appended as Attachment 3 to this decision, are authorized, contingent upon the relevant provisions of this By-law coming into force and effect, subject to the following condition:

The applicant shall submit an application for permit to injure or remove trees to Urban Forestry, as per City of Toronto Municipal Code Chapter 813, Article III.

4. The new semi-detached dwellings shall be constructed substantially in accordance with the Plans for Parts 1 and 2 filed as Exhibit 4, and appended 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.

**5. CONDITIONS OF CONSENT**

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services.
- (3) Prior to the issuance of a building permit, the applicant shall satisfy all conditions concerning City owned trees, to the satisfaction of the Director, Parks, Forestry & Recreation, Urban Forestry Services.
- (4) Where no street trees exist, the owner shall provide payment in an amount to cover the cost of planting a street tree abutting each new lot created, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- (5) Two copies of the registered reference plan of survey integrated with the Ontario Coordinate System and listing the Parts and their respective areas, shall be filed with City Surveyor, Survey & Mapping, and Technical Services.

- (6) Three copies of the registered reference plan of survey satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.
- (7) Within ONE YEAR of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary-Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) or subsection 53(42) of the Planning Act, as it pertains to the conveyed land and/or consent transaction.

**ATTACHMENT 1 - REVISED PLAN OF SURVEY AND PLANS (Exhibit 4)**

**ATTACHMENT 2 – VARIANCES FROM ETOBICOKE ZONING CODE**, as amended by By-laws 1979-67 and 1981-272.

**LOT A**

**1. Site Specific By-laws 1979-67 & 1981-272**

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 98.27 square metres.

The proposed gross floor area is 0.78 times the lot area or 191.26 square metres.

**2. Site Specific By-laws 1979-67 & 1981-272**

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

**LOT B**

**1. Site Specific By-laws 1979-67 & 1981-272**

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 103.38 square metres.

The proposed gross floor area is 0.74 times the lot area or 191.26 square metres.

**2. Site Specific By-laws 1979-67 & 1981-272**

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

**ATTACHMENT 3 – VARIANCES FROM CITY OF TORONTO BY-LAW 569-2013**

**LOT A**

For Lot A (Part 1)

**1. Section 900.6.10 (18)(A)(ii), By-law No. 569-2013**

The minimum required lot area for a semi-detached house is 665 square metres.

The proposed lot area is 245.67 square metres.

2. Section 900.6.10 (18)(B) (ii), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The minimum required lot frontage for a semi-detached house is 18.0 metres.

The proposed lot frontage is 6.42 metres.

3. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 98.27 square metres.

The proposed gross floor area is 0.78 times the lot area or 191.26 square metres.

4. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

5. Section 10.80.40.50.(2) By-law No. 569-2013

The required minimum setback for a deck at the rear of the dwelling located at or above the second story is 1.8 metres from the common wall dividing the dwelling units.

The proposed setback is 0.91 metre.

6. Section 10.5.50.10.(1) By-law No. 569-2013

On a lot with a semi-detached house, a minimum of 75 percent of the required front yard landscaping must be soft landscaping: 22.8 square metres.

The proposed front yard soft landscaping area is 45 percent: 13.82 square metres.

## LOT B

### Variances for Lot B (Part 2)

1. Section 900.6.10 (18)(A)(ii), By-law No. 569-2013

The minimum required lot area for a semi-detached house is 665 square metres.

The proposed lot area is 258.46 square metres.

2. Section 900.6.10 (18) (B) (ii), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The minimum required lot frontage for a semi-detached house is 18.0 metres.

The proposed lot frontage is 6.42 metres.

3. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum permitted gross floor area for a semi-detached dwelling is 0.40 times the lot area, or 103.38 square metres.

The proposed gross floor area is 0.74 times the lot area or 191.26 square metres.

4. Section 900.6.10 (18), By-law No. 569-2013, and Site Specific By-Laws 1979-67 & 1981-272

The maximum height measured to mid-point of the roof is 7.5 metres.

The proposed height measured to mid-point of the roof is 7.6 metres.

5. Section 10.80.40.50.(2) By-law No. 569-2013

The required minimum setback for a deck at the rear of the dwelling located at or above the second story is 1.8 metres from the common wall dividing the dwelling units.

The proposed setback is 0.91 metre.

6. Section 10.5.50.10.(1) By-law No. 569-2013

On a lot with a semi-detached house, a minimum of 75 percent of the required front yard landscaping must be soft landscaping: 22.8 square metres.

The proposed front yard soft landscaping area is 45 percent: 13.82 square metres.

**X** 

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G. Burton

Panel Chair, Toronto Local Appeal Body

GROSS FLOOR AREA CALCULATION: LOT A

PROP GROUND FLR	78.3m2	[843 SF]
PROP SECOND FLR	78.3m2	[843 SF]
TOTAL PROPOSED GFA	156.6m2	[1686SF]

COVERAGE PROPOSED : APPROX 65%  
LOT AREA 2587 SF (240 SM)

GROSS FLOOR AREA CALCULATION: LOT B

PROP GROUND FLR	78.3m2	[843 SF]
PROP SECOND FLR	78.3m2	[843 SF]
TOTAL PROPOSED GFA	156.6m2	[1686SF]

COVERAGE PROPOSED : APPROX 60%  
LOT AREA 2824 SF ( 262 SM)



OWNER SHALL SUBMIT A MUNICIPAL ROAD DAMAGE  
DEPOSIT TO TRANSPORTATION SERVICES DIVISION PRIOR  
TO CONSTRUCTION

PLAN OF  
LOT 406  
REGISTERED PLAN 2225  
and  
Part of LOT 39  
REGISTERED PLAN 3360  
CITY of TORONTO  
Formerly In The City of Etobicoke

NOTE:

1. IT IS THE RESPONSIBILITY OF THE APPLICANT TO COMPLY WITH THE SEWER USE BY-LAW AND OBTAIN ALL APPRVALS/PERMITS FROM TORONTO WATER ENVIRONMENTAL MONITORING AND PROTECTION UNIT FOR ANY PROPOSED TEMPORARY OR PERMANENT DISCHARGING OF GROUNDWATER INTO MUNICIPAL SEWER SYSTEMS AND WATERCOURSES. THE APPLICANT IS ALSO RESPONSIBLE FOR COMPLYING WITH ALL THE APPLICABLE PROVINCIAL REQUIREMENTS AND OBTAINING THE NECESSARY APPROVALS AND/OR PERMITS FROM THE MINISTRY OF THE ENVIRONMENT & CLIMATE CHANGE WITH REQARD TO ANY PROPOSED DEWATERING.
2. ALL REDUNDANT PORTIONS OF EXISTING REDUNDANT DREVEWAYS WITHIN THE VALERMO DRIVE MUNICIPAL BOULEVARD SHALL BE REMOVED AND RESTORED TO THE SATISFACTION OF THE TRANSPORTATION SERVICES DIVISION AT NO COST TO THE MUNICIPALITY.
3. ALL EXISTING REDUNDANT CURB CUTS THAT ARE NO LONGER REQUIRED SHALL BE RESTORED WITH RAISED CONCRETE CURB IN ACCORDANCE WITH CITY OF TORONTO DESIGN STANDAR NOS. T-310.050-1 AND T-310.010-4 TO THE SATISFACTION OF AND AT NO COST TO THE MUNICIPALITY.
4. THE PROPOSED NEW DRIVEWAYS SHALL BE CONSTRUCTED TO THE APPLICABLE CITY OF TORONTO DESIGN STANDARD(S)
- 5.THE APPLICANT MUST PROVIDE A MUNICIPAL ROAD DAMAGE DEPOSIT (MRDD) FOR THE PROPOSED DIRVEWAY CONSTRUCTION WITHIN THE MUNICIPAL BOULEVARD AS DETERMINED BY THE TRANSPORTATION SERVICES DIVISION."
6. THE APPLICANT MUST OBTAIN ALL REQUIRED PERMITS FOR WORK WITHIN THE PUBLIC ROAD ALLOWANCE FROM THE RIGHT-OF-WAY MANAGEMENT SECTION OF TRANSPORTATION SERVICES.

LEGEND

-  PROPOSED SECOND STOREY
-  PROP 2 STOREY ADDITION
- PROVIDED PROTECTION TO THE ROOTS  
SEE TREE PROTECTION NOTES A-14
- GENERAL NOTES

1. EXISTING TO REMAIN UNLESS OTHERWISE NOTED
2. THESE CONSTRUCTION KEY NOTES COMPLY WITH "THE REQUIREMENTS OF THE BUILDING CODE - ONTARIO REG. 350/06 UNLESS SPECIFICALLY ALTERED BY THE MUNICIPALITY HAVING JURISDICTION. IT SHALL BE THE RESPONSIBILITY OF THE BUILDER TO CONFORM WITH THESE SECTIONS WHERE APPLICABLE AND FAMILIARIZE HIMSELF SPECIFICALLY WITH PART 9 OF THE BUILDING CODE.

CONSTRUCTION KEY NOTES

MANUFACTURERS SPECIFICATIONS

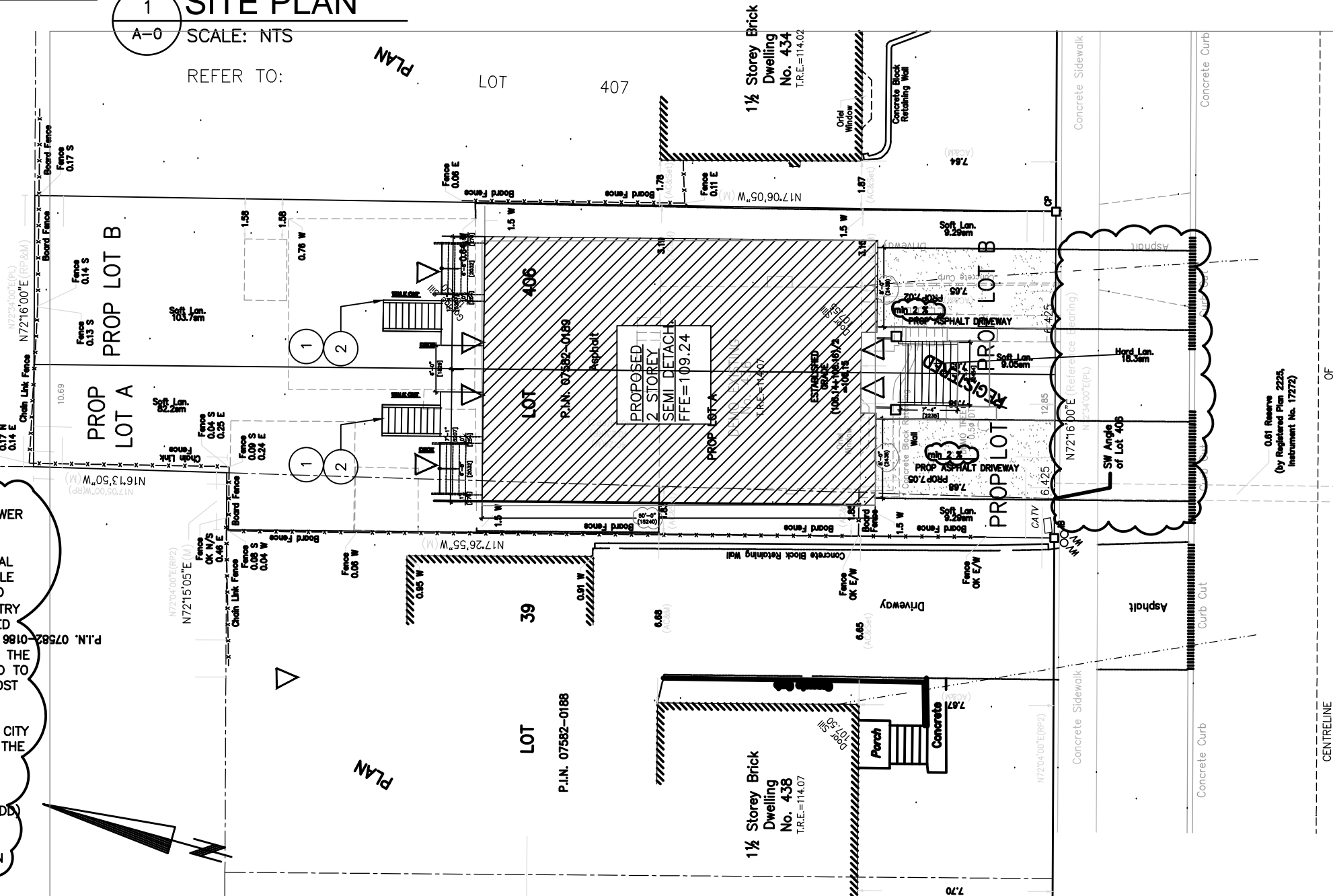
1. FINISHED HANDRAIL ON PICKETS AT 4 1/2" O/C MAX. (4" MAX. SPACE BETWEEN SURFACES).
2. MAIN STAIRS AND EXTERIOR STAIRS MIN. REQUIREMENTS: MAX. RISE = 7-7/8", MIN. RUN = 9", MIN. TREAD = 9-7/8", MIN. HEADROOM CLEARANCE = 6'-5", HANDRAILS @ 2'-8" ABOVE NOSING OF TREAD AND 3'-0" ABOVE LANDING.
3. DRYER TO BE VENTED DIRECTLY TO OUTSIDE THROUGH WALL OR ROOF.
4. 1/2" G.B. BOTH SIDES OF WOOD STUDS AT 16" O/C SEE WALL DIMENSIONS FOR STUD WIDTH.
5. A SINGLE STATION ALARM TYPE CARBON MONOXIDE DETECTOR SHALL BE PERMANENTLY MOUNTED ON THE CEILING AND CONNECTED TO THE BUILDING ELECTRICAL SUPPLY WITHOUT A DISCONNECT WALL SWITCH AND HAVING A CIRCUIT NOT INTERCONNECTED TO ANY WALL OUTLET.
6. COMBUSTION DETECTOR: A SINGLE STATION ALARM TYPE COMBUSTION DETECTOR SHALL BE PERMANENTLY MOUNTED ON THE HALL CEILING AND CONNECTED TO THE BUILDING ELECTRICAL SUPPLY WITHOUT A DISCONNECT WALL SWITCH AND HAVING A CIRCUIT NOT INTERCONNECTED TO ANY WALL OUTLET.

1

SITE PLAN

A-0 SCALE: NTS

REFER TO:



General Notes

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ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

3	ISSUED FOR ZONING	JAN 2017
1	ISSUED FOR ZONING	OCT 2016
TO	ISSUED	DATE



MARKHAM HIGH TECH INC  
Architect  
50 Peter Street  
Markham, Ontario  
L3P2A8  
(905) 472-5802 - PHONE  
(905) 471-8529 - FAX

PROJECT:  
PROPOSED NEW  
SEMI DETACHED HOUSE  
(LOT A & LOT B)

436 VALERMO DR & 436A  
TORONTO, ON

DRAWING  
SITE PLAN

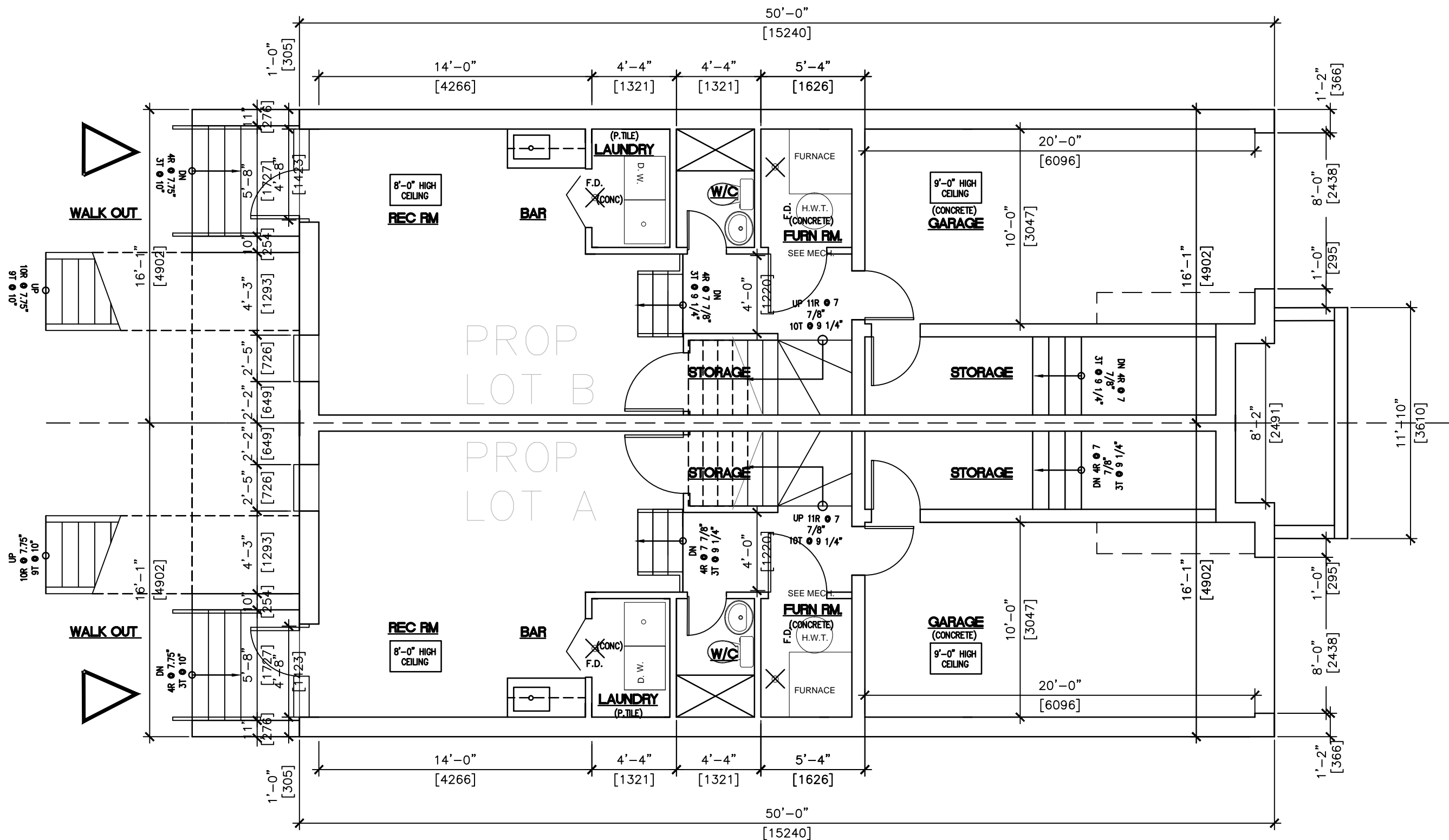
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DRAWN DATE: OCT 2016

DESIGN BY: MHT  
CHECKED BY: MHT

DRAWN BY: MHT  
REVISION BY:

CAD FILE LOCATION

PROJECT NO. SHEET NO. REVISION NO.  
A-00 3



PROPOSED GARAGE/BASEMENT

SCALE : 3/16" = 1' - 0"

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TO	ISSUED	DATE
3	ISSUE FOR ZONING	JAN 2017
2	ISSUE FOR ZONING	DEC 2016
1	ISSUE FOR ZONING	OCT 2016



**MARKHAM HIGH TECH INC**  
Architect

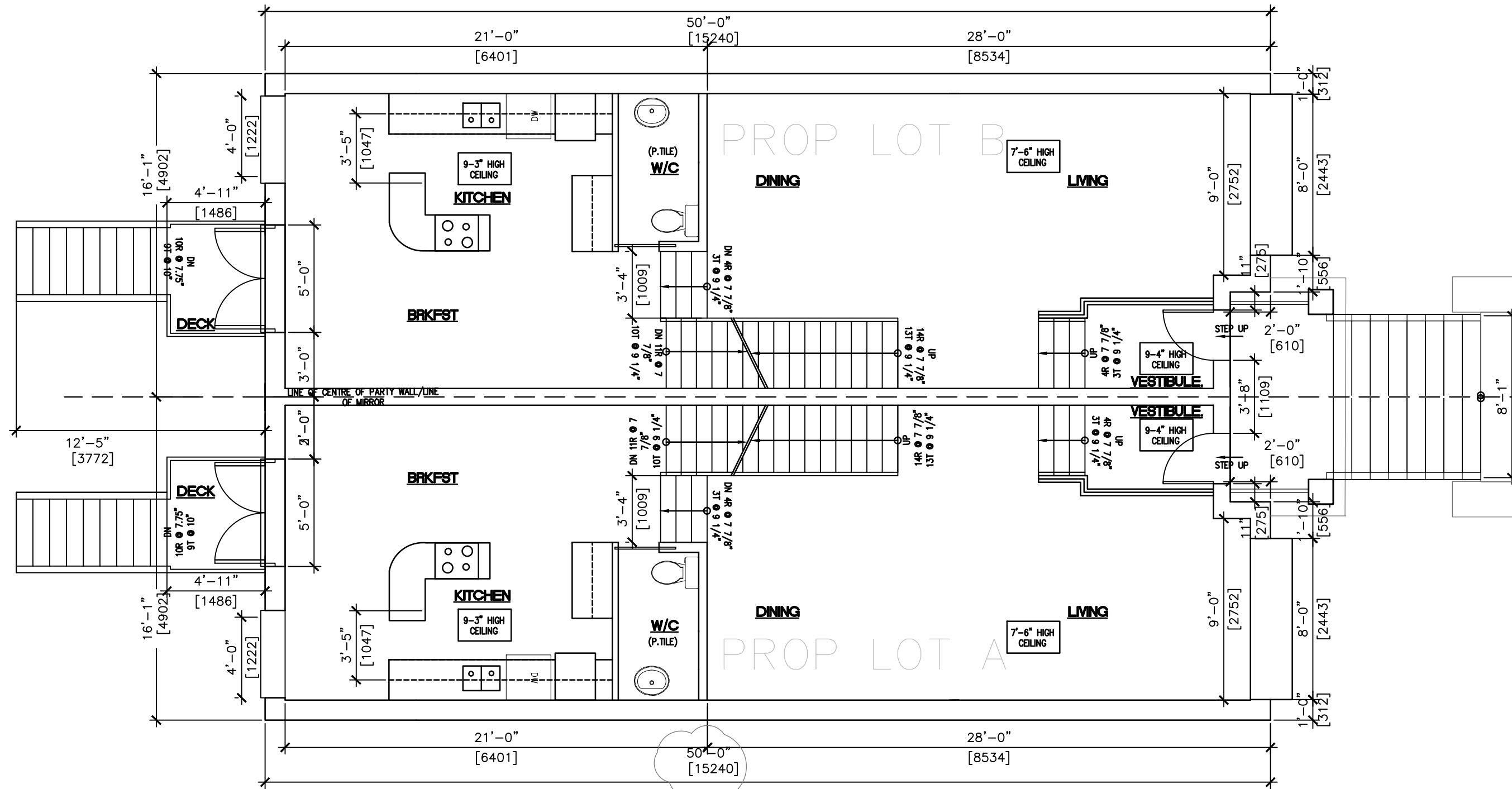
50 Peter St  
Markham, Ontario  
L3P 2A6  
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(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI-DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROP BASEMENT		
SCALE AS NOTED		DRAWN DATE OCT 2016
DESIGN BY		CHECKED BY
DRAWN BY		REVISIONS BY
CAD FILE LOCATION		
PROJECT NO.	SHEET NO. A-1	REVISION NO. 3



# PROPOSED GROUND FLOOR LEVEL

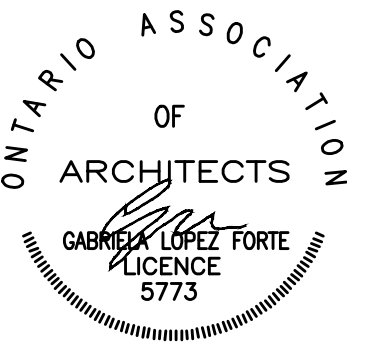
SCALE : 3/16" = 1' - 0"

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3	ISSUE FOR ZONING	JAN 2017
1	ISSUE FOR ZONING	OCT 2016
TO	ISSUED	DATE



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PROJECT:  
PROPOSED NEW  
SEMI-DETACHED  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING:  
PROPOSED  
GROUND FLOOR PLAN

SCALE:  
AS NOTED

DRAWN DATE:  
OCT 2016

DESIGN BY:

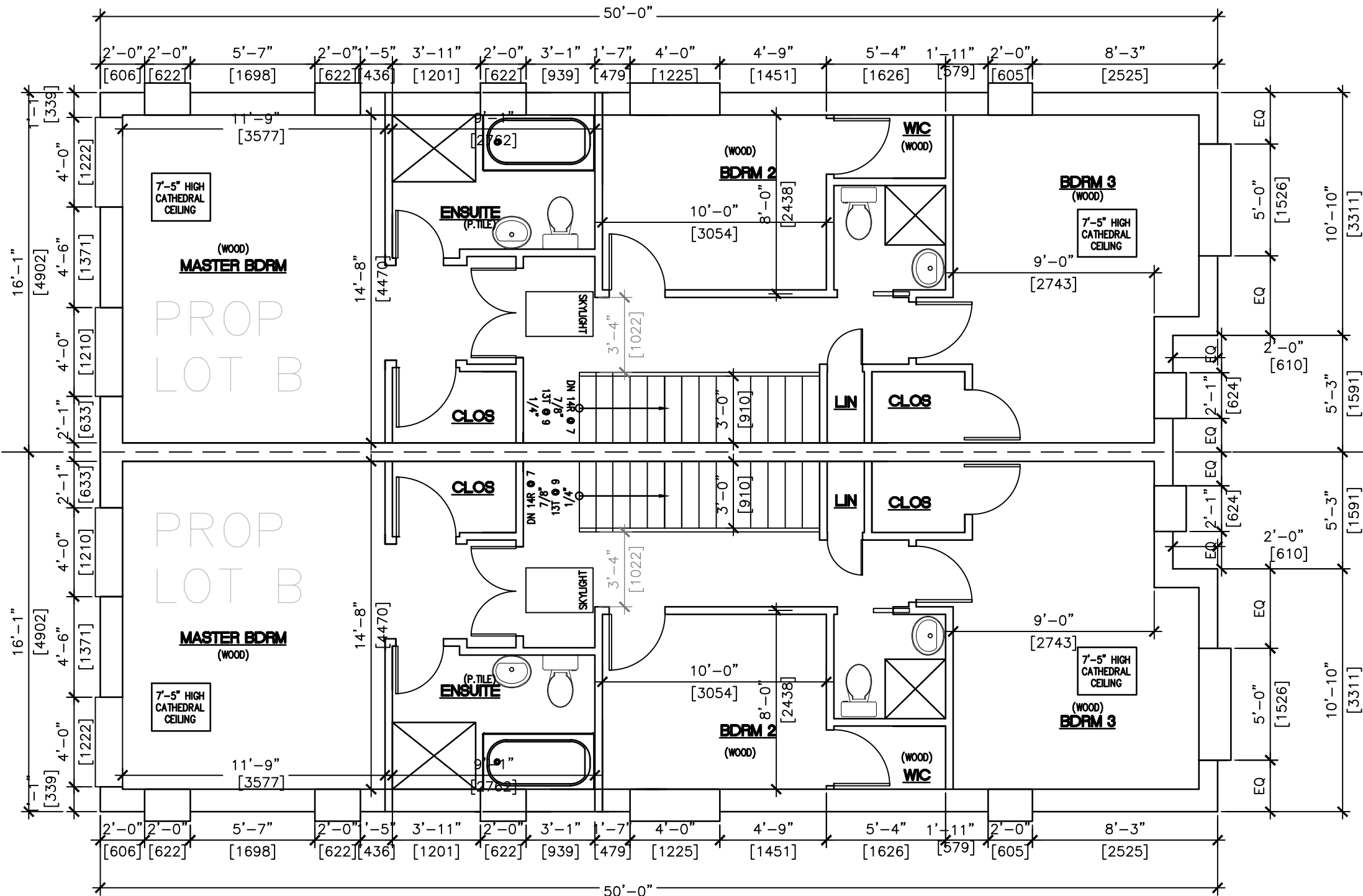
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DRAWN BY:

REVISIONS BY:

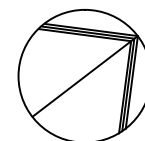
CAD FILE LOCATION:

PROJECT NO.	SHEET NO.	REVISION NO.
	A-2	3



# PROPOSED SECOND LEVEL

SCALE : 3/16" = 1' - 0"

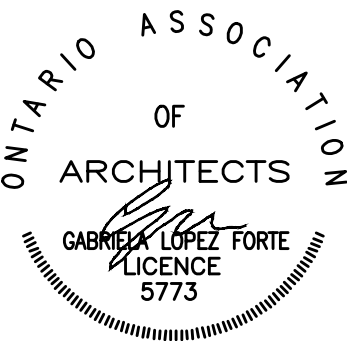


## General Notes

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ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

NO.	ISSUE FOR ZONING	DATE
3	ISSUE FOR ZONING	JAN 2017
2	ISSUE FOR ZONING	DEC 2016
1	ISSUE FOR ZONING	OCT 2016
TO	ISSUED	DATE



MARKHAM HIGH TECH INC  
Architect

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PROJECT:

PROPOSED NEW  
SEMI-DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING:

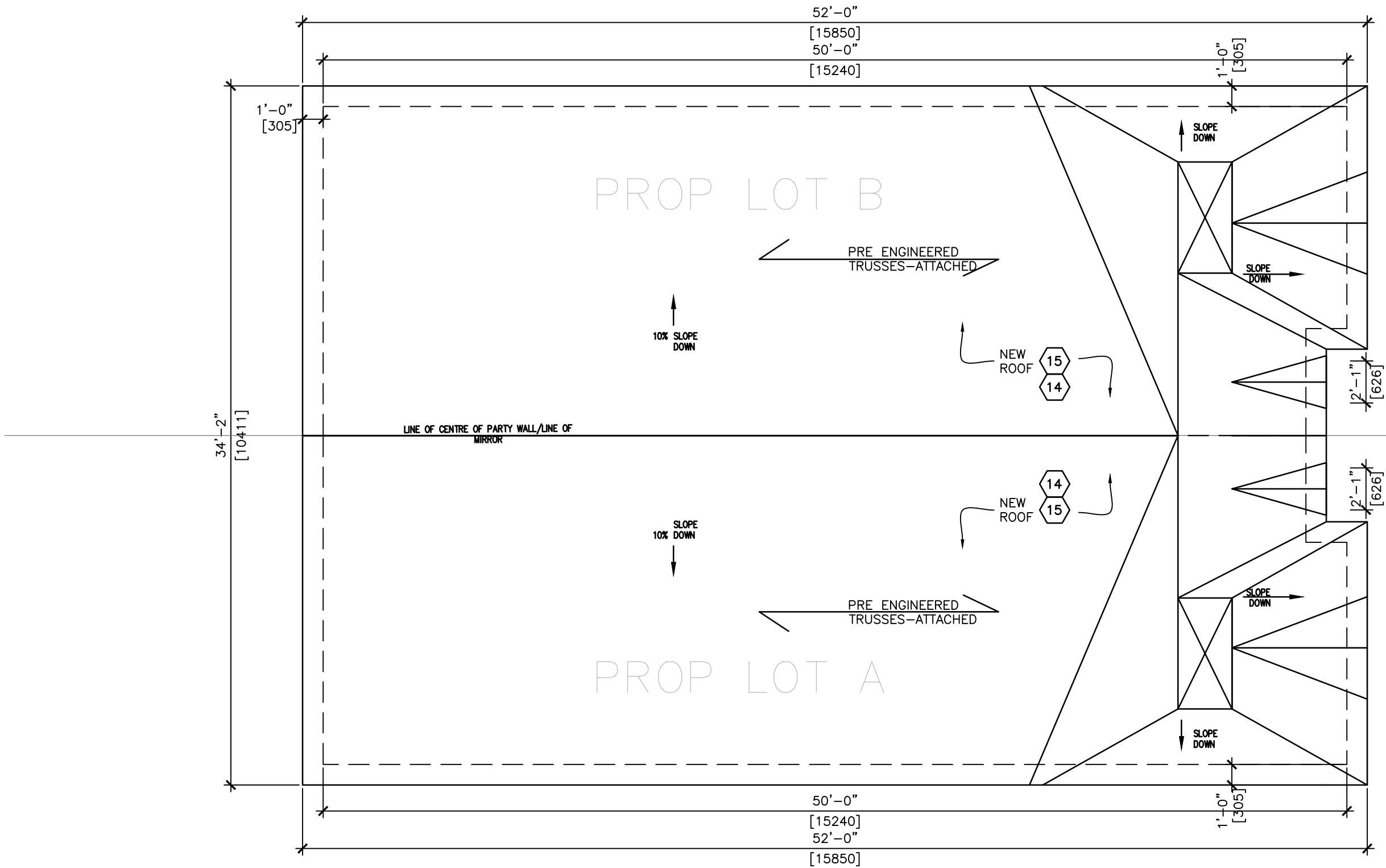
PROPOSED  
SECOND FLOOR PLAN

SCALE AS NOTED	DRAWN DATE OCT 2016
DESIGN BY	CHECKED BY
DRAWN BY	REVISION BY

CAD FILE LOCATION

PROJECT NO.	SHEET NO.	REVISION NO.
	A-3	3



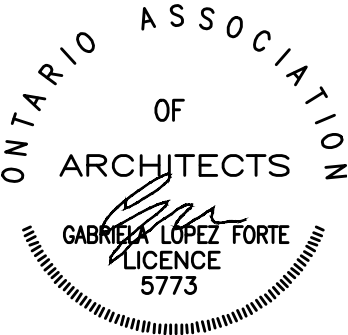


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TO	ISSUED	DATE



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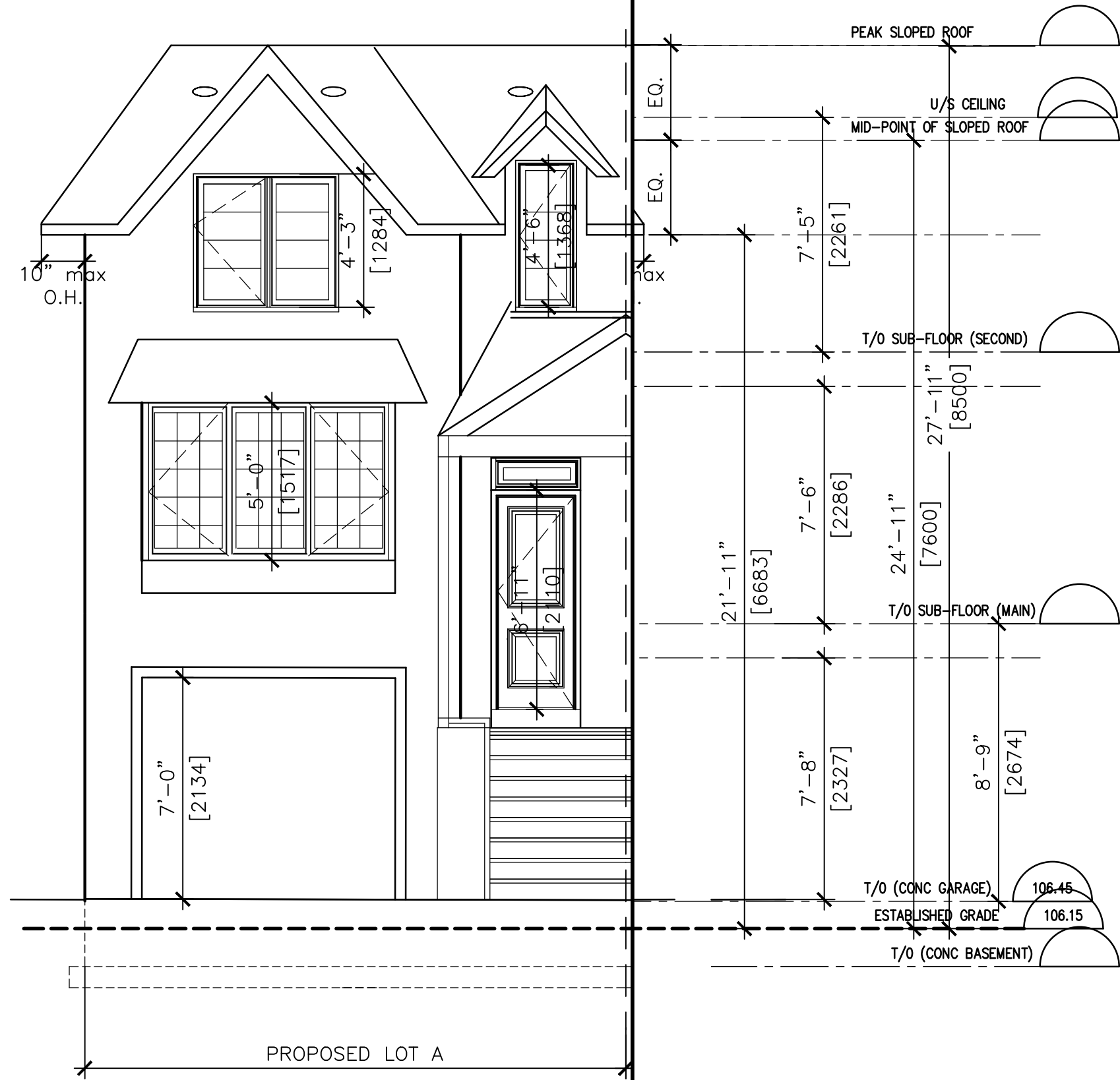
PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING:	
PROPOSED ROOF PLAN	
SCALE: 3/16"=1'-0"	DRAWN DATE: OCT 2016
DESIGN BY:	CHECKED BY:
DRAWN BY:	REVISIONS BY:

CAD FILE LOCATION:		
PROJECT NO.	SHEET NO.	REVISION NO.
	A-4	3



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TO	ISSUED	DATE



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Architect

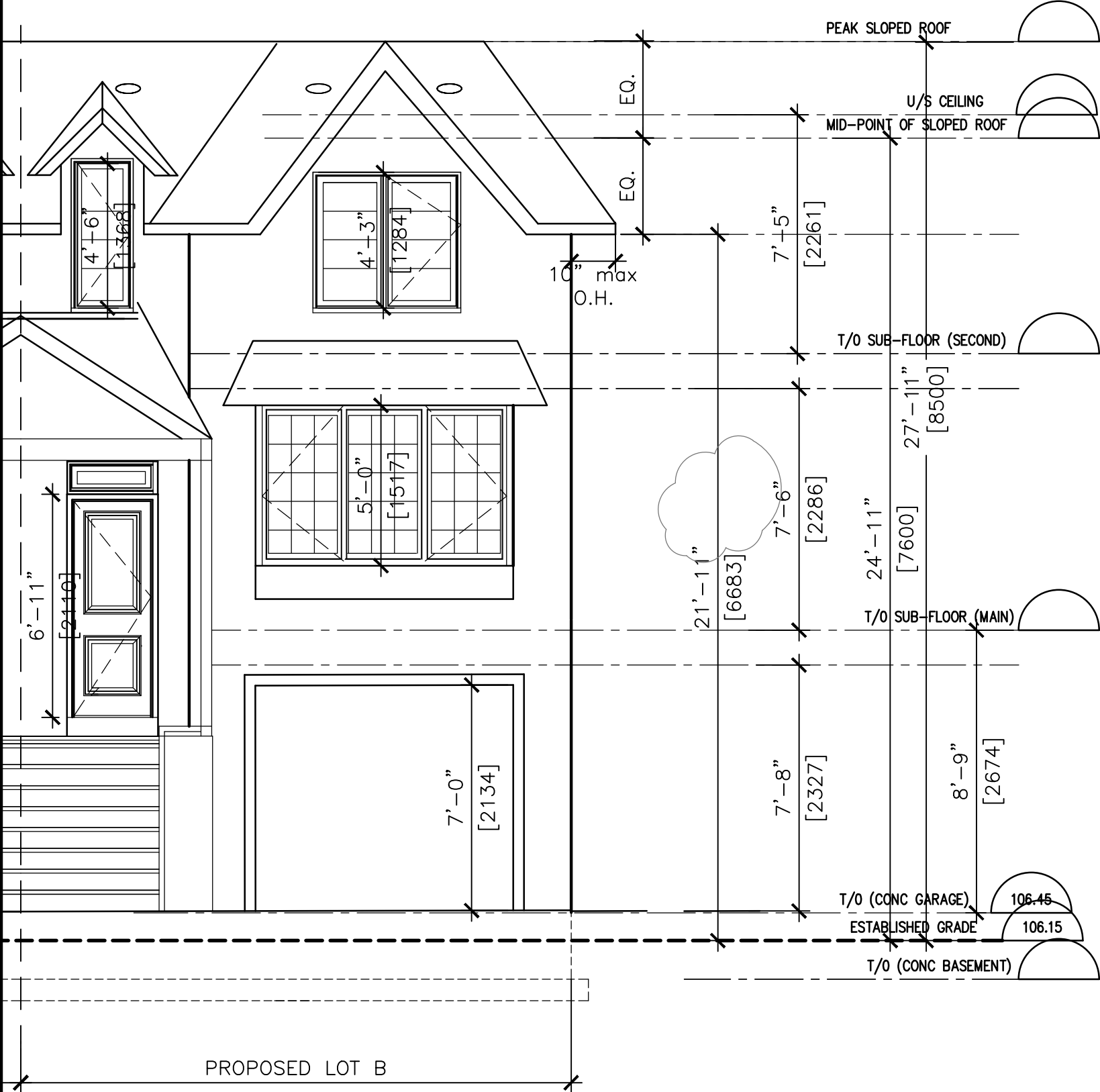
50 Peter St.  
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(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING: PROPOSED FRONT ELEVATION(SOUTH)		
SCALE: 1/8"=1'-0"	DRAWN DATE: OCT 2016	
DESIGN BY:	CHECKED BY:	
DRAWN BY:	REVISIONS BY:	
CAD FILE LOCATION:		
PROJECT NO.	SHEET NO. A-5a	REVISION NO. 3



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3	ISSUE FOR ZONING	JAN 2017
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TO	ISSUED	DATE



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Architect

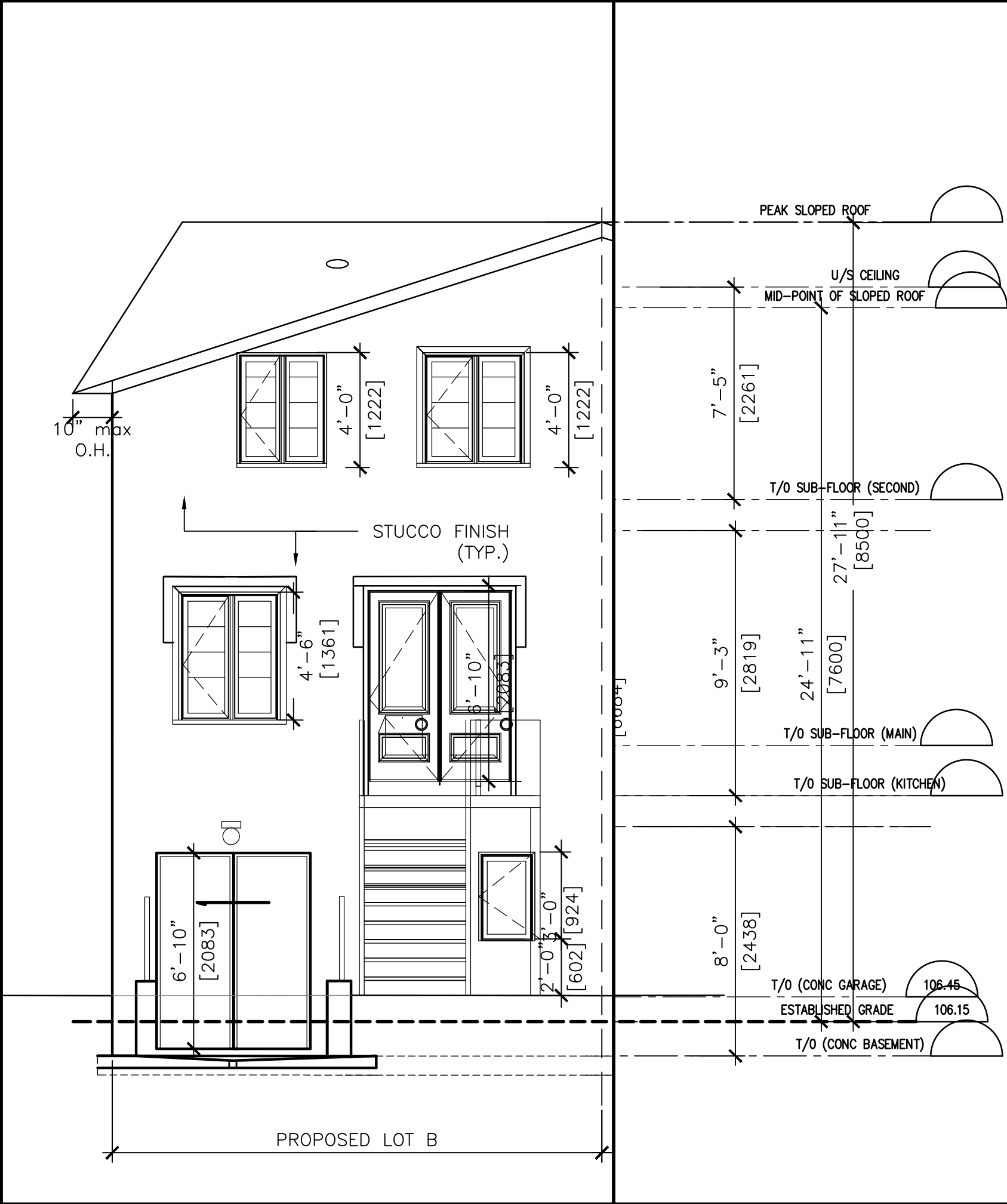
50 Peter St.  
Markham, Ontario  
L3P 2A6  
(905) 472-9802 - PHONE  
(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROPOSED		
FRONT ELEVATION(SOUTH)		
SCALE 1/8"=1'-0"		DRAWN DATE OCT 2016
DESIGN BY:		CHECKED BY:
DRAWN BY:		REVISIONS BY:
CAD FILE LOCATION		
PROJECT NO.	SHEET NO. A-5	REVISION NO. 3



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3	ISSUE FOR ZONING	JAN 2017
1	ISSUE FOR ZONING	OCT 2016
TO	ISSUED	DATE



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Architect

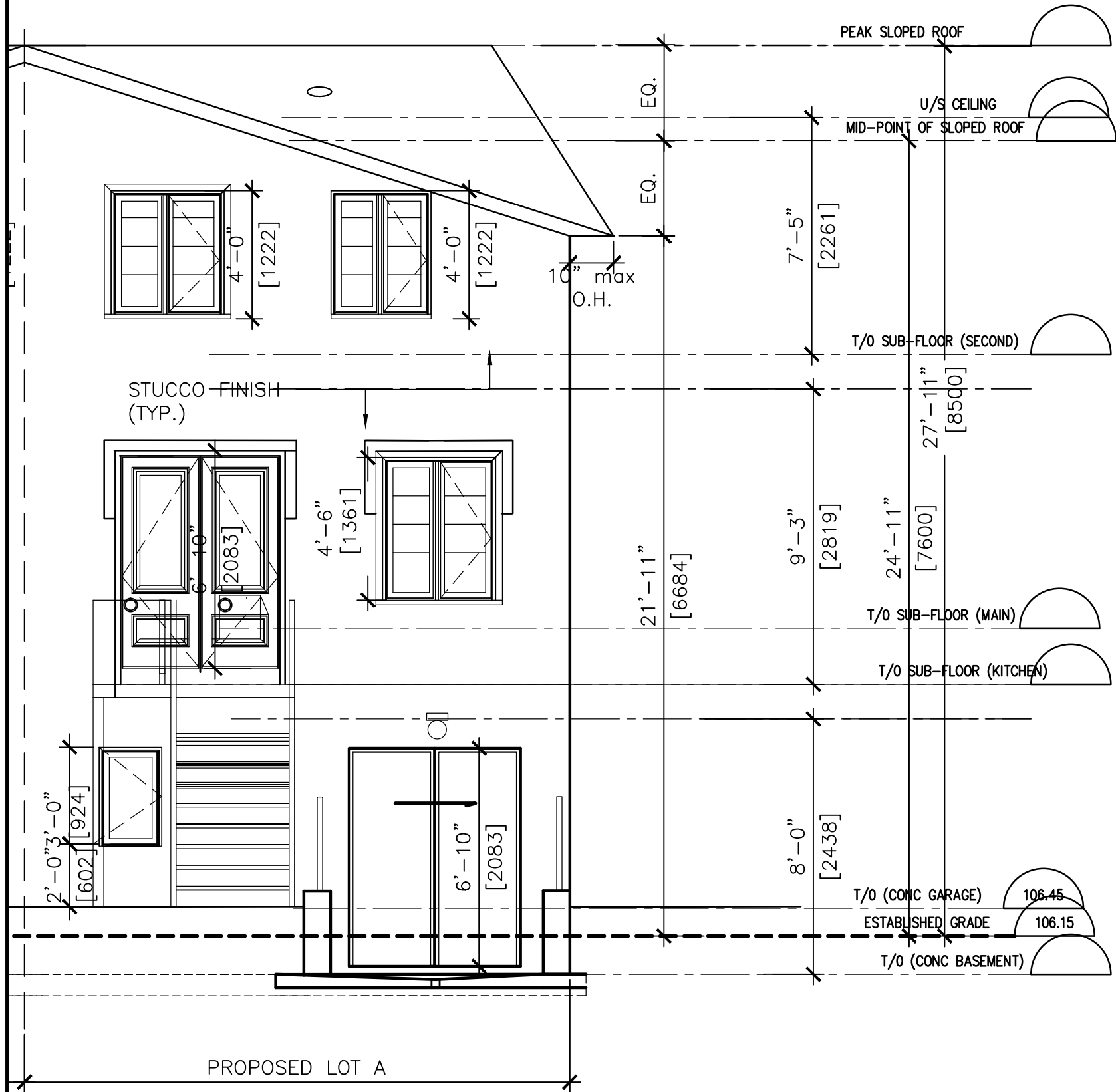
50 Peter St.  
Markham, Ontario  
L3P 2A6  
(905) 472-5802 - PHONE  
(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROPOSED REAR ELEVATION(NORTH)		
SCALE 1/8"=1'-0"	DRAWN DATE OCT 2016	
DESIGN BY:	CHECKED BY:	
DRAWN BY:	REVISIONS BY:	
CAD FILE LOCATION		
PROJECT NO.	SHEET NO. A-6	REVISION NO. 3



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3	ISSUE FOR ZONING	JAN 2017
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TO	ISSUED	DATE



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Architect

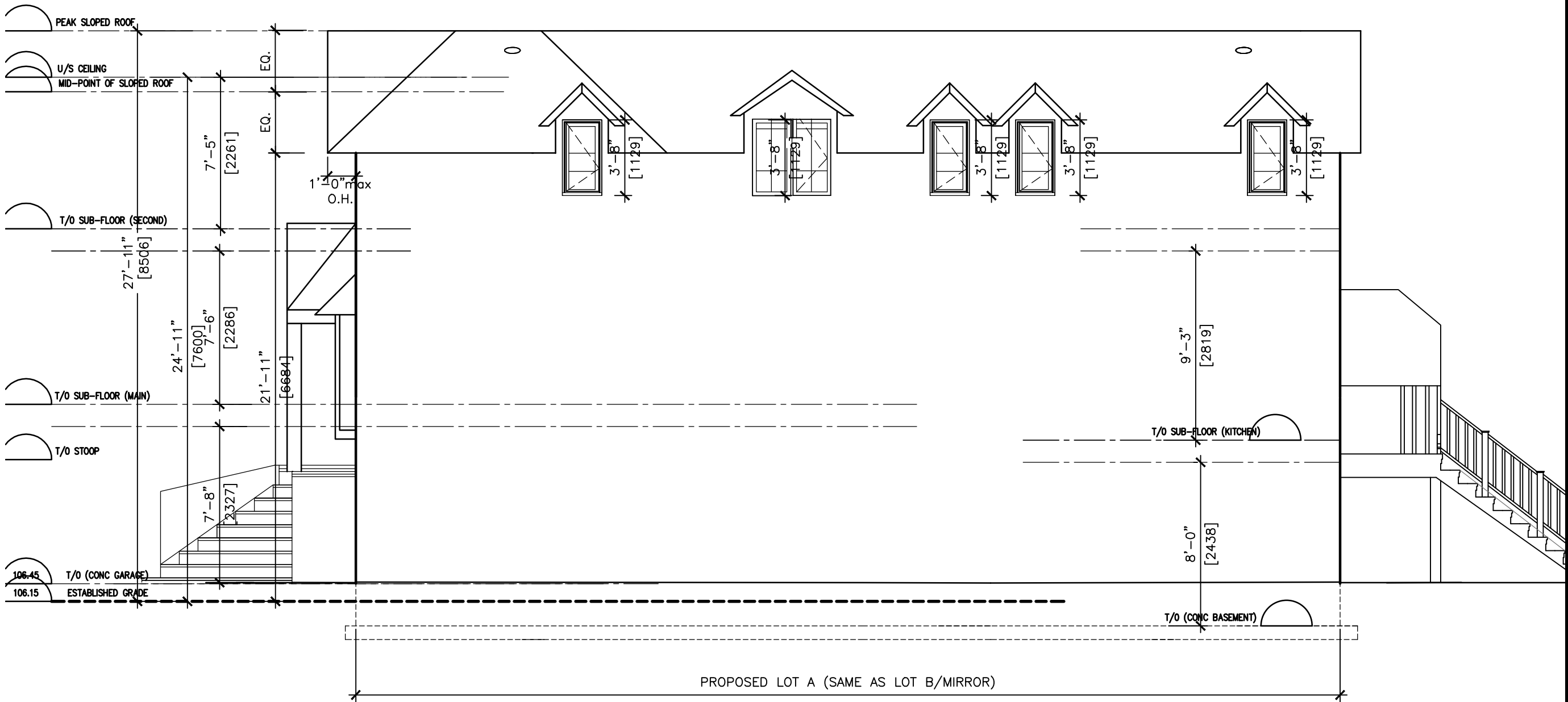
50 Peter St.  
Markham, Ontario  
L3P 2A6  
(905) 472-5802 - PHONE  
(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROPOSED REAR ELEVATION(NORTH)		
SCALE 1/8"=1'-0"	DRAWN DATE OCT 2016	
DRAWN BY:	CHECKED BY:	
DRAWN BY:	REVISIONS BY:	
CAD FILE LOCATION:		
PROJECT NO.	SHEET NO.	REVISION NO.
	A-6a	3



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3	ISSUE FOR ZONING	JAN 2017
2	ISSUE FOR ZONING	DEC 2016
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TO	ISSUED	DATE



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Architect

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(905) 471-1522 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROPOSED EAST ELEVATION (MIRROR)		
SCALE 3/16" = 1'-0"	DRAWN DATE OCT 2016	
DESIGN BY:	CHECKED BY:	
DRAWN BY:	REVISIONS BY:	
CAD FILE LOCATION		
PROJECT NO.	SHEET NO.	REVISION NO.
	A-7	3

Toronto Local Appeal Body

EXHIBIT # 4

Case File Number: 17 244467 S53 06 TLAB et al  
Property Address: 436 Valermo Dr  
Date Marked: March 13, 2018

General Notes

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TO	ISSUED	DATE



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Architect

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(905) 471-1523 - FAX

PROJECT:

PROPOSED NEW  
SEMI DETACHED HOUSE  
LOT A & LOT B

436 VALERMO DR  
TORONTO, ON

DRAWING		
PROPOSED WEST ELEVATION (MIRROR)		
SCALE 3/16" = 1'-0"	DRAWN DATE OCT 2016	
DESIGN BY:	CHECKED BY:	
DRAWN BY:	REVISIONS BY:	
CAD FILE LOCATION:		
PROJECT NO.	SHEET NO. A-7a	REVISION NO. 3

