

INTERIM DECISION AND ORDER

Decision Issue Date Tuesday, October 22, 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): GIULIA AHMADI

Applicant: MARK HALL

Property Address/Description: 514 JARVIS ST

Committee of Adjustment Case File: 18 272250 STE 13 MV (A1225/18TEY)

TLAB Case File Number: 19 157134 S45 13 TLAB

Hearing date: Wednesday, October 16, 2019

DECISION DELIVERED BY Ian James LORD

REGISTERED PARTIES AND PARTICIPANTS

Applicant	Mark Hall
Appellant	Giulia Ahmadi
Appellant's Legal Rep.	Robert Wood
Party	Emily Patricia Mathew
Party's Legal Rep.	Amber Stewart
Expert Witness	David McKay

INTRODUCTION

This is an appeal from a decision of the Toronto and East York District Panel of the City of Toronto (City) Committee of Adjustment (COA). The appeal relates to the approval by the COA, with conditions, of eight requested variances to 514 Jarvis Street (subject property). The Appellant owns property to the immediate south and was self-

represented. Counsel for the owners of the subject property, Ms. Stewart, called one witness, Mr. David McKay, a Registered Professional Planner.

At the outset, I indicated I had performed a site inspection of the subject property and surrounding area, as well as having reviewed the pre-filed material. Despite that, the evidentiary record consists of what is presented in the Hearing.

There were no preliminary matters. Both Parties gave evidence. The City was neither represented nor present.

BACKGROUND

It is instructive but not determinative of any of the variances on appeal that both the subject property and the adjacent neighbour, to the south, 512 Jarvis Street, have a history of public land use approval applications. These are detailed in the pre-filed materials and formed part of the evidence of both Parties.

In brief, the subject property was designated on November 12, 1975 under Part IV of the *Ontario Heritage Act* as premises having cultural and historic importance. In April of 1989, this designation was strengthened via a heritage easement agreement identifying and intending to preserve its elements, architectural and otherwise, determined to be of cultural heritage value and merit.

Also in 1989, the City by By-law permitted office uses on the subject property, said to be for Virgin Records.

In 2011, the Ontario Municipal Board approved a bed and breakfast use and music studio at the site.

In 2015, both the Applicant and the Appellant acquired their respective adjacent parcels, each having been created by consent in 2014. Formerly, the two properties had been conjoined and had been designed and built by the same persons. Each was said to house in the order of 8000 square feet of usable space.

In 2017-18, the Appellant related that the owners of the subject property opposed any approvals given for the conversion and use of 512 Jarvis Street for the purposes of a homeless woman's shelter. That opposition, on an appeal, was withdrawn essentially 'at the courtroom door' and the site is now occupied under a long term lease agreement by up to 27 women and staff, as transitional housing (Fred Victor- Mary Sheffield House).

In 2019, the Applicant sought variance approvals to alter the existing 2 1/2 storey detached dwelling on the subject property including a rear one-storey historic carriage house reconstruction, by constructing a second storey addition above the carriage house and a one-storey garage with a rooftop deck, both to connect to the main dwelling.

The requested variances are set out on **Attachment 1** which includes the Conditions supported by the COA. The Appellant appealed the COA approvals to the TLAB.

MATTERS IN ISSUE

On an appeal, all variances sought are subject to reconsideration. In this case, the Appellant opposed the granting of any variance where the individual and cumulative effect was to confine the rear yard space of 512 Jarvis Street behind a high, continuous wall without relief.

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 for 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

On the behalf of the owners of the subject property, Mr. David McKay gave professional land use planning evidence, upon being qualified without objection as being a land use planner by education and experience.

He described the Application for variance approvals granted by the COA as the completion phase of heritage preservation improvements of the premises; external and internal work on the dwelling had been completed. The extension would permit the renovation and reconstruction of the carriage house by a second storey addition, with peaked roof, replicating a prior building destroyed in part by fire. The owner seeks to use the renovated space, largely void space except for a second level washroom, for the home occupation of constructing 'liturgical art'. No sales would be conducted from

the subject property. Existing outdoor space between the main dwelling and the reconstructed carriage house would be filled in with a two-bay enclosed garage and rooftop terrace, deck or patio, above the garage.

Mr. McKay advised that the plans had been changed (Drawing A2.2) to ensure permanent planters offset from the south wall would be installed as a condition to prevent overlook to the rear yard of 512 Jarvis Street and afford some soft landscaping appearance—all to partially replicate the loss of some four conifer trees growing along the south limit of the present rear outdoor space.

No variance revisions were affected by the plans change, apart from a minor recalculation of the floor space index number (FSI) arising from the closer attention to the consideration of void space and the garage parking space exemption from the FSI calculation.

No issue was taken with this evolution in the plans or the calculation.

Because the appeal focused on the off-site neighbouring effects of the construction plan and because there was no real challenge to the description of the physical character of the area as described by Mr. McKay, his evidence is only briefly summarized here. A fuller description with policy section references and associated opinions is found in his Document Book (Exhibit 1) and Expert Witness Statement (Exhibit 2).

David McKay stated and was of the opinion that:

- a) the 'geographic' and 'Immediate Context' neighbourhood, using the language of the Official Plan 'Neighbourhoods' designation (including the revisions of OPA 320), is 'very eclectic', consisting of an inner city variety of apartment buildings (across Gloucester Street to the north), town, row and semi-detached houses, and commercial and office properties reflecting changed policy priorities moving between residential, commercial and back to residential, with the current designation.
- b) these properties demonstrate mixed building forms and ages, rooftop decks and patio's functioning as outdoor space, confined separation distances, varied parking solutions and varied building depths and coverages. Of the 75 buildings in the Immediate Context area, 63 are in residential detached building forms with FSI ranges from 0.52x lot area to 2.83x and an overall average of 1.69x lot area. (Proposed: 1.26x)
- c) the subject property had a previously approved FSI of 1.46x lot area for the commercial office and music school use.
- d) the revised plans, found at page 54ff of Exhibit 1 and attached as **Attachment 2** to this decision, show the site plan and elevations proposed for the subject property, including no changes to the existing 3.05m access driveway along the westerly limit providing exclusive access to 312 Jarvis Street's rear yard. The driveway is subject to a right-of-way in favour of 512 Jarvis Street and serves no discernable use to the subject property. It is gate controlled at approximately the mid-point of the carriage house west wall.

- e) the improvements proposed present a new, continuous, 5.4 m (approximately 18 feet) high grey 'stucco' wall, undifferentiated and running along the common lot line from the existing main rear wall of the existing dwelling to and including the renovated to be raised carriage house.
- f) he reviewed each of the variances individually and cumulatively concluding all of the policy and tests articulated above under 'Jurisdiction' were met, without any undue adverse impact. Of the eight (8) variances sought, he distinguished Variances 2 (front yard setback); V3 (minimum required rear yard); V5 (south stairs); and V7 (floor levels) on **Attachment 1** as being, essentially, technical acknowledgements of existing circumstances, being 'corrected' to the zoning by-law as a result of the application.
- g) of the remaining variances, V1 (building length) is ascribed to the connection of the dwelling to the attached garage and carriage house; V4 (zero south side yard) is set by the existing carriage house whose connection to the main dwelling should not leave unsafe, refuse collecting space as a notional side yard; V6 (rear yard landscaping standard of 50%) existed today at about 5% and this city wide standard could be appropriately replaced in the inner city by the proposed permanent planters in the Site Plan, **Attachment 2**; and V8 (FSI) moving to 1.26x lot area, less than previously approved for other uses and less than the Immediate Context average.
- h) the City division of Heritage Protection Services (HPS) supported (in principle) the renovation and restoration of the subject property, had seen the proposed plans and required, as an approval condition, that a Heritage Permit Application be applied for and issued before building permit issuance.
- i) the City Planning Staff, though opposing the Application by a Report, based its recommendation to the COA for refusal on: building mass and depth, height and loss of landscaped open space. In his view, City Staff (who did not appear at the TLAB) had not done a thorough analysis of the Immediate Context and failed to note the variety of building depths, tight side yards, rear yard parking, the absence of landscaped open space, the residential height limit and the presence of numerous overlooking balconies. By pictures and mapping, Mr. McKay provided examples of each at 512, 510, 508 and 506 Jarvis and building depths west of the subject property.
- j) he agreed with the COA conditions; felt 'more could be done' on the 'materiality' of the new common property wall; and to present more articulation to the wall on the common lot line; and he felt the Site Plan and elevation drawings could be directly tied to construction.

In summary, he was of the view the project would 'fit' well with the physical character of the area, presented no sun/shadow impacts adverse enough to rise to a planning concern, as the property was north of the only immediate neighbour, and that there would be nothing out of character from its well designed and articulated streetscape perspective.

He, with counsel, recommended dismissal of the appeal or allowance in part to reflect any revised conditions.

In questioning, he acknowledged that although the garage and carriage house re-investment constituted a more efficient and desirable use of space and improved

security by enclosed and permitted parking on-site, still further improvements could follow: the massing could be influenced by a lesser garage height; the addition of permeable pavers would aid infiltration if properly maintained; the materiality of the south wall could be done better; and the expectation existed that a grading and drainage plan would be required at the building permit stage. He could not point to the existence of a solid wall as proposed, in the Immediate Context area.

He would not acknowledge any encroachment of the carriage house onto the ownership of 512 Jarvis Street but acknowledged that if the architect had shown a relocated access gate on the right-of-way, an intent of which he was not aware, but that this could be a matter of interest to HPS, as well as the Parties.

Ms. Giulia Ahmadi gave evidence as owner of 512 Jarvis Street, some of which is earlier recorded, above, as to the history of the relationship as between the Parties.

Ms. Ahmadi no longer lives at 512 Jarvis Street, having entered into a long term lease with the Fred Victor mission objectives. That facility did not attend or provide comment on the variance Application.

She noted historically that her rear yard had been used as amenity space, that she had erected a wooden fence on the boundary line up to the carriage house and that the rear yard was currently used for the parking of motor vehicles and a very modest amount of landscaped open space.

In her direct evidence she was very assertive that the proposed built form would have direct adverse impacts on the use and enjoyment of the users of her property: loss of light and air circulation, snow accumulation, micro climate enhancements of temperature concentrations. She did not express the concern for 'overlook' expressed by Mr. McKay in his observations on the clerestory window in the coach/carriage house reconstruction or in respect of the setback planter function on the roof deck. She acknowledged that the 'ladies' in 512 Jarvis regularly use the third floor rooftop deck and that permits overlook of both properties at the rear.

She was very clear that 'building a wall as suggested is insensitive, unappealing and unattractive' from the perception of its impact on 512 Jarvis Street. She expressed familiarity with seasonal changes and impacts on the micro climate and expressed the fear that a solid barrier wall will enhance negative impacts. She cited the need to grant permission for repairs and expressed concerns for existing plantings along her north limit.

She felt the right-of-way security gate was important to stay where it was located as this enhanced the maneuvering ability of cars in her rear yard. She feared the loss of landscaped open space giving rise to increased runoff and a solid barrier would impede airflow.

Surprisingly, she felt the Applicant had failed to maintain the right-of-way despite it being to the exclusive use of her own property.

In questioning, when asked for remedies, she acknowledged the dilemma of competing values: enhanced protection from overlook by permanent planters on the

roof deck of the garage (that could be a carport, offering light and airflow, not a wall).
“For her it was the height; I want the airflow; it is a ton of mass.”

In argument, Ms. Stewart argued that the variance test is not one of no impact, but rather adverse impact. She suggested that within an inner city location that ‘tolerable thresholds are much higher’. Here, she suggested there could be no impact from shadowing (no studies had been done) because of the juxtaposition of the properties, north to south.

She asked support for Mr. McKay’s effort to mitigate overlook and to accept his opinion that any impacts created by the building plan are tolerable and well within the range of variance allowances. Further, that mitigation measures were incorporated by way of the permanent planter box, their intended design to accommodate trees and their separation back from the common wall.

She noted his observation that the ceiling height of the enclosed garage can be lower while still maintaining the exterior cornice line and that the materiality of the ‘wall’ can be discussed with HPS staff, secured by an interim decision of the TLAB.

She suggested these might be ‘tweaks’ discussed with the architect.

For her part, Ms. Ahmadi simply stated that she relies on the planning staff assessment that the variances, individually and together are not minor.

She claimed ‘unacceptable adverse impacts of a planning nature’ as viewed from the residents of 512 Jarvis Street. She said Mr. McKay was never in the rear yard to appreciate its locality; namely, that on a ‘holistic’ aspect, all of the variances resulted in a wall. She questioned her right to be involved, ‘weigh in’, on conditions and remained assertive that the Application should not be approved.

ANALYSIS, FINDINGS, REASONS

This Application occurs in the context of a very substantial house form property, on a busy arterial in the downtown of the City. Located at the southwest corner of Gloucester and Jarvis Streets, a controlled intersection, it occupies a prominent location. Surrounding uses are both reinforcing, with detached residential to the south, attached residential to the east and west, apartment residential to the north and a sprinkling of non-residential uses throughout.

I agree with the characterization of the area built form, physical attributes, amenity space and areal description as assessed by the planner, David McKay.

I also accept his assessment and application of provincial and Official Plan policy supportive of intensification, investment, variety in house form and, generally, assessment of Immediate Context area measures.

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That said, area norms, averages and examples, while helpful in the aggregate, do not serve to determine resultant impacts on a specific basis. These still need to be assessed and the better the information brought to bear on that assessment, the better.

In this case, I accept that enclosed parking as permitted on the lot is better than street, boulevard or open rear-yard parking. I accept that sun-shadowing from a property north of the Appellants site is less problematic than other potential juxtapositions of the properties. I accept that overlook and privacy conditions are compromised by tight properties and buildings immediately adjacent one another. I also accept that there is no absolute right to views and air circulation and that the definition of 'minor' does not imply no impact or that 'desirable' can be defined by compliance with broad policy concepts as principles of good planning.

The Application seeks permission to almost completely cover a residential lot with building. It is clear from the area context analysis that this circumstance, while not prevailing, is not without close approximation in the area. Indeed, the house form apartment residence two units to the south at 510 Jarvis Street has effectively a four (4) storey addition at its rear that largely encloses the lot, with protruding stair and balcony projections at each level.

Indeed, for all of the street frontages on the west side of Jarvis, south of Gloucester, substantial house forms use virtually all of their lot areas in some form of building, access or parking configurations, and minimal side and rear yard landscaping.

In principle, I find that there is precedent to consider extending the building form of 514 Jarvis Street deeper into its lot depth, especially where the objectives of on-site parking required under the by-law, and preservation and enhancement of the carriage house as part of a designated heritage building, can be further restored and used.

I also accept that appropriate design features on the Gloucester frontage can be derived consistent with respecting and reinforcing not only the existing heritage attributes of the 'Rundle House', as the subject property is known, but also augmenting in an appropriate 'fit', a compatible streetscape appearance.

The variances that permit this, including building length and FSI can be appropriate but are not necessarily appropriate where the resultant improvements and enhancements offer no acknowledgement to neighbouring premises.

The Application contemplates a low rise addition to the existing building in the form of an enclosed garage structure and refurbished and enhanced carriage building to be used for home occupation uses. At approximately 8000 sq ft of above grade building space, no claim to 'need' is made for the use as a detached residence. Despite that, policy encourages diversity in housing stock and the proposal reflects a distinct contribution to that objective, perhaps at the extreme end of the range for an inner city dwelling.

There is no issue with the variances that seek to recognize and maintain existing circumstances, above recited (V2,3,5,7).

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I find that the FSI calculation correction to 1.26x lot area (V8) to be minor and not require further notice as might otherwise be relevant under section 45 (18.1.1) of the *Planning Act*.

I find that the Applicants proposal in its concept to be a suitable candidate for approval but for its impact on the use, enjoyment and environment it affords 512 Jarvis Street.

Mr. McKay was not able to point to any example property in either the geographic or Immediate Context area that presented circumstances of a zero setback side yard circumstance, a continuous building wall or a height presentation of 18 feet, adjacent rear yard space, let alone in a circumstance of almost the entirety of the lot being occupied by buildings or structures.

I find that the peaked roof of the garage can enhance environmental consequences for the rear yard and right-of-way benefiting 512 Jarvis Street. I find, on the evidence of Ms. Ahmadi, that a continuous, stucco wall, undifferentiated in colour, texture, design detail, and materiality that is a minimum of approximately 18 feet in height over the entirety of the new building area is such a gratuitous interference in the reasonable appreciation and use of the adjacent property so as to cry out for relief.

Both Mr. McKay and Ms. Stewart acknowledged there is room for improvement in the juxtaposition of these two properties. Ms. Ahmadi has built a fence that provides some visual relief in the presentation of space proposed by the Applicant. In my view, this is not enough on a go-forward basis.

I accept that FSI and massing are linked components in elements of good community planning. I accept that improvements to the rear yard space of the subject property are warranted and that these can aid in the continued presentation and retention of a designated heritage property with such an august lineage.

Both properties share that history and past disputes as to their futures should not exacerbate their ability to peacefully coexist.

I accept the evidence of Ms. Ahmadi that the proposal has the potential for direct, undue adverse impact on the future use and enjoyment of the rear yard space of 512 Jarvis Street. The Applicant has under appreciated the circumstance in the context of long term use and enjoyment of adjacent properties. I think this perceived impact is real and unnecessary and can adequately be addressed by design improvements, and a more focused range of conditions. I do not accept the bald assertion that allowing the appeal, discarding the decision of the COA and sending the owner back for further reconsideration or none at all, is an appropriate or realistic remedy in the circumstances.

The issues raised by the Appellant are not simply overlook and privacy, if they were raised at all. I find that the enclosure represented by the elevations in **Attachment 2** is oppressive to the adjacent property and represents such a dramatic change in the context of built form as to not be justifiable even in 'urban' circumstances.

Decision of Toronto Local Appeal Body Panel Member: I. Lord
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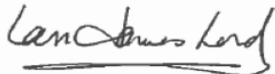
I will add conditions that allow the variances but better reflect the effort to respect and reinforce area physical character, particularly as to how it relates to the relationship between these two prestigious assets of City building.

INTERIM DECISION AND ORDER

The appeal is allowed, in part, as follows:

1. The variances identified in **Attachment 1** are approved save and accept that Variance 8 is modified to permit an FSI of 1.26x lot area; however all are subject to paragraph 2 hereof;
2. The plans and elevations in **Attachment 2** are not approved but are to be modified and resubmitted to the TLAB within *six (6) months* of the date of this Interim Decision in accordance with paragraph 3 hereof, specifically **Attachment 3**, section 1, failing which the appeal is allowed and the variances are refused.
3. The Conditions identified in **Attachment 1** are not approved but are modified and as modified in **Attachment 3**, are approved in accordance with the terms hereof.

Should difficulties be encountered in the implementation of this Interim or Final Decision and Order, the TLAB may be spoken to on notice to the Parties.

X 

I. Lord

Panel Chair, Toronto Local Appeal Body

Signed by: Ian Lord

Attachment 1

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Chapter 10.10.40.30.(1)(A), By-law 569-2013

The maximum permitted building depth for a detached house is 17.0 m. The altered 2½-storey detached dwelling will have a building depth of 34.8 m, measured from the front bay window of the dwelling to the west side wall of the historic carriage house.

2. Chapter 10.10.40.70.(1), By-law 569-2013

The maximum permitted front yard setback is 7.46 m.

The altered 2½-storey detached dwelling will be located 5.45 m from the front lot line.

3. Chapter 10.10.40.70.(2), By-law 569-2013

The minimum required rear yard setback is 7.5 m.

The altered one-storey carriage house will be located 3.05 m from the rear lot line.

4. Chapter 10.10.40.70.(3)(A)(i), By-law 569-2013

The minimum required side yard setback for a detached house is 0.9 m.

The new rear one-storey garage and altered one-storey carriage house will be located 0.0 m from the south side lot line.

5. Chapter 10.5.40.60.(3)(A)(i), By-law 569-2013

Exterior stairs providing pedestrian access to a building or structure may encroach into a required building setback if the stairs are no longer than 1.5 horizontal units for each 1.0 m vertical units above grade at the point where the stairs meet the building or structure.

The stairs on the south side of the dwelling will be 1.6 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building.

6. Chapter 10.5.50.10.(3)(A), By-law 569-2013

A minimum of 50% of the rear yard must be maintained as soft landscaping (16.56 m²).

In this case, 0% (0.0 m²) of the rear yard will be maintained as soft landscaping.

7. Chapter 10.5.40.50.(3), By-law 569-2013

The level of the floor of a platform, such as a deck or balcony, located at or above the second storey of a residential building other than an apartment building, may be no higher than 0.2 m above the level of the floor of the storey which it gains access. The altered 2½-storey detached dwelling will have a patio

space on the roof of the new one-storey garage that will be 0.38 m higher than the level of the floor of the storey from which it gains access.

8. Chapter 10.10.40.40.(1)(A), By-law 569-2013

The maximum permitted floor space index is 1.0 times the area of the lot (490.41 m²). The altered 2½-storey detached dwelling will have a floor space index of 1.254 times the area of the lot (611.57 m²). (NOTE: altered by Interim Decision and Order, paragraph 1)

Condition(s): (NOTE: not approved by Interim Decision and Order, paragraph 3)

- (1) Prior to the issuance of a building permit, building permit drawings, including plans, elevations and details shall be submitted to the satisfaction of the Senior Manager of Heritage Preservation Services and a heritage permit shall be obtained under the provision of Section 33 of the Ontario Heritage Act.
- (2) Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove a City owned tree(s) under Municipal Code Chapter 813, Trees Article II, Trees on City Streets, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (3) The roof terrace above the garage shall be constructed and maintained with landscaping features (i.e. planters and plantings) that are effective at retaining storm water and improve infiltration, to the satisfaction of the Director, Community Planning, Toronto and East York District

RECEIVED

By Committee of Adjustment at 9:14 am, Jan 07, 2019

GLOUCESTER

STREET

REGISTERED

PLAN

81 CITY

N 73° 02' & (Meas)

Elevation @ centreline of
drive at garage is higher
than centreline elevation
@ property line

SITE STATISTICS

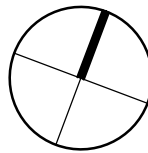
LOT AREA : 5248.940 SF (487.55 SM)
MUTUAL LANEWAY
PARKING : N/A
EXISTING GRD. FLR.
& CARRIAGE HOUSE
FLOOR AREA : 1928.5926 SF (179.17 SM) +
518.0174 SF (48.12 SM)
= 2446.610 SF (227.29 SM)
PROPOSED GRD. FLR.
BLDG. AREA : 779.35 SF (72.43 SM)
PROPOSED EXIST. &
PROPOSED BLDG.
COVERAGE : 3225.9647 SF (299.81 SM) FLR. AREA/
5248.940 SF (487.55 SM) LOT AREA
61.46% COVERAGE

BUILDING AREAS:

PROPOSED GROUND
FLOOR AREA : 779.35 SF (72.43 SM)
TOTAL PROPOSED GFA
(INCL. COMMON
ELEMENTS, HALLWAYS
& STAIRWAYS : 779.35 SF (72.43 SM)
EXISTING FLOOR AREAS
BASEMENT : 1862.1328 SF (173.00 SM)
CARRIAGE HOUSE : 518.0174 SF (48.12 SM)
GROUND FLOOR : 1928.5926 SF (179.17 SM)
SECOND FLOOR : 1800.4965 SF (167.27 SM)
THIRD FLOOR : 1724.2784 SF (160.19 SM)
TOTAL EXISTING GFA
(INCL. COMMON
ELEMENTS, HALLWAYS
& STAIRWAYS : 7833.5179 SF (727.75 SM)

PLAN OF SURVEY OF
PART OF LOT 8
REGISTERED PLAN 570 CITY
CITY OF TORONTO
MUNICIPALITY OF METROPOLITAN TORONTO

C. E. DOTTERILL LTD.
LAND SURVEYOR
884 MILLWOOD ROAD
TORONTO, ONTARIO
M6H 1A7
467-8023

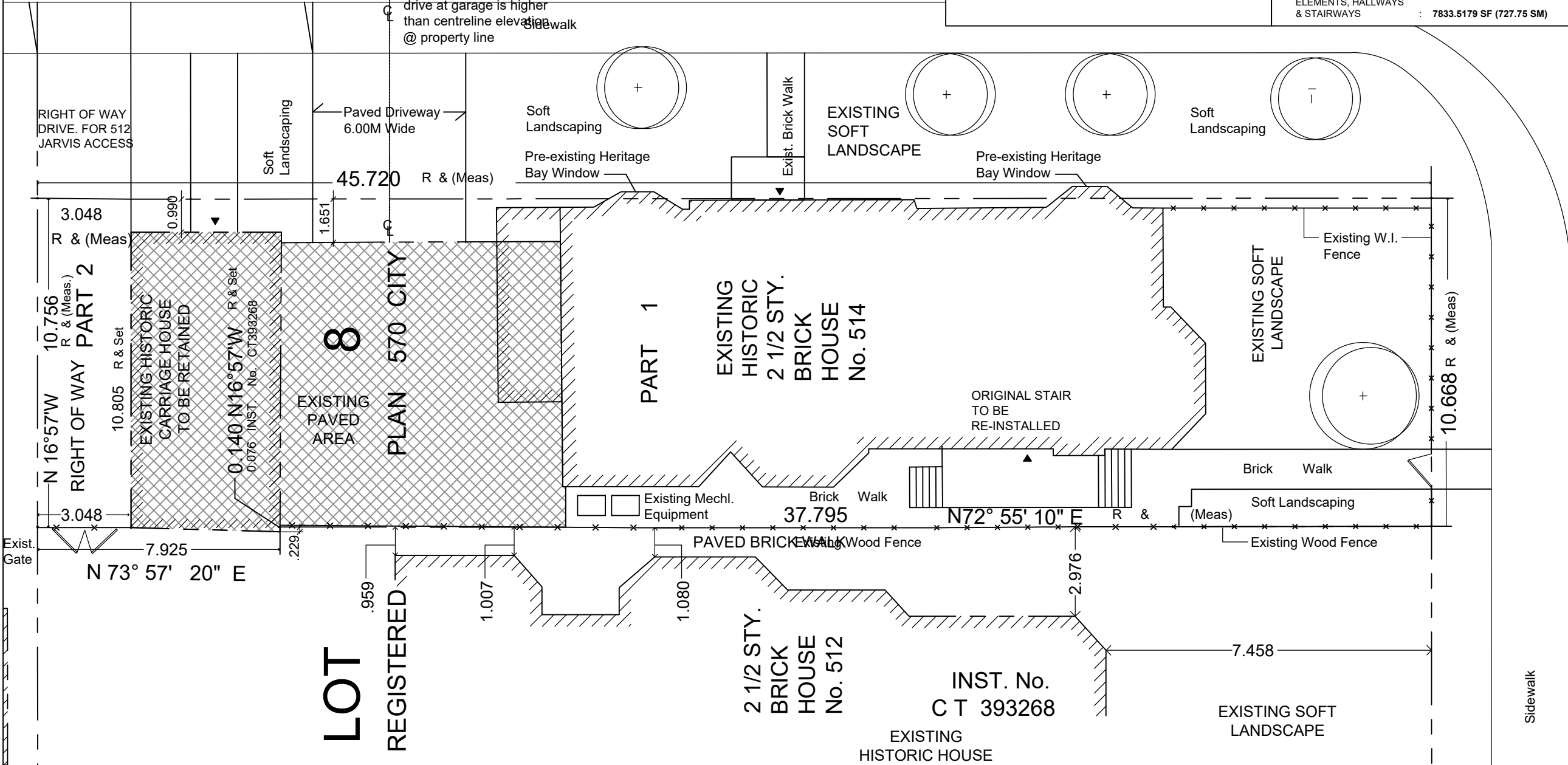


TRUE NORTH

STREET

JARVIS

N 73° 57' 30" W



SCALE



NOTE:

SURVEY INFORMATION WAS PROVIDED IN GOOD FAITH TO MWHALL CORPORATION AND MWHALL CORPORATION TAKES NO REPSONSIBILITIES FOR ERRORS OR OMISSIONS WITH REGARD TO THIS SURVEY.

1

A1.0

SITE PLAN

AS SHOWN

MW HALL CORPORATION
21 Scollard Street, Ste 103
Toronto, Ontario M5R 1G1
t: (416) 920 8105
f: (416) 901 0630
e: mark@mwhallcorp.com
www.mwhallcorp.com

SEAL:



PROJECT NAME:

PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON

DRAWING TITLE:

SITE PLAN

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 14	04	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2018 - 01 - 29	05	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	06	ZONING REVIEW
2018 - 08 - 30	07	RE-SUBMISSION FOR ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

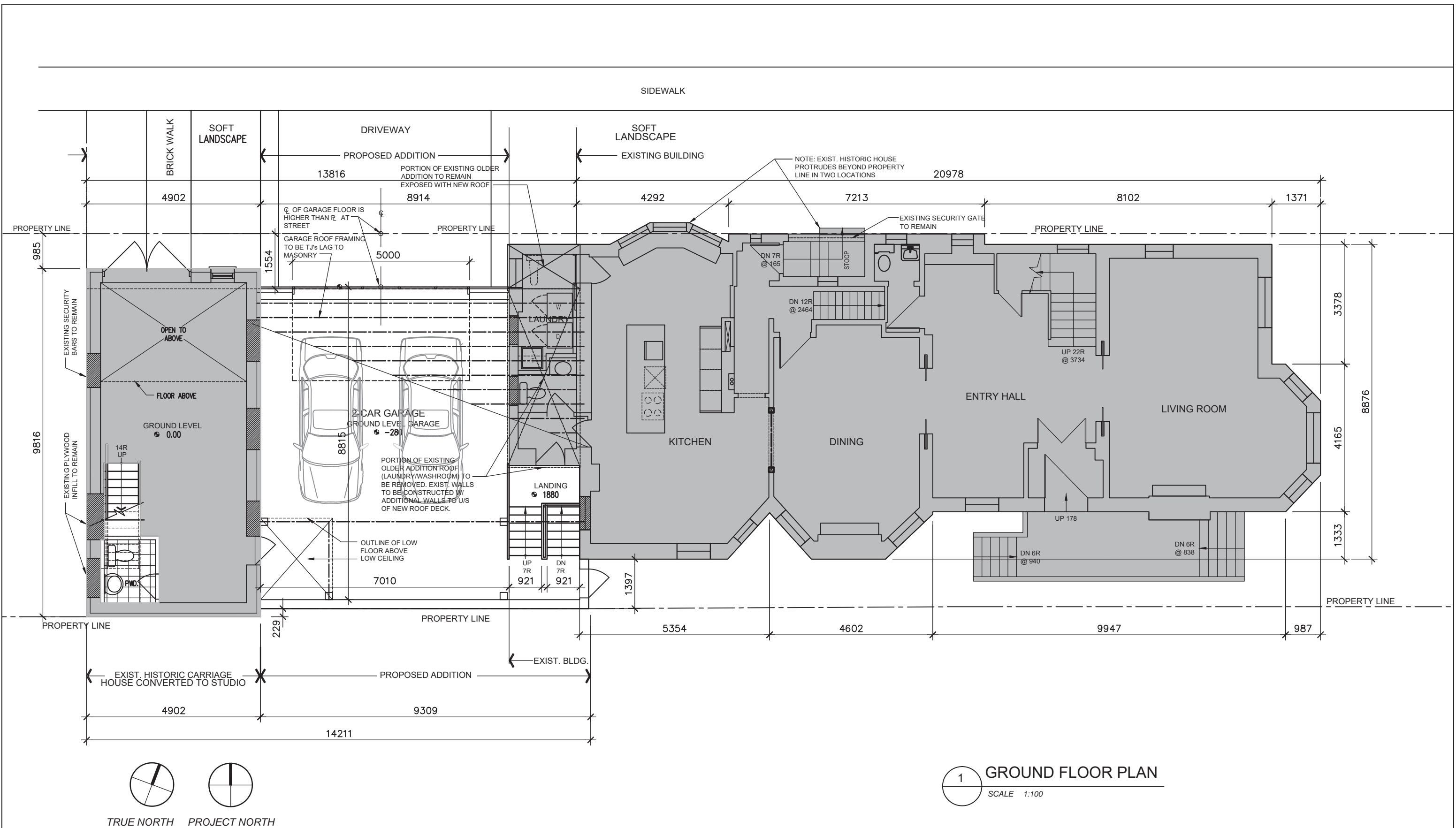
NOTES:

CONTRACTOR TO VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCY TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF WORK.

THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL COUNTERSIGNED.

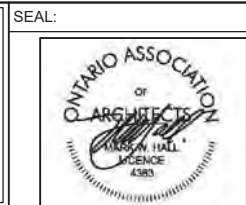
SCALE	AS SHOWN	REVISION NO.
PROJECT NO.	17003	DWG. NO.
DATE	2017-01-30	A1.0
DRAWN	AAF	
CHECKED	MH	



MW HALL CORPORATION

21 Scollard Street, ste 103
Toronto, Ontario M5R 1G1

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PROJECT NAME:	PROPOSED GARAGE ADDITION
	514 Jarvis St., Toronto, ON
DRAWING TITLE:	PROPOSED & EXISTING GROUND FLOOR PLAN

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 14	04	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 28	05	RE-SUBMISSION PER CITY COMMENTS
2018 - 01 - 29	06	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	07	ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

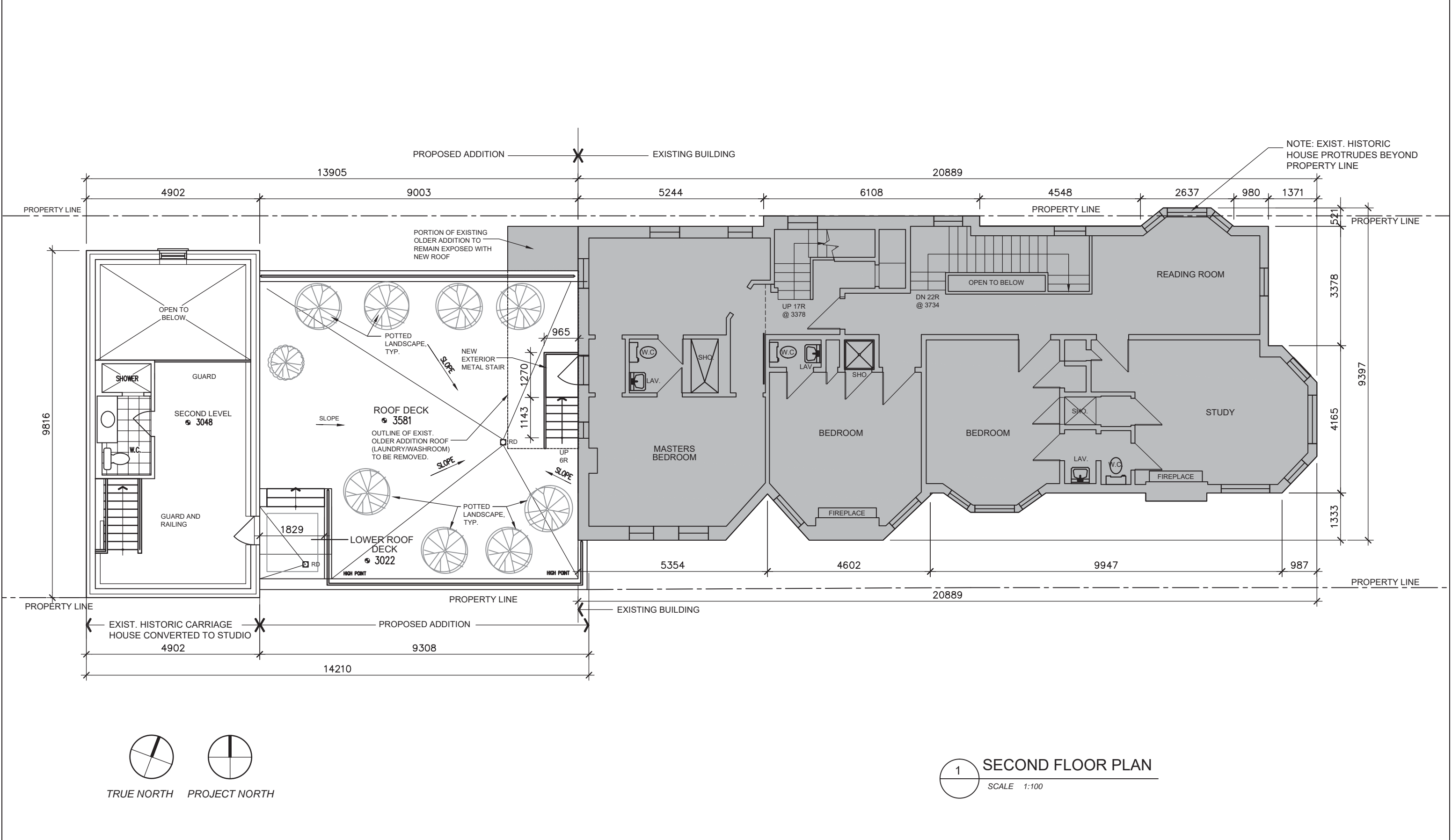
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SCALE	REVISION NO.
PROJECT NO. 17003	
DATE 2017-06-02	DWG. NO.
DRAWN AAF	A2.2
CHECKED MH	



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SEAL:

PROJECT NAME:
PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON

DRAWING TITLE:
PROPOSED & EXISTING SECOND FLOOR PLAN

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 14	04	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
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2018 - 01 - 29	06	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	07	ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

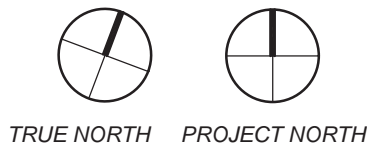
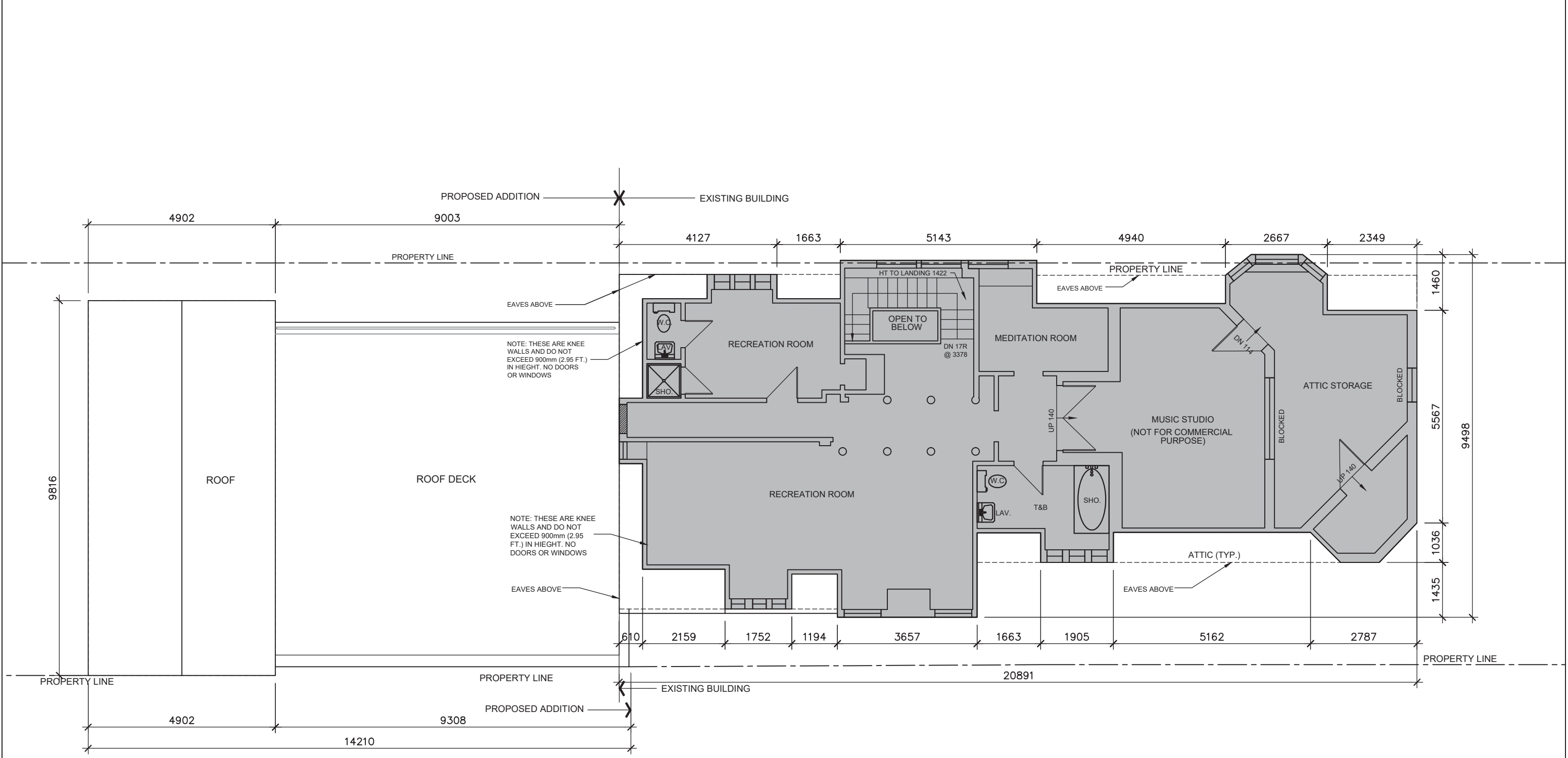
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SCALE		REVISION NO.
PROJECT NO.	17003	
DATE	2017-06-02	DWG. NO.
DRAWN	AAF	A2.2
CHECKED	MH	



1 3RD FLOOR PLAN
SCALE 1:100

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SEAL:

PROJECT NAME:
PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON

DRAWING TITLE:
PROPOSED ROOF PLAN & EXISTING THIRD FLOOR PLAN

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 14	04	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 28	05	RE-SUBMISSION PER CITY COMMENTS
2018 - 01 - 29	06	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	07	ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

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SCALE		REVISION NO.
PROJECT NO.	17003	
DATE	2017-06-02	DWG. NO.
DRAWN	AAF	A2.3
CHECKED	MH	



1 PROPOSED NORTH ELEVATION
SCALE 1:100

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PROJECT NAME:		PROPOSED GARAGE ADDITION
		514 Jarvis St., Toronto, ON
DRAWING TITLE:		PROPOSED NORTH ELEVATION

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
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2018 - 01 - 29	06	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	07	ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

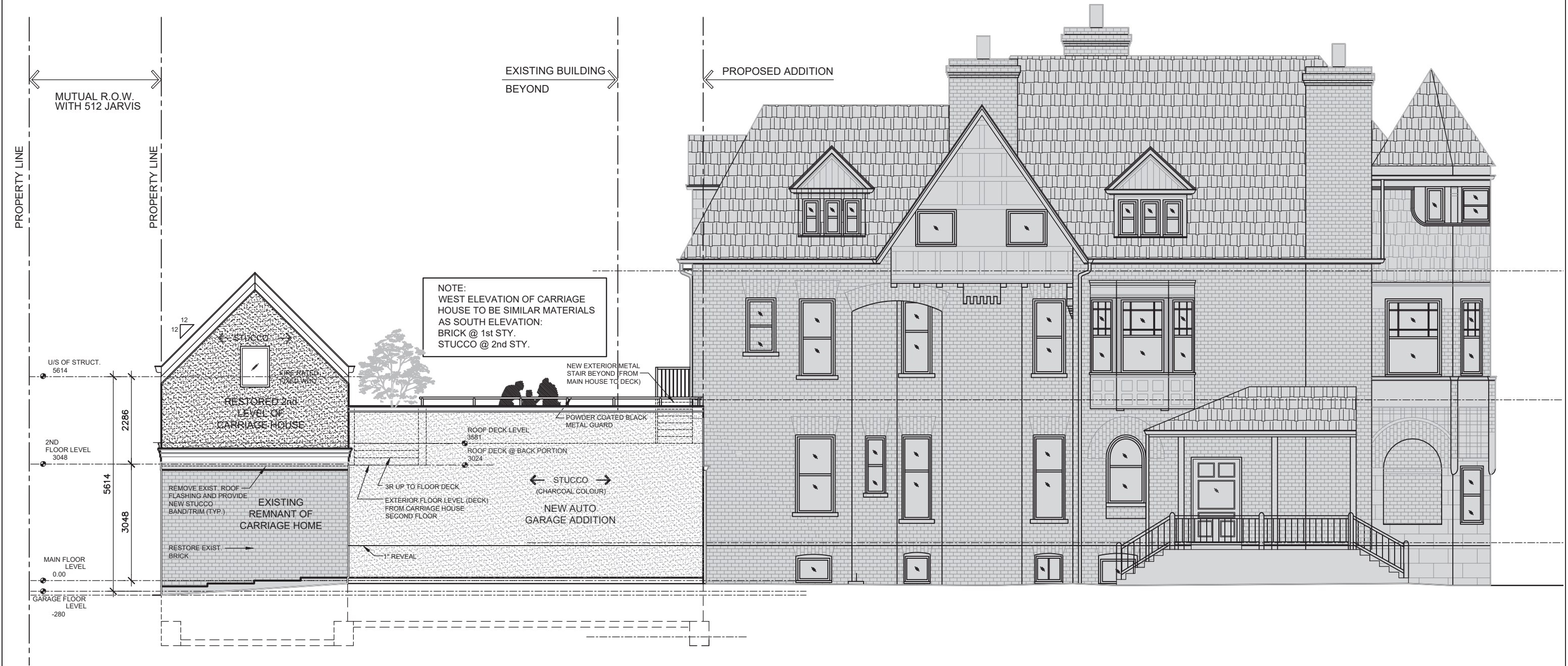
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SCALE		REVISION NO.
PROJECT NO.	17003	A3.0
DATE	2017-06-02	
DRAWN	AAF	
CHECKED	MH	



1

PROPOSED SOUTH ELEVATION

SCALE 1:100

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SEAL:

PROJECT NAME:
PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON

DRAWING TITLE:
PROPOSED NORTH ELEVATION

DATE	NO.	ISSUE
2017 - 02 - 17	01	FOR PRELIM. PROJ. REVIEW
2017 - 03 - 06	02	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 06 - 15	03	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 14	04	RE-SUBMISSION FOR PRELIM. PROJ. REVIEW
2017 - 08 - 28	05	RE-SUBMISSION PER CITY COMMENTS
2018 - 01 - 29	06	RE-SUBMISSION PER CITY COMMENTS
2018 - 06 - 27	07	ZONING REVIEW
2018 - 12 - 17	08	COMMITTEE OF ADJUSTMENT

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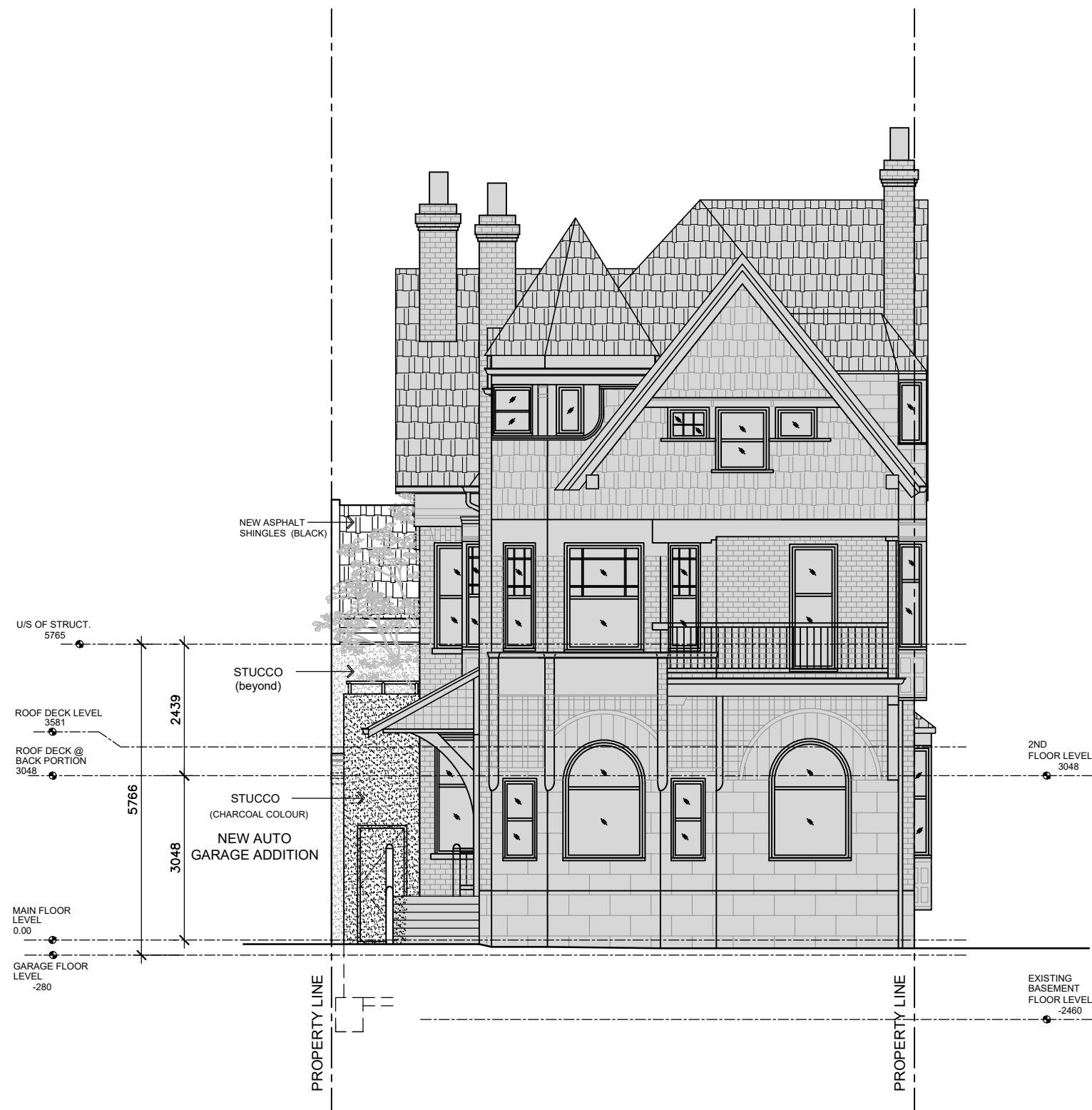
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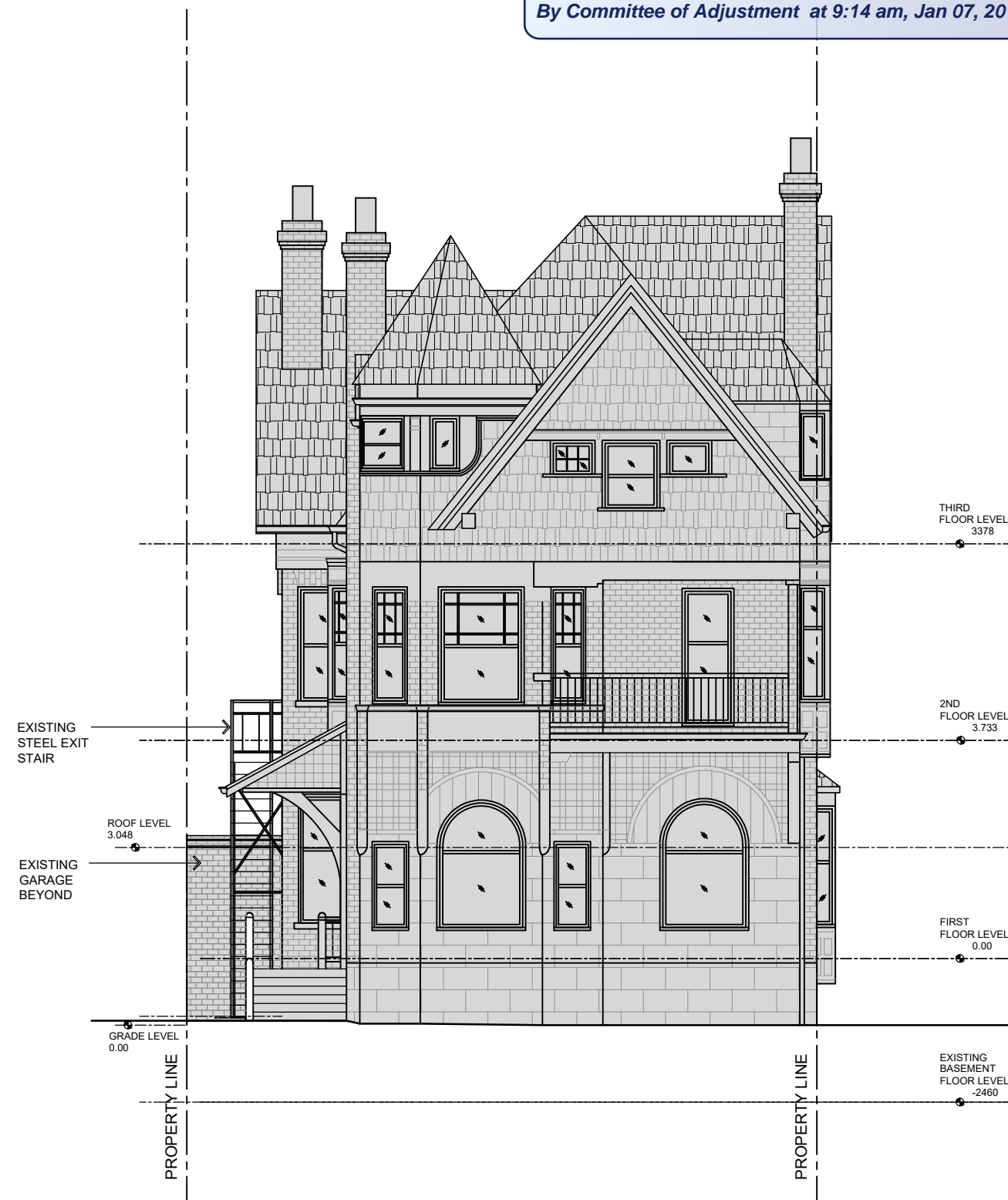
SCALE		REVISION NO.
PROJECT NO.	17003	
DATE	2017-06-02	DWG. NO.
DRAWN	AAF	A3.1
CHECKED	MH	

RECEIVED

By Committee of Adjustment at 9:14 am, Jan 07, 2019

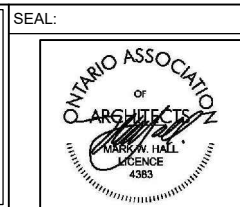


2 PROPOSED EAST ELEVATION
SCALE 1:100



1 EXISTING EAST ELEVATION
SCALE 1:100

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PROJECT NAME:	PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON	
DRAWING TITLE:	PROPOSED NORTH ELEVATION

DATE	NO.	ISSUE
2019 - 01 - 04	01	COMMITTEE OF ADJUSTMENT

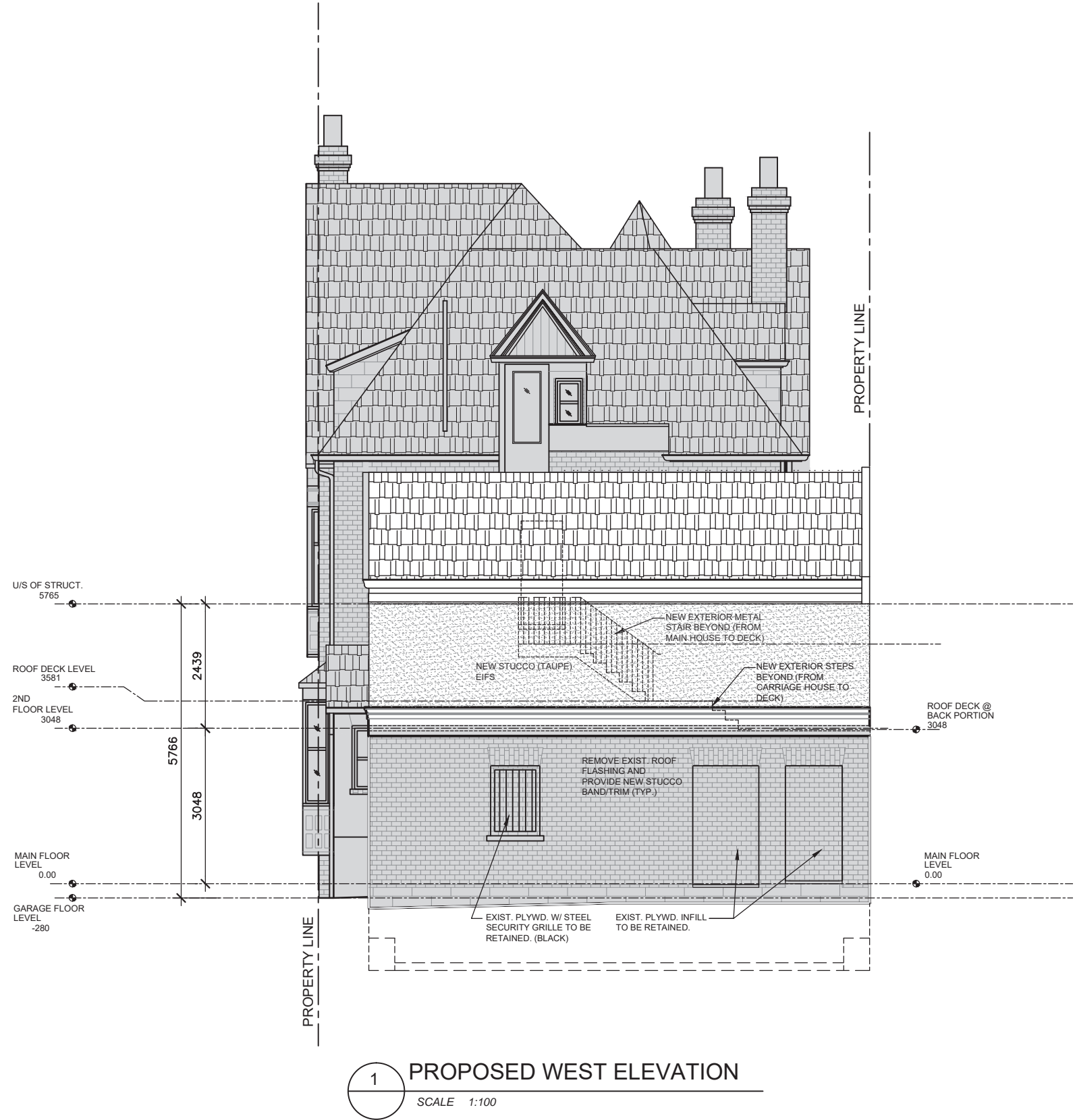
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SCALE	REVISION NO.
PROJECT NO. 17003	
DATE 2019-01-04	DWG. NO.
DRAWN AAF	A3.3
CHECKED MH	



1 PROPOSED WEST ELEVATION
SCALE 1:100

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SEAL:

PROJECT NAME:
PROPOSED GARAGE ADDITION
514 Jarvis St., Toronto, ON

DRAWING TITLE:
PROPOSED NORTH ELEVATION

DATE	NO.	ISSUE
2018 - 06 - 27	01	ZONING REVIEW
2018 - 08 - 30	02	ZONING REVIEW
2018 - 12 - 17	03	COMMITTEE OF ADJUSTMENT

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SCALE		REVISION NO.
PROJECT NO.	17003	A3.2
DATE	2017-06-02	
DRAWN	AAF	
CHECKED	MH	

Attachment 3.

This decision is subject to the following condition(s):

1. The Site Plan and elevations in **Attachment 2** shall be revised in a manner to accommodate the following terms and in all other respects shall remain unchanged:
 - a. The addition of a replacement south wall elevation plan, drawing A3.1 to affect the following:
 - i) The provision from existing grade of a floor to ceiling height of the addition between the main rear wall of the existing residence to be retained and the east wall of the carriage house to be retained, such height not to exceed 2.75m (nine (9) feet);
 - ii) The retention of permanent planter boxes and associated evergreen vegetation particulars on the garage roof and set back a distance of not less than 1.5 m (five (5) feet) from the south wall limit between the main rear wall of the existing residence to be retained and the east wall of the carriage house to be retained (all as also depicted on a revised Drawing A2.2).
 - iii) Depicting for the retention or deletion of existing fencing (as may be agreed with the owner of 512 Jarvis Street) together with differentiation in brick coursing or other materials treatment below the roof deck or patio surface on the south wall, all as agreed to be compatible with the preservation of heritage attributes in discussion with HPS staff.
 - iv) Depicting, above the roof terrace deck or patio surface on the south wall, a retaining wall or parapet not to exceed 1.2 m (four (4) feet) in height intermittently broken with openings for the passage of light and air along its length between the main rear wall of the existing residence to be retained and the east wall of the carriage house to be retained.
 - b. The addition of a replacement north wall elevation plan, drawing A3.0, to affect the following:
 - v) The provision from existing grade of a floor to ceiling height of the addition between the main rear wall of the existing residence to be retained and the east wall of the carriage house to be retained, such height not to exceed 2.75 m (nine (9) feet);
 - vi) Depicting, above the roof deck or patio surface on the north wall, a retaining wall or parapet not to exceed

**Decision of Toronto Local Appeal Body Panel Member: I. Lord
TLAB Case File Number: 19 157134 S45 13 TLAB**

- 1.2 m in height intermittently broken with openings for the passage of light and air along its length between the main rear wall of the existing residence to be retained and the east wall of the carriage house to be retained.
- vii) Depicting differentiation in brick coursing or other materials treatment on the north wall, all as agreed to be compatible with the preservation of heritage attributes in discussion with HPS staff.
- c. The total height from grade to top of parapet of the garage and rooftop patio is not to exceed 4.25 m (fourteen (14) feet).
- d. The existing gate location on the right-of-way access to 512 Jarvis Street shall remain unchanged,
2. Prior to the issuance of a building permit, building permit drawings, including plans, elevations and details consistent herewith shall be submitted to the satisfaction of the Senior Manager of Heritage Preservation Services and a heritage permit shall be obtained under the provision of Section 33 of the Ontario Heritage Act.
 3. Prior to the issuance of a building permit, the applicant/owner shall submit a complete application for permit to injure or remove any private or City owned tree(s) under Municipal Code Chapter 813, Trees Article II, Trees on City Streets, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
 4. The roof terrace, deck or patio above the garage shall be constructed and maintained with landscaping features (i.e. planters and conifer plantings) that are effective at retaining storm water and improve infiltration, to the satisfaction of the Director, Community Planning, Toronto and East York District.
 5. The Owner shall submit a driveway surfacing plan of permeable pavers including works necessary to access the public thoroughfare on Gloucester Street for review and acceptance satisfactory to the Director or designate, Traffic Division.
 6. Prior to the issuance of a building permit, the Owner shall submit a site servicing plan for review and acceptance to the Chief Engineer and Executive Director, Engineering & Construction Services, to show the existing and planned water, storm and sanitary services (all of which must be clearly labelled); and
 7. The improvements permitted by the Final Order and Decision issued herein shall be constructed substantially in accordance with the Revised Plans supplied and accepted by the TLAB under Condition 1 and shall be attached thereto. These plans shall form part of the Final Order and Decision. Any other variances that may appear as required on these plans and that are not listed in this decision are not authorized.