

# INTERIM DECISION AND ORDER

**Decision Issue Date** Tuesday, March 05, 2019

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

Appellant(s): XIAOYAN JIANG

Applicant: AMBER STEWART LAW

Property Address/Description: 17 BRAMBLE DR

Committee of Adjustment Case File: 18 188630 NNY 25 MV

**TLAB Case File Number: 18 223820 S45 25 TLAB**

**Hearing date:** Tuesday, February 19, 2019

**DECISION DELIVERED BY** Ian James Lord

## APPEARANCES

NAME	ROLE	REPRESENTATIVE
XIAOYAN JIANG	OWNER/APPELLANT	
AMBER STEWART LAW	APPLICANT	AMBER STEWART
GORDON BOUGHNER	PARTY (TLAB)	
PRABHA HARAN	PARTY (TLAB)	
CITY OF TORONTO	PARTY (TLAB)	MARC HARDIEJOWSKI
LAMBROS STAMADIANOS	PARTICIPANT	
MATINA STAMADIANOS	PARTICIPANT	

## INTRODUCTION

This is an appeal from the North York Panel of the City of Toronto (City) Committee of Adjustment (COA) refusing variances applicable to 17 Bramble Drive

(subject property) intended to facilitate construction of a new single detached dwelling with integral 3-car garage.

The subject property is located in the south west quadrant of Leslie Street and York Mills Road in the vicinity of the Denlow Road Public School.

The Applicant provided a 'Revised List of Variances' including proposed 'Conditions of Approval', all as **Attachment 1** hereto (Application). The requested variances have some overlap as between By-law 569-2013 (new zoning by-law) and the former City of North York zoning By-law 7625 (North York By-law).

I advised that I had visited the site, as is Council's expectation of the Toronto Local Appeal Body (TLAB), and that I had referenced the on-line filings, but matters wishing to be introduced into evidence had to be called to my attention.

The Applicant, through Ms. Stewart, called one witness, Mr. David McKay, a Registered Professional Planner, whom I qualified to give expert opinion advice in land use planning.

The City, represented by counsel, Mr. Marc Hardiejowski, called no evidence but participated with questioning.

Evidence was provided by Mr. Gordon Boughner, a Party who acted as a Representative, Mr. Prabha Haran, a Party, and Ms. Matina Stamadianos and Mr. Lambros Stamadianos, Participants and residents of Bramble Drive.

None of these witnesses professed expert qualifications but demonstrated local knowledge expertise.

## **BACKGROUND**

There are two aspects of the Applications that Mr. McKay acknowledged early in his evidence that weigh in their consideration.

First, I was advised the TLAB appeal will be the fourth time the Applications have been before administrative tribunals for decision, on essentially the same basis. Three previous decisions of the COA had refused the variance approvals sought. This is in itself, unusual but not determinative. The right to bring applications exists under the legislation and no principle of *res judicata*, prolixity, issue estoppel or abuse of process was argued or that required consideration. The TLAB is expected to have regard to previous decisions; however, customarily, no reasons are offered by the COA and none were brought to my attention.

Mr. McKay acknowledged no familiarity with the prior applications and had not appeared before the COA on the Applicant's behalf. He advised he was unfamiliar with any changes that might have evolved in the succession of considerations and none were made with his input. I note that the essential plan in issue, the Main Elevation (West), Drawing A-6, remained unaltered since January 25, 2018.

Second, Ms. Stewart had exercised her client's right to file a Zoning Review Waiver, dated March 18, 2018, such that the consideration of the project proceeded on self-identified variances, for which the client had assumed the risk of non-disclosure, or error.

The plans describing the project are found in **Attachment 2**, hereto (Plans); they were filed before the COA and are the same in the Witness Statement of David McKay, (website) Exhibit 2, Tab G.

The Plans before the COA for its third consideration are those on Appeal to the TLAB showing, for some, last revisions dated March 22, 2018, excluding Drawing A-6, above referenced as having a different revision date. It is interesting that the Plans, Drawing A2, are labeled to show a "2 car garage", but clearly depict space and access for three cars, a matter in issue as the Hearing proceeded.

There were no preliminary matters or opening remarks.

## **MATTERS IN ISSUE**

The Applicant's Plans generated neighbourhood opposition on matters respecting design, massing, built form, scale, driveways and their widths, height and the number of garage bays, all to the effect that the project on the Bramble frontage, mid-block, was said to be unrepresentative of area character.

## **JURISDICTION**

### **Provincial Policy – S. 3**

A decision of the Toronto Local Appeal Body ('TLAB') must be consistent with the 2014 Provincial Policy Statement ('PPS') and conform to the Growth Plan of the Greater Golden Horseshoe for the subject area ('Growth Plan').

### **Minor Variance – S. 45(1)**

In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet all of the four tests under s. 45(1) of the Act. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;
- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

## **EVIDENCE**

Mr. McKay, called by Ms. Stewart, referred to a detailed Witness Statement and document record, Exhibits 1 and 2. He identified two 'study areas' as a basis to assess the 'physical character of the area', required to be assessed by the Official Plan (OP) to gauge whether the requested variances would 'respect and reinforce' its designated Neighbourhoods attributes.

His smaller 'Immediate Study Area' (ISA) consisted of 177 dwelling units, concerning which he extracted significant information. He found that both of his neighbourhood study areas revealed definable character elements:

- a) A variety of house forms and architectural styles
- b) Single detached units of 2 storeys with attached garages
- c) Renovations, enlargements and some new builds
- d) 3 three car garages on Denlow in the ISA, as is proposed
- e) Wide driveways
- f) Larger houses and driveways on the west side of the ISA
- g) Average lot coverages of 33%

His Witness Statement identified these attributes:

"Within the Immediate Study Area there are 177 detached dwelling units.  
In summary:

4.8.1 The lot area for properties in the Immediate Study Area range from 557 sq m (2 Bramble Drive) to 1,092 sq m (5 Barrydale Crescent) with the average at 659 sq m.

4.8.2 Approximate Lot Coverage ranges from 20% of the lot area (5 Barrydale Crescent) to 45% of the lot area (27 Cheval Drive) with the average at 33% lot coverage.

4.8.3 There are three (3) homes in the Immediate Study Area with three car garages."

In describing the Application, he noted that it was the owners' intention to reuse the existing rear yard pool and to respond, where possible, to identified concerns including as represented by the Conditions identified on **Attachment 1**, but also additional front yard tree plantings.

Mr. McKay described the proposal behind the Applications to include, from the Plans:

- a) An integral garage of 3 car spaces accessed by two doors, minimized by columns and panels and covering only some 40% of the linear front façade;

- b) A 'theatre room' below the garage;
- c) A floor level, the basement, below the floor of the garage;
- d) A raised first floor level accessible via steps from grade (19 from the 'basement');
- e) Interior space, possibly voids, including a 12' ceiling height between portions of the first and second floor;
- f) Front bay windows and a portico being projection towards the street, with steps down to a 'horseshoe/circular' front yard driveway;
- g) Rear yard landing and steps, (19) to grade;
- h) Front façade fenestration, to provide built form 'relief';
- i) Two driveway entrances, accessing the 'circular drive' in the front yard and 2 garage doors; and
- j) Side yard small dormers that interrupt and provide relief to the otherwise uniform side elevations.

The variances, **Attachment 1**, relate directly to aspects of some of these design attributes, notably, under the new zoning by-law: coverage (33% sought, from 30% (permitted)); driveway width at the dwelling (7.1 m, from 6 m); vehicle entrance widths, combined (7.1 m, from 6 m); side wall height (7.8 m, from 7.5 m).

Under the North York By-law: the same coverage aspect; maximum permitted building height (9.1 m, from 8.8 m) and driveway width (7.62 m, from 6 m) are variances that are also sought.

Mr. McKay noted that the design features raise the first floor level. In other respects, he advised that the building depth (at 14 m) matches both neighbours and was less than the by-law standard (17 m), and no variances were sought for front, rear or side yard setbacks, or landscaped open space.

He relayed that there were no Planning Staff comments and in OP terms, the neighbourhood was stable and that the proposal met the design policies of 3.1.2 with, in his opinion, a height, massing and built form scale proportion (policy criteria 4.1.5 c), f)) that is 'broken-up' and compatible, with articulation and fenestration and landscaping, that will 'fit' within the context of the neighbourhood, as described.

He noted that the height exceedance under the North York By-law is a 30 cm (one course of brick) difference. He advised the variance increases were within the 'range' experienced in the larger neighbourhood, where information existed.

On the concerns expressed by neighbours respecting the excessive size of the garages and associated driveways, he suggested that the door panels attempted to alleviate impact on the streetscape, but that 3 spaces were desired as functional, and 3 examples existed on Denlow, nearby. He offered a reduction in the south driveway width and noted that from his study in the ISA, the average of driveway width to lot frontage was 33%, whereas 33.27% is sought, based on a reduced 7.1 m width of the south entrance.

He was of the opinion that the requested coverage of 33% was consisted and within the range of ISA properties and did not constitute over development. As well, he felt the driveways and their access did not dominate the front yard, albeit being in the higher range for the lot frontage.

Mr. McKay addressed provincial policy, the four statutory tests in section 45 (1) of the *Planning Act*, above and the proposed conditions in **Attachment 1**, all as being supportive of the Plans, the project and the variances. He foresaw no adverse impact offsite. His opinions are set out thoroughly and documented in Exhibits 1 and 2.

In cross-examination and questioning, he acknowledged:

1. The limitation on garage widths/driveway widths was introduced with By-law 569-2013 and this was the first test of it. All examples of 3 car garages in the ISA pre-date that By-law and none are on Bramble Drive;
2. The Plans indicate landscaped open space of 52.8% whereas the by-law requires 60%;
3. OP policy 3.1.2 b) supports minimization of driveway widths; the proposal widens, contemplates 2 curb cuts and a wider entrance at the building face;
4. The limitation on side wall height was introduced with By-law 569-2013 and this was the first test of it;
5. OP policy 4.1.5 c) sets compatibility criteria for 'height, massing and scale' of nearby properties and consideration of, d) prevailing building type. His referenced comparable at 30 Cheval Drive, around the corner, has only 'one set of windows above the garage', contrary to the proposal, which has two; to achieve an example of two storeys above an integrated garage, it is necessary to go outside the ISA to 15 Aims Circle, an as-of-right project.
6. He did not know the number or nature of the neighbour's concerns and suggested the OP does not control architectural style; in his view, the proposal is a single detached dwelling with an integral garage buildable without undue adverse impact.

Matina Stamadianos called attention to the three COA rejections and the community efforts to encourage and respect the importance of construction in accordance with the by-laws and area architectural character. She was critical of elements of the Plans: rejection of area style; a flat streetscape juxtaposed with a structure of apparent three storey height; street dominance; elevated first floor; steps up outreaching and projecting closer to the street. In her view, the style of house did not match the neighbourhood and was out of character in OP terms: namely, neither sensitive, gradual nor a 'fit'. She described the as-of-right example at 15 Aims Circle as

being located west of Banbury Drive, out of the ISA. In her opinion, the proposed square box would appear as an 'eyesore' as proposed and would be wholly inconsistent with the streetscape, of just 17 homes on the short reach of Bramble Drive.

Lambros Stamadianos, also resident at Bramble Drive, reviewed all COA redevelopment variances within the ISA and distinguished their relief from the Applications, indicating the COA had been very consistent and attentive to projects involving community communications, not demonstrated here. As with the previous witness, he described his belief that the project is not in line with the street. He described its proposed presence as being bigger, dominant, massive and disturbing of the "greenery, peace, and tranquility of a pleasant streetscape". He had attended the three COA proceedings and noted that in 3 years, as neighbours, there had been no contact with or from the Applicants or their representatives. He suggested the spirit of policy and controls applicable to Bramble Drive was to preclude circular driveways. He suggested building the same coverage at the rear would yield no objection.

He could neither confirm nor deny but questioned the accuracy of the first-floor elevations put to him by Ms. Stewart, namely that the number of steps to the level of the front door were comparable to the level of adjacent properties. Mr. McKay was not recalled on the point.

Mr. Stamadianos did not agree that the front wall alignment was compliant or lined up with adjacent properties on the street, which were often recessed. He noted the bay windows, front portico and steps were all built out in front of the proposed garages projecting beyond neighbour comparisons.

## **ANALYSIS, FINDINGS, REASONS**

The three parties were precise, in argument, in the identification of the disputed elements of the Applications.

For the proponent, Ms. Stewart asserted:

- a) The format and design attributes of the house proposed with two storeys above a garage is permitted as-of-right and, on the advice of Mr. McKay, these elements are part of the 'planned context' forming part of the assessment of area physical character. Further, if the By-law permitted any of the standards proposed and challenged as many do, they are deemed compatible and, although different, can co-exist in harmony.
- b) There were no assertions of impact associated with shadows, privacy or overlook. No City witness was present to say the proposal was three storeys. The project was simply 'different, by fitting the garage into the basement as opposed to the first floor plan'.
- c) The fenestration, articulation and façade treatment, height variance and three car garage attributes were so minor (one course of brick and

1.1 m on the garage width) as to be virtually indistinguishable to what is permitted as-of-right.

She noted the mitigation measures and welcomed the opportunity to address concerns but noted that even if the variances were refused, it is realistic to expect that almost the exact building would be built because of close compliance to the by-law standards.

For the City, Mr. Hardiejowski asserted incompatibility with the variances under the OP with the 'physical character' of the streetscape, especially 'height, massing and scale'. He further submitted that 'fit', driven by descriptive numbers, is not the driver of character.

He argued:

- a) 3 car garages 'do not belong' in the Immediate Study Area as OP policy 3.1.2 intends to limit driveway width and make it proportional to landscaping; moreover, the new Zoning By-law (10.5.80.40) showed a clear recent intent to regulate garage door width and the proposal violated that standard, for the first time, and without streetscape precedent.
- b) The proposal presented an excessive size in relation to the physical character of the ISA, whose height, mass and scale suggested a built form "on steroids", disproportionate even to the examples provided by Mr. McKay. He suggested the streetscape reality, demonstrated by the residents and the photographs, is that the homes are recessed from the garages and that the homes themselves do not dominate the streetscape. In contrast, the proposal reverses the distinction and the elevated first floor is a massing build-up of two floors above the garage in closer proximity to the street. He urged this was not the character of renovations, rebuilds and additions in the neighbourhood and constituted a drastic change.
- c) The 'excessive parking features' affected the front yard contrary to sections 3.2.2 b) and 4.1.5 f) of the OP respecting landscaping feature preservation. He submitted two driveway accesses and a 'horseshoe' driveway were not a prevailing landscape feature, which itself would be reduced to virtual non-existence. Despite bringing no direct evidence, he suggested the 60% landscaped open space requirement of section 10.5.100.1 could not be met.

These issues, he concluded, were contrary to the OP's intent and purpose to minimize the space occupied by driveways. Cumulatively, the proposal reflected a drastic departure from the present streetscape.

He accepted the proposed conditions in **Attachment 1**, if the variances were approved.



For the residents, Mr. Boughner asserted that the proposal was a rebuild that 'cumulatively was too much' and failed to serve the neighbourhood via:

- a) the intent and purpose of both the OP and the By-laws. He congratulated the architect (who was not called) for the creation of spaces that did not fit area context and was grossly different in built form from 30 Cheval, the comparative of Mr. McKay, around the corner.

His chief concerns were height exceedance and driveway character. He was content with the coverage and even three cars 'if within the rules'.

- b) Precedent and process. He felt if the 3 successive COA rejections were ineffective, the evaluation process of preserving and protecting the community asset of area physical identity and streetscape had failed.

I canvassed the 'Arguments' here to contrast the elements requiring resolution.

I agree with the City and area residents that 'the physical character of the area' is more than mere numbers and that Bramble Drive has period architecture and building fabric in a replicable and identifiable form and character.

I agree with the argument and admissions achieved by Mr. Stewart that compliance with the By-law is unassailable, permissible and the owner's right.

I agree with Mr. McKay on most of his opinion evidence that the permissions sought by the variances are minor, certainly from a quantitative perspective and also qualitatively, except perhaps for the on-site implications of the increased coverage request.

Compliance with all the tests, above set out under Jurisdiction, is required.

I do not accept, as attributed to Mr. McKay in argument, that the 'planned context' of as yet unbuilt structures to their permitted maximums is a relevant consideration in assessing the 'existing physical character of the area', in the context of the Neighbourhoods designation.

In my view, the strong policy support in the OP for the protection, preservation and enhancement of City Neighbourhoods is directed towards husbanding their individual characteristics. I read the intent of the Official Plan in Neighbourhoods to equate 'planned context' to the existing context, namely, of what is seen on the ground.

Nor are the Neighbourhoods criteria applied to assess the 'general' physical character of the area. OP Policy 4.1.5 does not use that qualifier. Rather, it is express, even leaving aside the greater particularity of the language of OPA 320 and limited to the physical character.

The imagined future for City Neighbourhoods is their evolution through renewal, regeneration and reinvestment in a manner that is stable and gradual. Where applications are made for unauthorized change permission, those changes are to be tested; they are to be consistent and compatible with that physical character; and that the project 'fits' within the established character, of whatever physicality it might or might not demonstrate. Otherwise, 'no changes' by way of listed *Planning Act* approvals are to be granted (OP, section 4.1.5).

In this circumstance, I accept that this short street of 17 homes demonstrates a consistent period of construction in style, dwelling type, street orientation, building form and materials. There is diversity, for sure, in architectural expression, position on the lot and in parking solutions. The street is not uncharacteristic of the ISA described by the planner McKay and while distinctions in attributes can be identified, such as 3 examples of three car garages that predate newer regulations, these do not shift the essential characteristics, above described by the Stamadianos's and Mr. McKay.

I find that the existing physical character of the area demonstrates identifiable features of grade oriented residences, landscaped front yards, often dominant garage structures and recessed building entrances, in a setting of generous setbacks, mature landscaping, replicable cornice lines and pitched roofs.

Nothing in that description, however, compels an owner, as Ms. Stewart asserts, from exercising as-of-right construction in by-law compliance, even if that differs in form, functional approach, materials, roof style and historic setbacks.

I therefore accept much of what the Applicant says concerning the proposed design, where it complies with the By-law. In that regard, I am troubled that three decisions of the COA have seen the design, including its requested variances, and, apparently agreed the change in character represented by the Applications with the associated Plans is too drastic and not to be furthered.

I am also troubled that no Plans Examination has been undertaken at any time since the concept of the proposal began, in 2017. The project advances several innovative elements, a sub-basement, a deliberate reconfigured intermediate basement, a raised first floor (arguably by-law compliant), the potential for main and second storey void spaces, high front bay windows, a rear yard platform and a significant front yard portico associated with the circular driveway access. The City argues a further variance is required because of the diminution of front yard landscaping by virtue of the 'horseshoe' driveway design and its widening at the entrance to the garages.

I confess a degree of concern and uncertainty, in these circumstances, in simply relying on the Applicant's determination to proceed via a Zoning Waiver. No evidence was called to support the action or identification of the variances requested, resulting from the Zoning Waiver. The TLAB is left without sufficient assurance that a revised set of variances might not be revealed, given the unique design features identified above.

Ms. Stewart argues, with purpose, that if the theatre, driveway, portico or landscaping are identified as issues - on a building permit application- the owners have

options to delete or re-design these features. Those options and that submission would be more persuasive if some of the elements themselves were not so controversial, at least from the City and neighbour's perspective, as to area character and streetscape injury.

In my view, the Plans present a built form that largely complies with by-law requirements, in the absence of anything more that might be revealed in Zoning Examiners Notice. Regrettably, perhaps because of the swimming pool retention, the buildable area is confined closer to the street. This built form is accompanied by a coverage increase to 33% of the lot, also fully massed with height and scale closer to the street. Even being setback compliant, the distribution of massing on the subject property, reflected in the coverage variance, creates an imposing proximity of built form to the streetscape that is uncharacteristic of neighbourhood properties. It presents an imposing building face and façade accentuated by bay windows, the front porch/portico and access steps and driveway configuration projecting in closer proximity to the street.

The proposal is a substantial, even magnificent presentation of indoor space, modern attributes, apparent high quality and compelling built form. However, for the reasons above expressed, I find that there are elements of the presentation that fail the considerations of meeting the intent and purpose of the OP, the intent and purpose of Zoning By-law respecting driveways and the desirability of the massing on the Bramble Drive streetscape.

I accept the professional planning opinion of Mr. McKay that the requisite provincial and *Planning Act* 'tests' of section 45 are met for the variances requested in **Attachment 1**, identified by the numbers 1. (coverage), 4. (side wall height limited to the area as shown on the Plans), 5 (coverage- North York By-law) and 6 (building height – North York By-law). However, this acceptance is subject to a significant consideration that necessitates an Interim Decision.

I accept the evidence and submissions received that a three-car garage and a dual access driveway are unacceptable changes to the streetscape character of Bramble Drive. I find that they do not meet the intent and purpose of either the OP or the applicable zoning and are not desirable. I have no comment on the interior space intended as garage space and labeled "Two Car Garage"; that space appears permitted as-of-right with the coverage proposed and there is entirely no basis in the evidence to interfere with it. However, it is not to be accessed by a garage door larger than a standard pedestrian entrance door.

As a consequence, I find that variances 2. (driveway width), 3. (combined width of all vehicle entrances) and 7. (driveway width – North York By-law) identified on **Attachment 1**, are not acceptable.

I find that these latter variances can properly be distinguished and remain detached from those variances that I find may be appropriate, subject to this Interim Decision.

The 'Conditions for Approval' contained on **Attachment 1** are not appropriate in the circumstances.

As well, Counsel for the Applicant properly sought to insulate, in the proposed draft 'Conditions of Approval' on **Attachment 1**, any approval in the TLAB decision from extending to "any variances other than those expressly set out above".

This is excellent counsel work; often it is included in a TLAB Decision and Order, whether or not it is self-evident or required.

However, for the reasons above described, I think it appropriate that the owner, the City, the residents and the TLAB have assurance that there are no further variances necessary to pursue the owner's intention for the redevelopment of the subject property.

For that reason, I am not prepared to grant final approval of the variances I have found acceptable. As well, because of the refusal of the variances I have found unacceptable, I am not proposing to identify or give effect to the Plans supportive of the variances sought. Not only are certain revisions expected to meet the results expressed herein, the Applicant may well wish but is not required to revisit the distribution or location of massing on the site.

## **INTERIM DECISION AND ORDER**

1. The appeal from the decision of the Committee of Adjustment is allowed, in part, as follows:

- a). Variances 1,4,5 and 6 as set out on **Attachment 1** hereto are conditionally approved, subject to the owner or Applicant:
  - i) preparing a revised set of Plans, including a Site Plan and elevation drawings, to those in **Attachment 2** incorporating the revisions necessary to implement this Interim Decision and Order (Revised Plans); and
  - ii) causing and having conducted a Plans Review resulting in an Examiner's Notice from the City as to whether the Revised Plans require any additional variances; and
  - iii) where the Revised Plans result in significant design, façade or building location changes, i.e., other than to the driveway and the pedestrian entrances as specified in this Interim Decision and Order, or if the Examiner's Notice identifies further or other variances, forthwith notifying the TLAB for the purpose of setting a teleconference date on Notice to all Parties.

b). The owner shall have a period of six (6) months from the date of the issuance of this Interim Decision and Order to comply with the provisions of paragraph a) hereof or advise that the appeal has been abandoned. The owner shall submit the Revised Plans and the evidence of the Examiner's Notice, together with an affidavit as to the extent of the Revised Plans revisions and the substance of the Examiner's Notice in respect thereof, electronically, to the TLAB and copied to the Parties. The TLAB upon such receipt may issue a final Decision and Order, with or without conditions.

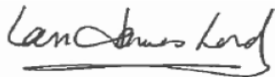
c). If the TLAB is not in receipt of the materials described in paragraphs 1.a) and b) hereof within the time period set out in paragraph 1.b), or any extensions thereto granted by the TLAB, the appeal in respect of this paragraph 1 of this Interim Decision and Order shall be dismissed.

2. Despite the foregoing, the appeal from the Committee of Adjustment in respect of Variances 2, 3 and 7 as set out on **Attachment 1** hereto is dismissed and the COA decision related thereto is confirmed.

3. The Conditions of Approval as set out on **Attachment 1** hereto are not approved.

If difficulties arise from the implementation of this decision, the TLAB may be spoken to.

X



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Ian J. Lord

Panel Chair, Toronto Local Appeal Body

Signed by: Ian Lord

## **Attachment 1**

17 Bramble Drive, Revised List of Variances, from Amber Stewart

## **Attachment 2**

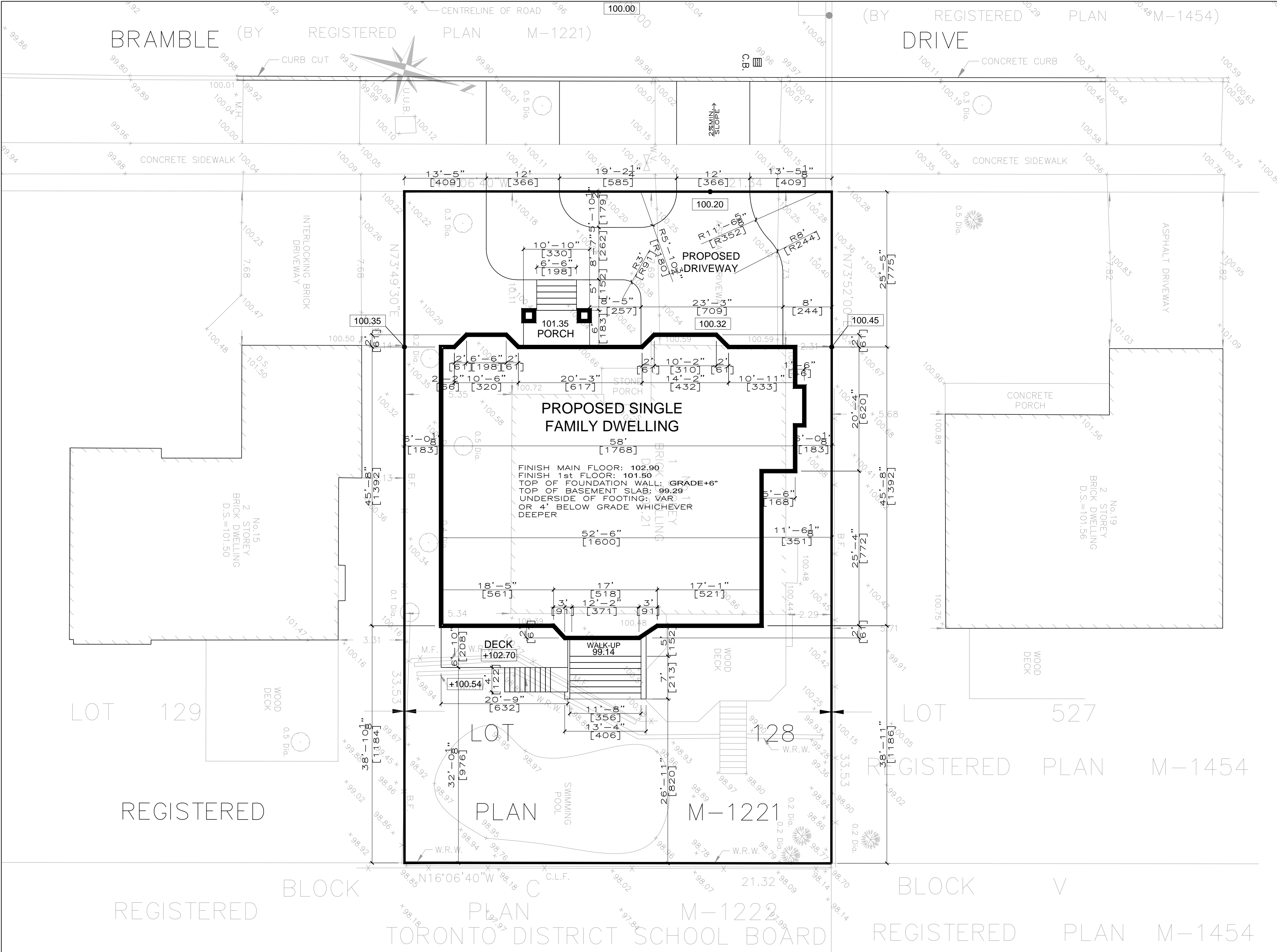
(Plans, Ex.2 Tab G or 'as before the Committee)

**17 Bramble Drive  
Revised List of Variances**

- 1. Chapter 10.20.30.40, By-Law No. 569-2013**  
The maximum permitted coverage is 30%.  
The proposed dwelling will have a coverage of 33%.
- 2. Chapter 10.5.100.1, By-Law No. 569-2013**  
The maximum permitted driveway width is 6m.  
The proposed dwelling will have a driveway width of 7.1m.
- 3. Chapter 10.5.80.40, By-Law No. 569-2013**  
The maximum permitted combined width of all vehicle entrances through the front main wall is 6m.  
The proposed dwelling will have a combined width of all vehicle entrances through the main front wall of 7.1m.
- 4. Chapter 10.20.40.10, By-Law No. 569-2013**  
The maximum permitted height of the pair of side walls is 7.5m.  
The proposed dwelling will have a height of the pair of side walls of 7.8m.
- 5. Section 13.2.4, By-Law No. 7625**  
The maximum permitted coverage is 30%.  
The proposed dwelling will have a coverage of 33%.
- 6. Section 13.2.6, By-Law No. 7625**  
The maximum permitted building height is 8.8m.  
The proposed dwelling will have a building height of 9.1m.
- 7. Section 6A(5)a, By-Law No. 7625**  
The maximum permitted driveway width is 6m.  
The proposed dwelling will have a driveway width of 7.62m.

**Conditions of Approval**

1. The proposed dwelling shall be constructed substantially in accordance with the Site Plan and Elevations prepared by Arcica Inc. and dated March 22, 2018. For greater clarity, the approval of these drawings does not constitute the approval of any variances other than those expressly set out above.
2. The driveway shall be constructed of permeable pavers.
3. The south driveway shall be narrowed to 2.6 m.



DESIGN BY:

**ALI SHAKERI**

T.416 8166651 F.416 2508900

**ARCICA INC.**

326 SHEPPARD AVENUE EAST,  
M2N 3B4  
TORONTO, ONTARIO, CANADA,

**Revisions:**

JUNE. 15, 2017- ISSUED FOR COA

JUNE. 16, 2017- ISSUED FOR PERMIT

JAN. 15, 2018 - ISSUED FOR COA2

JAN. 25, 2018 - REISSUED FOR COA2

MAR.22, 2018 - ISSUED FOR COA3

1. ALL WORK SHALL BE CARRIED OUT IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF THE LATEST REVISION OF THE ONTARIO BUILDING CODE.

2. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.

3. DO NOT SCALE DRAWINGS.

4. ALL DIMENSIONS AND INFORMATION SHALL BE CHECKED AND VERIFIED ON THE JOB AND ANY VARIANCES OR DISCREPANCIES MUST BE REPORTED TO THE DESIGNER BY PHONE AND SUBSEQUENT WRITTEN CONFIRMATION PRIOR TO COMMENCEMENT OF THE WORK.

5. USE ONLY LATEST REVISED DRAWINGS OF THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".

6. ALL STRUCTURAL MEMBERS SHOULD BE REVIEWED AND APPROVED BY CERTIFIED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION

**Project:**

**17 BRAMBLE DRIVE**

**Drawing:**

**SITE PLAN**

**Scale:**

**1/125" = 1'-0"**

**Page:**

**A1**

THE UNDERSIGNED HAS REVIEWED & TAKES RESPONSIBILITY FOR THIS DESIGN, & HAS THE QUALIFICATIONS & MEETS THE REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER

**Ali Shakeri**

**BCIN#24574**

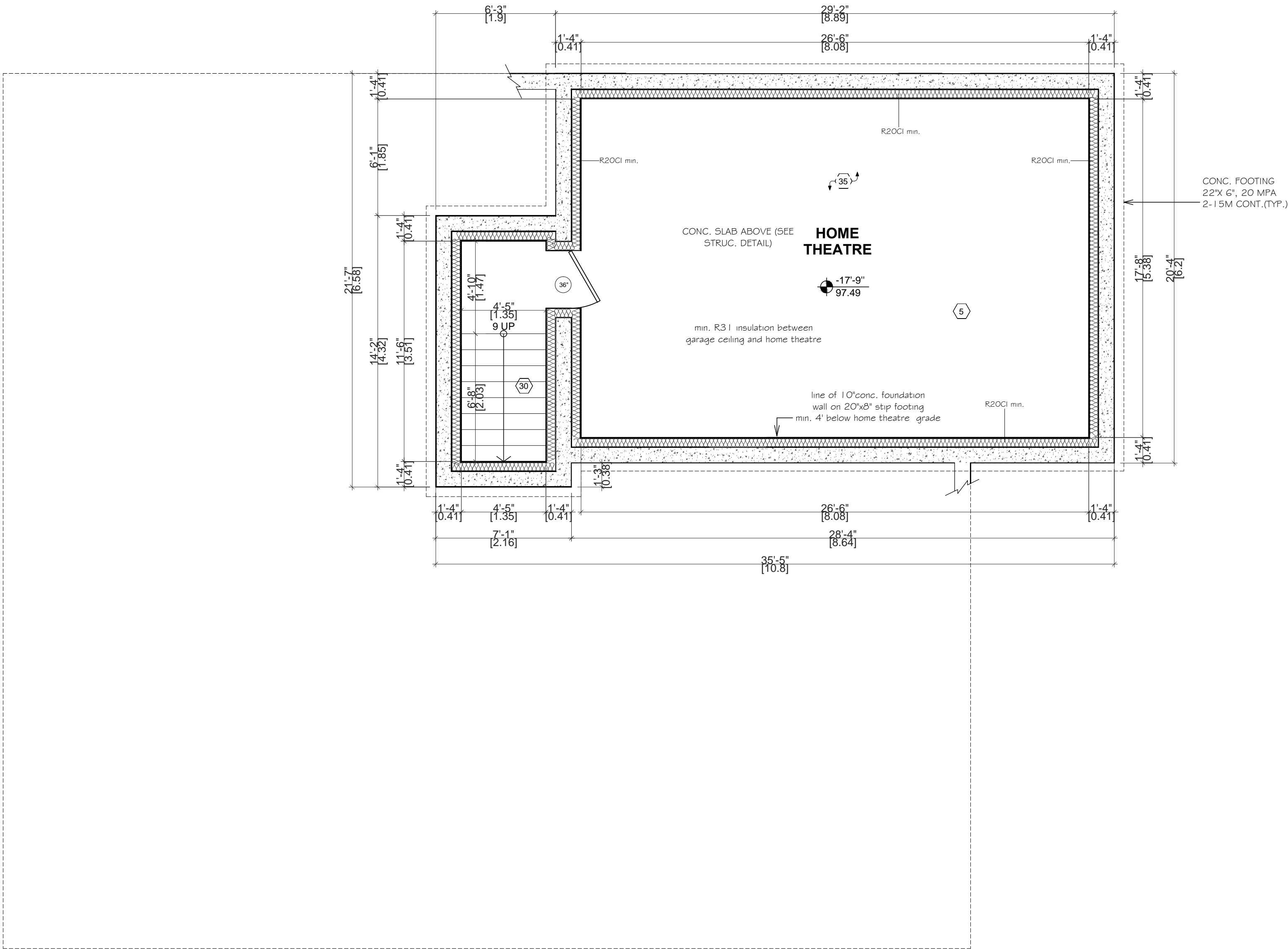
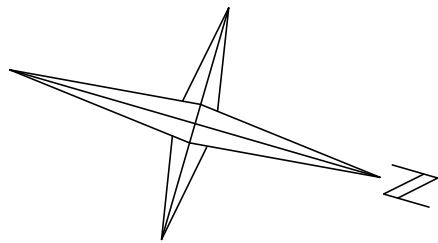
**F&A Associates Ltd.**

**BCIN#30998**

SITE DATA	
ZONING	R4 & RD(f21,a550)
LOT #	128
PLAN #	M-1221
LOT AREA	715.195 S.M. 7698 S.F.
LOT FRONTAGE	21.34 M

AREA	EXISTING	PROPOSED
LOT COVERAGE	—	236 S.M. 2540.34 S.F. (33%)
G.F.A.	—	481.30 S.M. 5180.68 S.F.(66%)
NO. OF STORIES	—	2 STORIES
PARKING	—	AS SHOWN

FRONT YARD AREA= 1781.98 S.F.  
DRIVEWAY AREA= 841.02 S.F.(47.19%)  
HARD LANDSCAPING AREA= 97.5 S.F.  
SOFT LANDSCAPING AREA= 843.46 (89.63%)  
LANDSCAPE OPEN SPACE= 940.96 S.F. (52.8%)



DESIGN BY:  
**ALI SHAKERI**  
T.416 8166651 F.416 2508900  
**ARCICA INC.**  
326 SHEPPARD AVENUE EAST,  
M2N 3B4  
TORONTO, ONTARIO, CANADA,

**Revisions:**  
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JUNE. 16, 2017- ISSUED FOR PERMIT  
JAN. 15, 2018 - ISSUED FOR COA2  
JAN. 25, 2018 - REISSUED FOR COA2  
MAR.22, 2018 - ISSUED FOR COA3

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**Project:**  
**17 BRAMBLE DRIVE**

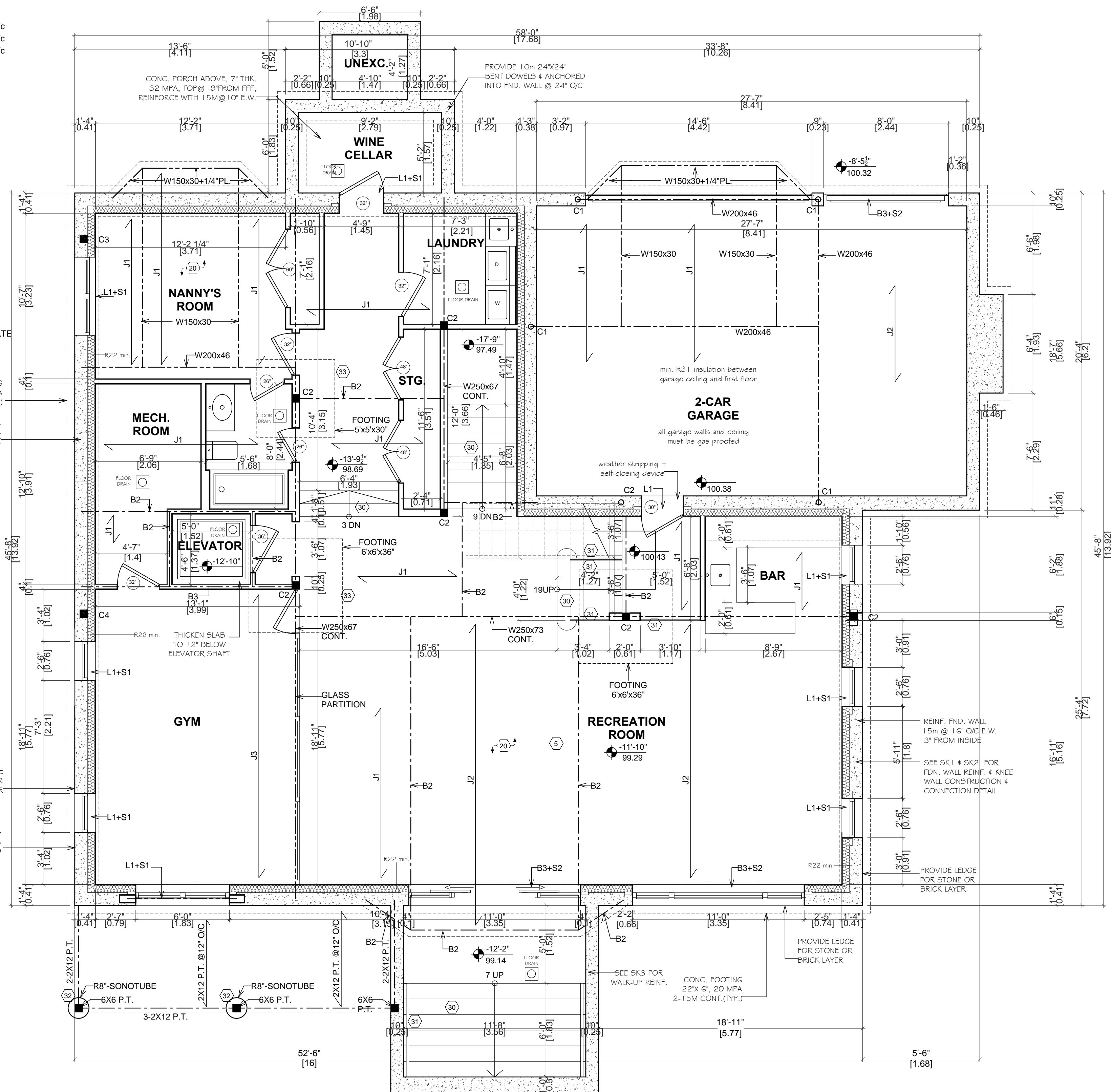
**Drawing:**  
**HOMETHEATRE PLAN**

**Scale:**  
**1/50" = 1'-0"**

**Page:**  
**A2a**

THE UNDERSIGNED HAS REVIEWED & TAKES RESPONSIBILITY FOR THIS DESIGN, & HAS THE QUALIFICATIONS & MEETS THE REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER  
**Ali Shakeri**  
**BCIN#24574**  
**F&A Associates Ltd.**  
**BCIN#30998**





**Ali Shakeri**  
**BCIN#24574**  
**F&A Associates Ltd.**  
**BCIN#30998**

# STRUCTURAL MEMBERS:

J1: LPI 20 Plus 11<sup>7</sup>/<sub>8</sub>" @16" o/c

J2: LPI 42 Plus 11<sup>5</sup>/<sub>8</sub>" @16" o/c

J3: LPI 42 Plus 11<sup>7</sup>/<sub>8</sub>" @12" o/c

B1: 1-LVL 11<sup>5</sup>/<sub>8</sub>"X1<sup>1</sup>/<sub>2</sub>" 2.0E TYP.

B2: 2-LVL 11<sup>5</sup>/<sub>8</sub>"X1<sup>1</sup>/<sub>2</sub>" 2.0E TYP.

B3: 3-LVL 11<sup>5</sup>/<sub>8</sub>"X1<sup>1</sup>/<sub>2</sub>" 2.0E TYP.

B4: 4-LVL 11<sup>5</sup>/<sub>8</sub>"X1<sup>1</sup>/<sub>2</sub>" 2.0E TYP.

C1: HSS Ø 102X8

+5X5X<sup>3</sup>/<sub>8</sub>" PL. TOP

+10X10X<sup>1</sup>/<sub>2</sub>" PL. BOTT.

+4X<sup>3</sup>/<sub>8</sub>" A.B.

C2: HSS Ø 127X8

+5X5X<sup>3</sup>/<sub>8</sub>" PL. TOP

+6X10X<sup>3</sup>/<sub>8</sub>" PL. BOTT.

+2X<sup>1</sup>/<sub>2</sub>" A.B.

C3: 3-2x6

C4: 4-2x6

C5: 5-2x6

L1: 3-2x10

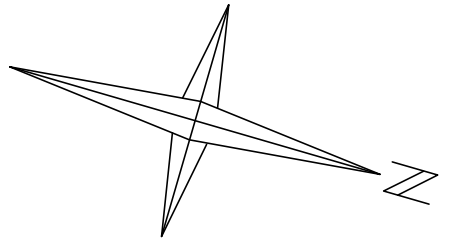
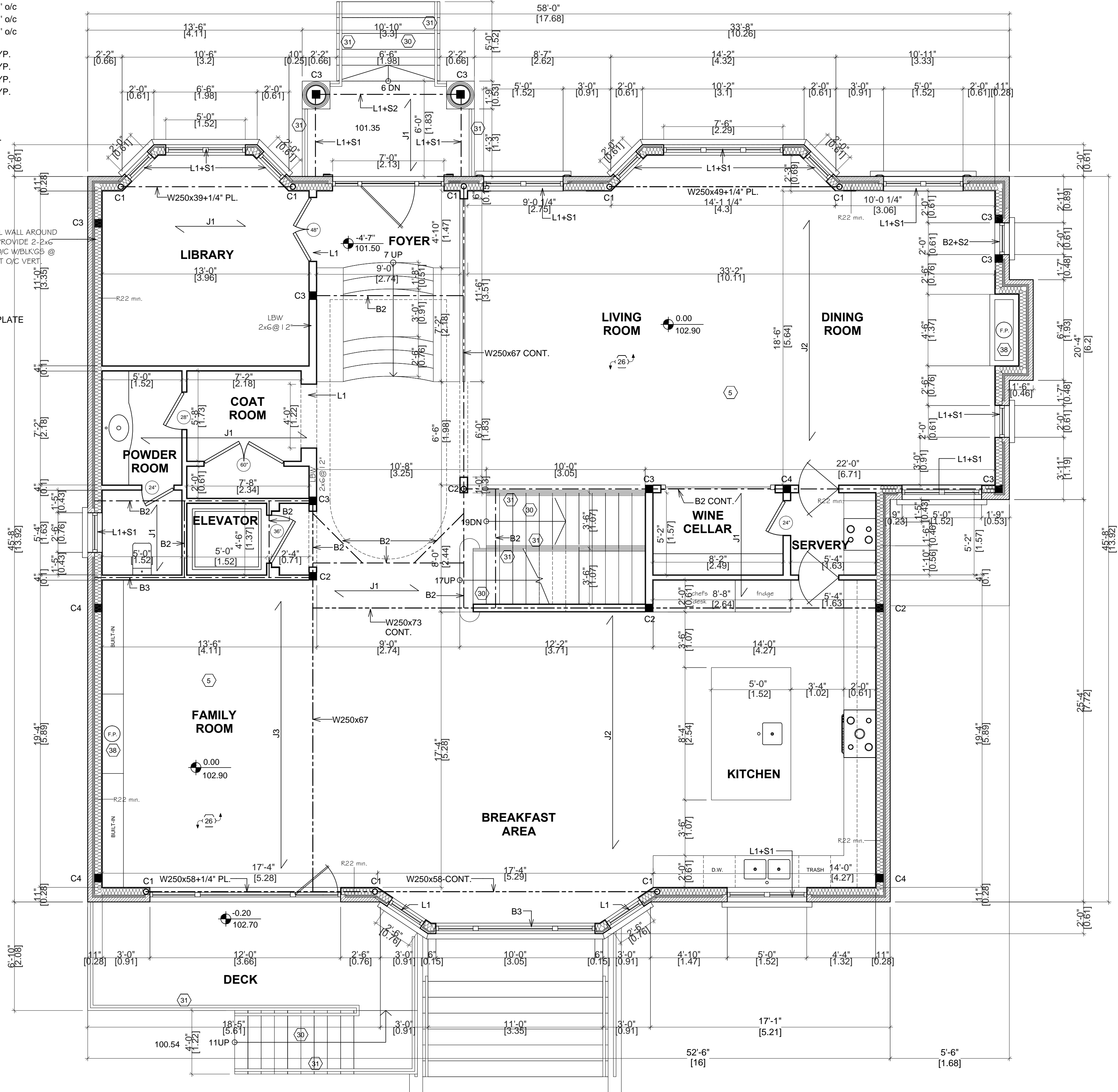
L2: 3-2x12

S1: L 31/2 x 3<sup>1</sup>/<sub>2</sub> x <sup>5</sup>/<sub>16</sub>

S2: L 5 x 31/2 x <sup>3</sup>/<sub>8</sub>

WP1: 6"X12"X<sup>3</sup>/<sub>8</sub>" STEEL PLATE  
WITH 2 HOOKS

FOR TALL WALL AROUND  
LBRY. PROVIDE 2-2x6  
W/1 2" O/C W/BLK/G5 @  
6 FT O/C VERT.



DESIGN BY:

**ALI SHAKERI**

T.416 8166651 F.416 2508900

**ARCICA INC.**

326 SHEPPARD AVENUE EAST,  
M2N 3B4  
TORONTO, ONTARIO, CANADA,

## Revisions:

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JAN. 25, 2018 - REISSUED FOR COA2  
MAR.22, 2018 - ISSUED FOR COA3

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Project:

**17 BRAMBLE DRIVE**

Drawing:

**GROUND FLOOR PLAN**

Scale:

**1/50" = 1'-0"**

Page:

**A3**

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BE A DESIGNER

**Ali Shakeri**

**BCIN#24574**

**F&A Associates Ltd.**

**BCIN#30998**

*Ali Shakeri*



**STRUCTURAL MEMBERS:**

J1: LPI 20 Plus 11<sup>7</sup>/<sub>8</sub>" @16" o/c  
J2: LPI 42 Plus 11<sup>7</sup>/<sub>8</sub>" @16" o/c  
J3: LPI 42 Plus 11<sup>7</sup>/<sub>8</sub>" @12" o/c

B1: 1-LVL 11<sup>7</sup>/<sub>8</sub>X1<sup>1</sup>/<sub>2</sub> 2.0E TYP.  
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B4: 4-LVL 11<sup>7</sup>/<sub>8</sub>X1<sup>1</sup>/<sub>2</sub> 2.0E TYP.

C1: HSS Ø 102X8  
+5X5X<sup>3</sup>/<sub>8</sub>" PL. TOP  
+10X10X<sup>3</sup>/<sub>8</sub>" PL. BOTT.  
+4X<sup>3</sup>/<sub>8</sub>" A.B.  
C2: HSS Ø 127X8  
+5X5X<sup>3</sup>/<sub>8</sub>" PL. TOP  
+6X10X<sup>3</sup>/<sub>8</sub>" PL. BOTT.  
+2X<sup>3</sup>/<sub>8</sub>" A.B.  
C3: 3-2x6  
C4: 4-2x6  
C5: 5-2x6

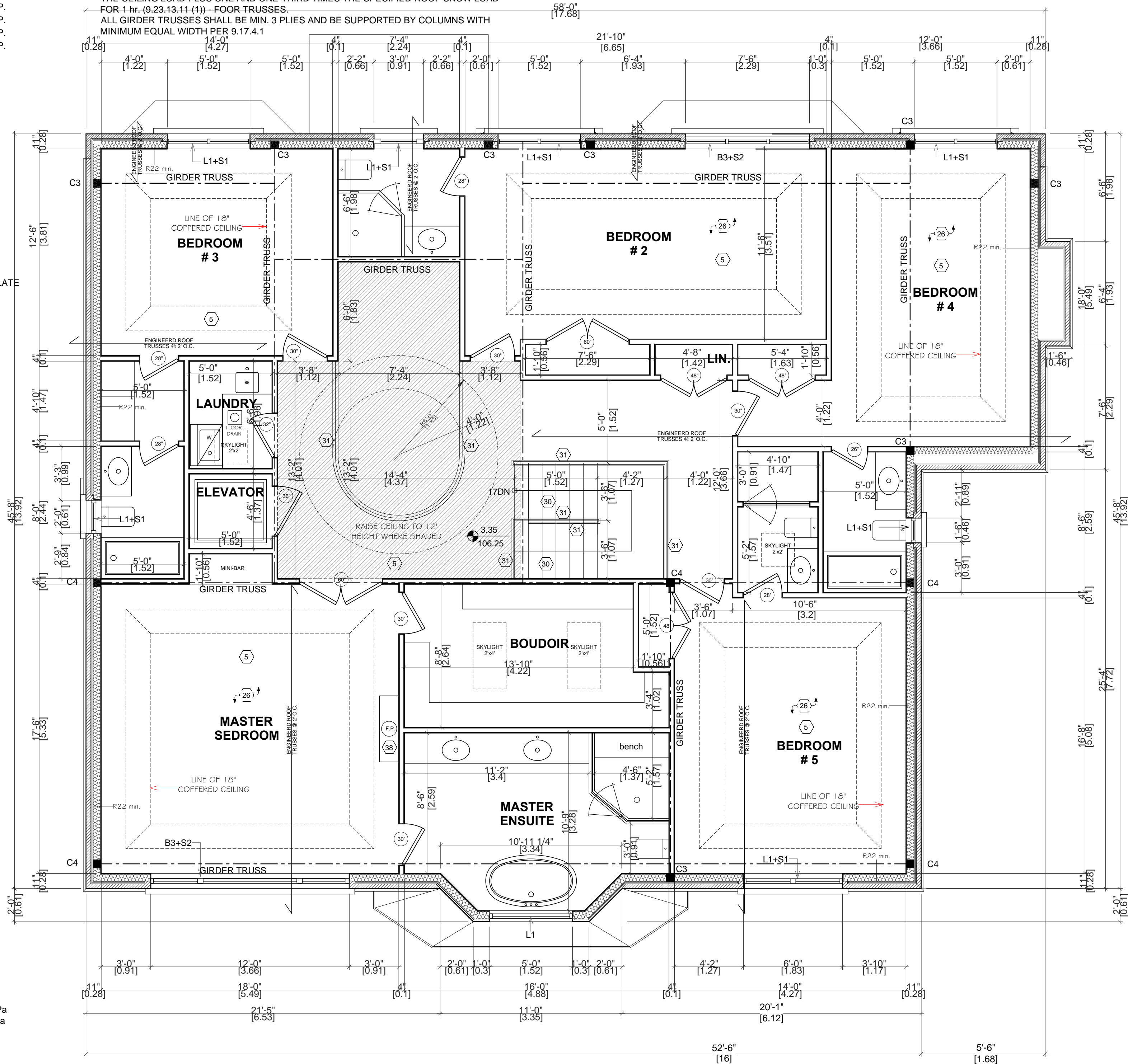
L1: 3-2x10  
L2: 3-2X12

S1: L 31/2 x 3<sup>1</sup>/<sub>2</sub> x <sup>5</sup>/<sub>16</sub>  
S2: L 5 x 31/2 x <sup>3</sup>/<sub>8</sub>

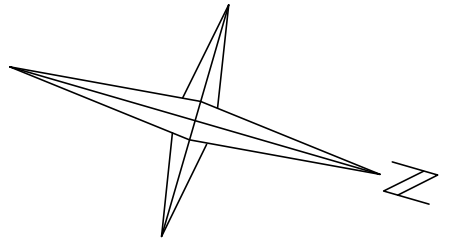
WP1: 6"X12"X<sup>3</sup>/<sub>8</sub>" STEEL PLATE  
WITH 2 HOOKS

**TRUSS DESIGN NOTE:**

ROOF TRUSSES WHICH ARE NOT DESIGNED IN ACCORDANCE WITH PART 4 SHALL  
(A) BE CAPABLE OF SUPPORTING A TOTAL CEILING LOAD(DEAD LOAD+LIVE LOAD) OF  
0.5 KPa PLUS TWO AND TWO-THIRD TIMES THE SPECIFIED LIVE LOAD FOR 24 hr. , AND  
(B) NOT EXCEED THE DEFLECTIONS SHOWN IN TABLE 9.23.13.11 WHEN LOADED WITH  
THE CEILING LOAD PLUS ONE AND ONE-THIRD TIMES THE SPECIFIED ROOF SNOW LOAD  
FOR 1 hr. (9.23.13.11 (1)) - FLOOR TRUSSES.  
ALL GIRDER TRUSSES SHALL BE MIN. 3 PLIES AND BE SUPPORTED BY COLUMNS WITH  
MINIMUM EQUAL WIDTH PER 9.17.4.1



DESIGN L.L.  
Ss = 1.2 KPa; Sr = 0.4 KPa  
SPECIFIED L.L. = 1.1 KPa



DESIGN BY:

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T.416 8166651 F.416 2508900

**ARCICA INC.**

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MAR.22, 2018 - ISSUED FOR COA3

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**Project:**

**17 BRAMBLE DRIVE**

**Drawing:**

**SECOND FLOOR PLAN**

**Scale:**

**1/50" = 1'-0"**

**Page:**

**A4**

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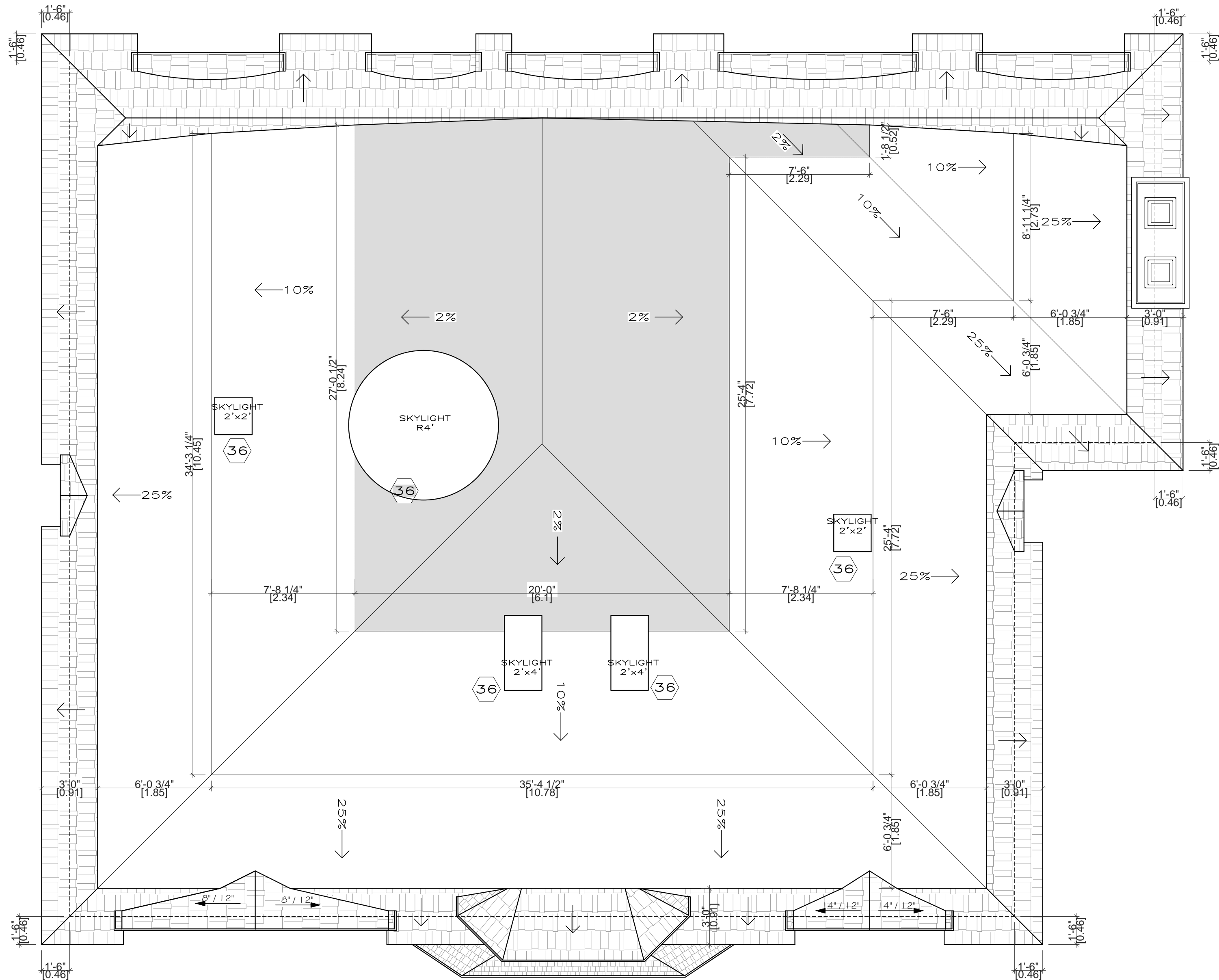
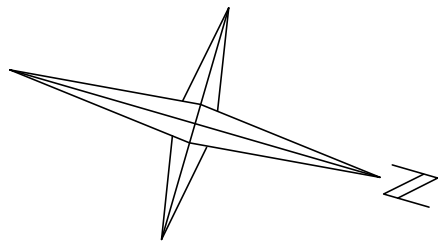
**BCIN#24574**

**F&A Associates Ltd.**

**BCIN#30998**

*Ali Shakeri*

TOTAL ROOF AREA = 2849.83 S.F.  
FLAT ROOF AREA (by-law 7625) = 559 S.F. (19.62 %)  
FLAT ROOF AREA (by-law 569-2013) = 1300.23 S.F. (45.62 %)



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**Project:**  
**17 BRAMBLE DRIVE**

**Drawing:**  
**ROOF PLAN**

**Scale:**  
**1/50" = 1'-0"**

**Page:**  
**A5**

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**BCIN#24574**  
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**Project:**  
**17 BRAMBLE DRIVE**

**Drawing:**  
**MAIN ELEVATION(WEST)**

**Scale:**  
**1/4" = 1'-0"**

**Page:**  
**A6**

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Project:  
**17 BRAMBLE DRIVE**


Drawing:  
**REAR ELEVATION(EAST)**

Scale:  
**1/4" = 1'-0"**

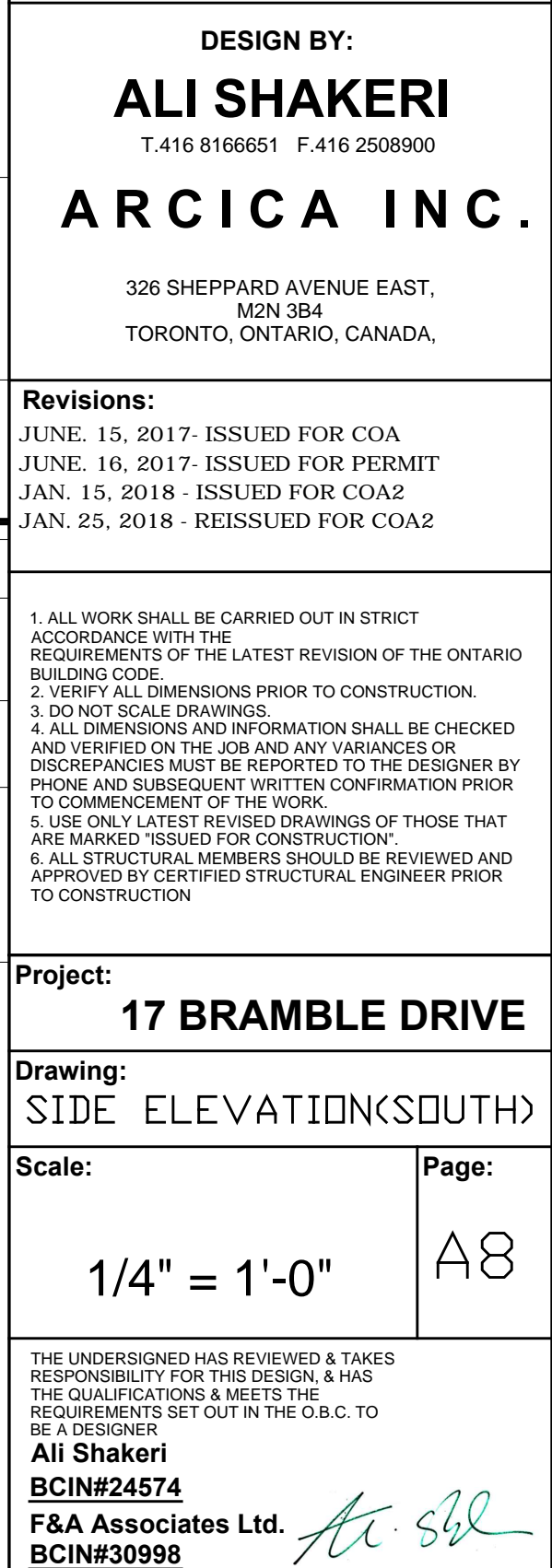
Page:  
**A7**

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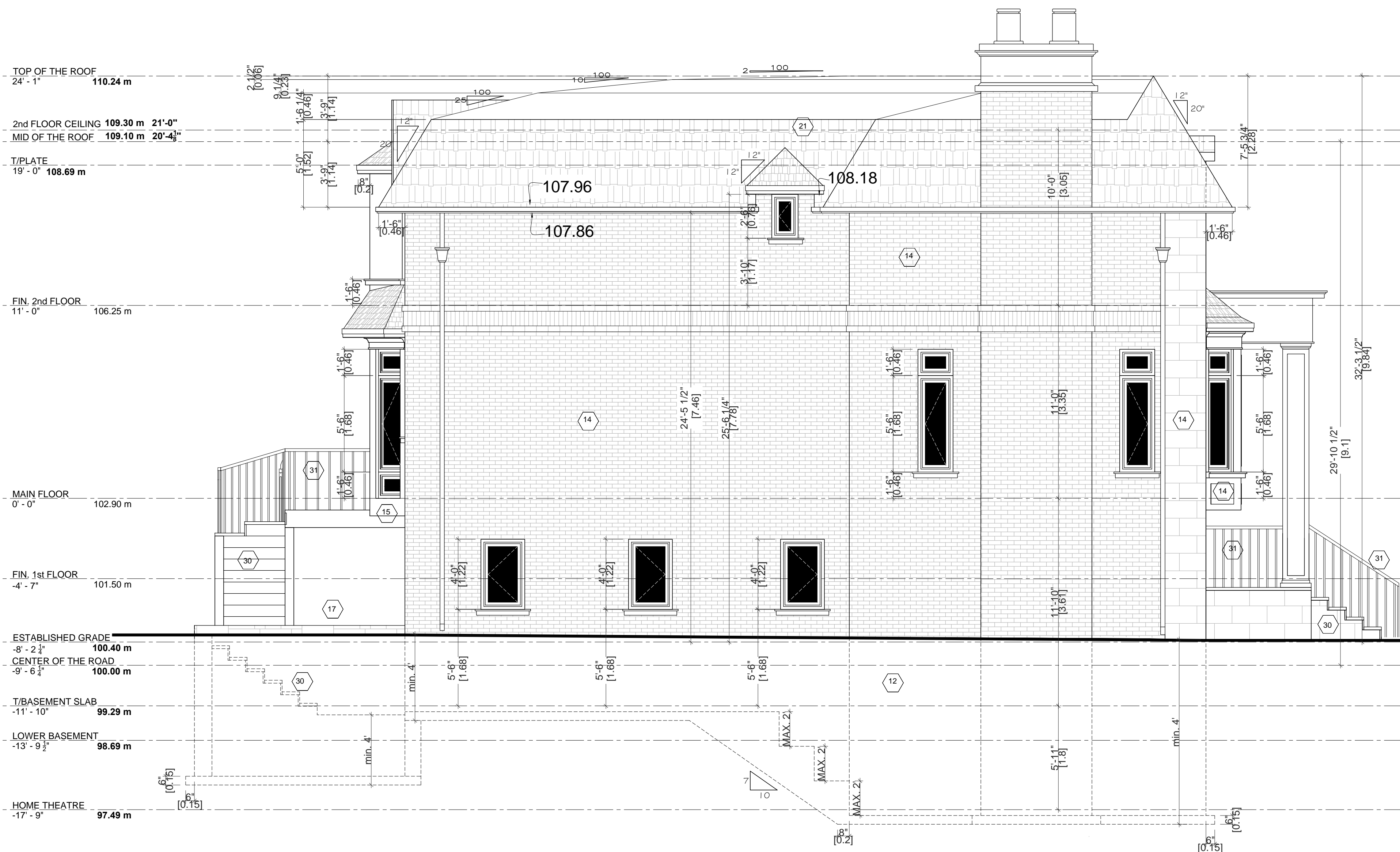
**Ali Shakeri**  
**BCIN#24574**  
**F&A Associates Ltd.**  
**BCIN#30998**



1. AREA OF EXPOSED BUILDING FACE: 1168.29 SQ.FT.  
2. PROPOSED GLAZED AREA: 77.72 SQ.FT. (6.65%)



1. AREA OF EXPOSED BUILDING FACE: 1153.27 SQ.FT.  
2. PROPOSED GLAZED AREA: 75.60 SQ.FT. (6.55%)



T.416 8166651 F.416 2508900

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Scale:	Page:
1/4" = 1'-0"	A9

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