

DECISION AND ORDER

Decision Issue Date Tuesday, May 15, 2018

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

Appellant(s): CITY OF TORONTO

Applicant: ATA ARCHITECTS INC, ATA ARCHITECTS INC

Property Address/Description: 9 THIRTY EIGHTH ST

Committee of Adjustment Case File Number: 16 113489 000 00 CO, 16 113498 000 00 MV, 16 113499 000 00 MV

TLAB Case File Number: **17 165404 S53 06 TLAB, 17 165406 S45 06 TLAB, 17 165408 S45 06 TLAB**

Hearing date: Monday, April 16, 2018

DECISION DELIVERED BY G. Burton

APPEARANCES

Name	Role	Representative
ATA Architects Inc	Applicant	
City of Toronto	Appellant	Cigdem Iltan Laura Bisset
Roobuilt Ltd	Party/Owner	Bruce Ketcheson
Ronald Gordon Jamieson	Appellant	
David Huynh	Expert Witness	
Travis Skelton	Expert Witness	

Name	Role	Representative
Max Dida	Expert Witness	
David Godley	Participant	
Carolyn Glenn	Participant	
Jane Addis	Participant	

INTRODUCTION

This is an appeal by the City of Toronto from decisions of the Committee of Adjustment (COA) dated May 4, 2017 that approved a severance of this lot at number 9 on the east side of Thirty Eighth Street in the Long Branch area, together with related variances for the construction of single two-storey dwellings on the severed lots. The existing bungalow would be demolished.

The property is in an area designated as Neighbourhoods in the City of Toronto Official Plan (OP), and is zoned Residential Single-Family (RS) under the Etobicoke Zoning Code Chapter 330-23 (the Old By-law), and Residential Detached (RD) under City-wide Zoning By-law No. 569-2013 (the New By-law, not yet fully in force). Variances must be sought from both By-laws.

BACKGROUND

Before the COA hearing, an earlier proposal for three-storey homes on the severed lots had been reworked to address the City Planning Staff's concerns. This resulted in greatly reduced density and (possibly) other reductions to the variances. Planning staff then recommended a deferral of the application, to enable discussion as to preservation of the three large healthy trees at the front of the property.

The application came back before the COA with reductions in side yard setbacks and heights of the dwellings. However, Planning and Urban Forestry Staff continued to oppose the lot sizes and frontages, and removal of the three trees, as contrary to the Official Plan policies as applied to this area of Long Branch. Notwithstanding this opposition and some from the neighbours, the COA approved the severance and the variances.

The proposed lots would have a 7.62 metre frontage, while the applicable By-laws require lot widths of 12 metres; and a lot area of 304.11 sq. m (Part 1) and 306.6 sq. m. (Part 2), whereas 370 and 371 sq. m are required. Other variances requested under each Zoning By-law were for reduced floor space index and front and side yard

setbacks for the dwellings. They are to have an integral garage at grade, which does not require a variance. The height, depth, rear yard setback and landscaped open space standards are met.

On November 9, 2017, the applicant filed with TLAB with a revised Site Plan, showing driveways for access to the internal garages at the far sides of the proposed lots rather than closer to the centre of the present lot.

As with many proposed developments in this very desirable enclave of the City, the so-called "Village by the Lake", there was significant opposition to this proposal. This appeared to be concentrated on the reduced lot frontage and the loss of significant trees. Of the 19 persons notified of this Toronto Local Appeal Body (TLAB) hearing based on the COA records, one (Mr. Jamieson) became a party and three (Mr. Godley, Ms. Glenn and Ms. Addis) sought Participant status. The evidence required almost two full days to complete.

MATTERS IN ISSUE

There were two principal issues arising from the evidence: whether

- 1) the reduction in the lot size to half of the present width, and
- 2) the possible removal of very large, healthy trees,

would comply with the policies of the City's OP.

The three existing trees on the front of the lot appeared to be the main focus of the appellant City of Toronto. The more general questions as to whether the requested lot widths and size variances could be found to comply with provisions of the OP and the Zoning By-laws also had to be addressed.

JURISDICTION

On an appeal of a severance application, the TLAB must be satisfied that the relevant provisions on subsection 51(24) of the Act are satisfied. Subject to my editorial deletions of certain clauses for this matter (based on the evidence provided on each of them) the subsection reads:

"... regard shall 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 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;

- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan ...;
- (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 and flood control;
- (i) the adequacy of utilities and municipal services;...

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 this hearing *de novo*.

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’ or “GP”) 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 Applicant

The applicant’s case was put forward in the evidence of Mr. David Huynh, who was qualified as an expert land use planner with significant experience in similar applications in many areas of the City. In his opinion the severance and variances are compatible with the applicable planning documents, and as modest additions to this residential

area, have no unacceptable adverse impacts. He stressed the extremely varied nature of the area's lot patterns and structures, so that the proposed would be another illustration of the ongoing reinvestment in the area.

The variances requested are required in order to site two-storey dwellings of different designs (one flat roof, one peaked) but of almost identical density and size on the lots. The Site Plan has been revised for the driveways, but the redesign created no new variances. The variances approved by the COA and now sought in the appeal are:

PART 1:

1. Section 10.20.30.20.(1)(A), By-law 569-2013 & Section 330-23.A.(2)

The minimum required lot frontage is 12 m.

The lot frontage will be 7.62 m.

2. Section 10.20.30.10.(1)(A), By-law 569-2013

The minimum required lot area is 370 sq. m.

Section 330-23.A.(1)

The minimum required lot area is 371 sq. m.

Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 330-23.A.(1)

The lot area will be 304.11 sq. m.

3. Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 330-23.A.(9)

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).

The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 10.20.40.70.(1), By-law 569-2013 & Section 330-23.A.(6)

The minimum required front yard setback is 14.36 m.

The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 10.20.40.70.(3)(c), By-law 569-2013

The minimum required side yard setback is 1.2 m.

Section 330-23.A.(7)

The minimum required side yard setback is 0.9 m.

Section 10.20.40.70.(3)(c), By-law 569-2013 & Section 330-23.A.(7)

The proposed dwelling will be located 0.6 m from the south side lot line.

PART 2:

1. Section 10.20.30.20.(1)(A), By-law 569-2013 & Section 330-23.A.(2)

The minimum required lot frontage is 12 m.

The lot frontage will be 7.62 m.

2. Section 10.20.30.10.(1)(A), By-law 569-2013

The minimum required lot area is 370 sq. m.

Section 330-23.A.(1)

The minimum required lot area is 371 sq. m.

Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 330-23.A.(1)

The lot area will be 304.11 sq. m.

3. Section 10.20.40.40.(1)(A), By-law 569-2013 & Section 330-23.A.(9)

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).

The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 10.20.40.70.(1), By-law 569-2013 & Section 330-23.A.(6)

The minimum required front yard setback is 14.36 m.

The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 10.20.40.70.(3)(c), By-law 569-2013

The minimum required side yard setback is 1.2 m.

Section 330-23.A.(7)

The minimum required side yard setback is 0.9 m.

Section 10.20.40.70.(3)(c), By-law 569-2013 & Section 330-23.A.(7)

The proposed dwelling will be located 0.6 m from the north side lot line.

Mr. Huynh identified the relevant similarities and differences in the two applicable By-laws for this site. They have quite similar permitted land uses, lot frontage and maximum density, as the 2013 By-law merely continued many of the Etobicoke Zoning Code standards for this area. However, the New By-law differs slightly respecting lot area (a minimum of 370 sq. m v. 371) and side yard setback (minimum of 1.2 m rather than 0.9 m).

Mr. Huynh described the neighbourhood he chose for his study area as slightly smaller than one bounded by Lakeshore Boulevard West, Long Branch Avenue, Etobicoke Creek and the eastern boundary between Toronto and Mississauga – a “walkable” area. There is significant public transit within walking distance. Dwellings are almost all detached or semis, ranging from a cottage feel and vintage (1920s to 1950s) to more modern rebuilds. They are clearly varied in lot frontages, depth, areas, heights, roof styles and types, and side yard setbacks. Older bungalows are found on each side of the present property, at number 5 and number 11, and there are many more along the block and on nearby blocks. There are also examples of modern rebuilds, in this block at numbers 10, 40 and 40A (so-called “soldier home” designs here, having the appearance of three storeys— see below), number 29 (a large two storey home, seemingly lot line to lot line, with a two-car garage), and at numbers 50 and 52 to the north. There are large trees at 17, 15, 11 and 5 as well as on the subject property. He concluded that because of the diversity, there is no defining character of the 38th Street area. There are generally quite wide side yard setbacks where the homes are older, permitting vegetation to thrive. For new builds the side yards are often very narrow.

There was a conscious effort made to keep the proposed homes as close to grade as possible so they would fit within the neighbourhood context. The proposal for Part 1 to the north is for a two-storey home with a peaked roof, only 8.9 m high and so within the height limit, and an integral garage. The frontage would be 7.62 m, and the lot area 304.11 sq. m. The frontage and area do not meet the zoning standards and require variances, as do the front and side yard setbacks and the Gross Floor Area/Floor Space Index (GFA/FSI). Part 2 to the south would have a flat roof at 7.06 m in height, also requiring no variance.

The front yard setbacks for both would be 11.06 m, while the required number for this parcel is 14.36 m. This very large setback requirement results from the By-law taking this measurement from the average of the two adjacent properties. The neighbouring cottage at number 5 is set back so far that it creates an artificially large setback for the new homes. Mr. Huynh later pointed out that the new buildings would be set back even further than the neighbouring bungalow to the north at number 11, so the streetscape is not affected. Exterior side yard setbacks for both homes (1.8 m) are within the By-laws, but the interior setbacks require variances at .6 m (rather than 1.2 or .9 m). The walls next to each other will be windowless.

Respecting the planning requirements that must be satisfied, Mr. Huynh referred to the PPS and the Growth Plan. Under section 1.1.3.1 of the PPS he found that this could be said to be a settlement area as described, wherein opportunities for intensification and renewal are encouraged, and the goal of a range and mix of housing would be met. Section 1.2.1 of the Growth Plan sets out the principle of a complete community with a range and mix of housing densities, and this policy is also satisfied. "Strategic growth areas" encourage intensification at nodes and corridors as identified by the municipality or the province. This is a fitting example of such intensification, where required infrastructure exists, especially public transit.

He also found compliance with the applicable OP Neighbourhood policies. By Chapter 2.3's commentary, Neighbourhoods are to be stable but not static, so that physical changes respect and reinforce the surrounding area. In his opinion this new development meets this policy, as there are similar developments on this and other streets. Exterior design elements reflect the architectural character nearby. He concluded that the development criteria as required in Chapter 5 are largely respected as the proposed structures and setbacks are compatible with the emerging and planned built form of the area.

The requirement in Policy 3.1.2 to preserve mature trees and to incorporate them into landscaping designs is addressed by the proposal to retain the street tree on the City boulevard, and one of the others on the lot as proposed. Chapter 3.4, The Natural Environment, deals with protection of the urban canopy in 3.4.1 d):

- d) preserving and enhancing the urban forest by:
 - i. providing suitable growing environments for trees;

- ii. increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and
- iii. regulating the injury and destruction of trees;

OP Amendment 320, although passed by Council, is under appeal and so not yet in force. It would include in the analysis of a development proposal the “prevailing” designs nearby. This amendment has been considered in his analysis, although it did not govern. Nor do the Long Branch Design Guidelines, as they are only a tool to create designs that respect the neighbourhood character.

Mr. Huynh pointed out that the Etobicoke Zoning Code generally reflects what was already built at the time of its adoption. The New By-law mainly continues the existing zoning categories. The RS zoning in the old By-law permits 10.5 m height, 12 m frontage, 371 sq. m in area, and 0.35 FSI. The New By-law retained most measurements, altering (in general) only a 9.5 m height and a 1.2 m side yard setback, and for the front yard setback as mentioned, the average of those of the two abutting lots. The proposed dwellings would generally conform with the “envelopes” created in the zoning by-laws, creating compatible character and feel in the neighbourhood.

In his analysis, the consent conforms to the criteria set out in subsection 51(24) of the Act. It had appropriate regard for applicable clauses:

- (a) the effect of development of the proposed ..on matters of provincial interest - in that it is an appropriate location of growth and development, it allows for the orderly development of safe and healthy communities, and provides for a full range of housing.
- (b) whether the proposed subdivision is premature or in the public interest. The severance will reinforce the physical character of the neighbourhood. The site is located in proximity to transit services and is considered within a “strategic growth area”.
- (c) whether the plan conforms to the official plan.....The proposal conforms to the Official Plan policies. In particular, the new lots would preserve and reinforce the existing lot configurations in the area in accordance with Policy 4.1.5(b) of the Official Plan (size and configuration of lots).
- (d) the suitability of the land for the purposes for which it is to be subdivided. The lots are suitable for residential uses and are consistent with the pattern of other nearby lots in the area.
- (f) the dimensions and shapes of the proposed lots. In his opinion the proposed frontages and areas are within the ranges of those existing and approved in the area, as seen in his lot study (Exhibit 4).
- (j) the adequacy of school sites. There is capacity at the schools in the area.

While he did not identify (i) the adequacy of utilities and municipal services, as applicable to this assessment, he did say that public transportation was plentiful in this area close to Lake Shore Boulevard.

The boundaries of his lot study (in Exhibit 4) can be seen following the photos. They include two areas of lots that are in differing zoning categories than the present, west of 40th Street and east of 36th St. These are zoned RM in the New By-law. While there is higher density and smaller lot sizes in these segments, he included them as they would be accessible when on a normal short walk in the subject area. He testified that a smaller study area would not consider both the historical and planned context, given the eclectic lot patterns now present, as well as the built form character. There are no obvious barriers, he said, where the zoning categories changed. There is significant variation in lot frontages in the area, including those granted in recent decisions. Of 643 lots in his study area, 258 have less than 12 m frontage – including many that are historical lots. 209 lots are less than 371 sq. m. in area, with 103 of equal or less than the requested. The proposed lots and structures could coexist well within the neighbourhood, where there is no consistent character and feel.

Mr. Huynh addressed the severance and variances in this context, concluding that they are compatible with the OP and the zoning by-laws as required. They also meet the general intent and purpose of the zoning by-laws. 60% of the lots in the area are wider than the proposed, but this severance would not alter this figure significantly. Many lot areas are less than the By-law requirement (about 205) and recent approvals have allowed greater than the 0.56 of lot area requested here. The front yard setback is only a technical variance because of the existing large setback of # 5. As mentioned, the new homes would be located further back than the existing home at # 11. The streetscape would be well preserved. The interior side yard setback would have no adverse impact as the side walls have no windows, and sunlight could still penetrate.

The test of desirability in subsection 45(1) is also met, in his opinion. The two dwellings would be a positive contribution to the housing stock and fit well on the lots, with adequate open spaces and garage space.

The test of minor is satisfied as the proposal is similar to others in the area, and would have no adverse impact on the neighbourhood character. The new homes would be largely within the permitted zoning envelopes, with no height variances, and appropriate transitions to adjacent lots. There is such inconsistent spacing now on the street and in the area that these lots are appropriate.

Mr. Huynh rejected the suggestion by City Planning staff in its memo of April 27, 2017 to the COA that the home on Lot 2, the southerly lot, have a greater front yard setback than the Lot 1 home. Staff were of the opinion that this would address the significant setback of the home at # 5. In Mr. Huynh's view, this would not assist the streetscape as claimed, and would merely create the need for a rear yard setback for this home, which is not now required. He would accept the other conditions sought by City staff: revised site plans, application for permits to remove private trees, Development Engineering, standard consent conditions, and construction in substantial compliance

with the new plans (Exhibit 4, pp. 7 to 10, and filed in detail in the Applicant's Disclosure, Form 3, on December 7, 2017.)

In the City's cross examination, his evidence on the appropriate areas for intensification under the PPS and Growth Plan was challenged. These had not been addressed in his witness statement, it was stated. His conclusions that the subject land is within a "strategic growth area" was based only on the availability of transit, and his contention that it is within a "settlement area" under the Growth Plan could not be correct. These refer only to Centres or major transit stations, and are up to the City to determine. He remained of the view that the subject constitutes desired redevelopment and thus satisfies the goals of the provincial plans.

Respecting the appropriate "neighbourhood", he admitted that only 12% of the lots in his study area had frontages of 7.62 or less, and thus the most frequently occurring frontages exceed the requested. The descriptor of "most frequently occurring" in OPA 320 (not yet in force) would probably mean the majority, but it is not defined therein, and it is not just a numbers game when trying to assess the character of a neighbourhood. It was pointed out that over 200 lots in his study area had frontages between 15.2 and 18.3 m, but that this fact was not obvious in his general descriptor of "greater than 12 m", nor did he address the factor of how they were created. His inclusion of the RM zoning category in his area meant that he had included more existing smaller lots. He disagreed, saying that it would be the same percentage of frontage sizes no matter what the size of study area. He had no real response to the City's emphasis on the preservation of the mature trees at the front of the property, other than the fact that despite this OP focus, there is still a permit process for proposed tree injury or removal.

Mr. Huynh rejected the proposal that this severance would create a precedent for future applications, since these variances are not large, and owners are free to make applications at any time. Similar frontages and areas have been approved in recent decisions.

The appellant City

The City's expert planning evidence was provided by Mr. Travis Skelton, a well-qualified City Planner for the Etobicoke York District. He is of the opinion that the application does not conform to the provincial policies, the OP or the applicable zoning by-laws. His choice of study area (in Exhibit 11) is more limited than Mr. Huynh's; he would choose only those areas zoned RS and eliminate the RM zones that Mr. Huynh included. The RM zones contain denser uses, duplexes, 4-plexes and apartments, and a larger 11 m height is permitted in those zones. He also finds that there are more 25-foot lots in the western area that was included. He chose for his methodology to define the block, then expand outward to define the neighbourhood.

He found fewer and fewer narrow lots being created in this, the southeast section of his study area. There are many older lots at 25 feet (7.62 m.) in width, but in his opinion any

new severances at 7.62 m would deteriorate the character of the block and the neighbourhood. He acknowledged the severance and new homes at 40 and 40 A across the street. However, in his map showing the lotting fabric (in Exhibit 11), the eastern portion of his study area including 38th Street illustrates that wider lots are in the majority (see para. 22 and 23 of Exhibit 11). Only 19.4% have frontages less than 7.7 m, whereas about 50-60% are wider than the zoning standard. His other deductions: 17% are between 7.71 m and 11.99 m, just under 20% are between 12 m and 15.19 m, and 44% are wider than 15.2 m. The proposed 7.62 m frontages would not reflect the prevailing neighbourhood sizes. He concludes that the requested 7.62 m width is not the prevailing “character” within the block or the entire neighbourhood. A second Lot Study shows the number of lots within the study area that are compliant with the Zoning By-law standard (of 12 m).

The analysis and assessment cannot be just a numbers exercise, he opined, the character of the neighbourhood can only be seen when walking about. He described the neighbourhood in visual form by photos, in Ex. 11, B and C, as had Mr. Huynh. He pointed out that recent severances had created very narrow lots, with reduced side yards that did not permit much greenery. He also acknowledged the many lots on the street, even in this block, that measure only 7.62 or so, but emphasized that these were older lots of record.

These figures appear to coincide generally with Mr. Huynh’s chart (Ex. 5).

His conclusions on the severance:

Section 51(24) of the Planning Act outlines 12 criteria that are to be considered for the subdivision of land. The application fails to have regard to these criteria, particularly:
(c) whether the plan conforms to the Official Plan....; and
(f) the dimensions and shapes of the proposed lots.

The proposed consent application does not conform with the Official Plan's Neighbourhood policies, he opined, as the substandard lot frontage does not reflect the character of the area. The two proposed lots would not be in keeping with the existing physical character of the block, and this side of this block, which in his opinion is important in defining the “neighbourhood” for this application. The OP neighbourhood policies do not define it in this way, but it is important to consider the effect of the proposed frontage within the block here. The new frontage would not be in line with those on this side of the street. This is important because a key objective of the Official Plan is that new development will respect and reinforce the general physical patterns in a given neighbourhood. No changes will be made, it continues, through rezoning, minor variance or consent that are out of keeping with the physical character of the neighbourhood.

Respecting the location of new homes here, he testified that the OP has identified the Downtown, Employment Areas, Centres and Avenues as areas targeted for residential intensification. Neighbourhoods have not been identified as areas where significant

growth is to be expected, as physical changes to established Neighbourhoods should be sensitive, gradual and generally “fit” with the existing physical character.

In Mr. Skelton’s opinion, the proposal would not respect and reinforce the existing physical character of the neighbourhood, as the OP requires, because of the lot frontages and the front yard setbacks. It would affect the rhythm and character of the street. He had proposed to the COA an increased setback for Part 2, the southerly lot, to better address and preserve the streetscape (as number 5 is set back to a significant degree). This attempt at a resolution to retain the “rhythm” of this side of the street was not accepted as a condition in the COA’s approval. The introduction of large homes on lots with smaller frontages would be out of keeping with and would not respect or reinforce the existing character of this area, which is smaller homes on lots with larger frontages. He used the interesting analogy of black and white keys on the piano – the disparity in positioning is obvious.

The proposed injury or destruction of trees for the consent and driveway placement do not meet Policies 3.4.1(d) and 3.1.2.1(d) of the Official Plan, which direct new development to preserve mature trees and the urban forest.

He was also of the opinion that the minor variances for lot frontage and front yard setback do not meet the intent of the Official Plan and Zoning By-laws. These variances are not minor in nature, not desirable and would not maintain the existing physical character of the neighbourhood. They therefore fail the four tests of Section 45(1) of the Planning Act.

The City addressed the issues concerning the trees on the subject property by the evidence of Dr. Max Dida, Supervisor, Tree Protection and Plan Review - West District, Urban Forestry (UF). He also provided a very helpful Photo Book, Exhibits 9A and 9B. In its original “standard” memo to the COA dated April 27, 2017, UF had recommended that if it approved the application, the COA should impose two of the standard conditions of approval;

3) Where there are no existing street trees, the owner shall provide payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application....

4) Request deferral of application to fully address impacts to the health of tree(s) or objection to the variance through a stand-alone memo; however, if the application proceeds any approval shall be subject to conditions.

However, by memo of the very same date, Dr. Dida commented specifically on this application, requesting that the COA defer consideration of it. This would permit discussion about the healthy trees on the parcel, especially the City-owned white ash tree, measuring 69 cm in diameter, located on the City boulevard. The memo stated that because this tree is healthy and in good condition structurally and botanically, it is a valuable part of the Urban Forest. It referred to the OP policy respecting tree protection:

Section 3.4: The Natural Environment - Policies

1. To support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly, based on:

- d) preserving and enhancing the urban forest by:
 - i) providing suitable growing environments for trees;
 - ii) increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and
 - iii) regulating the injury and destruction of trees.

Policies 3.4.1(d), and 3.1.2.1(d) of the Official Plan direct new development to preserve mature trees and the urban forest. The latter clause requires new development “to improve the safety, pedestrian interest and casual views to these spaces from the development by: generally locating buildings parallel to the street...with a consistent front yard setback. [On corner sites there is also focus on “preserving existing mature trees wherever possible and incorporating them into landscaping designs.” The subject site however is not a corner site.]

The specific UF memo of April 27 advised that If the COA approved the requested variances, UF would not issue a removal/injury permit for the City-owned tree. Any tree, City or private, of over 30 cm in diameter at 1.4 m above ground requires a permit to be removed or injured, it informed the COA. The application to remove/injure trees would follow the usual process and be referred to City Council for a decision. An application to injure or remove the City tree, and other applications under the Tree By-law would be required before this Council process would commence, as governed by Toronto Municipal Code Chapter 813, Article II (Exhibit 8).

Upon examination of this site, Dr. Dida’s staff had determined that there were significant concerns respecting conservation of the existing trees. In the TLAB hearing he described these mature trees - the City white ash in the boulevard, 2 silver maples in the front yard, and several trees in the rear. The trees in the front are all botanically and structurally healthy. Their continued presence would provide future benefits, such as flood and erosion control, shading, and vistas. Replacement trees would require 50 years to achieve the same height and environmental benefits, which are in direct proportion to the leaf area. Normal replacement requirements are three to one, or cash in lieu. In this case it would be 6 to 1, and 3 times the cash in lieu, due to their size. He offered Exhibit 7, “Every Tree Counts”, a Report of UF and a Toronto policy, which supports his evidence on preservation of healthy large trees. Only 14 % of trees in the City are larger than 30 cm as is this City tree, and these large trees provide 56% of all environmental benefits. Large trees intercept 10 times the air pollution as small trees. The suggested replacement trees here, of 50mm, would take 40 or 50 years to produce similar benefits to those existing on the lot now.

The applicant then requested a Tree Protection Plan (TPP) to be prepared by a professional arborist. Although the arborist’s expert report was used in the TLAB

hearing for illustrative purposes, he was unavailable to testify at the hearing. Parties nonetheless referred to the diagram attached as page 8 of the arborist report filed with TLAB on December 7, 2017. The City-owned tree is therein identified as # 925, seen in the boulevard. The silver maples are numbers 926, located at about the centre of the present lot (and almost on the property line if the lot is severed), and 927, located to the south of 926 on proposed Lot 2. The other trees identified are all in the rear, and one is in Ms. Glenn's rear yard to the north. Dr. Dida evaluated trees 926 and 927, the silver maples, as healthy and viable, and having space to grow.

Dr. Dida testified that the applicant did apply for a permit as recommended in the UF Report, to remove the two "private" trees that would be in conflict with the proposed severance and driveway designs. He stated that these trees had been listed before on the City's inventory as City-owned trees. He requested a survey from the applicant to illustrate that they were on private land. However, when trees 926 and 927 were measured by UF on April 11, 2018, it was found that the trunks of both were more than 50% on private property. Thus they were recategorized as private trees. Mr. Ketcheson objected to this fact being disclosed only after Dr. Dida's witness statement, but he responded that the owner's application for removal of 2 so-called "private" trees was made after the date of filing of his statement. He testified that the City's confirmation that the two trees 926 and 927 are on private land in fact helps the applicant, as its application for approval to remove "private" trees does not have to change.

Dr. Dida clarified the permit process as it relates to application approvals, saying that if the trees are private, UF itself would issue a permit to remove (should it approve it), with a condition for replacement. If City-owned, UF would likely deny their removal, even if the severance and variance applications were approved by TLAB. Approval for removal or injury of City trees would have to be granted by Council. The criteria Council uses for permits for injury or removal of these trees are the condition of the tree, and its location (distance from construction). Very similar factors are used for private trees. He tendered the relevant regulations in the Tree Protection By-law as Exhibit 8 - Toronto Municipal Code, Ch. 813, Article II – Trees on City Streets, and Article III – Private Tree Protection. The permit process allows the City and UF to retain control over preservation of the urban forest.

Dr. Dida stated that the City-owned boulevard tree, 925, would require a permit to injure, but that this potential injury would be in his opinion within an acceptable limit. However, the proposed development conflicted with trees 926 and 927. In paragraph 12 of Appendix 2 of his Witness Statement of January 8, 2018 (Ex. 6), he explained:

"According to the [applicant's] tree protection plan TPP-1 dated November 10, 2017, it appears that the tree # 926 is impacted by the widening of the existing driveway and new curb cut on the PART I (HOUSE A). Urban Forestry recommends retention of this tree and that the applicant should submit a detailed tree protection plan for this tree and the [City] Ash tree." Further, at para. 18: "Urban Forestry has received an application to remove the two City-owned Silver Maple trees. The applicant ha[s] been advised that

Urban Forestry recommends retention of tree # 926 - Silver Maple tree, and recommends applying to injure the tree instead of removal. A detailed tree protection plan for the Silver Maple and Ash trees is required.”

When questioned by Mr. Ketcheson as to whether it was possible to do any construction on the site without impacting the private trees 926 and 927, Dr. Dida stated that, considering the revised site plan with driveways to the sides of the lots, it may indeed be possible to retain tree 926 (currently at the centre of the present lot). He reiterated that different considerations applied to the two (now identified) private silver maples. Tree 927 would have to be removed, as the driveway for Part 2 to the south is in direct conflict with it. Retention of City tree 925 might provide some of the environmental benefits he cited. However, he recommends against the severance, in favour of building a new single dwelling and retaining the existing driveway. UF’s mandate under the Guidelines in the “Every Tree Counts” is to preserve the urban canopy, and this Guideline is reinforced by the policies in section 3.4 of the OP.

Dr. Dida’s initial conclusion was that the minor variance and consent applications will require injury of the 69 cm City-owned Ash tree and destruction of two City-owned Silver Maple trees. Urban Forestry does not support removal of the City tree according to the City of Toronto Municipal Code Chapter 813-8 review criteria for by-law-protected, City-owned trees. Approval of any application to injure a tree is based upon Urban Forestry’s assessment that the injury cannot reasonably be avoided, and that the tree will withstand the injury and continue to survive well. He still recommended refusal of the applications. He did agree with Mr. Ketcheson that if the plans were revised to retain the current driveway to provide access to Lot 1 to the north, the central private tree, # 926, might be saved.

Mr. Ron Jamieson was a party to this appeal. He resides at 10 Thirty Eighth St., across from the subject property. He asked questions of Dr. Dida, even though similar in interest, based on his fears of potential groundwater loss, or flooding, possibly resulting from the loss of these trees. He also feared loss of shading and animal habitat. Dr. Dida confirmed that all of these effects might occur. If the lot was severed, side yards would be reduced as well, with less opportunity to grow trees. Deadwood mentioned in the arborist’s report could be pruned every few years, and the trees survive well as long as deadwood forms less than 10% of the tree.

Mr. David Godley was permitted to provide his testimony in advance of even the applicant, because of time pressures. He was assured that the TLAB panel had read and would consider all of his prefiled evidence, which was extensive. His opposition to this proposal was based on it being inappropriate in size, and in urban design. He pointed out the emphasis placed on the design component in the Toronto Official Plan in section 3.1. The explanatory portion of this section states, in part:

“Good urban design is not just an aesthetic overlay, but an essential ingredient of city-building. Good urban design is good business and good social policy.”

Section 3.1.2.3 says:

1. New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by: massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
2. incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
3. creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
4. providing for adequate light and privacy;

In Mr. Godley's opinion, this most distinctive area of Long Branch is singularly uniform, and should remain so - with single dwellings of two storeys, low density, generous side yard setbacks, and heavy tree canopy. He quarrels with the planners' creation of a "study area" of more than the subject block. Council recently (January 2018) adopted Long Branch Character Guidelines, and these should be the characteristics used to evaluate whether a proposal fits within a neighbourhood, rather than any wider area of comparison. "Properties that cannot be seen do not count", he stated. He called Urban Design the "third dimension" which should be a factor in development evaluations. It is not architectural control. The two neighbouring properties are critical to the evaluation, then the micro-neighbourhood, then the block, then the neighbourhood as a whole. Larger areas give no valid guidance, and are the source of major errors in development approvals for the Long Branch area in the past (examples are the "soldier houses – high and narrow). Residents' views should be given greater weight than those of "development planners".

In response to Mr. Ketcheson's questions, Mr. Godley replied that he had never supported a development proposal in the 15 or 20 hearings he had attended. However, he had not opposed the so-called "soldier homes" now being constructed at number 40 38th across the street, as he did not receive notice of the application. It was not appealed, by him or others. He acknowledged that the present proposal would be for only two-storey and not three-storey homes (and are therefore not "soldier houses".) Although homes at # 40 are now part of the block, which do have that appearance, they equate in Mr. Godley's view to an undesirable "auto body shop". If severances resulted in dwellings that respected the Long Branch Design Guidelines, he would not oppose them. He agreed that the present application predated the Guidelines, and that they were not mentioned in either the OP or the present zoning standards, which are current.

Ms. Carolyn Glenn provided evidence of her opposition to the application by way of a hard copy presentation, which she was advised to email to the TLAB in digital format as the Rules require. She lives in number 11, next door to the north. It is her "first and forever home", built in 1929. She objects to the severance creating lots half of the present size, and especially to the interruption in her view by what she sees as a wall.

The possible destruction of century-old trees, and creation of storm water problems are real issues for her. She also sees a reduction in property value, and loss of privacy for her pool because of the proposed rear balconies. Parking on the street will increase, causing snowplows even more difficulty. She fears inevitable damage to the trees in the front with any construction, especially to the largest one of almost 70 cm in diameter. She needs no air conditioning because of the trees. She cited provisions of the City report Every Tree Counts (Exhibit 7) about the importance of large trees in the canopy as part of the urban forest coverage. She also described the surroundings on the street, saying she would not object if one home was built on the site, or a proposal that would meet the existing zoning.

Ms. Jane Addis also objected to the proposal. She resides at 10 38th Street, across from the proposed. Her main objection is to the loss of mature healthy trees, with the attendant benefits as outlined by others. She opposes the lot sizes as they would constitute a precedent, and the variances as they are too large. Her study area resembles Mr. Skelton's in extent, she looked only at the RS zoned streets. She found that wider lots prevailed by a large margin – 54% were greater than 40 feet, and of these 76% were created earlier than 1950. She stated that intensification should not be achieved by severances, and that it should occur only on major streets. She relied on OPA 320 respecting what "prevails", first for the closest properties, then the rest of the block, then the neighbourhood. The proposed FSI was greater than the average; she put it at 107 % greater than the average on the block. This constituted too great a variance on the test in *DeGasperis v. Toronto (City) Committee of Adjustment*, 2005 CarswellOnt 2913, [2005] O.J. No. 2890, 12 M.P.L.R. (4th) 1, 256 D.L.R. (4th) 566, 51 O.M.B.R. 1. The Court stated there:

"12 . A minor variance is, according to the definition of "minor" given in the Concise Oxford Dictionary, one that is "lesser or comparatively small in size or importance". This definition is similar to what is given in many other authoritative dictionaries and is also how the word, in my experience, is used in common parlance. It follows that a variance can be more than a minor variance for two reasons, namely, that it is too large to be considered minor or that it is too important to be considered minor. The likely impact of a variance is often considered to be the only factor which determines whether or not it qualifies as minor but, in my view, such an approach incorrectly overlooks the first factor, size. Impact is an important factor but it is not the only factor. A variance can, in certain circumstances, be patently too large to qualify as minor even if it likely will have no impact whatsoever on anyone or anything. This can occur, for example, with respect to the first building on a property in a new development or in a remote area far from any other occupied properties."

This is simply too large an increase, Ms. Addis testified. She raised the example of 38 38th Street, where a severance of a 50-foot lot was refused by the OMB as inconsistent with the neighbourhood character; and 38 36th Street, where the TLAB Chair recently refused a similar severance.

ANALYSIS, FINDINGS, REASONS

I find that this application for severance and variances is an anomaly in several respects. First, it differs from others such as the recent 38 36th Street decision in that an experienced COA panel approved it originally, finding compliance with the OP and variance standards. Obviously this is not a deciding factor in this hearing *de novo*. The TLAB must make the determination whether the severance and variances meet the tests in the Neighbourhood policies in the OP, and other applicable policies.

But how large is the neighbourhood for this application? And therefore, how large should the study area be? According to Mr. Godley and others, the neighbourhood would seem to be the very block on which the subject property is located. Mr. Huynh was taken to the statistics for 38th Street homes to the north of James St. to the north, as well as to many for other nearby streets, almost too extensively, as the lot studies and photos were meticulously combed for comparables or disparate examples. This hardly constituted the one-block neighborhood they seemed to be proposing. I accept that there are indeed many properties nearby larger than the lots proposed here, and that there is the occasional one (historic or newly created) of the same size. Does the infrequency of the latter mean that the new lots would not “fit” in the neighbourhood, as the OP requires of this application? I prefer the evidence of Mr. Huynh on this issue.

Ms. Bisset argued in summation that while the planners essentially agreed on the extent of their study areas, and of examples within the neighbourhood, the municipality determines where intensification should occur. It is in the Downtown, Centres and Avenues, as the OP requires. “Neighbourhoods” should remain relatively stable, and developments must reinforce their existing physical character (OP Policy 4.1.5). Two criteria are important in assessing such proposals: the size and configuration of lots, and prevailing lot patterns.

The planners disagreed here, she said, on three main issues: the importance of provincial policies for intensification versus compatibility; the existing physical character of the neighbourhood, and whether there is OP conformity for tree preservation. She challenged Mr. Huynh’s conclusions that this is a “strategic growth area” as defined in the GP, and his interpretation of redevelopment. The entire City is the strategic growth area referenced, and redevelopment is so broadly defined as creating new uses, that this proposal cannot fit within the ambit of the GP respecting location of new single residential uses.

Ms. Bisset argued that the evidence is clear, no matter what lot study is chosen, that the OP development criteria in Policy 4.1.5 are not met. If 60% of existing frontages meet or exceed the ones in the neighbourhood, and only 10 % are equal of less than the requested, the policy cannot be met. She submitted an OMB decision at 86 23rd Street in 2015 (PL141102) that relied on the statistical data of frontages in the study area to refuse an appeal. Paras. 39 to 43 illustrate this focus on the area, and the determination that the character of the neighbourhood was not respected. A similar

analysis underpinned the TLAB Chair's decision for 38 36th Street, and the 2014 OMB decision at 82 27th Street (PL140319).

She emphasized that Mr. Skelton opined that this proposed narrow lot width and tree removal did not respect the neighbourhood character. Mr. Huynh's opinion, she said, amounts to: if something exists, it is part of the neighbourhood character no matter how frequently it appears. The latter does not meet the OP test for "fit". Calling the neighbourhood "an eclectic mix" does not suffice to describe the appropriateness of a proposal, without some examples capable of factual description. As the TLAB Chair stated in his decision on 38 36th Street about the term "eclectic" as a descriptor:

"I do not find such generalized terminology helpful unless accented by additional parameters of description capable of being visualized, replicated, identified and linked to some commonality or otherwise, of a physical nature." (p. 22).

The risk of an approval here is others using it as a precedent, which would eventually destabilize the neighbourhood, against the OP policies.

On one point, I find that the City's submission about neighbourhood character, and the focus on the statistics for a larger area are an admission that the "neighbourhood" here is greater than this one block or streets very close by. Thus I reject Mr. Skelton's emphasis (shared I believe by Mr. Godley) that the "neighbourhood" here really consists of only this east side of this particular block of 38th Street. "Neighbourhood" is not defined in the OP. He opined that a new lot pattern in this block would deteriorate the character of the block and in turn the neighbourhood. The new frontage would not be in line with this side of the street. This is refuted by Mr. Huynh's chart of the frontages on the street (Applicant's Disclosure, filed December 7, 2017, A1.2 A), and in his evidence in the hearing. I do not agree that this is determinative here. This is important because a key objective of the OP is that new development will respect and reinforce the general physical patterns in a given neighbourhood. The conclusion that "this side of this block is the neighbourhood" appears to this panel to make little sense in assessing whether the application meets the applicable OP and zoning provisions. (See discussion of the decision for 14 Villa Rd., below)

There is already a severance at no. 40 across the street, with new lot sizes and structures built there that are much less appropriate to the OP tests than the proposed. These were not appealed. Many of the existing lots are about the same width as those proposed, although Mr. Skelton stated that a 7.62 width is not the prevailing width in this block or within the entire neighbourhood. In his view this is not a modest form of intensification that would be permitted by the OP neighbourhood policies.

Since OPA 320 is not yet in force to introduce the test of "prevailing", or most frequently occurring, I do not accept that it would require a denial of this severance application. Mr. Skelton agreed with Mr. Ketcheson that "most frequently occurring" would mean "what is in the majority", and that this would add a much more stringent test to the current OP policies. He did seem to set up this test in paragraph 22 of his witness statement,

wherein he said that the proposal would not meet the “prevailing” lot sizes. I find that this is not yet a required test for assessing the “fit” of this application for purposes of the OP analysis. Both planning witnesses provided charts of the range of frontages in their chosen areas, and they were reasonably consistent. Both show a significant number of lots that do not meet the frontage standard (Mr. Skelton, about 36%, and Mr. Huynh, almost 40%). Mr. Ketcheson argued that whether new or old, this non-uniformity of lot frontages is a characteristic of the neighbourhood. I agree. Nothing in the OP policies force a focus on only one side of the street for the one block where a severance is proposed. The proposed 7.62 m size already exists on this block and within the nearby blocks, and therefore constitutes part of the existing neighbourhood character for assessing this application. There was no public opposition to the recent severance at no. 40 as it was not appealed. The exhortation in the commentary to section 2.3.1 of the OP is apt here:

“However, these neighbourhoods will not stay frozen in time.... Some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites. A cornerstone policy is to ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood.”

I believe that this policy is the response to the argument that no proposal such as the present can be accepted as part of this neighbourhood. Some degree of intensification or enhancement that meets the consent criteria, as I find that this does, is acceptable. As Mr. Ketcheson put it, this street and area are not uniform, there is no overall general pattern or characteristic into which this application will not fit, or would destabilize. Nearby recent developments are also part of the changing neighbourhood. Ms. Addis illustrated that some 16 lots have been created since 1990 with 7.5 m frontages (less than 1 per year). I agree that this gradual change by consents has not destabilized the character of this attractive neighbourhood. Redevelopment seems to be increasing throughout this area. But I do not believe that this leads to the conclusion that the neighbourhood is being “destabilized”. It is not frozen in time but is changing, mostly with minor increases in the zoning requirements. No apartments or other forbidden structures are being built. The figure of 40 % of lots in the area of less than 12 m wide constitutes, as Mr. Ketcheson pointed out, part of the existing character of the neighbourhood. Mr. Skelton admitted that a difference of one metre or perhaps more in frontage would not be perceptible. The streetscape cannot be compared to piano keys, at least not on this block.

I have closely considered the argument that statistics should govern this matter, that is, the fact that fewer than half of the lots on this block of 38th Street are as narrow as 7.62 m means that no such width should be approved. I do not think that this is the result required by the OP, which would allow for some reconfiguration and reinvestment.

I distinguish some of the cases submitted by Ms. Bisset as dealing with applications that differ from the present.

In *86 23rd Street*, (May 25, 2015, PL141102) the OMB refused a similar application. It based the analysis of an appropriate “neighbourhood” on both the larger and the smaller areas cited: the existing character of the broader one consisted of larger lot frontages of 12 m or more (para. 44), while the smaller one on the west side, mid-block, consisted of (only) 35 lots (paras. 45 and 48). The Board went on to find that only 22 % of the 35 lots there were 7.62 m or less, so they were still in the minority, while 55 % met or exceeded the required width (para. 56). This was the basis for refusal, as the application did not meet the OP test for meeting the “existing physical character” of the neighbourhood. The panel did find that the severance was consistent with the PPS and the GP in this case (para. 66, 67), and that 7 of 9 similar applications had been granted in the area. (para. 33).

The variances sought in the 23rd St matter were also greater than those requested here: smaller lot area, larger FSI and eaves setback of only 0.2 m. This is true of many of the cases the City relies on here, like the two following.

In a decision for *82 27th Street*, (Dec. 17, 2014, PL140319) the City planner’s study area included the southerly street, Lake Promenade, with characteristically wider lots and larger homes. This had the result of expanding the statistics which the proposal had to meet. It also had much larger variances than the proposed under consideration here – area, FSI, exterior wall height, first floor height, roof eaves – a true “soldier home”. I can understand why the Board refused the appeal. Again, the panel found that the consent met the PPS and GP intensification policies (para. 39). It feared that continuing consents in the area would in fact destabilize the neighbourhood, and thus found lack of compliance with OP policies as required by clause 51(24) c) of the Act.

On this issue I adopt the statement of the OMB member in the case recited but expressly not followed by the Chair in *38 36th Street*, p. 17:

“In *2425456*, Member Krzeczunowicz, in a contested hearing near the subject property found that attention to the immediate surroundings is key and that the OP allowed physical change in the form of intensification. In describing that neighbourhood as ‘diverse and ‘eclectic’, he concluded that the lot sizes and configuration proposed (at 7.62 m) “already form a substantive part of the urban fabric of this neighbourhood. Moreover, they are proliferating.” On the issue of ‘precedent’, he observed: “It is certainly true that severed lots can subsequently be used to justify further severances because, once divided, they become part of the neighbourhood character. As the City’s Neighbourhoods change, so might the planning merits of a severance at any particular location. This change in and of itself is not bad planning. It is merely a reflection of the OP vision that Neighbourhoods be “stable not static.” (*2425456 Ontario Inc. v Toronto (City)* OMB (PL160520) heard November 14, 2016 (‘2425456’) re 30 Thirty Sixth Street)

I also agree with the conclusions in the recent decision of the OMB entitled *Toronto (City) v Toronto (City)*, where a similar severance was approved at 14 Villa Rd., two short blocks away. At para. 24 the Board said....

“24.against this very extensive background of similar approvals in the broader area and the specific evidence in this hearing, ... finding that the creation of the proposed lots of 7.62 m frontage from the Property are entirely in keeping with the character of this neighbourhood. Following in the wake of that, the lot areas should also be deemed to conform with the general character and be treated as sufficient to sustain new detached dwellings.”

There, 14 similar recent approvals in the area were cited, and the conclusion was:

“ (26) Assessed through the lens of s.45(1) of the Planning Act (the "Act"), given that the Board has determined that the proposed lot division is consistent with the existing lot pattern in the area and that the proposal will thus respect and reinforce that pattern, the Board discerns conformity with the intent of the OP. The purpose of the zoning bylaw is to implement the policies of the OP. Given the conclusion that the proposal will meet the objectives of the OP, and given the multitude of lots in the area with frontages of 7.62 m, the Board concludes that the intent of the Zoning By-laws is also met. Context informs the question of desirability and whether a variance is minor. Again, with the nature and character of the neighbourhood as the Board has found it through the evidence, the Board treats these frontage and area variances as desirable and minor. “

And at para. 31: “The jurisprudence of the Board is clear that this question is not to be approached from a pure numeric or quantitative direction. Following the OP dictum of "fit", the matter is typically tested by the physical proposal and how that relates to the built form in the area. It is of key significance, in this instance, to be alive to the effort at reinvestment which is presently at play in south Long Branch and how that has generally meant new dwellings which are two storey with integral garage. This is the contemporary approach to lot efficiency and market demand.”

Similarly, in *40 37th Street*, (Oct. 24, 2017, PL 161248), with the same City witnesses, the panel found that if the application for severance were granted, the lots would be the smallest on the street (para. 32), but that these would not constitute a precedent.

I adopt this reasoning, and distinguish the finding of the TLAB for 38 36th Street for the purpose of evaluating this application. Also, the fact situation in *Oh v Toronto (City)* [2013] OMBD No. 679 for 154 Windermere Ave. was sufficiently different from the present that I believe that its conclusions have no application. The only professional evidence there was provided by the City. While the lot width and many of the variances appear at first glance to be similar to the 38th Street application, there were many increases there that exceeded it – main wall height, height of first floor, eaves setback. A mere glance at plans for the designs proposed there indicates that the homes were indeed the “soldier houses” so opposed by many residents – a very elevated first floor, creating in effect a three-storey structure rather than a more acceptable two-storey as these would be. The City did not appeal the much less desirable “soldier homes” and

lot division at no. 40 across the street from the proposed. That development is now part of the street and neighbourhood fabric.

Respecting the size of the study area for the purpose of describing the “neighborhood” and so assess conformity to the OP, I agree with the panel in *40 37th St*:

“.....But the question that must be answered is does one street a neighbourhood make? I find that the answer to this question must be in the negative.

(80) The Board has generally considered a neighbourhood to be an area that would routinely be walked by a resident living in a neighbourhood. People who live on Thirty Seventh Street cannot reasonably be expected to confine themselves to the street. It can only be reasonably concluded that residents walk the streets within several blocks of the Subject Property, where there are a multitude of lots with frontages similar to those proposed by the Appellants.” (para 79 et seq:...)

I agree that a further front yard setback for Lot 2 would worsen the appearance of continuity in the streetscape. No number was suggested as an appropriate front yard setback. It would be an anomaly in the built form character and the streetscape. If number 5 were to be altered in the future, the effect would be worsened.

Mr. Skelton confirmed in cross examination that retention of the existing driveway as access for Part 1 (should the site plan be so altered), would mean that tree 926 could probably be saved. An application to injure would be required, rather than the existing application to remove.

These proposed lots with the two-storey dwellings are satisfactory designs that closely adhere to the zoning requirements. Mr. Skelton objected only to the frontage and front yard setback variances, and not strenuously to the FSI or side yard setbacks. He agreed that the application did not offend provincial policies, but mainly the OP provisions. He also agreed that the application was not to be subordinate to the Long Branch Design Guidelines, as Mr. Godley argued.

I find no real interruption to Ms. Glenn’s view as she claimed, as the front walls of both Parts 1 and 2 would be further to the east and behind her front wall and the window she thought would be obstructed. Mr. Ketcheson pointed out, and I accept his conclusion, that the distance from her home to the proposed house on Part 1 not only includes a setback of 1.8 m but also the width of her driveway at about 2.5 m, for a total separation of about 4.3 m. I find little loss of privacy from the small balcony of 1.5 m in width to the rear because of this separation distance. I do not consider it necessary to order that there be screening on these balconies, as this is frequently even less desirable to the neighbour. The TLAB can be spoken to if Ms. Glenn does desire this.

Conclusions:

I find that this application hinges largely on the fate of the existing three trees on the lot. There are very large trees at 3, 6, 11, 15, 17, 22 and 29 38th Street, and not at the newer homes at 10 or 40. Newer developments then have not seemingly preserved any large trees, as this one would for two of the three. The lot sizes, building size and design, and the requested variances do not offend the OP or zoning by-laws to an unacceptable degree. I also find that the development of new lots and homes in this established neighbourhood does not offend the broader policies in the PPS or the GP; indeed, that they are consistent with and conform to them. Therefore, does the presence of three very large and healthy trees preclude this severance, with the present (revised) driveway design? Dr. Dida stated, in his memo to the COA of April 27, 2017, as cited above:

“The applicant ha[s] been advised that Urban Forestry recommends retention of tree # 926 - Silver Maple tree, and recommends applying to injure the tree instead of removal.”

The applicant has applied to remove this tree, together with tree 927. However, if an application to injure rather than remove were made, this proposal would involve only removal of tree 927, located on the proposed driveway for Lot 2 to the south. Mr. Ketcheson asked how UF would regard yet a further redesign of the driveways, which would retain the existing driveway and curb cut and connect it to the garage for Part 1. Dr. Dida said this would better protect tree 926 in the middle, as well as the City boulevard tree. This proposal would not allow retention of tree 927, which is located where the driveway is proposed for Part 2. However, tree 926 could be saved if an adequate Tree Protection Plan (TPP) could be devised.

This left unanswered important questions as to the future of the proposal. If the present driveway can be preserved, only one tree need be removed as the lots are presently configured. The City now has only an application to remove **two** trees, 926 and 927, and not to remove one and injure one, and has yet no application to injure the City tree, which is still required. Dr. Dida opined that if a TPP could be devised for the “new” proposal (use of current driveway), as required in the permit process, it would be considered by UF.

As Dr. Dida outlined, if this application is approved, the required permit process leaves ultimate control over preservation of these trees to City Council and UF.

Therefore TLAB must balance the fact that the application has been found to meet almost all of the relevant OP and zoning tests, with the one OP provision that it does not satisfy – the loss of one large and healthy tree. The TLAB found as follows in the 38 36th Street matter, where loss of two large healthy trees was proposed:

“I find that the loss of healthy mature trees is not supportive of the Natural Environment protection policy of section 3.4 d) of the Official Plan. Moreover, that mere alternative replacement policies, or compensation, are intended to mitigate but not obviate the preference for preservation. While tree removal alone is not a determinant of the applications, it is an element of area character that is

not reinforced, given the immediacy of the loss, the reduction in planting area identified by Dr. Dida and the generations or more required to replace the existing physical offering. Intensification of the housing stock should be a shield for proper environmental management, not a sword to eliminate obstacles.” (p. 25).

In this 38th St. case, there are three very large and healthy trees close together on the front of the property. If developed as proposed by Mr. Ketcheson, the loss would be only one, with preservation of the other two in close proximity. It would indeed be a loss, but perhaps not as grave as the total loss contemplated on 36th Street.

I find on the variances requested here that for the reasons given, each individually and cumulatively is desirable for the appropriate development or use of the land and buildings; maintains the general intent and purpose of the official plan and of the zoning by-law; and is minor numerically (the DeGasperis finding is in some doubt now, but I do not find the variances numerically large in any event). The variances have only acceptable impacts on neighbouring properties. I reject the evidence of Mr. Skelton respecting the identification of the “neighbourhood” here for determining OP compliance – it is not just this side of this block, or this block alone, as seemed to be suggested.

The City objected to the proposal made at this hearing to alter the driveway, as this would constitute an amendment to the application for which additional notice is required under subsection 45(18.1.1) of the Act. The applicant ought to have advanced this change through professional evidence by an arborist respecting the effect on the trees. Ms. Bisset submitted similar cases, the 38 36th Street TLAB decision again, and an OMB matter (*Oh and Toronto (City)* [2013] OMBD No. 679) wherein Dr. Dida’s similar evidence was persuasive. She stressed that the moment to meet the OP policies and save the trees was right now. While Mr. Ketcheson stated that there would be no further variances requested with this change to the site plan, she argued that the language in s. 45(18.1) required additional notice if there was a change to the original “application”. The entire hearing was conducted on the basis of the application made originally. Thus she argued that additional notice was required under subsection 45(18.1.1).

I consider that no additional notice is required here, because any alteration to the circulated site plan would not be a large or significant one, and in light of my decision, would only further the City’s expressed desire to retain tree 926. The revised driveway would be even further removed from it. Almost all of the interested parties got notice of the hearing. Those few who attended heard the rationale for the alteration, and thus had the opportunity to comment. It would be extremely wasteful to recommence the hearing or even the application process again based on such a minor change to the proposed driveway location, which would affect none of the important issues or considerations. In fact it would assist in the retention of a healthy tree.

The final plans are not yet available to attach to this decision (the COA-approved plans are found in the applicant’s disclosure filing of December 7, 2017, together with the revised site plan as of that date.) The alteration proposed for the driveway location was

sufficiently clear in the testimony of Mr. Huynh and the summation of Mr. Ketcheson. I find that the revision is a minor one for the purposes of section 45(18.1) of the Act, requiring no further notice to neighbours or others. This is reinforced by the lack of negative comments from the Transportation Department. However, the plans must be revised before they can form part of this decision. I will impose a deadline of three months from the date of this decision for the entire set of new plans, including a site plan and elevations, to be filed with the TLAB. This decision will not take effect until these plans are filed and reviewed by this member.

DECISION AND ORDER

1. The appeal is refused and the application is approved in principle, and provisional consent is given to sever 9 38th Street into two Parts in accordance with the Plans for Part 1 and Part 2 filed on Form 3, Applicant's Disclosure, on December 7, 2017, and subject to the conditions included as Attachment 1 to this decision, all as follows:

Part 1

The proposed lot frontage is 7.62 m and the proposed lot area is 304.11 m², whereas the minimum required lot area is 370 m²;

Part 2

The proposed lot frontage is 7.62 m and the proposed lot area is 304.11 m², whereas the minimum required lot area is 370 m²;

2. The variances to the former Etobicoke Zoning Code Chapter 330-23 as listed in Attachment 2 to this decision are authorized.

3. The variances to Zoning By-law No. 569-2013 as listed in Attachment 3 to this decision are authorized, contingent upon the relevant provisions of this By-law coming into force and effect.

4. The new detached dwellings shall be constructed substantially in accordance with the Plans for Parts 1 and 2 filed on Form 3, Applicant's Disclosure, on December 7, 2017, attached as Attachment 4 to this decision, subject to the amendment to the Site Plan for the driveway for Part 1 referred to in Attachment 1.

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

ATTACHMENT 1

1. Before a Certificate of Consent is issued, as required by section 53(24) of the Planning Act, the applicant is to file the following within ONE YEAR of the date of this decision:

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, Engineering Services, Engineering and Construction Services. Contact: John Fligg @ (416) 338-5031 or Elizabeth Machynia @ (416) 338-5029.

3. The applicant shall satisfy all conditions concerning City/Private owned trees, to the satisfaction of Urban Forestry Services.

4. **Two copies of the registered reference plan of survey** integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services. Contact: John House, Supervisor, of Property Records, at 416 392-8338; jhouse@toronto.ca

5. **An electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be filed with the Committee of Adjustment.

6. 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 and submit 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.

2. The plans, including the Site Plan for the proposed severances and variances be modified and filed with the TLAB not more than three (3) months from the date hereof to show that the present driveway is retained leading to the front wall of Part 1 (House A) and that it provides access to the garage of Part 1, failing which this decision becomes null and void.

3. Tree 926 as shown on the proposed Tree Preservation Plan, filed as Appendix 2, TPP-1 of an Arborist Report dated November 21, 2017 and updated on December 7, 2017 and filed with TLAB on December 7, 2017 be maintained and preserved in its

current location on the severed lots, subject to the required permit under Article III of Toronto Municipal Code Chapter 813.

4. 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.

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

6. The applicant shall submit one revised site plan (scale of 1:200 or 1:250) illustrating the requirements specified in following points to the satisfaction of the Engineering and Construction Services Division and Transportation Services, at no cost to the City;

6.1 Illustrate the proposed driveway for each detached dwelling as having a positive slope of 2% to 5% within the Thirty Eighth Street municipal boulevard;

6.2 Illustrate the City of Toronto Design Standard Drawing No. T-600.11-1 for the existing depressed curb that will be reinstated with raised concrete curb along the curb line of Thirty Eighth Street on the Part 1 lot; and,

6.3 Insert an advisory notation on the site plan stating that, "The applicant shall obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant shall also submit a Municipal Road Damage Deposit prior to obtaining a Building Permit." The applicant is advised to contact Ms. Joanne Vecchiarelli of the Right-of-Way Management Section at (416) 338-1045 regarding municipal road damage deposit requirements.

7. The proposed driveways shall be installed using permeable pavers.

ATTACHMENT 2

Etobicoke Zoning Code

PART 1:

1. Section 330-23.A.(2)

The minimum required lot frontage is 12 m.
The lot frontage will be 7.62 m.

2. Section 330-23.A.(1)

The minimum required lot area is 371 sq. m.

Section 10.20.30.10.(1)(A), By-law 569-2013 & Section 330-23.A.(1)

The lot area will be 304.11 sq. m.

3. Section 330-23.A.(9)

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).
The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 330-23.A.(6)

The minimum required front yard setback is 14.36 m.
The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 330-23.A.(7)

The minimum required side yard setback is 0.9 m.
The proposed dwelling will be located 0.6 m from the south side lot line.

PART 2:

1. Section 330-23.A.(2)

The minimum required lot frontage is 12 m.
The lot frontage will be 7.62 m.

2. Section 330-23.A.(1)

The minimum required lot area is 371 sq. m.
The lot area will be 304.11 sq. m.

3. Section 330-23.A.(9)

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).
The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 330-23.A.(6)

The minimum required front yard setback is 14.36 m.
The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 330-23.A.(7)

The minimum required side yard setback is 0.9 m.

The proposed dwelling will be located 0.6 m from the north side lot line.

ATTACHMENT 3

City of Toronto By-law 569-2013

PART 1:

1. Section 10.20.30.20.(1)(A), By-law 569-2013

The minimum required lot frontage is 12 m.

The lot frontage will be 7.62 m.

2. Section 10.20.30.10.(1)(A), By-law 569-2013

The minimum required lot area is 370 sq. m.

The lot area will be 304.11 sq. m.

3. Section 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).

The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 10.20.40.70.(1), By-law 569-2013

The minimum required front yard setback is 14.36 m.

The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 10.20.40.70.(3)(c), By-law 569-2013

The minimum required side yard setback is 1.2 m.

The proposed dwelling will be located 0.6 m from the south side lot line.

PART 2:

1. Section 10.20.30.20.(1)(A), By-law 569-2013

The minimum required lot frontage is 12 m.

The lot frontage will be 7.62 m.

2. Section 10.20.30.10.(1)(A), By-law 569-2013

The minimum required lot area is 370 sq. m.

The lot area will be 304.11 sq. m.

3. Section 10.20.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 0.35 times the lot area (106.4 sq. m).

The proposed dwelling will have a floor space index of 0.56 times the lot area (170.5 sq. m).

4. Section 10.20.40.70.(1), By-law 569-2013

The minimum required front yard setback is 14.36 m.

The proposed dwelling will be located 11.06 m from the front lot line.

5. Section 10.20.40.70.(3)(c), By-law 569-2013

The minimum required side yard setback is 1.2 m.

The proposed dwelling will be located 0.6 m from the north side lot line.

ATTACHMENT 4 – Plans - as of April 16, 2018 (Site Plan to be revised)

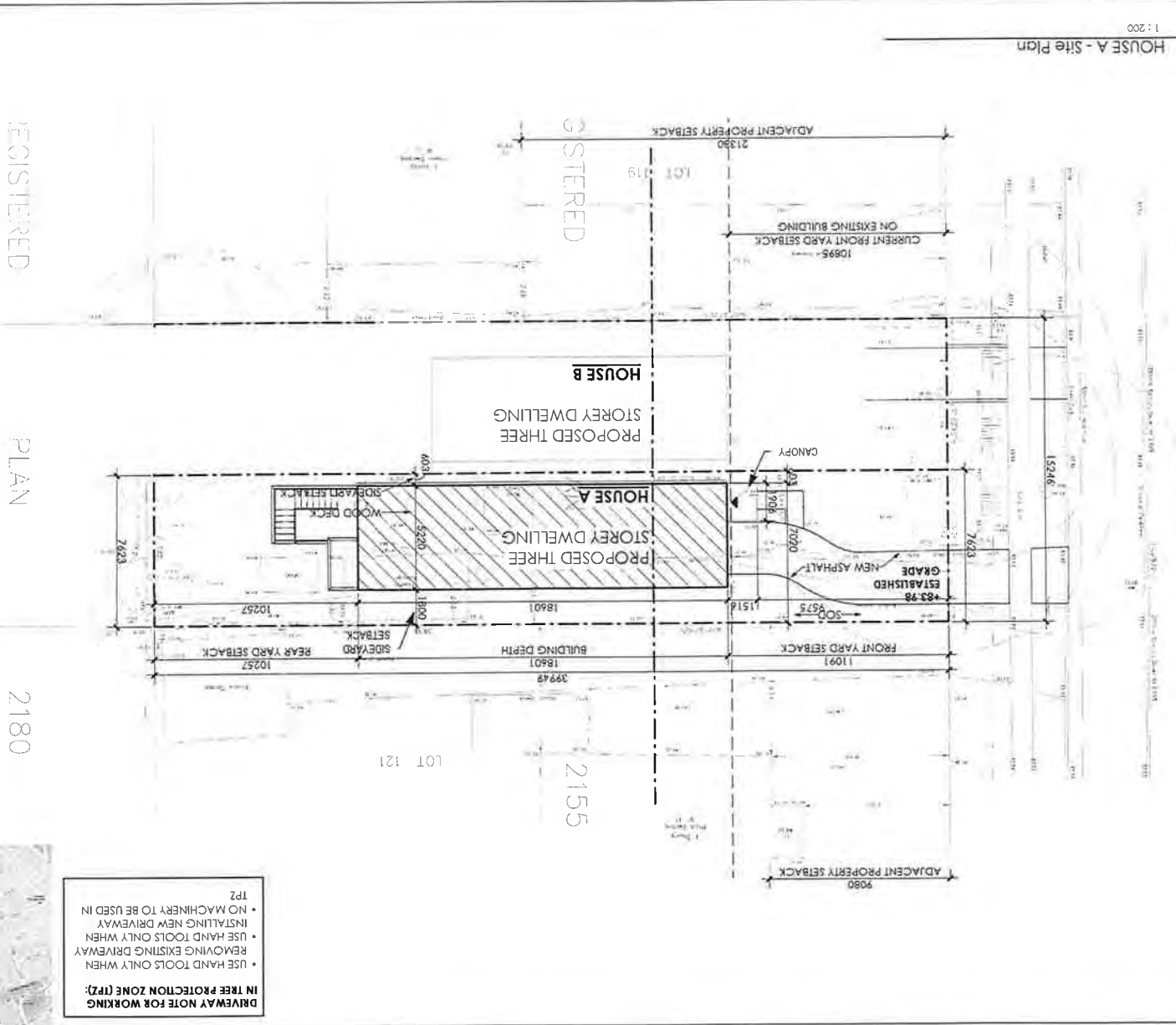
X 

G. Burton

Panel Chair, Toronto Local Appeal Body

1
 A1.1-A

HOUSE A - Site Plan
 1 : 200



DRIVEWAY NOTE FOR WORKING IN TREE PROTECTION ZONE (TPZ):

- USE HAND TOOLS ONLY WHEN REMOVING EXISTING DRIVEWAY
- USE HAND TOOLS ONLY WHEN INSTALLING NEW DRIVEWAY
- NO MACHINERY TO BE USED IN TPZ

REGISTERED PLAN 2180

ATA ARCHITECTS INC.
 211 LAKEHURST ROAD EAST
 DAVILLE ONTARIO L6M 1R7
 TEL: 905-886-8588 FAX: 905-886-8589
 WWW.ATAARCHITECTS.COM

PROJECT: 14-1007 Etobicoke Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING: DRAWING
 DRAWN: MIFAN A. KEY M.A.
 SCALE: 1:200
 DATE: 2017.11.08
 CHECKED: J.S.
 PROJECT: 14-1007

REVISION

NO.	DATE	REVISION
008	2017.11.08	FOR COMMITTEE OF ADJUTANT
007	2017.11.07	FOR COMMITTEE OF ADJUTANT
006	2017.11.07	FOR CLIENT REVIEW
005	2017.11.07	ADJUSTED FOR COMMITTEE OF ADJUTANT
004	2016.09.21	FOR CLIENT REVIEW
003	2016.08.26	REVISIONS AND FOR CMA
002	2016.08.26	FOR COMMITTEE OF ADJUTANT
001	2016.11.08	TRACED FOR ZONING REVIEW

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT. DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

THIS DOCUMENT IS THE PROPERTY OF ATA ARCHITECTS INC. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM ATA ARCHITECTS INC.

ATA ARCHITECTS INC.
 211 LAKEHURST ROAD EAST
 DAVILLE ONTARIO L6M 1R7
 TEL: 905-886-8588 FAX: 905-886-8589
 WWW.ATAARCHITECTS.COM

A1.1-A

DRAWING

PROJECT

CHECKED

DATE

SCALE

DRAWN

MIFAN A. KEY M.A.

#9A THIRTY-EIGHTH STREET

14-1007 Etobicoke Townhome

ATA ARCHITECTS INC.

211 LAKEHURST ROAD EAST
 DAVILLE ONTARIO L6M 1R7
 TEL: 905-886-8588 FAX: 905-886-8589
 WWW.ATAARCHITECTS.COM

PROJECT: 14-1007 Etobicoke Townhome

DRAWING: DRAWING

DRAWN: MIFAN A. KEY M.A.

SCALE: 1:200

DATE: 2017.11.08

CHECKED: J.S.

PROJECT: 14-1007

REVISION

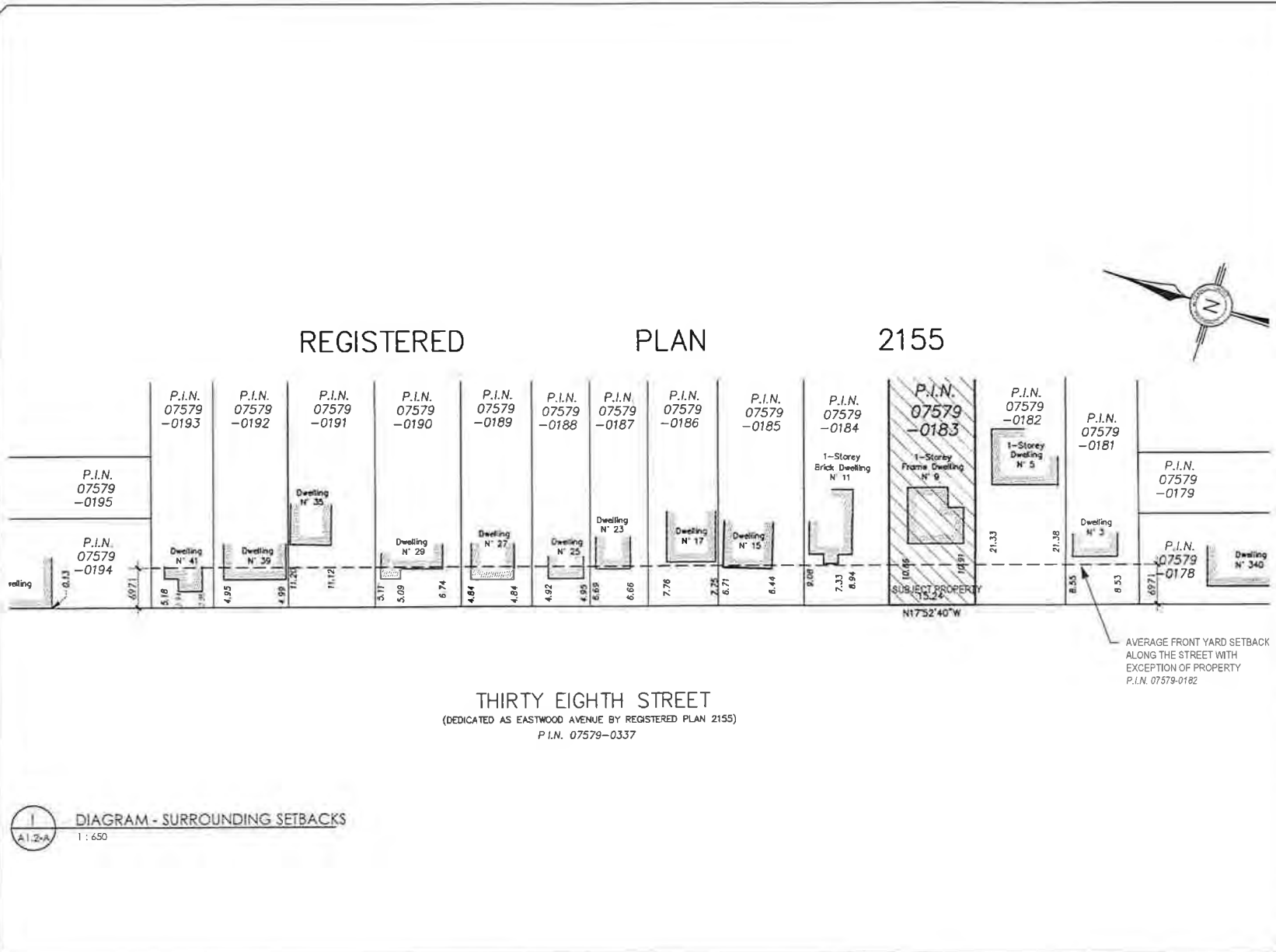
NO.	DATE	REVISION
008	2017.11.08	FOR COMMITTEE OF ADJUTANT
007	2017.11.07	FOR COMMITTEE OF ADJUTANT
006	2017.11.07	FOR CLIENT REVIEW
005	2017.11.07	ADJUSTED FOR COMMITTEE OF ADJUTANT
004	2016.09.21	FOR CLIENT REVIEW
003	2016.08.26	REVISIONS AND FOR CMA
002	2016.08.26	FOR COMMITTEE OF ADJUTANT
001	2016.11.08	TRACED FOR ZONING REVIEW

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT. DISCREPANCIES SHOULD BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

THIS DOCUMENT IS THE PROPERTY OF ATA ARCHITECTS INC. IT IS TO BE USED ONLY FOR THE PROJECT AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM ATA ARCHITECTS INC.

ATA ARCHITECTS INC.
 211 LAKEHURST ROAD EAST
 DAVILLE ONTARIO L6M 1R7
 TEL: 905-886-8588 FAX: 905-886-8589
 WWW.ATAARCHITECTS.COM

V:\14-1007-Atschofield\longbrnch, Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007-Etobicoke Townhome -COA 2017 11 07.rvt
 2017-11-08 3:40:53 PM



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE REPRODUCED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NUM.	DATE	REMARKS
004	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 07	FOR COORDINATION
008	2017 11 07	FOR CLIENT REVIEW
005	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 08 27	FOR CLIENT REVIEW
003	2016 05 18	SUPPLEMENTARY INFO FOR C.O.A.
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2015 11 06	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS
 ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DAVILLE ONTARIO L2R 1H7
 T 905 849 8892 F 905 845 1868
 E info@ataarchitects.com
 www.ataarchitects.com
 PROJECT

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET


DRAWING	
DIAGRAM - SURROUNDING SETBACKS	
DRAWN	
SCALE	1:650
DATE	2017 11 08
CHECKED	at
PROJECT	141007
DRAWING	

A1.2-A

Y:\14-1007-Atacohda Longbranch, Etobicoke\02-Drawing\01-Architecture\01-Design\14-1007-Etobicoke Townhome - COA 2017 11 07.rvt
2017-11-08 3:40:35 PM

SITE STATISTICS : "HOUSE A"

INFORMATION		
ADDRESS:	#9 THIRTY-EIGHTH STREET (PT A), TORONTO ON	
ZONING DESCRIPTION:	RD - RESIDENTIAL DETACHED	
PROPOSED BUILDING:	2 STOREY DETACHED HOUSE	
AREAS		HEIGHTS
PROPOSED BUILDING AREA		DESCRIPTION
PROPOSED GFA:	70.5 m ²	TORONTO ZONING BY-LAW
PROPOSED GROUND FLOOR (EXCLUDING GARAGE):	73.39 m ²	ETOBICOKE ZONING BY-LAW
PROPOSED SECOND FLOOR:	97.1 m ²	MAX. BUILDING HEIGHT: PROPOSED BUILDING HEIGHT:
		7.2 m (for flat roof) n/a
		9.5 m (top of peaked roof) 9.0 m
PARKING		
		DESCRIPTION
		TORONTO ZONING BY-LAW
		ETOBICOKE ZONING BY-LAW
DESCRIPTION	TORONTO ZONING BY-LAW	ETOBICOKE ZONING BY-LAW
MIN. REQUIRED LOT AREA:	370.0 m ²	371.0 m ²
PROPOSED LOT AREA:	303.8 m ²	303.8 m ²
MAX. FLOOR SPACE INDEX:	0.35 (106.4 m ²)	0.35 (106.4 m ²)
PROPOSED FLOOR SPACE INDEX:	0.56 (170.5 m ²)	0.56 (170.5 m ²)
MIN. LOT FRONTAGE:	12.0 m	12.0 m
PROPOSED LOT FRONTAGE:	7.62 m	7.62 m
SETBACKS		
DESCRIPTION	TORONTO ZONING BY-LAW	ETOBICOKE ZONING BY-LAW
MIN. FRONT YARD: PROPOSED FRONT YARD:	6.9m (SEE SITE PLAN) 11.1 m	6.9m (SEE SITE PLAN) 11.1 m
MIN. SIDE YARD: PROPOSED SIDE YARD (NORTH): PROPOSED SIDE YARD (SOUTH):	1.2 m 1.8 m 0.6 m	0.9 m 1.8 m 0.6 m
MIN. REAR YARD: PROPOSED REAR YARD:	7.5 m or 25% of lot depth 10.2 m	7.5 m 10.2 m
		LANDSCAPING
		FRONT YARD AREA - TOTAL: HOUSE A:
		169.2 m ² 84.6 m ²
		MIN. LANDSCAPING: HOUSE A:
		AT LEAST 50% OF THE FRONT YARD 42.3 m ²
		PROPOSED LANDSCAPING: HOUSE A:
		65% OF THE FRONT YARD 54.9 m ²
		MIN. SOFT-SCAPING: MIN. HOUSE A:
		75% OF THE FRONT YARD LANDSCAPING 41.2 m ²
		LOT FRONTAGE - TOTAL: HOUSE A:
		15.2 m 7.6 m
		MIN. DRIVEWAY WIDTH: PROPOSED DRIVEWAY WIDTH:
		2.0 m 2.6 m
		PROPOSED DRIVEWAY AREA: PROPOSED WALKWAY AREA:
		29.7 m ² 2.9 m ²

 HOUSE A - SITE STATISTICS
1:10

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
001	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
002	2017 11 08	FOR COORDINATION
003	2017 11 08	FOR CLIENT REVIEW
004	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
005	2016 08 21	FOR CLIENT REVIEW
006	2016 02 10	SUPPLEMENTARY INFO FOR C.O.A.
007	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
008	2016 11 06	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
311 LAKESHORE ROAD EAST
SCARVILLE, ONTARIO L5A 1H4
TEL: 905 849 6995 F: 905 849 4399
E: info@ataarchitects.com
www.ataarchitects.com

14-1007 Etobicoke
Townhome
#9A THIRTY-EIGHTH STREET

DRAWING

SITE STATISTICS

DRAWN: JA

SCALE: 1:10

DATE: 2017 11 08

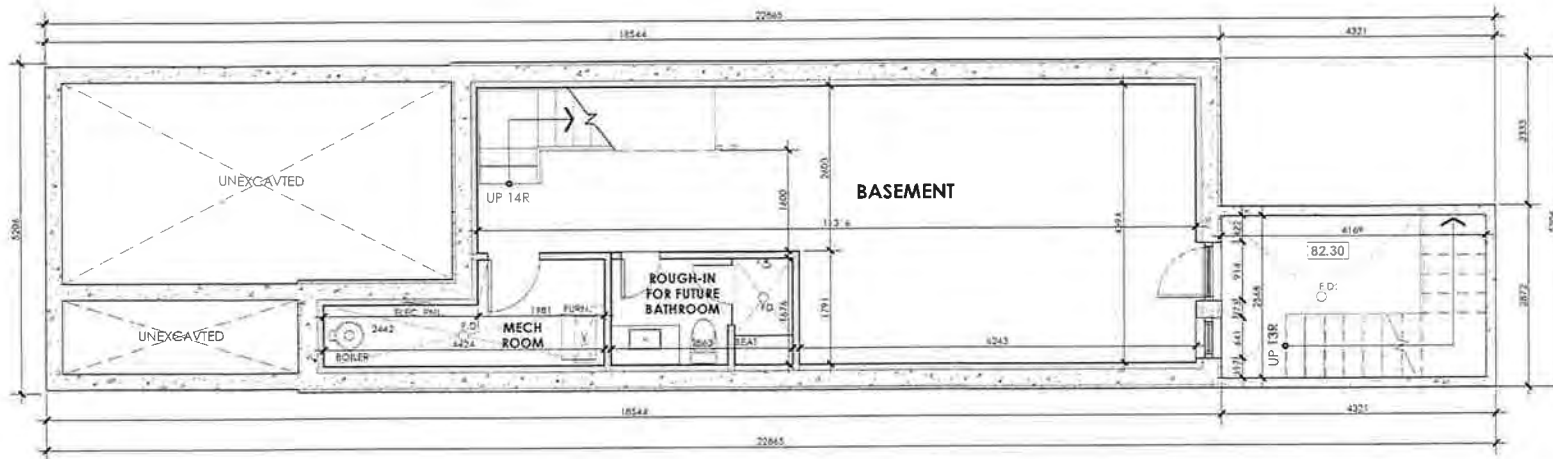
CHECKED: AJ

PROJECT: 14-1007

DRAWING

A1.3-A

V:\14-1007\140707\140707\14-1007 Etobicoke Townhome - COA, 2017.11.07.mxd
 2017-11-08 3:40:37 PM



1 HOUSE A - BASEMENT
 A2.1-A 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REMARKS
000	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
001	2017.11.07	FOR COORDINATION
002	2017.11.01	FOR CLIENT REVIEW
003	2017.01.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016.08.31	FOR CLIENT REVIEW
005	2016.02.18	SUPPLEMENTARY INFO. FOR C.O.A.
006	2016.03.03	WIELDS FOR COMMITTEE OF ADJUSTMENT
007	2016.11.24	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

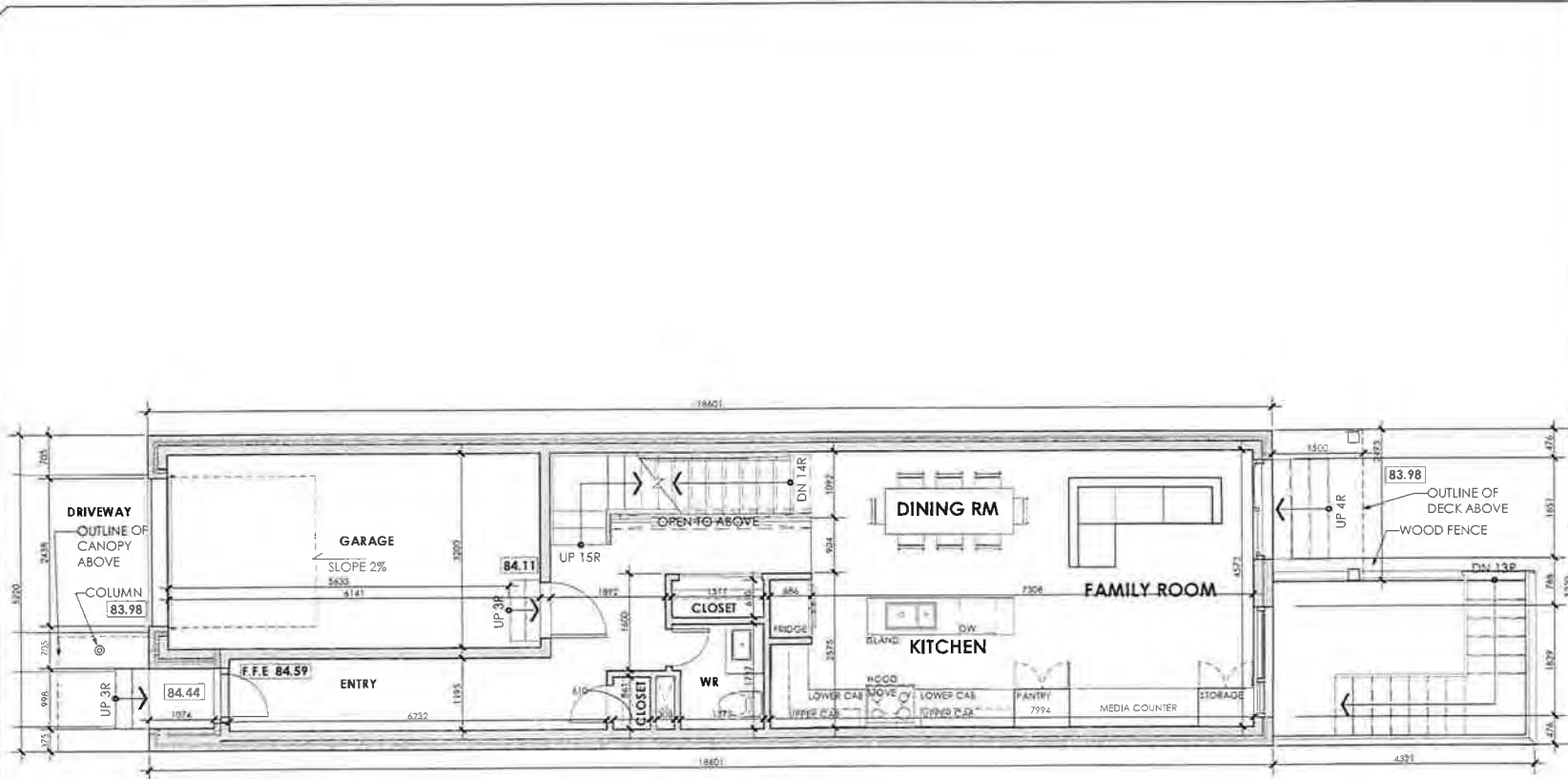
ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6H 1H7
 T 505 240 8000 F 505 240 4388
 E info@ataarchitects.com
 www.ataarchitects.com

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	BASEMENT
DRAWN	SA
SCALE	1:75
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007

A2.1-A

V:\14-1007-Atsuhiko Longbrinch, Etobicoke\02 Drawings\01 Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017-11-08 3:40:39 PM



1
A2.2-A
HOUSE A - GROUND FLOOR
 1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANT AND SHALL NOT BE REPRODUCED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	DATE	REMARKS
308	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
307	2017 11 07	FOR COORDINATION
006	2017 11 01	FOR CLIENT REVIEW
005	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
306	2016 06 31	FOR CLIENT REVIEW
303	2016 03 18	SUPPLEMENTARY INFO. FOR C.O.P.A.
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
301	2015 11 06	ISSUED FOR ZONING REVIEW

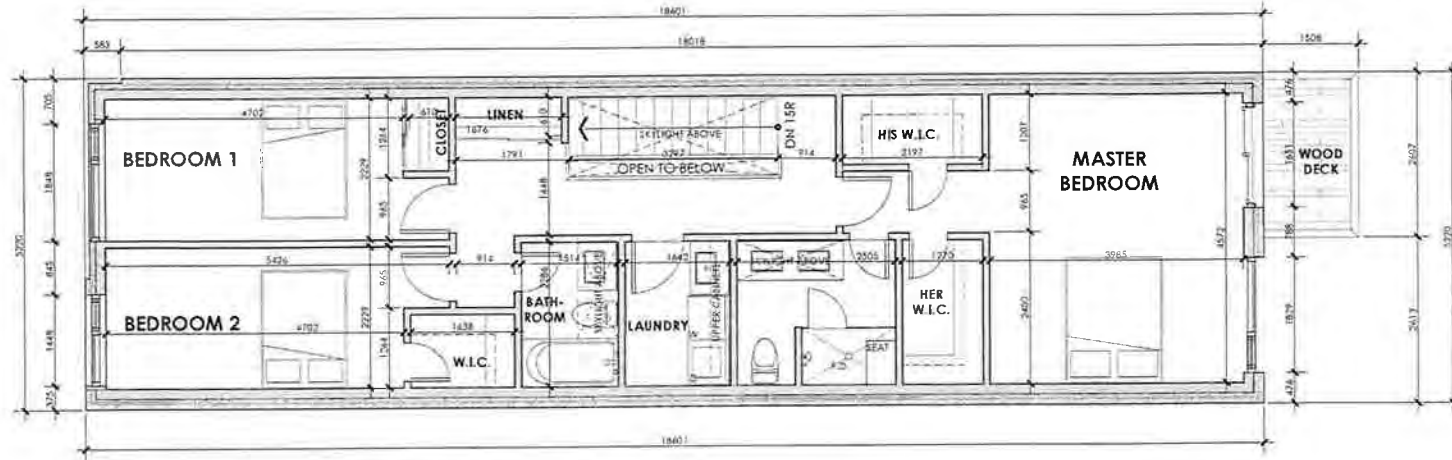
ATA ARCHITECTS
 ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6J 1H7
 T 905 840 6886 F 905 840 4288
 E info@ataarchitectsinc.com
 www.ataarchitectsinc.com

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	GROUND FLOOR
DRAWN	SA
SCALE	1 : 75
DATE	2017 11 08
CHECKED	AT
PROJECT	14-1007
DRAWING	A2.2-A

A2.2-A

V:\14-1007\Aspc\kello Longbranch, Etobicoke\02 Drawing\01 Architectural\01 Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017 11 08 3:40:41 PM



1
 A2.3-A
HOUSE A - SECOND FLOOR
 1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANT AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
003	2017 11 05	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 07	FOR COORDINATION
008	2017 11 07	FOR CLIENT REVIEW
009	2017 01 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 04 31	FOR CLIENT REVIEW
005	2016 02 18	SUPPLEMENTARY INFO FOR COA
002	2015 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2015 11 08	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

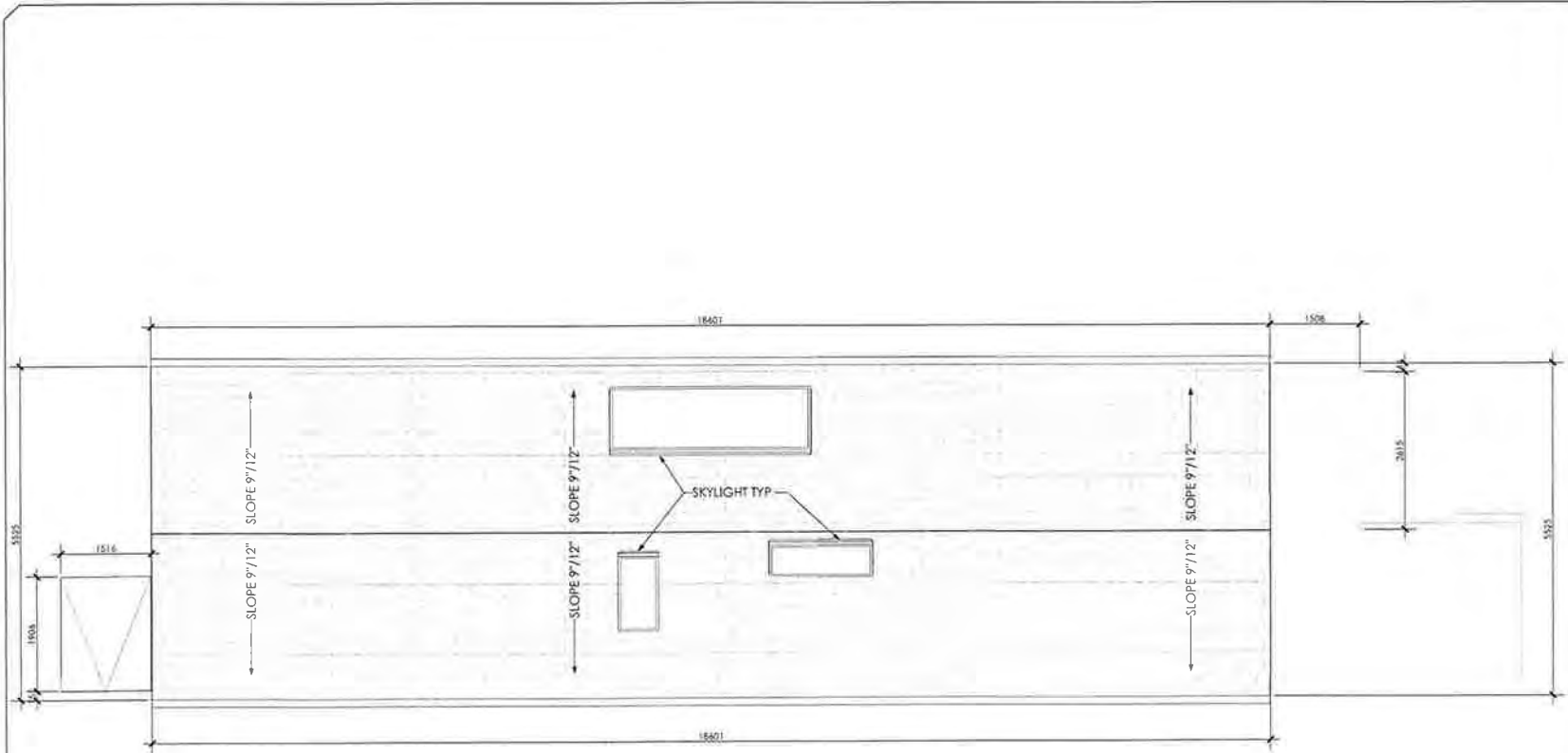
ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6H 4H7
 T 505 340 8888 F 505 349 4248
 E info@ataarchitectsinc.com
 www.ataarchitectsinc.com

PROJECT
 14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	SECOND FLOOR
DRAWN	
SCALE	3/4"
DATE	1 : 25
CHECKED	2017 11 08
PROJECT	AT
DRAWING	14-1007

A2.3-A

V:\14-1007 Moschella Longarmchc1 Etobicoke\02 Drawing\01 Architecture\01 Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017/11/08 3:40:43 PM



1 HOUSE A - ROOF
 A2.5-A 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	NUM.	DATE	REMARKS
	008	2017 11 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
	007	2017 11 07	FOR COORDINATION
	006	2017 11 01	FOR CLIENT REVIEW
	005	2017 01 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
	004	2016 08 21	FOR CLIENT REVIEW
	003	2016 02 18	SUPPLEMENTARY INFO. FOR C.O.A.
	002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
	001	2016 11 08	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

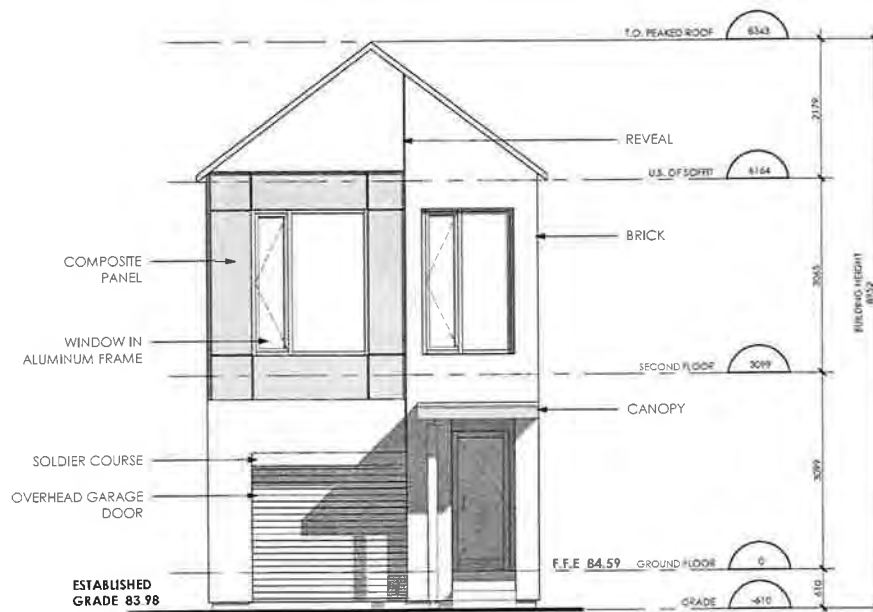
ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6J 1H7
 T 905 843 4366 F 905 843 4368
 E info@ataarchitects.com
 www.ataarchitectsinc.com

PROJECT
 14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	ROOF PLAN
DRAWN	SA
SCALE	1:75
DATE	2017 11 08
CHECKED	aj
PROJECT	14-1007

A2.5-A

V:\14-1007 Ascchele Longbreich, Etobicoke\02 Drawing\01 Architectural\01-Design\14-1007 Etobicoke townhome - COA, 2017 11 07.rvt
 2017-11-08 3:40:45 PM



1
A5.1-A

HOUSE A - WEST
1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SEALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REMARKS
000	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
001	2017 11 07	FOR COORDINATION
002	2017 11 09	FOR CLIENT REVIEW
003	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 03 31	FOR CLIENT REVIEW
005	2016 02 16	SUPPLEMENTARY INFO FOR C OF A
001	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016 11 30	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

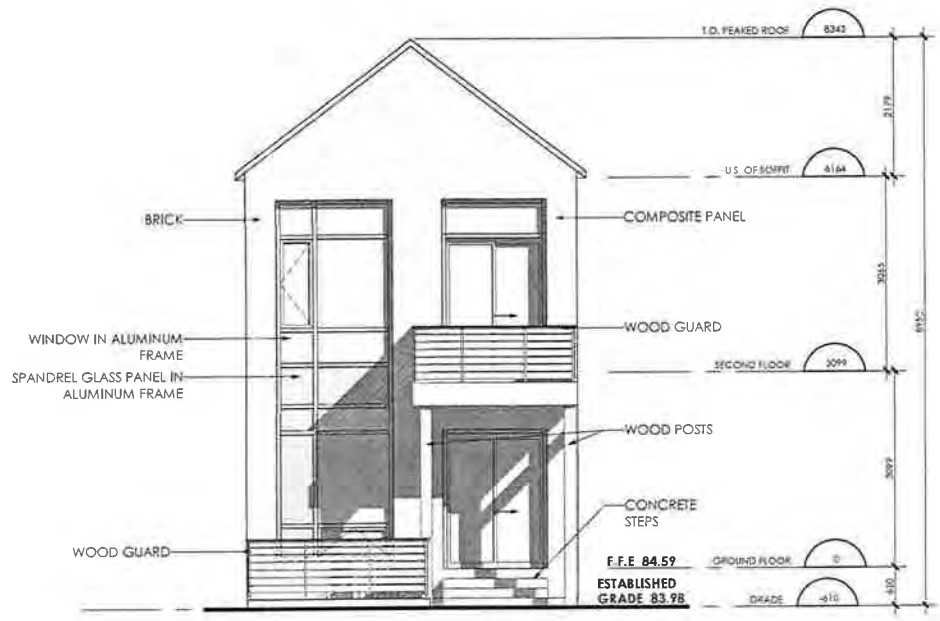
ATA ARCHITECTS INC.
 711 LAKESHORE ROAD EAST
 CHICAGO, ONTARIO M2J 1R9
 T 905.549.9355 F 905.549.4368
 E info@ataarchitects.com
 www.ataarchitects.com

14-1007 Etobicoke
Townhome
#9A THIRTY-EIGHTH STREET

DRAWING	DATE
DRAWN	DATE
SCALE	1:75
DATE	2017 11 08
CHECKED	AT
PROJECT	14-1007
DRAWING	14-1007

A5.1-A

V:\14-1007 Atocchelo Longbranch, Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke townhome - COA, 2017 11 07.rvt
 2017-11-08 3:40:46 PM



1
 HOUSE A - EAST
 A5.2-A 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	NUM.	DATE	REMARKS
	001	2017 11 06	FOR COMMITTEE OF ADJUSTMENT
	002	2017 11 07	FOR COORDINATION
	006	2017 11 01	FOR CLIENT REVIEW
	008	2017 01 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
	004	2018 08 31	FOR CLIENT REVIEW
	003	2018 03 14	SUPPLEMENTARY INFO. FOR C.O.A.
	002	2018 03 23	ISSUED FOR COMMITTEE OF ADJUSTMENT
	001	2018 11 06	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

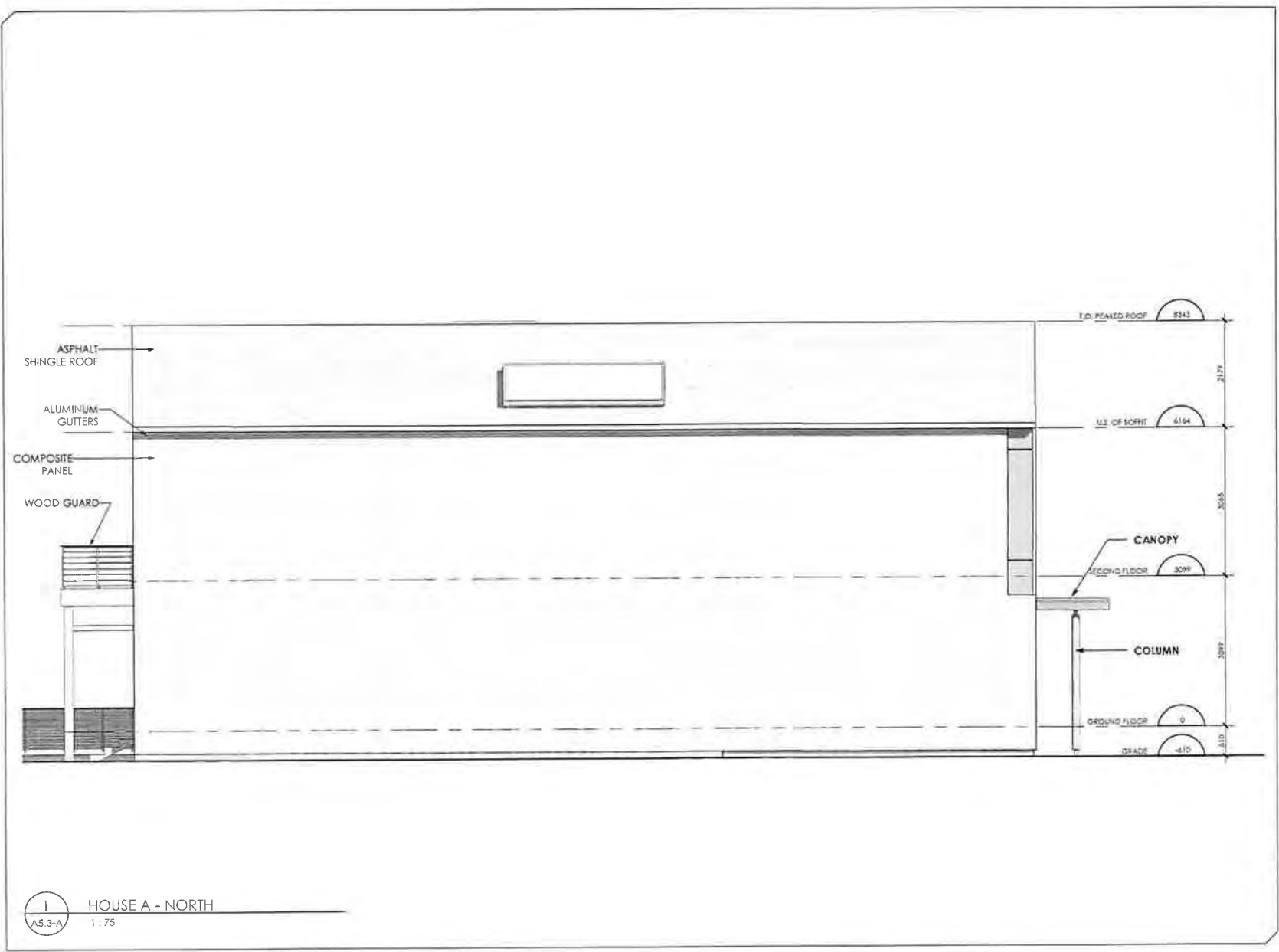
ATA ARCHITECTS INC.
 711 LAKESHORE ROAD EAST
 DANVILLE ONTARIO CAN. L1T
 T 905 849 9938 F 905 849 4569
 E info@ataarchitectsinc.com
 www.ataarchitectsinc.com

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	EAST ELEVATION
DRAWN	JA
SCALE	1:75
DATE	2017 11 08
CHECKED	AL
PROJECT	14-1007
DRAWING	A5.2-A

A5.2-A

V:\14-1007-Moschehel Longbranch, Etobicoke\02-Drawing\01-Architecture\01-Design\14-1007-Etobicoke Townhome - COA 2017.11.07.rvt
 2017.11.08 3:46:50 PM



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NUM	DATE	REMARKS
006	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
007	2017.11.07	FOR COORDINATION
008	2017.11.04	FOR CLIENT REVIEW
005	2017.01.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016.08.01	FOR CLIENT REVIEW
003	2016.02.18	SUPPLEMENTARY INFO. FOR C OF A
002	2016.01.10	FOR COMMITTEE OF ADJUSTMENT
001	2015.11.06	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DANFORTH, ONTARIO M1S 1H7
 T 416 349 8585 F 416 349 4568
 E info@ataarchitectsinc.com
 www.ataarchitectsinc.com

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING NORTH ELEVATION

DRAWN TA

SCALE 1:75

DATE 2017.11.08

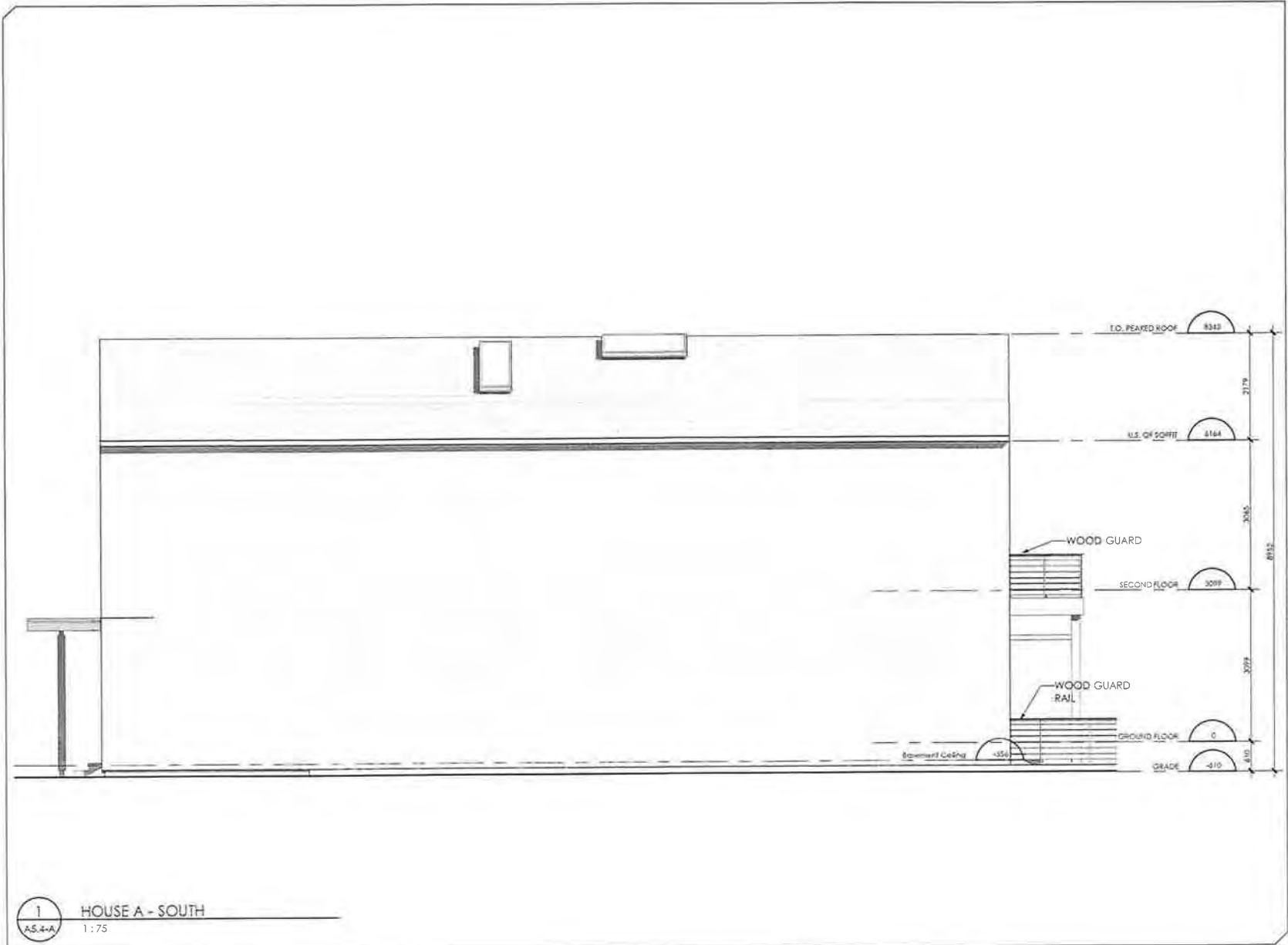
CHECKED AT

PROJECT 14-1007

DRAWING

A5.3-A

V:\14-1007 Moschicko Longbranch, Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017-11-08 3:40:54 PM



1 HOUSE A - SOUTH
 A5.4-A 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
35A	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
367	2017 11 01	FOR COORDINATION
35B	2017 11 01	FOR CLIENT REVIEW
505	2017 01 03	ISSUED FOR COMMITTEE OF ADJUSTMENT
35A	2016 08 21	FOR CLIENT REVIEW
803	2016 02 18	SUPPLEMENTARY INFO. FOR C.O.A.
502	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
351	2016 11 08	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DUNNVILLE ONTARIO M1H 1H7
 T 905 549 6565 F 905 549 4369
 E info@ataarchitects.com
 www.ataarchitects.com
 PROJECT

14-1007 Etobicoke
 Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING SOUTH ELEVATION

DRAWN

SCALE 1/4"

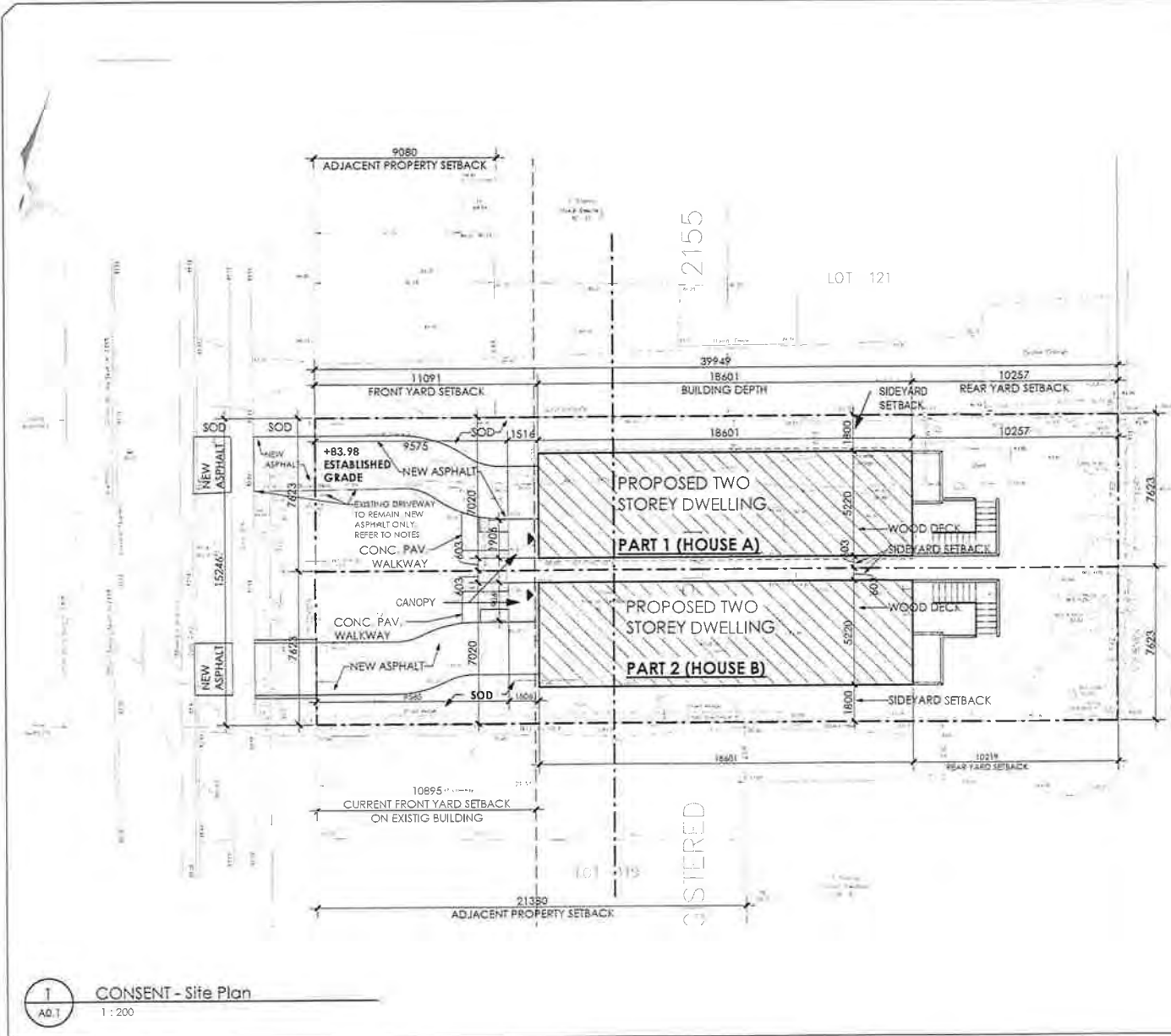
DATE 1-75

CHECKED 2017 11 08

PROJECT AT

DRAWING 14-1007

A5.4-A



DRIVEWAY NOTE FOR WORKING IN TREE PROTECTION ZONE (TPZ):

- USE HAND TOOLS ONLY WHEN REMOVING EXISTING DRIVEWAY
- USE HAND TOOLS ONLY WHEN INSTALLING NEW DRIVEWAY
- NO MACHINERY TO BE USED IN TPZ

STANDARD
 (A) STANDARD
 (B) STANDARD
 (C) STANDARD
 (D) STANDARD
 (E) STANDARD
 (F) STANDARD
 (G) STANDARD
 (H) STANDARD
 (I) STANDARD
 (J) STANDARD
 (K) STANDARD
 (L) STANDARD
 (M) STANDARD
 (N) STANDARD
 (O) STANDARD
 (P) STANDARD
 (Q) STANDARD
 (R) STANDARD
 (S) STANDARD
 (T) STANDARD
 (U) STANDARD
 (V) STANDARD
 (W) STANDARD
 (X) STANDARD
 (Y) STANDARD
 (Z) STANDARD

ATA ARCHITECTS
 14-1007 Etobicoke Townhome
 #9A IRTY-EIGHTH STREET

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE COPIED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REVISION
006	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
003	2017.11.07	FOR COORDINATION
008	2017.11.01	FOR CLIENT REVIEW
005	2017.04.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016.06.31	FOR CLIENT REVIEW
003	2016.02.18	SUPPLEMENTARY INFO. FOR C OF A
002	2016.02.02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016.11.06	ISSUED FOR 2016/11 REVIEW

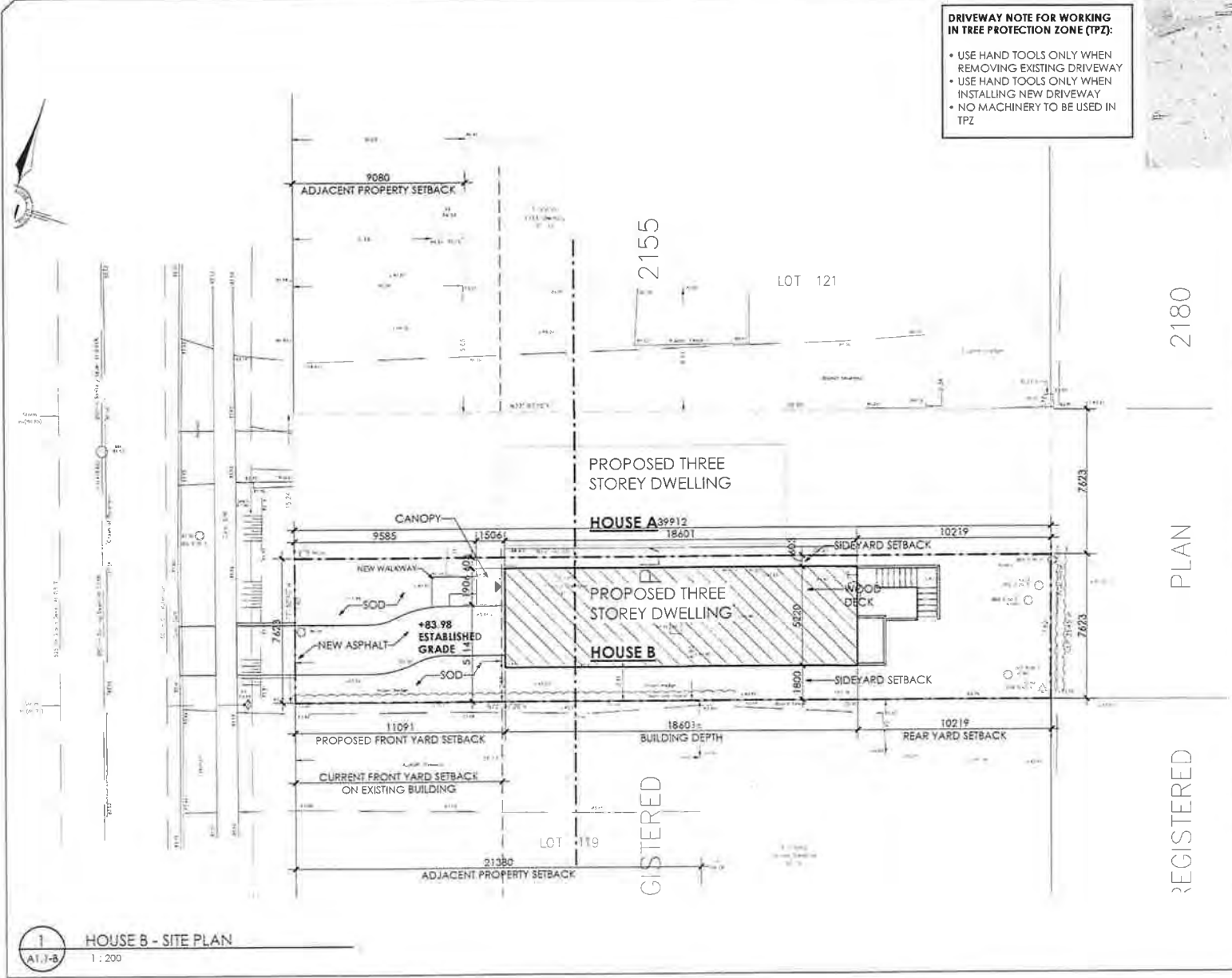
ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DAVENPORT ONTARIO L9V 1H7
 T: 905.848.0955 F: 905.848.4598
 E: info@ataarchitectinc.com
 www.ataarchitectinc.com
PROJECT

14-1007 Etobicoke Townhome
 #9A IRTY-EIGHTH STREET

DRAWING	SITE PLAN
DRAWN	SA/JD
SCALE	1:200
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007
DRAWING	A0.1

I
 A0.1
CONSENT - Site Plan
 1:200

V:\14-1007 Moschella Longbranch, Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke townhome - COA 2017 11 07.rvt
 2017-11-08 3:42:43 PM



DRIVEWAY NOTE FOR WORKING IN TREE PROTECTION ZONE (TPZ):

- USE HAND TOOLS ONLY WHEN REMOVING EXISTING DRIVEWAY
- USE HAND TOOLS ONLY WHEN INSTALLING NEW DRIVEWAY
- NO MACHINERY TO BE USED IN TPZ



KEY PLAN

(A) STANDARD

1. THE NAME OF THE CITY
2. THE NAME OF THE DISTRICT
3. THE NAME OF THE PROJECT
4. THE NAME OF THE CLIENT
5. THE NAME OF THE ARCHITECT
6. THE NAME OF THE CONSULTANT
7. THE NAME OF THE ENGINEER
8. THE NAME OF THE LANDSCAPE ARCHITECT
9. THE NAME OF THE CIVIL ENGINEER
10. THE NAME OF THE ELECTRICAL ENGINEER
11. THE NAME OF THE MECHANICAL ENGINEER
12. THE NAME OF THE STRUCTURAL ENGINEER
13. THE NAME OF THE ENVIRONMENTAL ENGINEER
14. THE NAME OF THE HISTORIC PRESERVATION CONSULTANT
15. THE NAME OF THE TREE CONSULTANT
16. THE NAME OF THE TRAFFIC ENGINEER
17. THE NAME OF THE WATER ENGINEER
18. THE NAME OF THE WASTE ENGINEER
19. THE NAME OF THE GEOTECHNICAL ENGINEER
20. THE NAME OF THE SEWER ENGINEER
21. THE NAME OF THE RAINWATER ENGINEER
22. THE NAME OF THE ENERGY ENGINEER
23. THE NAME OF THE SOUND ENGINEER
24. THE NAME OF THE VIBRATION ENGINEER
25. THE NAME OF THE LIGHTING ENGINEER
26. THE NAME OF THE SECURITY ENGINEER
27. THE NAME OF THE ACCESSIBILITY ENGINEER
28. THE NAME OF THE SIGNAGE ENGINEER
29. THE NAME OF THE FURNITURE ENGINEER
30. THE NAME OF THE PLAYGROUND ENGINEER
31. THE NAME OF THE SPORTS ENGINEER
32. THE NAME OF THE AMUSEMENT ENGINEER
33. THE NAME OF THE RECREATION ENGINEER
34. THE NAME OF THE CULTURAL ENGINEER
35. THE NAME OF THE COMMUNITY ENGINEER
36. THE NAME OF THE POLICE ENGINEER
37. THE NAME OF THE FIRE ENGINEER
38. THE NAME OF THE EMERGENCY ENGINEER
39. THE NAME OF THE PUBLIC WORKS ENGINEER
40. THE NAME OF THE UTILITIES ENGINEER
41. THE NAME OF THE TRANSPORT ENGINEER
42. THE NAME OF THE AVIATION ENGINEER
43. THE NAME OF THE MARITIME ENGINEER
44. THE NAME OF THE SPACE ENGINEER
45. THE NAME OF THE AEROSPACE ENGINEER
46. THE NAME OF THE DEFENSE ENGINEER
47. THE NAME OF THE INTELLIGENCE ENGINEER
48. THE NAME OF THE INFORMATION ENGINEER
49. THE NAME OF THE COMMUNICATIONS ENGINEER
50. THE NAME OF THE TELEVISION ENGINEER
51. THE NAME OF THE RADIO ENGINEER
52. THE NAME OF THE TELEPHONE ENGINEER
53. THE NAME OF THE TELETYPE ENGINEER
54. THE NAME OF THE TELEVISION ENGINEER
55. THE NAME OF THE TELEPHONE ENGINEER
56. THE NAME OF THE TELETYPE ENGINEER
57. THE NAME OF THE TELEVISION ENGINEER
58. THE NAME OF THE TELEPHONE ENGINEER
59. THE NAME OF THE TELETYPE ENGINEER
60. THE NAME OF THE TELEVISION ENGINEER

2180
 PLAN
 REGISTERED

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SEALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	DATE	REMARKS
004	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 09	FOR COORDINATION
006	2017 11 09	FOR CLIENT REVIEW
005	2017 09 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 09 21	FOR CLIENT REVIEW
003	2016 02 18	SUPPLEMENTARY INFO. FOR C OF A
002	2016 02 03	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2015 11 06	ISSUED FOR ZONING REVIEW

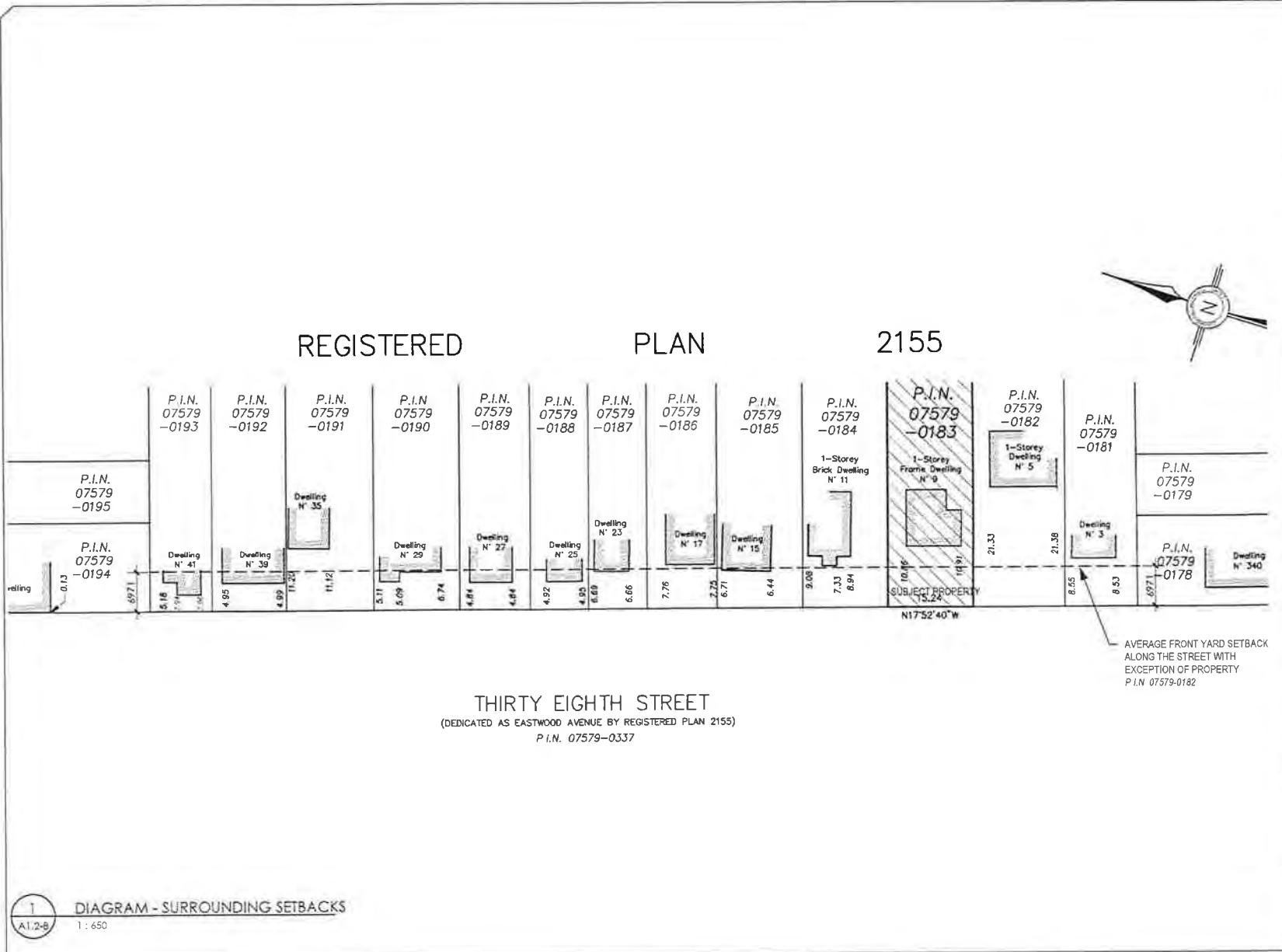
ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DAVENPARK ONTARIO L0R 1G7
 TEL: 905.465.8888 F: 905.465.4368
 E: info@ataarchitects.com
 WWW.ATAARCHITECTS.COM

PROJECT: 14-1007 Etobicoke Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING: SITE PLAN & KEY PLAN
 DRAWN: [Name]
 SCALE: 1/4" = 1'-0"
 DATE: 2017 11 08
 CHECKED: [Name]
 PROJECT: 14-1007
 DRAWING: A1.1-B

1 HOUSE B - SITE PLAN
 A1.1-B 1 : 200



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DIMENSIONS ARE NOT TO BE SCALE.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
003	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
004	2017.11.07	FOR COORDINATION
005	2017.11.07	FOR CLIENT REVIEW
006	2018.01.03	ISSUED FOR COMMITTEE OF ADJUSTMENT
007	2018.04.11	FOR CLIENT REVIEW
008	2018.02.19	SUPPLEMENTARY INFO. FOR C OF A
009	2018.02.02	ISSUED FOR COMMITTEE OF ADJUSTMENT
010	2018.11.06	BREAKS FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 DAVENPORT ONTARIO L2H 1H7
 T 905-515-0982 F 905-546-4106
 E info@ataarchitects.com
 www.ataarchitects.com
 PROJECT

14-1007 Etobicoke Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING	
DRAWN	DIAGRAM - SURROUNDING SETBACKS
SCALE	1:650
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007
DRAWING	

A1.2-B

1 DIAGRAM - SURROUNDING SETBACKS
 A1.2-B 1:650

V:\14-1007-Architects\Longbranch\Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017.11.07.rvt
2017-11-08 3:29:46 PM

SITE STATISTICS : "HOUSE B"

INFORMATION		
ADDRESS:	#9 THIRTY-EIGHTH STREET (PT B), TORONTO ON	
ZONING DESCRIPTION:	RD - RESIDENTIAL DETACHED	
PROPOSED BUILDING:	2 STOREY DETACHED HOUSE	
AREAS		HEIGHTS
PROPOSED BUILDING AREA		DESCRIPTION
PROPOSED GFA:	170.49 m ²	TORONTO ZONING BY-LAW
PROPOSED GROUND FLOOR (EXCLUDING GARAGE):	73.39 m ²	ETOBICOKE ZONING BY-LAW
PROPOSED SECOND FLOOR:	97.10 m ²	MAX. BUILDING HEIGHT: PROPOSED BUILDING HEIGHT:
		7.2 m (flat roof) 7.0 m
		9.5m (peaked roof) n/a
DESCRIPTION		DESCRIPTION
MIN. REQUIRED LOT AREA:	370.0 m ²	371.0 m ²
PROPOSED LOT AREA:	303.8 m ²	303.8 m ²
MAX. FLOOR SPACE INDEX: PROPOSED FLOOR SPACE INDEX:	0.35 (106.4m ²) 0.56 (170.49 m ²)	0.35 (106.4m ²) 0.56 (170.49 m ²)
MIN. LOT FRONTAGE: PROPOSED LOT FRONTAGE:	12.0m 7.62m	12.0m 7.62m
SETBACKS		LANDSCAPING
DESCRIPTION	TORONTO ZONING BY-LAW	ETOBICOKE ZONING BY-LAW
MIN. FRONT YARD: PROPOSED FRONT YARD:	6.9m (SEE SITE PLAN) 11.0m	6.9m (SEE SITE PLAN) 11.0m
MIN. SIDE YARD: PROPOSED SIDE YARD (NORTH): PROPOSED SIDE YARD (SOUTH):	1.2m 0.6m 1.8m	0.9m 0.6m 1.8m
MIN. REAR YARD: PROPOSED REAR YARD:	7.5m or 25% of lot depth 10.2m	7.5m 10.2m
		FRONT YARD AREA - TOTAL: HOUSE B:
		169.2 m ² 84.6 m ²
		MIN. LANDSCAPING: HOUSE B:
		AT LEAST 50% OF THE FRONT YARD 42.3 m ²
		PROPOSED LANDSCAPING: HOUSE B:
		65% OF THE FRONT YARD 55.3 m ²
		MIN. SOFT-SCAPING: MIN. HOUSE B:
		75% OF THE FRONT YARD LANDSCAPING 41.5 m ²
		LOT FRONTAGE - TOTAL: HOUSE B:
		15.2 m 7.6 m
		MIN. DRIVEWAY WIDTH: PROPOSED DRIVEWAY WIDTH:
		2.0 m 2.6 m
		PROPOSED DRIVEWAY AREA: PROPOSED WALKWAY AREA:
		29.3 m ² 2.7 m ²

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.


CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REV	DATE	REMARKS
001	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
002	2017.11.07	FOR COORDINATION
003	2017.11.01	FOR CLIENT REVIEW
004	2017.01.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
005	2016.08.31	FOR CLIENT REVIEW
006	2016.03.14	SUPPLEMENTARY INFO. FOR C.O.A.
007	2016.02.02	ISSUED FOR COMMITTEE OF ADJUSTMENT
008	2015.11.06	ISSUED FOR ZONING REVIEW

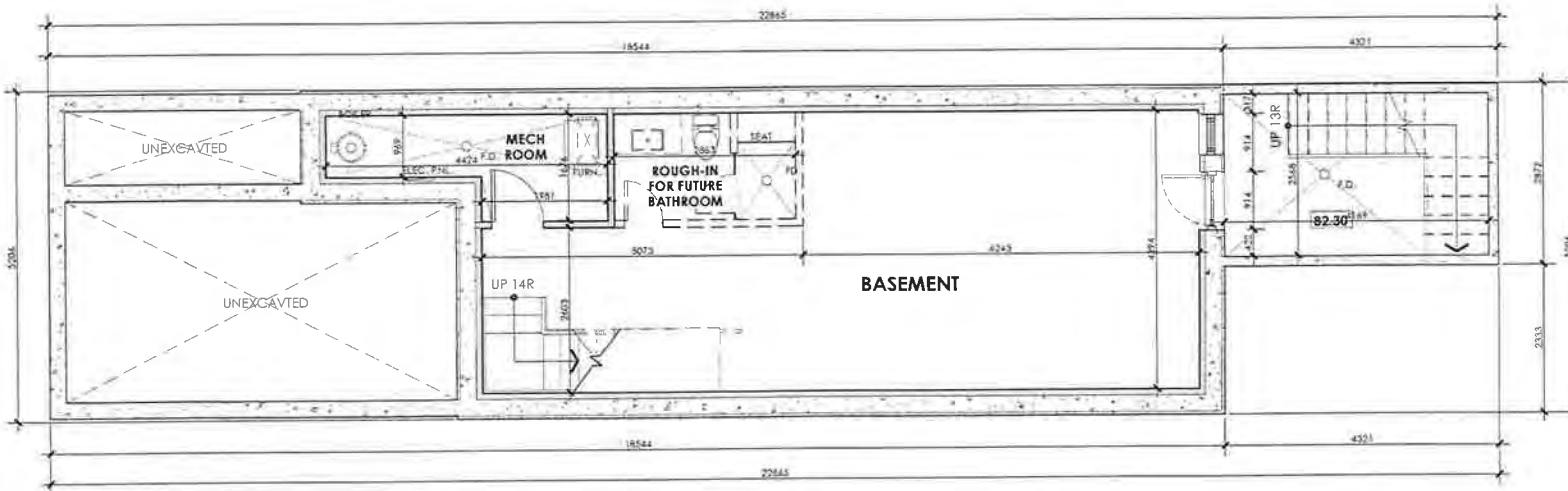


14-1007 Etobicoke
Townhome
#9B THIRTY-EIGHTH STREET

DRAWING	DATE
DRAWN	14-1007
SCALE	1:10
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007
DRAWING	A1.3-B

 HOUSE B - SITE STATISTICS
1:10

A1.3-B



1 HOUSE B - BASEMENT
 A2.1-B 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	NO.	DATE	REMARKS
	001	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
	002	2017.11.07	FOR COORDINATION
	004	2017.11.01	FOR CLIENT REVIEW
	005	2017.01.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
	009	2016.03.31	FOR CLIENT REVIEW
	003	2016.02.18	SUPPLEMENTARY INFO. FOR C.O.P.A.
	002	2016.02.02	ISSUED FOR COMMITTEE OF ADJUSTMENT
	001	2015.11.06	ISSUED FOR ZONING REVIEW

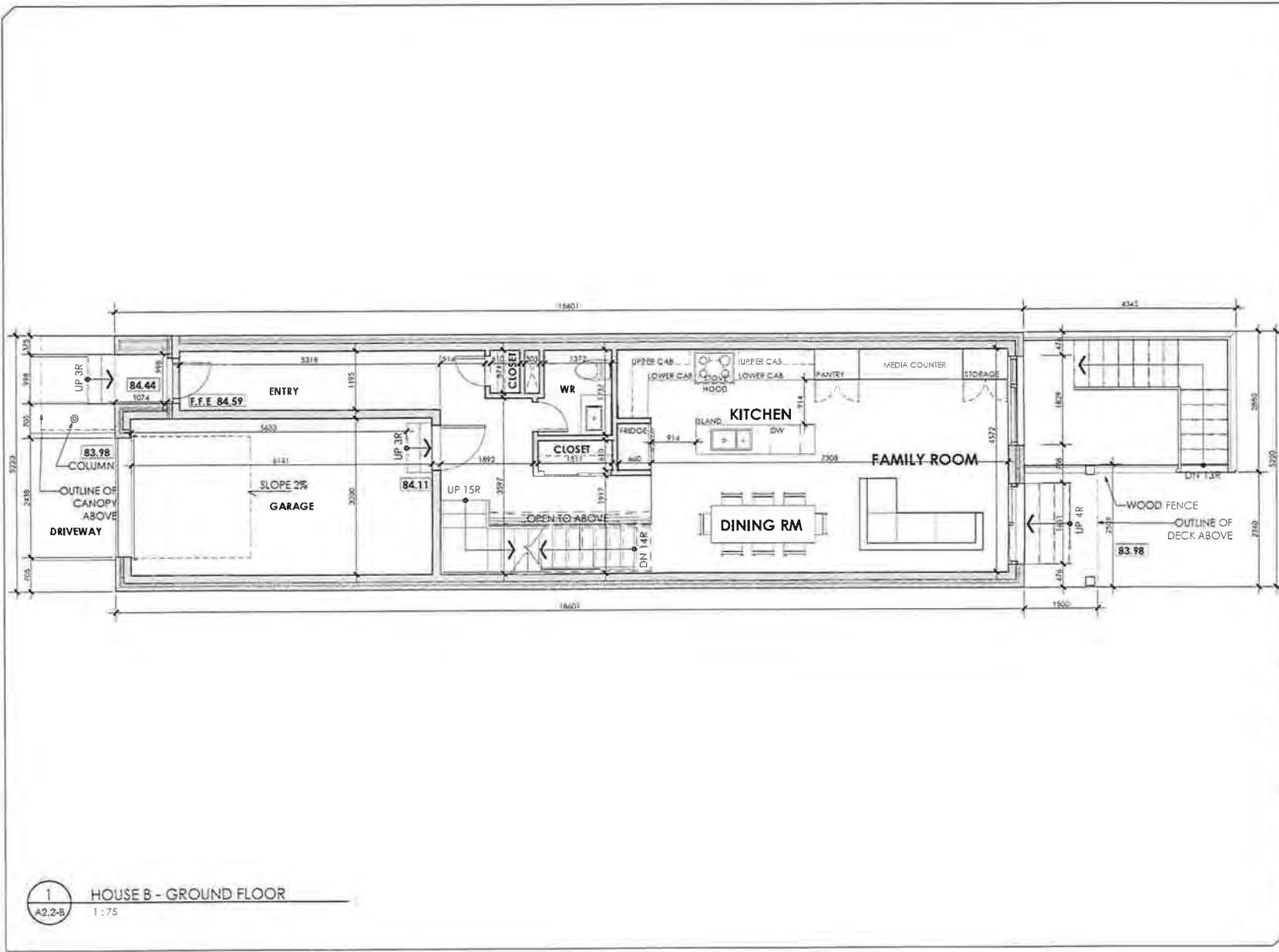
ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 CARLTON PLACE, ONTARIO, CANADA
 L1S 4S8 659-5195 646-4319
 E: info@ataarchitects.com
 www.ataarchitects.com
PROJECT

14-1007 Elobicoke
 Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING	BASEMENT
DRAWN	SA
SCALE	1:75
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007

A2.1-B



1 HOUSE B - GROUND FLOOR
A2.2-B 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REV.	DATE	REMARKS
308	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
287	2017 11 07	FOR COORDINATION
306	2017 11 01	FOR CLIENT REVIEW
005	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
304	2016 08 31	FOR CLIENT REVIEW
303	2016 03 14	SUPPLEMENTARY INFO FOR C.O.A
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
301	2016 11 04	ISSUED FOR EDGING REVIEW

ATA ARCHITECTS

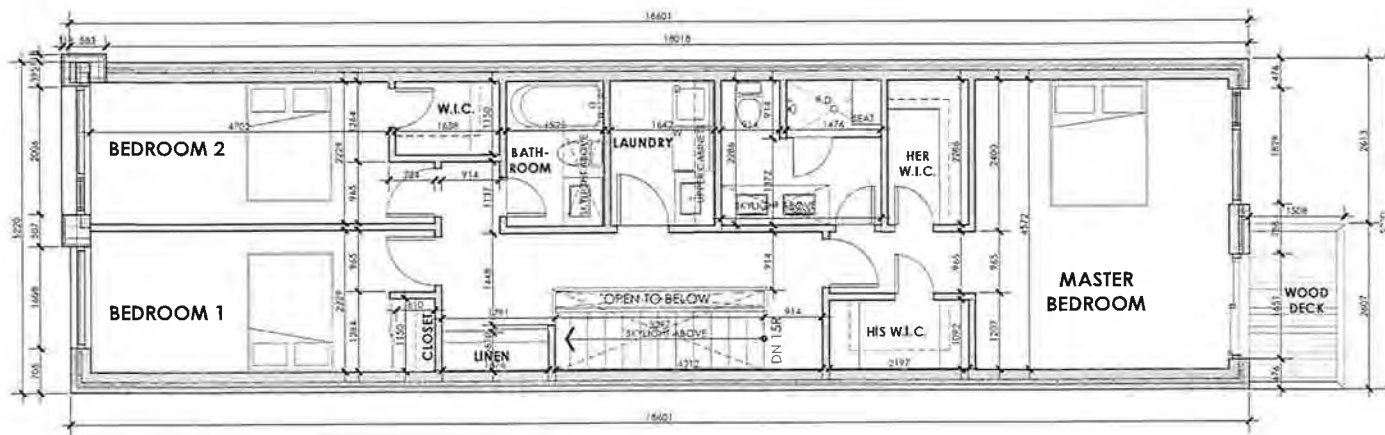
ATA ARCHITECTS INC.
211 LAKESHORE ROAD EAST
DANVILLE ONTARIO L5J 1H7
T: 905 348 4888 F: 905 348 4369
E: info@ataarchitects.com
www.ataarchitects.com

14-1007 Elobicove
Townhome
#9B THIRTY-EIGHTH STREET

DRAWING	GROUND FLOOR
DRAWN	JA
SCALE	1:75
DATE	NOV 11 2017
CHECKED	AT
PROJECT	14-1007
DRAWING	A2.2-B

A2.2-B

V:\14-1007 Etobicoke Longbranch, Etobicoke 02 Drawing\01_Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017-11-08 3:42:51 PM



1 HOUSE B - SECOND FLOOR
 A2.3-B 1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
008	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 07	FOR COORDINATION
006	2017 11 01	FOR CLIENT REVIEW
005	2017 01 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 08 31	FOR CLIENT REVIEW
003	2016 02 18	SUPPLEMENTARY INFO. FOR C OF A.
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016 11 04	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

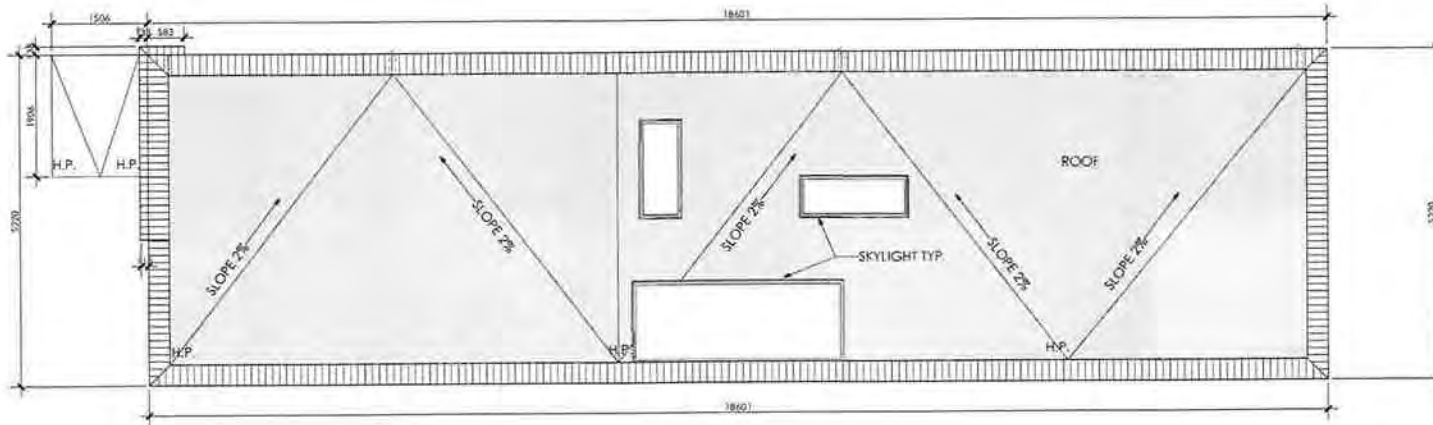
ATA ARCHITECTS INC.
 211 LAKEHURST ROAD EAST
 OAKVILLE ONTARIO L6K 1H7
 T: 905 242 6566 F: 905 249 4589
 E: info@ataarchitects.com
 www.ataarchitects.com

PROJECT: 14-1007 Etobicoke Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING	SECOND FLOOR
DRAWN	SA
SCALE	1 : 75
DATE	2017 11 08
CHECKED	AT
PROJECT	14-1007
DRAWING	A2.3-B

A2.3-B

V:\14-1007 Alexchelo Longbranch - Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke townhome - COA, 2017 11 07.rvt
2017-11-08 3:42:52 PM



1
A2.5-B

HOUSE B - ROOF
1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REMARKS
306	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
307	2017 11 07	FOR COORDINATION
308	2017 11 01	FOR CLIENT REVIEW
305	2017 01 08	ISSUED FOR COMMITTEE OF ADJUSTMENT
309	2016 08 31	FOR CLIENT REVIEW
303	2016 02 18	SUPPLEMENTARY INFO. FOR COA
102	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
301	2015 11 04	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

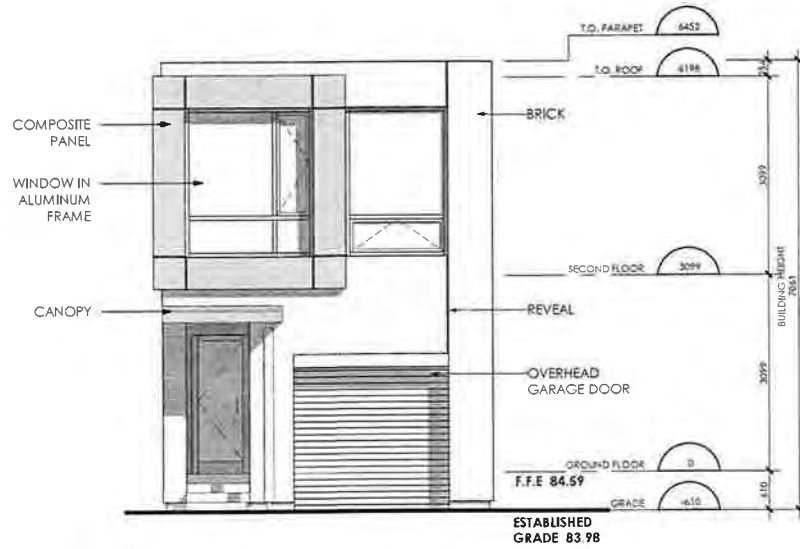
ATA ARCHITECTS INC.
211 LAKESHORE ROAD EAST
DANVILLE ONTARIO L0L 1H7
T 505 543 0958 F 505 545 4508
E info@ataarchitects.com
www.ataarchitects.com

14-1007 Etobicoke
Townhome
#9B THIRTY-EIGHTH STREET

DRAWING	ROOF PLAN
DRAWN	SA
SCALE	1 : 75
DATE	2017 11 08
CHECKED	AT
PROJECT	14-1007
DRAWING	

A2.5-B

V:\14-1007-Moschella Longbranch, Etobicoke\02 Drawings\01-Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
2017-11-08 3:42:54 PM



1
A5.1-B
HOUSE B - WEST
1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REMARKS
001	2017 11 01	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 07	FOR COORDINATION
006	2017 11 07	FOR CLIENT REVIEW
005	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 08 31	FOR CLIENT REVIEW
003	2016 02 18	SUPPLEMENTARY INFO. FOR C.O.A.
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016 11 06	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
211 LAKESHORE ROAD EAST
OAKVILLE ONTARIO L6J 1H7
T 505 849 6696 F 905 846 4369
E info@ataarchitects.com
www.ataarchitects.com

PROJECT
14-1007 Etobicoke
Townhome
#9B THIRTY-EIGHTH STREET

DRAWING
WEST ELEVATION

DRAWN
SA

SCALE
1:75

DATE
2017 11 08

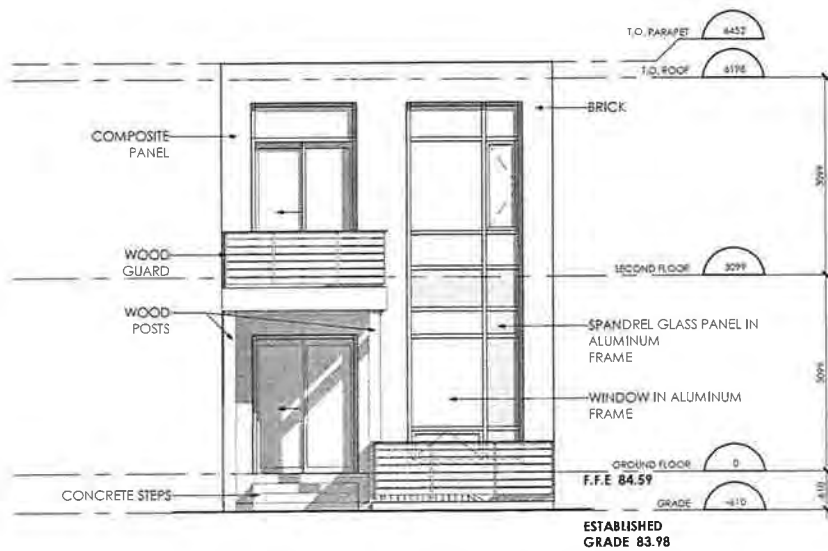
CHECKED
AT

PROJECT
14-1007

DRAWING

A5.1-B

V:\14-1007-Moschella Longbranch, Etobicoke\02-Drawing\01-Architectural\01-Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
2017-11-08 3:42:56 PM



1 HOUSE B - EAST
A5.2-B 1:75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SEALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

NO.	DATE	REMARKS
006	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
007	2017 11 07	FOR COORDINATION
008	2017 11 01	FOR CLIENT REVIEW
009	2017 01 09	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016 08 21	FOR CLIENT REVIEW
003	2016 02 18	SUPPLEMENTARY INFO. FOR C OF A
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2015 11 06	ISSUED FOR ZONING REVIEW

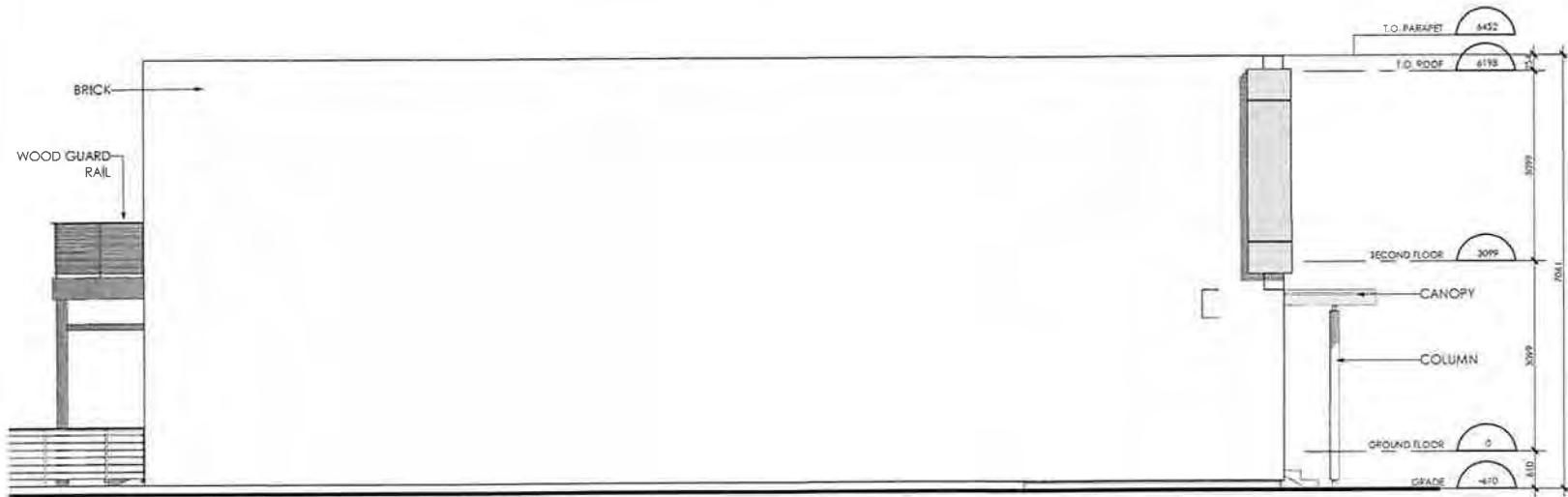
ATA ARCHITECTS

ATA ARCHITECTS INC.
217 LAKESHORE ROAD EAST
SCARLETON ONTARIO M1S 1K1
T 905 649 6595 F 905 649 4369
E info@ataarchitects.com
www.ataarchitects.com
PROJECT

14-1007 Etobicoke
Townhome
#9B THIRTY-EIGHTH STREET

DRAWING	FAST ELEVATION
DRAWN	SA
SCALE	1:75
DATE	2017 11 08
CHECKED	AT
PROJECT	14-1007
DRAWING	A5.2-B

V:\14-1007 Atac\Heli@ Longbranch, Etobicoke\02-Drawings\01-Architectural\01-Design\14-1007 Etobicoke townhome - COA.2017.11.07.rvt
 2017.11.08 3:43:00 PM



1
A5.3-B
HOUSE B - NORTH
 1 : 75

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.
 CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
068	2017.11.08	FOR COMMITTEE OF ADJUSTMENT
067	2017.11.07	FOR COORDINATION
066	2017.11.01	FOR CLIENT REVIEW
005	2017.01.08	ISSUED FOR COMMITTEE OF ADJUSTMENT
004	2016.08.21	FOR CLIENT REVIEW
003	2016.02.18	SUPPLEMENTARY INFO. FOR C.O.A.
002	2016.02.02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016.11.06	ISSUED FOR ZONING REVIEW

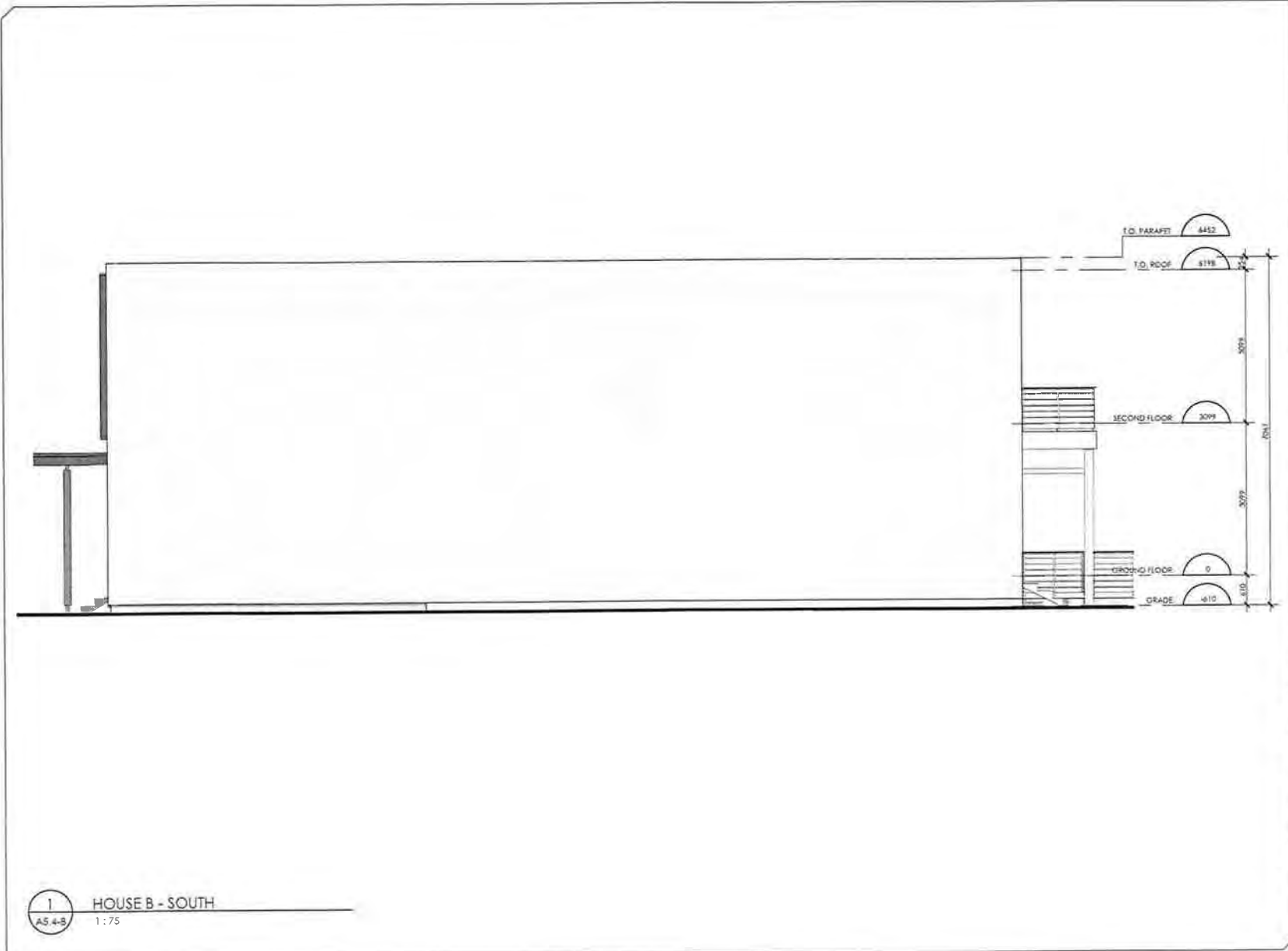
ATA ARCHITECTS
 ATA ARCHITECTS INC.
 214 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6J 1H7
 T 905.849.6926 F 905.849.4389
 E info@ataarchitects.com
 www.ataarchitects.com
 PROJECT

14-1007 Etobicoke
 Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING	NORTH ELEVATION
DRAWN	SA
SCALE	1 : 75
DATE	2017.11.08
CHECKED	AT
PROJECT	14-1007
DRAWING	A5.3-B

A5.3-B

V:\14-1007 Atocshelo Longbranch Etobicoke\02 Drawings\01 Architecture\01 Design\14-1007 Etobicoke Townhome - COA 2017 11 07.rvt
 2017-11-08 3:43:04 PM



CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION		
NO.	DATE	REMARKS
386	2017 11 08	FOR COMMITTEE OF ADJUSTMENT
387	2017 11 07	FOR COORDINATION
006	2017 11 01	FOR CLIENT REVIEW
005	2017 01 00	ISSUED FOR COMMITTEE OF ADJUSTMENT
304	2016 08 31	FOR CLIENT REVIEW
303	2016 02 18	SUPPLEMENTARY INFO. FOR C OF A
002	2016 02 02	ISSUED FOR COMMITTEE OF ADJUSTMENT
301	2015 11 04	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
 217 LAKESHORE ROAD EAST
 BARKVILLE ONTARIO L6J 4H7
 T 905 549 6986 F 905 549 4569
 E info@ataarchitects.com
 WWW.ATAARCHITECTS.COM

14-1007 Etobicoke
 Townhome
 #9B THIRTY-EIGHTH STREET

DRAWING

SOUTH ELEVATION

DRAWN KA

SCALE 1:75

DATE 2017 11 08

CHECKED AT

PROJECT 14-1007

DRAWING

A5.4-B

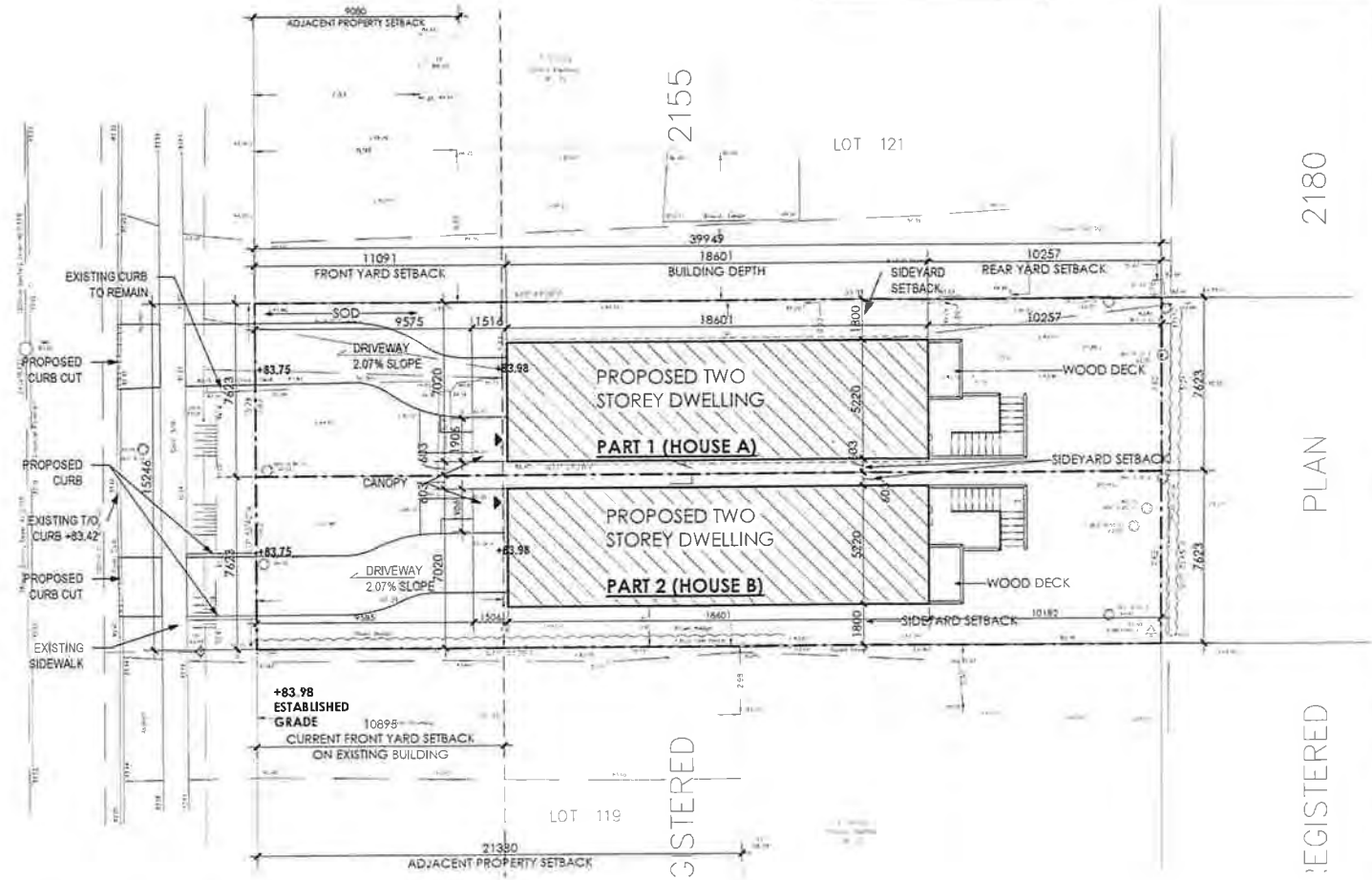
1
 A5 4-8
HOUSE B - SOUTH
 1:75



DRIVEWAY NOTE FOR WORKING IN TREE PROTECTION ZONE (TPZ):

- USE HAND TOOLS ONLY WHEN REMOVING EXISTING DRIVEWAY
- USE HAND TOOLS ONLY WHEN INSTALLING NEW DRIVEWAY
- NO MACHINERY TO BE USED IN TPZ

NOTE
 The applicant shall obtain the necessary authorizations and permits from the City's Right-of-Way Management Unit before excavating within or encroaching into the municipal road allowance. The applicant shall also submit a Municipal Road Damage Deposit prior to obtaining a Building Permit



STANDARD

(A) STANDARD

(B) TRANSPO

(D) GENERAL

(F) UTILITIES

CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DRAWINGS ARE NOT TO BE SCALED.

CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE CONSULTANTS AND SHALL NOT BE USED OR REPRODUCED WITHOUT AUTHORIZATION. DOCUMENTS ARE TO BE RETURNED UPON COMPLETION OF THE PROJECT.

REVISION	DATE	REMARKS
004	2017-11-08	FOR COMMITTEE OF ADJUSTMENT
003	2017-11-07	FOR COORDINATION
006	2017-11-07	FOR CLIENT REVIEW
005	2017-11-07	ISSUED FOR COMMITTEE OF ADJUSTMENT
008	2016-08-31	FOR CLIENT REVIEW
002	2016-02-19	SUPPLEMENTARY INFO FOR COA
002	2016-02-02	ISSUED FOR COMMITTEE OF ADJUSTMENT
001	2016-11-04	ISSUED FOR ZONING REVIEW

ATA ARCHITECTS

ATA ARCHITECTS INC.
 211 LAKESHORE ROAD EAST
 OAKVILLE ONTARIO L6J 1H7
 T: 905-849-6956 F: 905-849-4394
 E: info@ataarchitectsinc.com
 www.ataarchitects.com

14-1007 Etobicoke Townhome
 #9A THIRTY-EIGHTH STREET

DRAWING	SITE PLAN - TRANSPORTATION
DRAWN	JA
SCALE	1:200
DATE	2017-11-08
CHECKED	AT
PROJECT	14-1007
DRAWING	A0.2