

DECISION AND ORDER

Decision Issue Date Monday, February 28, 2022

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): ALEXANDER BASSO

Applicant(s): MICHAEL FLYNN

Property Address/Description: 98 SUPERIOR AVE

Committee of Adjustment File

Number(s): 20 151053 WET 03 MV (A0188/20EYK)

TLAB Case File Number(s): 21 170110 S45 03 TLAB

Hearing date: Friday, February 18, 2022

Deadline Date for Closing Submissions/Undertakings: February 23, 2022

DECISION DELIVERED BY TLAB Panel Member S. Gopikrishna

REGISTERED PARTIES AND PARTICIPANT

Appellant	Alexander Basso
Appellant's Legal Rep.	David Tang
Applicant	Michael Flynn
Party	Charlotte Sheasby-Coleman
Participant	Barbara Radecki
Participant	Arcana Restoration Ltd
Participant	Zeph Williams
Participant	Hugh Thaddeus Ranalli
Participant	Charles Howard Honeyman

Decision of Toronto Local Appeal Body Panel Member: S. Gopikrishna
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Participant	Jim Farrell
Participant	Scott Hunter
Participant	Craig Goodman
Participant	Kenneth Froese
Expert Witness	TJ Cieciura
Witness	Yaroslw Medwwidsky
Witness	William Johnston
Witness	Isabell Vongphakdy

INTRODUCTION AND BACKGROUND

The background of the Appeal respecting 98 Superior Avenue is recited in my Interim Decision and Order, dated December 2, 2021, and is consequently not recited here. The TLAB scheduled Day 2 of this Proceeding on February 18, 2022- the intention was to hear any Motions, and Cross-Motions at the beginning of the Hearing, followed by the Examination-in-chief of the Applicant's Witness, Mr. T.J.Cieciura. It may be noted that this Proceeding was going to be a four day Hearing, such that Day 2 would be completed on February 18, 2022.

On February 17, 2022, I was made aware by the TLAB Staff about a Motion brought forward by the Applicants asking that By-Law 89-2022, passed by the City of Toronto's Council, at its sitting on the 2nd and 3rd of February, 2022, be included in the record respecting this Appeal.

MATTERS IN ISSUE

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

1. Section 900.6.10.(22)(B)(iv), By-law 569-2013

The minimum required lot frontage for a triplex is 15 m.
The lot has a frontage of 9.78 m.

2. Section 900.6.10.(22)(A)(iv), By-law 569-2013

The minimum required lot area for a triplex is 465 m².
The lot has a lot area of 362.52 m².

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

A minimum of 50% of the rear yard must be maintained as soft landscaping (54.39 m²).
A total of 46% of the rear yard will be provided as soft landscaping (50.03 m²).

4. Section 200.5.10.1(1), By-law 569-2013

A total of three parking spaces are required for a triplex.
Two parking spaces will be provided.

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').

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

At the Hearing held on February 18, 2022, the Applicant was represented by Mr. David Tang, a lawyer, and Mr. T.J.Cieciura, a land use planner. Ms. Charlotte Sheasby-Coleman, the Party in opposition to this Appeal, stated that she would be giving evidence, as well as ask questions on behalf of the Opposition.

Mr. Tang briefly explained the reasons for his Motion, which asked that By-Law 89-2022, be included in the record, respecting this Appeal. He said that it demonstrated how the City of Toronto was in the process of loosening parking requirements, in the interests of a greater emphasis on public transportation. Ms. Sheasby-Coleman said that she would not object to the inclusion of By-Law 89-2022 on the record. I then asked Mr. Tang if By-Law 89-2022 would have any impact on the parking variance, included in the Appeal, to which he responded that there would be no impact, because the Application had been filed, before the new By-law took effect.

Mr. Cieciura was sworn in, and recognized as an Expert Witness in the discipline of land use planning. The highlights of his evidence are recited below:

The proposal is consistent with Higher Level Provincial Policies, including the Provincial Policy Statement (2020), and the Growth Plan for the Greater Golden Horseshoe (

2020), because a triplex makes more efficient use of land resources, and a better use of the existing land, and infrastructure.

The Study Area is bounded by the houses fronting onto Cavell Ave, bounded by Blue Goose Street and Burlington St. on the North, houses facing east fronting onto Queens Ave on the West, houses facing west on Victor Avenue on the East, Stanley Avenue bounded by Queens and Superior on the South.

The Subject Property is an irregular rectangular in shape, with 9.78m of frontage on Superior Avenue and a depth of 39.72m on the south side, and 34.62m on the north side (Cavell Avenue Frontage). The lot depth is different due to the angled rear lot line on the Subject Property, which has a width of 10.97m. The immediate context contains land uses to the north, south, east and west including single detached and semi-detached residential dwellings, duplexes, triplexes, and apartment buildings. Further to the east are more residential dwellings, containing a variety of built forms. Further to the south of the Subject Property are more residential uses, with some mixed use buildings located along Mimico Avenue. Further west of the subject property are residential uses such as single detached, semi-detached, duplexes, triplexes, and apartment buildings before getting to Royal York Road, which has a variety of uses.

The Official Plan Designation for the Subject Property is "Neighbourhoods". The Subject Property is currently zoned "RM (u3; d0.6) (x22)" under City Zoning By-law 569-2013. The zoning for this property permits a triplex (3 units) with floor space index ("FSI") of 0.6x the lot area. Exception RM 22, which is applicable to the Subject Property, sets out Site Specific Provisions pertaining to the Minimum Lot Area & Lot Frontage for specific built forms, including a Triplex, which requires a frontage of 15.0m and a lot area of 465m².

Mr. Cieciura next spoke to how the proposal satisfied the test to maintain the intention and purpose of the Official Plan.

He spoke to how his Study Area, as defined above, consisted of lands, that had been zoned similarly, including the RM22 Site specific exception, for residential detached dwellings with permission for up to 3 units. He stated that frontage and area requirements could be different based on which built form was allowed on a given property, and asserted that the consistent zoning standards for residential detached dwellings within the neighbourhood, have resulted in a largely consistent neighbourhood character.

Mr. Cieciura also added that the prevailing type of housing in the Neighbourhood, consists of single detached housing, including some with secondary suites, or a couple of rental units. He also demonstrated that both the frontage of the lot, and the area of the lot, are both greater than the mode, or what the OP defines to be the "prevailing" type. He also demonstrated that the vast majority of the lots in this neighbourhood have frontages, and lot areas, significantly smaller than what is the required by the Zoning By-law. He also emphasized that there were many triplexes in the neighbourhood, which are permitted by the Zoning By-law, with the result that there is no variance required for constructing a triplex.

Mr. Cieciura then focused on the unusual shape of the lot, and its having a bigger frontage of more than 30 metres facing Cavell Street, than the conventional frontage on Superior Ave. He said that the unusual shape, and size, juxtaposed on its being a corner lot, resulted in the following impacts:

- The fact that the property has frontage on two different, perpendicular streets makes the observer conclude that the apparent frontage (facing the two streets) is greater than the real frontage, calculated on the basis of what solely faces Superior Avenue
- The public boulevard adjacent to the property on Cavell Ave., is such that it cannot be distinguished “functionally” from the property, because the sidewalk is not “kerbed”.
- In addition to the two parking spots that are provided on the portion of the house facing Cavell Avenue, a third car can comfortably be parked on the public boulevard, where required. An illustration was provided of how this could be carried out on one of the photographs on the record.

Speaking to Section 2.3.1 of the OP, Mr. Cieciura demonstrated how the community had evolved slowly, but steadily, such that there was no risk of destabilization. The change that Mr. Cieciura captured through his photographs, included triplexes, and dwellings with two or three stories. He then spoke to how the proposal fulfilled Section 3.1.2 (Built Form Policies). He pointed out that the Subject Application, if approved, would result in a 2-storey triplex, where a 2-storey single detached dwelling had previously existed. He asserted that a proposed multi-unit dwelling will fit in with the surrounding area, because the latter consists of a wide range of built forms, including multiple triplexes and apartment buildings. He pointed out that an “almost identical built form would have materialized, if a single family detached dwelling were constructed” instead of the proposed triplex. Given that the proposed triplex was similar to many other triplexes that already existed in the Neighbourhood, Mr. Cieciura concluded that the proposal would satisfy Policy 3.1.2 of the OP. He then spoke to how the proposal satisfied Policy 3.4 (Natural Environment), and how the approval of the variance would still allow for a “suitable growing environment on the Subject Property”. He pointed out that there would be one tree removed at the rear of the Subject Property, for which a permit has already been obtained. He added that the property owner has already undertaken the permit process in order to legally remove the Honey-Locust tree in the rear yard. Based on this evidence, Mr. Cieciura concluded that the proposal satisfied Policy 3.4 of the OP. Lastly, Policy 4.1.5 of the OP was discussed- it was established that the frontage, as well as the Lot Area of the Lot were larger than the mode of the frontage of lots, and the area of the lots respectively in the neighbourhood. Lastly, he spoke to the adequacy of two parking spots, to serve the needs of the triplex, given the spectrum of public transportation, that the local residents had access to include, including the TTC and GO.

On the basis of the above evidence, Mr. Cieciura concluded that the requested variances maintained the intent and purpose of the OP.

He next spoke to how the variances satisfied the intent and purpose of the Zoning Plan.

Mr. Cieciura stated that the intent of a 15m minimum frontage for a triplex, is in large part, to ensure there is adequate space for amenities typically located in the front yard such as driveways, soft landscaping, parking, and to ensure sufficient space for the multiple people expected to live on the property. It is also to ensure that the property size is large enough to accommodate 3 desirable units within the Triplex. Although the legal frontage is calculated along Superior Avenue, the proposed dwelling will have a functional frontage along Cavell Avenue which is 34.62m, which would provide adequate space for all the uses listed at the beginning of this paragraph. He added that they are variances requested through this proposal that would relate to the resulting built form on the Subject Property. The proposal meets the requirements for FSI, Setbacks, Height, Length, Depth & Lot Coverage. He asserted that the property's ability to meet these requirements further demonstrated that the proposed dwelling is not an over build, and that the Subject Property can accommodate a Triplex. On the basis of this evidence, Mr. Cieciura concluded that the variance respecting the frontage satisfied the intent, and purpose of the Zoning Plan.

Speaking next to the variance respecting the Lot Area, Mr. Cieciura stated that the adequate space for amenity space, parking, and to ensure sufficient space for the multiple people expected to live on the property. It is also to ensure that the property size is large enough to accommodate three desirable units within the triplex. He reiterated that there are no variances requested through this proposal that would relate to the resulting built form on the Subject Property, and emphasized that the Property meets the requirements for FSI, Setbacks, Height, Length, Depth & Lot Coverage. According to Mr. Cieciura, this further demonstrates that the proposed dwelling is not an over build, and that the Subject Property is large enough for a Triplex. The resulting Triplex on a lot will not create an adverse impact or introduce a new characteristic throughout this neighbourhood as there are many examples already existing where a Triplex exists on a lot below the required Lot Area By-law minimum. Notwithstanding the ostensible reduction in soft yard landscaping, there is adequate space to plant more trees, given the size of the Lot.

On the basis of this evidence, Mr. Cieciura concluded that the variance respecting the Lot Area satisfied the intent, and purpose of the By-Law.

Lastly speaking to the variance requesting 2 parking spots instead of 3, Mr. Cieciura said that the intent of the required 3 parking spaces is in large part to allow for adequate parking spaces for the residents living in the triplex. He referenced a City of Toronto Report, dated January 5, 2021, which pointed to various changes, including on-hire vehicles, bicycles, and the increasing popularity of online shopping, has made it possible for local residents to not depend on a car. He reiterated that the Subject Property is within walking distance of the Mimico Go station, which provides easy access throughout the City of Toronto, and is one of the alternative methods mentioned within the City of Toronto initiative report. Lastly, he referred to the large number of buses and bus routes which make it possible to be less car dependent. The Subject Property is located within walking distance to Royal York Road and Lake Shore Boulevard West. Both of these streets provide public transportation via Light Rail Transit (Streetcar) along Lake Shore Boulevard West and Bus Routes along both Lake Shore

Boulevard West and Royal York Road. This further justifies the reduction of 1 parking space on the Subject Property.

He also reiterated that there was adequate place on the public boulevard for a third car to be parked, where needed, which means that even the existing parking standards could be met.

Based on this evidence, Mr. Cieciura concluded that the variances fulfilled the intent, and purpose of the Zoning By-law.

Mr. Cieciura spoke next to the test respecting appropriate development of the land.

He said that the proposed redevelopment will improve the existing condition of the Subject Property as it allows for more housing options in a neighbourhood that permits Multi-unit residential dwellings including triplexes and maintains the general intent and purpose of the Zoning By-law. The proposed triplex is desirable for the appropriate development and use of the land and building due to the fact that an additional unit is being included within a built form that is already approved on the Subject Property. This type of development represents modest redevelopment and regeneration that has been occurring in the neighbourhood of Mimico; he emphasized that the proposal is not the first of its kind in the community, but more a component of a continuum of change that was underway in the Neighbourhood.

Based on this evidence, Mr. Cieciura concluded that the proposal satisfied the test of appropriate development.

Speaking then to the test of minor, Mr. Cieciura stated that when considering impact one has to think about the quantum of the variance, as well as any undue adverse impact on adjacent properties over and above what would be permitted as-of-right. He asserted that there will be little to no impact on the adjacent dwellings and the neighbourhood other than what might be experienced if the land was developed in accordance with the as-of-right zoning.

Based on this evidence, Mr. Cieciura concluded that the proposal satisfied the test of minor.

When asked about conditions to be imposed in case the proposal were approved, Mr. Cieciura said that the Urban Forestry conditions had been addressed, because of the request for Urban Forestry permits had been completed. He recommended that a condition be imposed on the construction of the triplex, which required the owners to build the triplex, in substantial conformity with Plans and Elevations, as submitted by way of a 10 page document prepared by Frank Bandiera Architect, numbered Sk1 (first page)- Sk10 (last page), date stamped January 2022.

It is important to note that when Mr. Cieciura completed giving evidence about the test respecting the Official Plan, Ms. Sheasby-Coleman asked to speak, and stated that she wanted to “pull out” of the Hearing, because “things did not seem to winnable”.

She lamented the loss of the century old house that previously existed at the Site, and described how on November 30, 2020, she heroically tried to stop the demolition of the house that previously existed on the Lot, including sitting on the steps of the house to prevent a bulldozer from demolishing the house. I asked Ms. Sheasby-Coleman to confirm that and her Witnesses were no longer in opposition, as well as confirmed that we would not require Days 2 and 3 of the Proceeding, as planned originally, all of which were confirmed.

I thanked the Parties for their participation and evidence, and requested Mr. Tang to email the TLAB a PDF copy of the Plans, and Elevations, together with a separate Word document, listing the requested variances and the proposed conditions.

ANALYSIS, FINDINGS, REASONS

Notwithstanding my allowing the Applicants to introduce By-Law 89-2022 on the record, they deliberately chose to rely on the framework of Zoning By-law and Official Plan, as the latter existed, when the application was originally filed before the Committee of Adjustment. I find that the Applicants have the right to rely on the Clergy Principle, even if the expression was not explicitly used by way of submissions, or evidence. Consequently, Zoning By-law 569-2013 is used for decision making purposes, without the benefit of any changes brought about by By-law 89-2022

It is important to note that the principal feature of the proposal is to build a triplex on this Site, which was formerly occupied by a two storey building. As pointed out by the Applicants, the Zoning By-law allows for a triplex, which means that there is no variance associated with the triplex. The audiovisual commentary by the Applicants demonstrated that their chosen Neighbourhood was changing slowly and steadily, such that there was no destabilization. It is evident that the community is now home to many new buildings, including triplexes. Notwithstanding the lack of discussion regarding By-law 89-2022, there is sufficient information, in the form of memos from the City of Toronto's transportation department to demonstrate that the City intends to put more emphasis on public transportation.

I find that the proposal confirms to the PPS (2020) and Growth Plan (2020) by virtue of its emphasis on efficient utilization of land, which I interpret to mean providing habitable housing to more people or families, on the same lot- it would be reasonable to find that a triplex achieves this objective, when compared to a bungalow, or a conventional two storied home. Given the evolution in the community, there is sufficient evidence before me to find that the proposal is consistent with Policy 2.3.1 of the OP.

The proposal is consistent with Policy 3.1.2 (Built Form) because there is no demonstrable impact on the neighbouring properties, and because the built form of the triplex is not new to the community, as can be seen from the significant number of triplexes that already exist in the community. I find that the proposal satisfies Policy 3.4 because the Applicants have either sought, or have obtained permits to fell trees, as appropriate- it is also important to note that there is adequate space on the Lot to plant other trees, where appropriate. The variances respecting the Lot Frontage and the Lot Area, satisfy Section 4.1.5 of the OP, because they exceed the statistical mode with

respect to the lot frontage, and lot area respectively, even if they don't satisfy the zoning requirements- this Neighbourhood is an interesting example of a neighbourhood, where the majority of the lot frontages and lot areas, don't satisfy the zoning standards.

The variance respecting the number of parking spaces satisfies the OP, because there is adequate space for two parking spaces on the Site itself, and a third parking place can be found on the boulevard, where necessary. While there is evidence to demonstrate that the parking standards have become less stringent, because of the recognition of the importance of public transportation, the specific nexus between the easing of parking requirements, and the proposal before me, is not evident. I do not think that it would be appropriate to find that a variance satisfies the intent of the OP, or the intent of the Zoning By-Law, on the basis of anything less than a crystal clear, confirmable connection, between the proposal, and the updated framework.

On the basis of this analysis, I find that the variances satisfy the intent and purpose of the OP.

The important issue that needs to be focused on, with respect to the Zoning By-law, is whether the performance standards for a given requirement (for which relief is requested from the By-Law) has been met. While the proposed frontage is ostensibly inadequate to meet requirements, such as space for amenities located in the front yard such as driveways, soft landscaping, parking, planting trees, sufficient space for the multiple people expected to live on the property, the presence of a 34 metre frontage on the perpendicular street, provides more than adequate space, by way of frontage, and area, to accommodate all the aforementioned amenities. The performance standard for the landscape conditions is satisfied, because there exist an adequate number of trees on the Lot, which can be augmented through the planting of extra trees, when and where appropriate, on the space available. Consequently, the intent and purpose of the By-Law is satisfied by these two variances. The existence of two parking lots on the Lot, as well as space for a third car to park on the boulevard, satisfies the performance standard of ensuring adequate parking for the residents of the triplex to be built.

I therefore find that the three requested variances satisfy the intent and purpose of By-law 569-2013.

I find that the proposal meets the test of appropriate development, because it does not introduce a hitherto unexperienced built form into the Neighbourhood, nor does it result in any destabilization of the neighbourhood. The proposed triplex, when constructed, numerically augments the significant number of triplexes in the Neighbourhood. Consequently, I find that the proposal satisfies the test of appropriate development.

As seen in the discussion regarding Policy 3.1.2, the built form of the triplex, does not create any unacceptable adverse impact on its neighbours, as well as the neighbourhood. Even seen through the more stringent prism of numerical impact of the variances, the requested variances don't set a new exemplar for what has been approved, on the basis of a review of COA decisions in this neighbourhood.

As a result of these observations, I find that the proposal satisfies the test of minor.

I am in agreement with the Applicants, that the only condition that needs to be imposed on the approval of the variances, is a standard condition, that the construction take place in substantial conformity with respect to the submitted Plans and Elevations- in this case, the requisite Plans and Elevations were drawn up by Frank Bandiera Architect, are numbered Sk1 (first page)- Sk10 (last page), and are date stamped January 2022. The Plans and Elevations are attached to this Decision.

I note that no evidence was obtained from the Opposition, because of the withdrawal of the Party and Participants who opposed the Appeal- this Proceeding morphed into an uncontested, single Party Hearing, as a result of the dramatic withdrawal of the Opposition. It is also important to note that there are no more Hearing dates required to complete this Proceeding. As a courtesy, I herewith request the TLAB Staff to send this Decision to Mr. Jason Davidson, Counsel for the City, who wanted to participate in the Hearing, because of the summoning of three City staff members.

DECISION AND ORDER

1. The Appeal is allowed, and the decision of the Committee of Adjustment, dated May 25, 2021 is set aside.

2. The following variances are approved:

1. Section 900.6.10.(22)(B)(iv), By-law 569-2013

The minimum required lot frontage for a triplex is 15 m.
The lot has a frontage of 9.78 m.

2. Section 900.6.10.(22)(A)(iv), By-law 569-2013

The minimum required lot area for a triplex is 465 m².
The lot has a lot area of 362.52 m².

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

A minimum of 50% of the rear yard must be maintained as soft landscaping (54.39 m²).
A total of 46% of the rear yard will be provided as soft landscaping (50.03 m²).

4. Section 200.5.10.1(1), By-law 569-2013

A total of three parking spaces are required for a triplex.
Two parking spaces will be provided.

3. No other variances are approved

4. The following conditions are imposed on the approval:

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- a) That the triplex be constructed substantially in compliance with the Plans and Elevations, a 10 page document prepared by Frank Bandiera Architect, numbered Sk1 (first page)- Sk10 (last page), date stamped January 2022, and resubmitted to the TLAB on February 23, 2022. These drawings are appended to this decision.
- b) The two Hearing dates which were originally requested to complete this Proceeding, as per the Interim Decision, dated December 2, 2021, are herewith vacated. No appearances by any Party, or Participants is necessary since the Hearing dates are vacated.

So orders the Toronto Local Appeal Body

X



S. Gopikrishna
Panel Chair, Toronto Local Appeal Body

SUPERIOR AVENUE

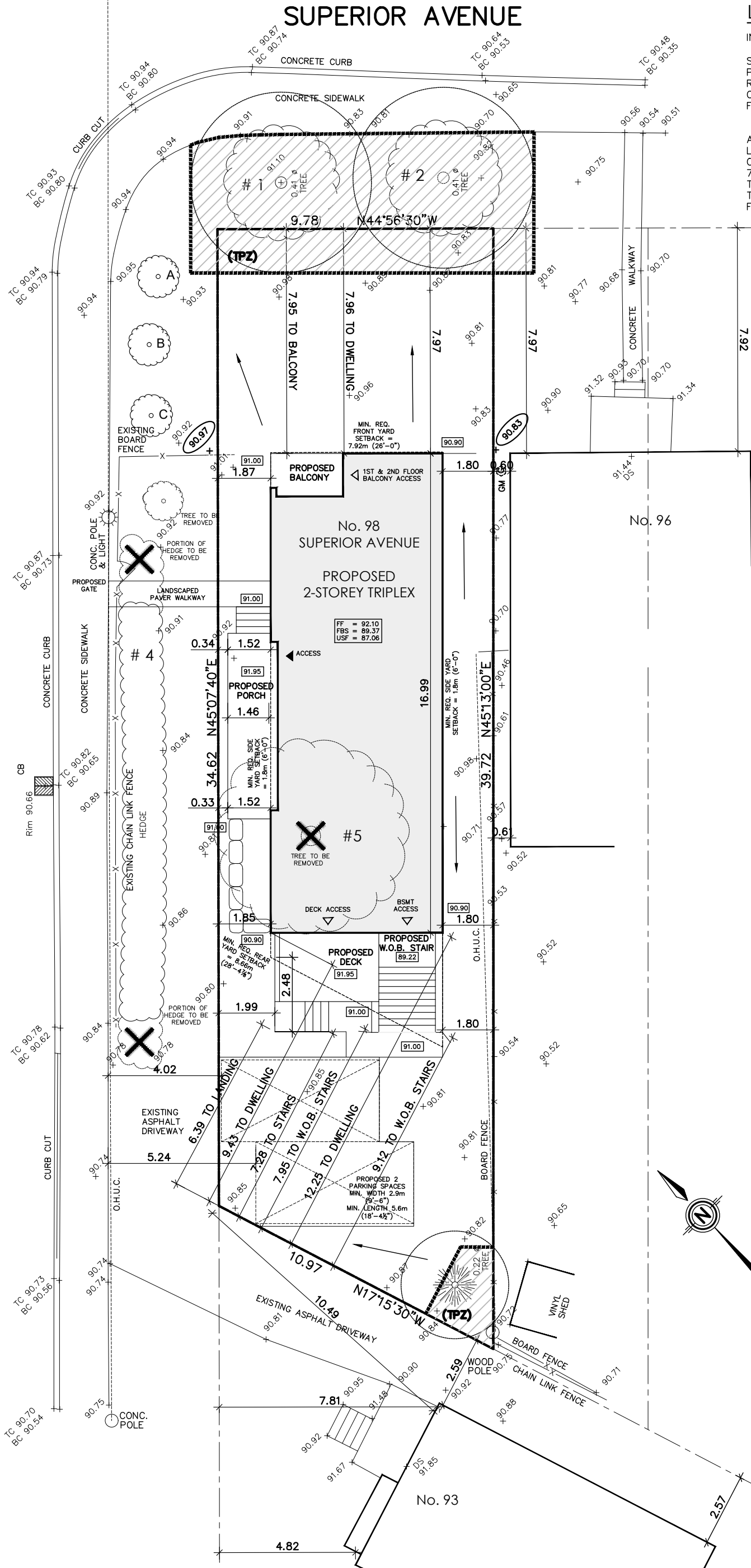
LEGAL DESCRIPTION

INFORMATION FOR THIS SITE PLAN WAS TAKEN FROM:

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF PART OF LOT 153
REGISTERED PLAN M-77
CITY OF TORONTO
FORMERLY CITY OF ETOBICOKE

AS PREPARED BY:
LAND SURVEY GROUP
ONTARIO LAND SURVEYORS
777 THE QUEENSWAY, UNIT 1
TORONTO, ON M8Z 1N4
T:416-252-2511
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CAVELL AVENUE



PROPOSED SITE PLAN

98 Superior Avenue Etobicoke, ON

FRANK BANDIERA
ARCHITECT INC

416.242.5051
fgb@bandiera.ca
www.bandiera.ca

2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:	Jan. 2022
SCALE:	1:150
PROJECT No.:	1845
DRAWING No.:	Sk1

SITE INFORMATION:

ZONING:	ZONING BY—LAW 569—2013 RESIDENTIAL MULTIPLE DWELLING ZONE (RM, u3, d0.6, x22)	PROPOSED/ACTUAL
LOT AREA:	MIN. REQ. 465m ² (5,005.22ft ²)	ACTUAL 362.52m ² (3,902.13ft ²)
LOT FRONTAGE:	MIN. REQ. 15.0m (49'–2⅝")	ACTUAL 9.78m (32'–1")
F.S.I./ G.F.A.	REQ. MAX. 217.51m (2,341.26ft ²) 0.6 TIMES THE LOT AREA	PROPOSED = 196.32m ² (2,113.20ft ²) 0.54 TIMES THE LOT AREA
SETBACKS:		
FRONT (EAST) YARD	MIN. REQ. IS THE FRONT YARD SETBACK OF THAT BUILDING ON THE ABUTTING LOT = 7.92m (26'–0")	PROPOSED = 7.95m (26'–1") TO BALCONY PROPOSED = 7.96m (26'–1½") TO DWELLING
SIDE (NORTH) YARD	REQ. MIN. 1.8m (5'–11")	PROPOSED = 0.33m (1'–1") TO PORCH PROPOSED = 1.99m (6'–6⅝") TO DECK/LANDING PROPOSED = 1.85m (6'–0⅞") TO DWELLING
SIDE (SOUTH) YARD	REQ. MIN. 1.8m (5'–11")	PROPOSED = 1.80m (5'–11") TO DWELLING & W.O.B. STAIR
REAR (WEST) YARD	MIN. REQ. THE GREATER OF 7.5m (24'–7¼") OR 25% OF THE LOT DEPTH 8.66m (28'–4⅞")	PROPOSED = 6.39m (20'–1½") TO LANDING PROPOSED = 7.77m (25'–6") TO W.O.B. STAIR PROPOSED = 9.43m (30'–1¼") TO DWELLING
BUILDING HEIGHT:	REQ. MAX. 10.0m (32'–9¾")	PROPOSED 8.08m (26'–6¼") FROM EST. GRADE TO TOP OF PARAPET
PERMITTED ENCROACHMENTS:	A PLATFORM WITH A FLOOR NO HIGHER THAN THE FIRST STOREY OF THE BUILDING ABOVE EST. GRADE MAY ENCROACH INTO THE REQ. MIN. SIDE YARD SETBACK A MAX. OF 1.5m (4'–11"), IF IT IS NO CLOSER TO THE SIDE LOT LINE THAN 0.3m (1'–0").	PROPOSED SIDE YARD ENCROACHMENT = 1.46m (4'–9½") DISTANCE TO SIDE LOT LINE = 0.33m (1'–1")
	A PLATFORM WITH A FLOOR NO HIGHER THAN THE FIRST STOREY OF THE BUILDING ABOVE EST. GRADE MAY ENCROACH INTO THE REQ. REAR YARD SETBACK THE LESSER OF 2.5m (8'–2½") OR 50% OF THE REQ. REAR YARD SETBACK 4.33m (14'–2½"), IF IT IS NO CLOSER TO A SIDE LOT LINE THAN THE GREATER OF: (i) 0.3M (1'–0"); OR (ii) A DISTANCE EQUAL TO THE VERTICAL DISTANCE BETWEEN THE HIGHEST PART OF THE FLOOR OF THE PLATFORM & THE AVG. ELEVATION OF THE GROUND AT THE SIDE OF THE PLATFORM = 1.07m (3'–6")	PROPOSED REAR YARD ENCROACHMENT = 2.48m (8'–1¾") WITH A PROPOSED SIDE YARD = 1.99m (6'–6⅝") TO DECK/LANDING
PARKING:	REQ. MIN. ONE PARKING SPACE FOR EACH DWELLING UNIT. TOTAL OF 1 SPACES REQ. MIN. WIDTH 2.9m (9'–6") MIN. LENGTH 5.6m (18'–4½") MIN. VERTICAL CLEARANCE 2.0M (6'–6¾") THE MINIMUM WIDTH MUST BE INCREASED BY 0.3m (1'–0") IF THE SIDE OF A PARKING SPACE IS OBSTRUCTED IF ANY PART OF A FIXED OBJECT SUCH AS A WALL, COLUMN, BOLLARD, FENCE OR PIPE IS SITUATED: (I)WITHIN 0.3m (1'–0") OF THE SIDE OF THE PARKING SPACE, MEASURED AT RIGHT ANGLES, AND (II)MORE THAN 1.0m (3'–3⅞") FROM THE FRONT OR REAR OF THE PARKING SPACE.	PROVIDED 2 PARKING SPACES IN REAR YARD WIDTH 2.9m (9'–6") LENGTH 5.6m (18'–4½")
LANDSCAPING:		
FRONT YARD LANDSCAPING	REQ. MIN. 50% OF THE FRONT YARD MUST BE LANDSCAPING FOR LOTS WITH A LOT FRONTAGE Of 6.0m (19'–8") TO LESS THAN 15.0m (49'–2⅝"), REQ. MIN. OF 75% OF THE FRONT YARD LANDSCAPING REQUIRED MUST BE SOFT LANDSCAPING, & IF A LOT DOES NOT HAVE A PERMITTED DRIVEWAY IN THE FRONT YARD, A MINIMUM OF 75% OF THE FRONT YARD MUST BE SOFT LANDSCAPING.	<u>FRONT YARD LANDSCAPE AREA</u> FRONT YARD AREA = 77.83m ² (837.76ft ²) = 100% DRIVEWAY AREA = 0.00m ² (0.00ft ²) = 31% FRONT YARD LANDSCAPE AREA = 77.83m ² (837.76ft ²) = 100% <u>FRONT YARD SOFT LANDSCAPING AREA</u> FRONT YARD LANDSCAPE AREA = 77.83m ² (837.76ft ²) = 100% HARD SURFACE AREA = 0.00m ² (0.00ft ²) = 9% FRONT YARD SOFT LANDSCAPE AREA = 77.83m ² (837.76ft ²) = 100%
SIDE YARD LANDSCAPING	REQ. MIN. OF 60% OF THE SIDE YARD ABUTTING A STREET FOR LANDSCAPING REQ. MIN. OF 75% OF THE SIDE YARD LANDSCAPING REQUIRED MUST BE SOFT LANDSCAPING.	<u>SIDE YARD LANDSCAPE AREA (w/o DWELLING & PORCH)</u> SIDE YARD AREA = 18.73m ² (201.61ft ²) = 100% DRIVEWAY AREA = 0.00m ² (0.00ft ²) = 0% SIDE YARD LANDSCAPE AREA = 18.73m ² (201.61ft ²) = 100% <u>SIDE YARD SOFT LANDSCAPING AREA (w/o WALKWAY)</u> SIDE YARD LANDSCAPE AREA = 18.73m ² (201.61ft ²) = 100% HARD SURFACE AREA = 1.71m ² (18.40ft ²) = 9% SIDE YARD SOFT LANDSCAPE AREA = 17.02m ² (183.21ft ²) = 91%
REAR YARD LANDSCAPING	REQ. MIN. OF 50% OF THE REAR YARD FOR SOFT LANDSCAPING, IF THE LOT FRONTAGE IS GREATER THAN 6.0m (19'–8")	<u>REAR YARD SOFT LANDSCAPING AREA (w/o WALKWAY & DRIVEWAY)</u> REAR YARD LANDSCAPE AREA = 103.97m ² (1,119.12ft ²) = 100% HARD SURFACE AREA = 41.58m ² (447.56ft ²) = 40% DECK/W.O.B. STAIR = 4.77m ² (51.31ft ²) = 4.6% REAR YARD SOFT LANDSCAPE AREA = 57.62m ² (620.22ft ²) = 55.4%

AREA CALCULATIONS

PROPOSED GROUND FLOOR AREA	98.16 m ² (1,056.60ft ²)
PROPOSED SECOND FLOOR AREA	98.16 m ² (1,056.60ft ²)
TOTAL NET AREA	196.32m ² (2,113.20ft ²)
PROPOSED FINISHED BSMT AREA	86.56m ² (931.74ft ²)
COVERAGE NOT INCL. PORCH, BALCONIES, DECK & W.O.B. STAIR	98.16m ² (1,056.59ft ²) 27% OF LOT AREA
COVERAGE INCL. PORCH & BALCONIES, NOT INCL. DECK & W.O.B. STAIR	115.62m ² (1,244.50ft ²) 32% OF LOT AREA

PROPOSED SITE STATS

98 Superior Avenue Etobicoke, ON

FRANK BANDIERA
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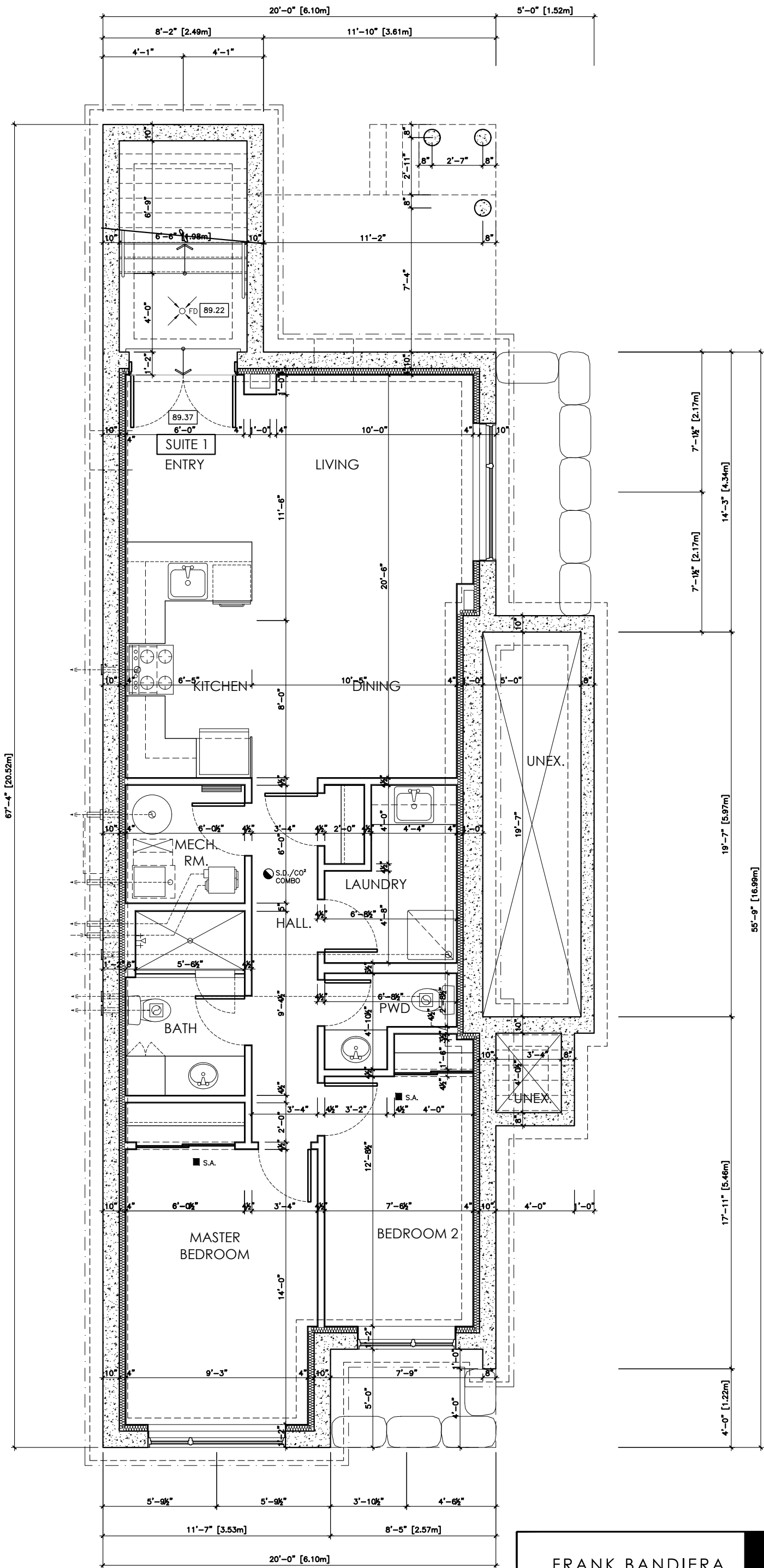
2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:
Jan. 2022

SCALE:
1:64
(⅜"=1'-0")

PROJECT No.:
1845

DRAWING No.:
Sk2



PROPOSED BASEMENT PLAN

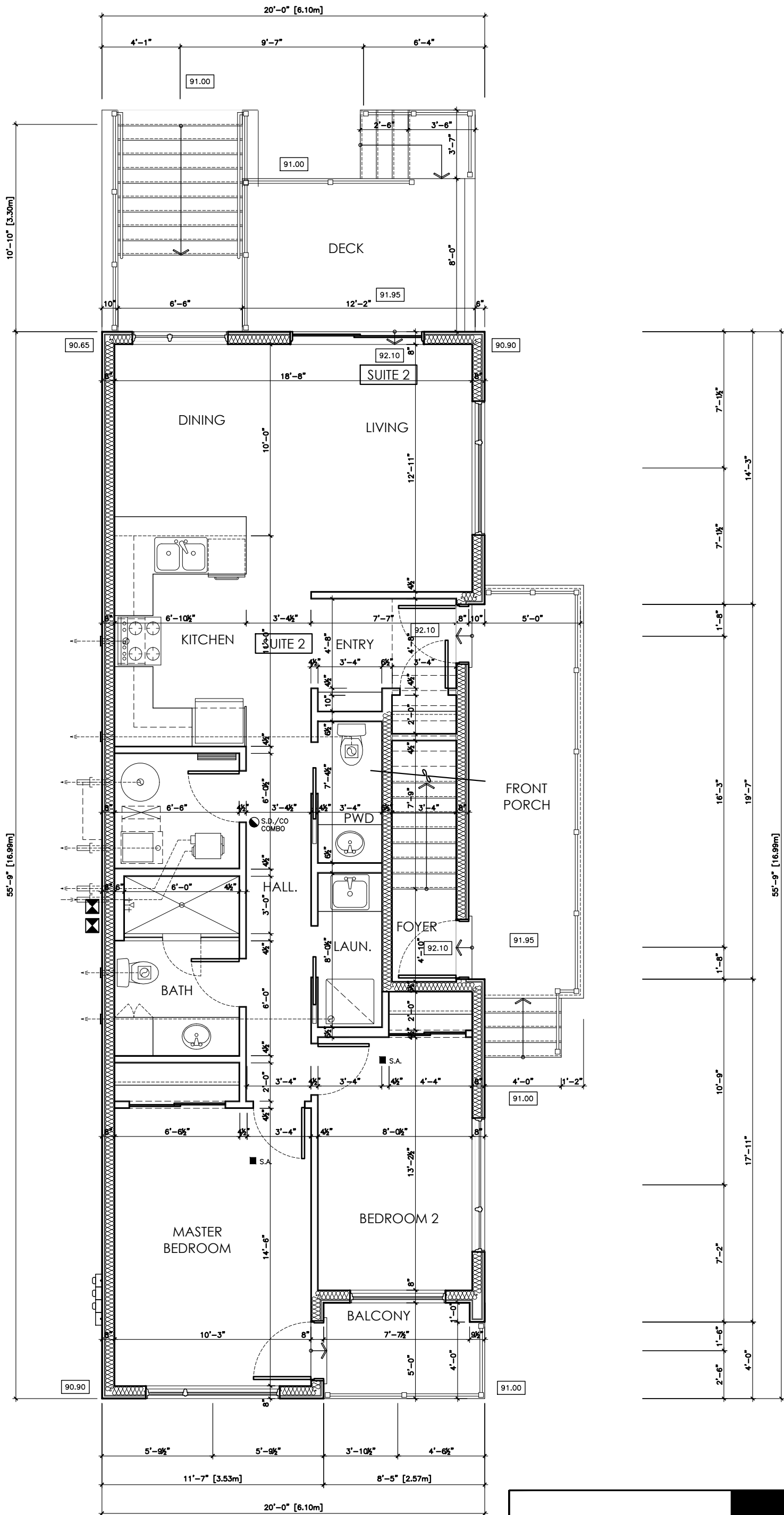
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SCALE:	1:64 (3/16"=1'-0")
PROJECT No.:	1845
DRAWING No.:	Sk3



PROPOSED FIRST FLOOR PLAN

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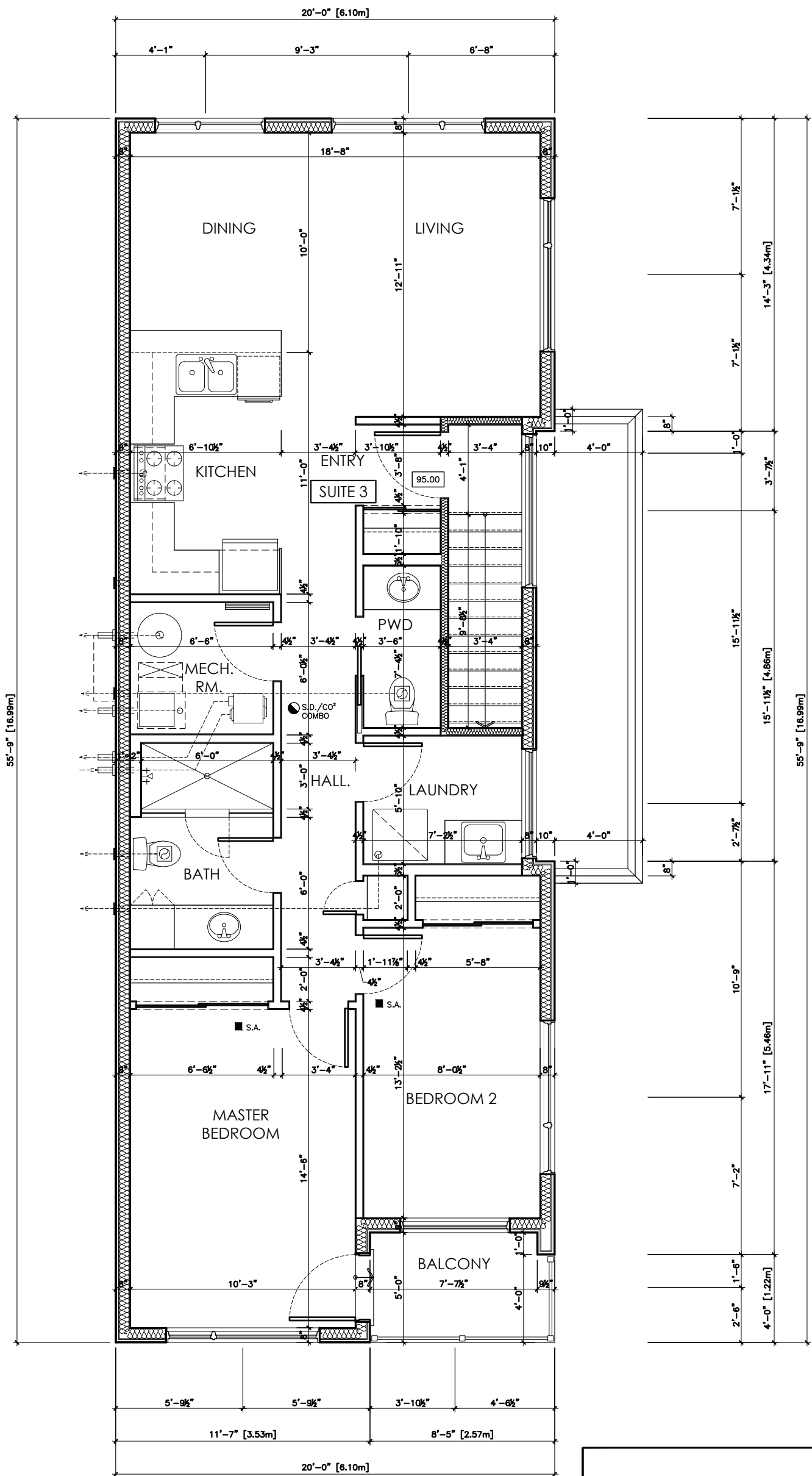
2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:
Jan. 2022

SCALE:
1:64
(3/16"=1'-0")

PROJECT No.:
1845

DRAWING No.:
Sk4



PROPOSED SECOND FLOOR PLAN

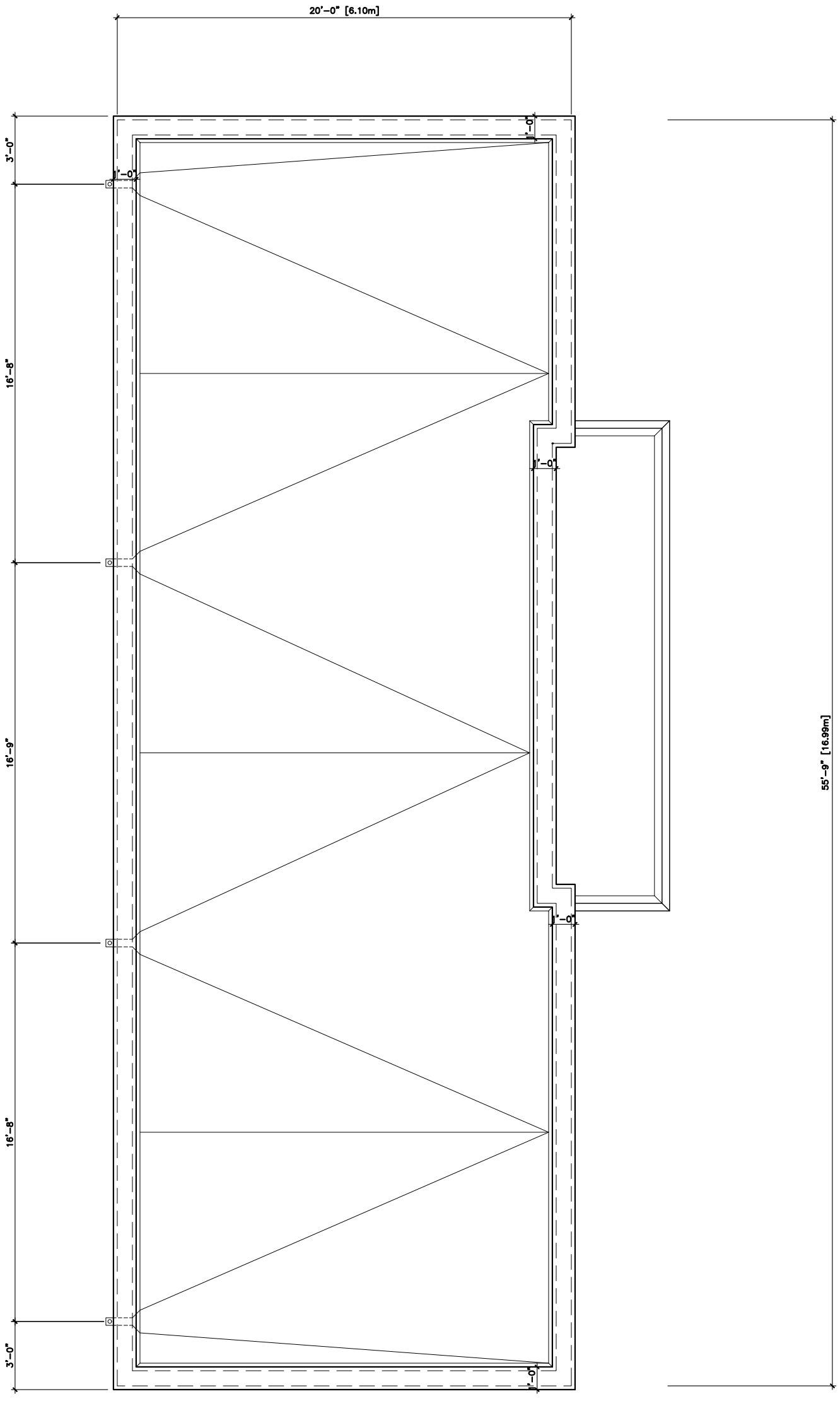
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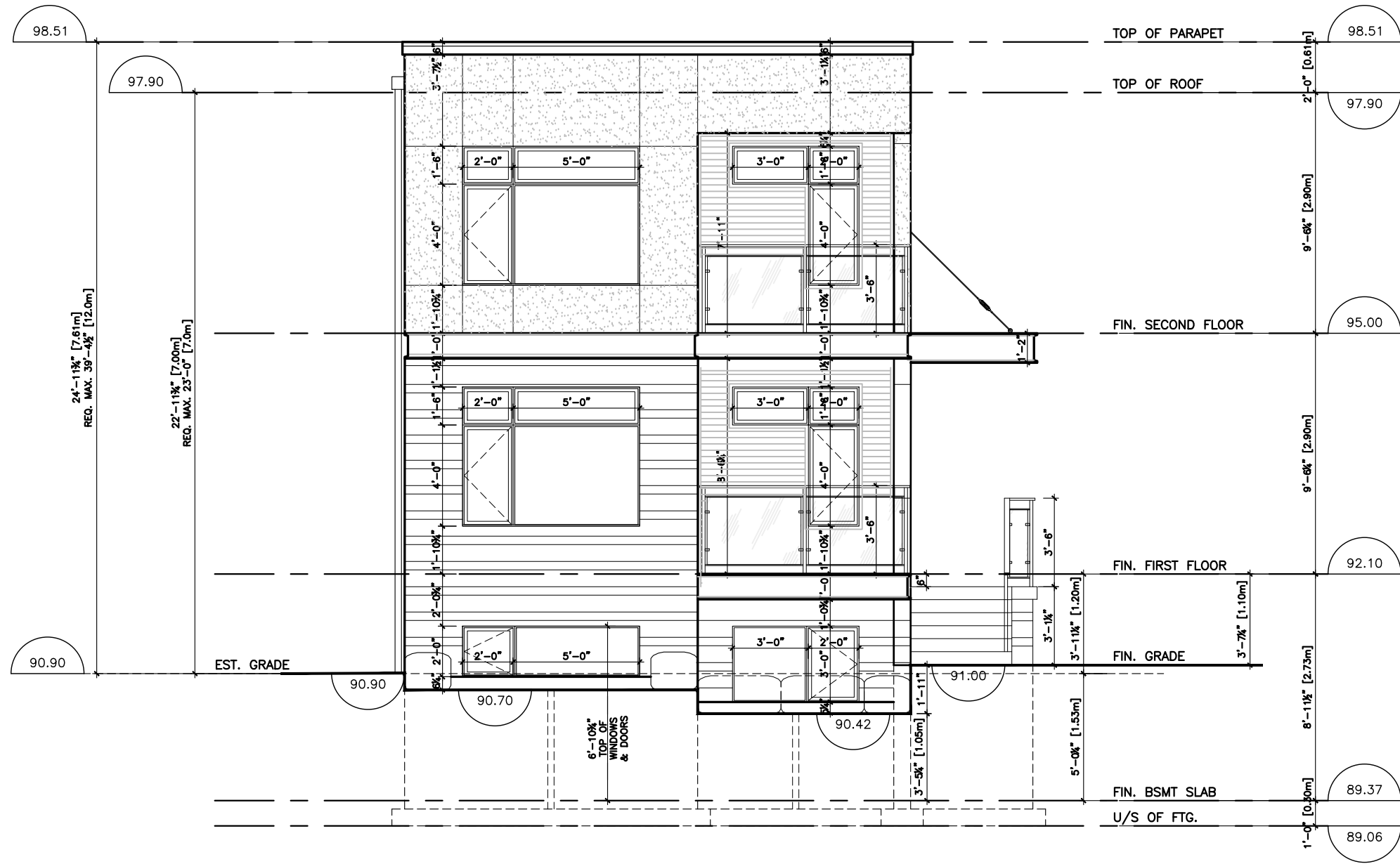
DATE:	Jan. 2022
SCALE:	1:64 (3/16"=1'-0")
PROJECT No.:	1845
DRAWING No.:	Sk5



PROPOSED ROOF PLAN

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	<div>SCALE:</div> <div>1:64 (3/16"=1'-0")</div>
	<div>PROJECT No.:</div> <div>1845</div>
	<div>DRAWING No.:</div> <div>Sk6</div>



PROPOSED FRONT (EAST) ELEVATION

98 Superior Avenue Etobicoke, ON

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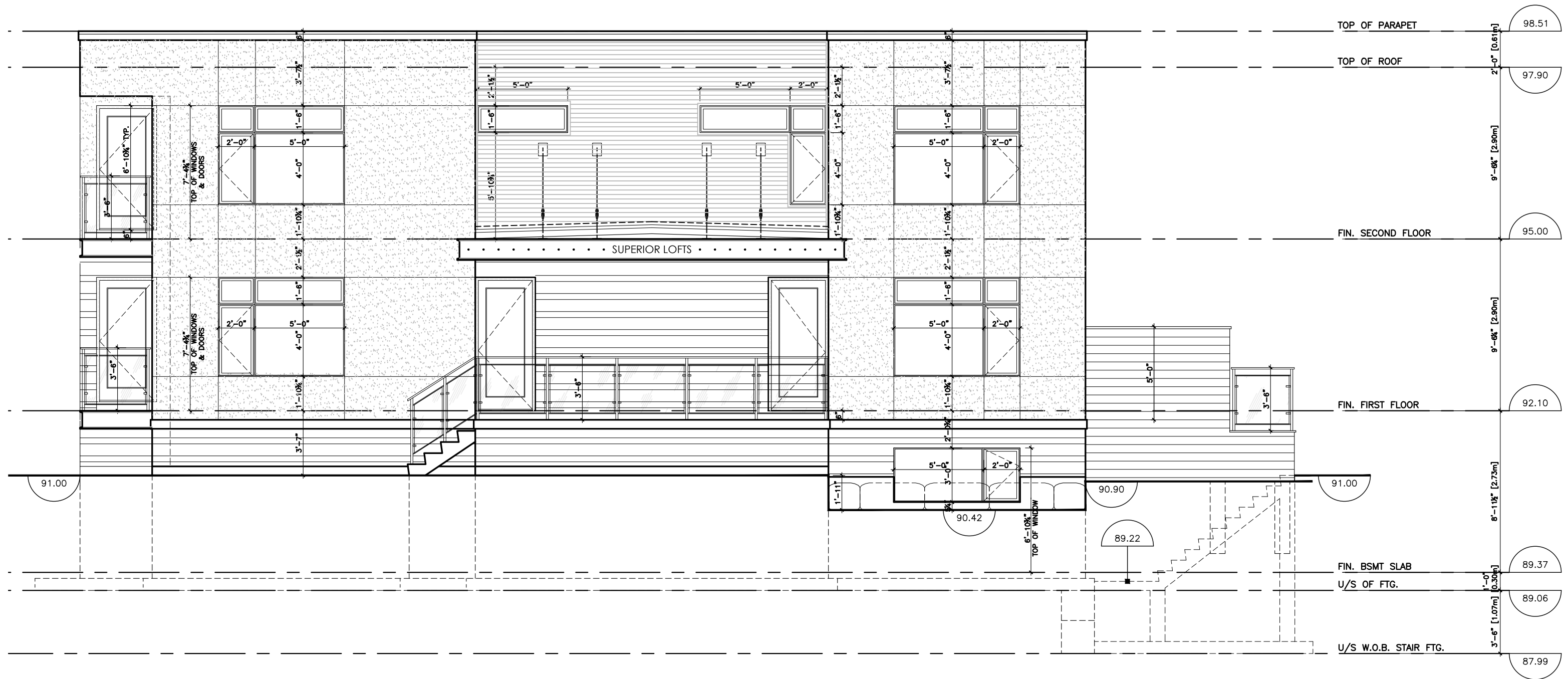
2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:
Jan. 2022

SCALE:
1:64
(3/16"=1'-0")

PROJECT No.:
1845

DRAWING No.:
Sk7



PROPOSED RIGHT SIDE (NORTH) ELEVATION

98 Superior Avenue Etobicoke, ON

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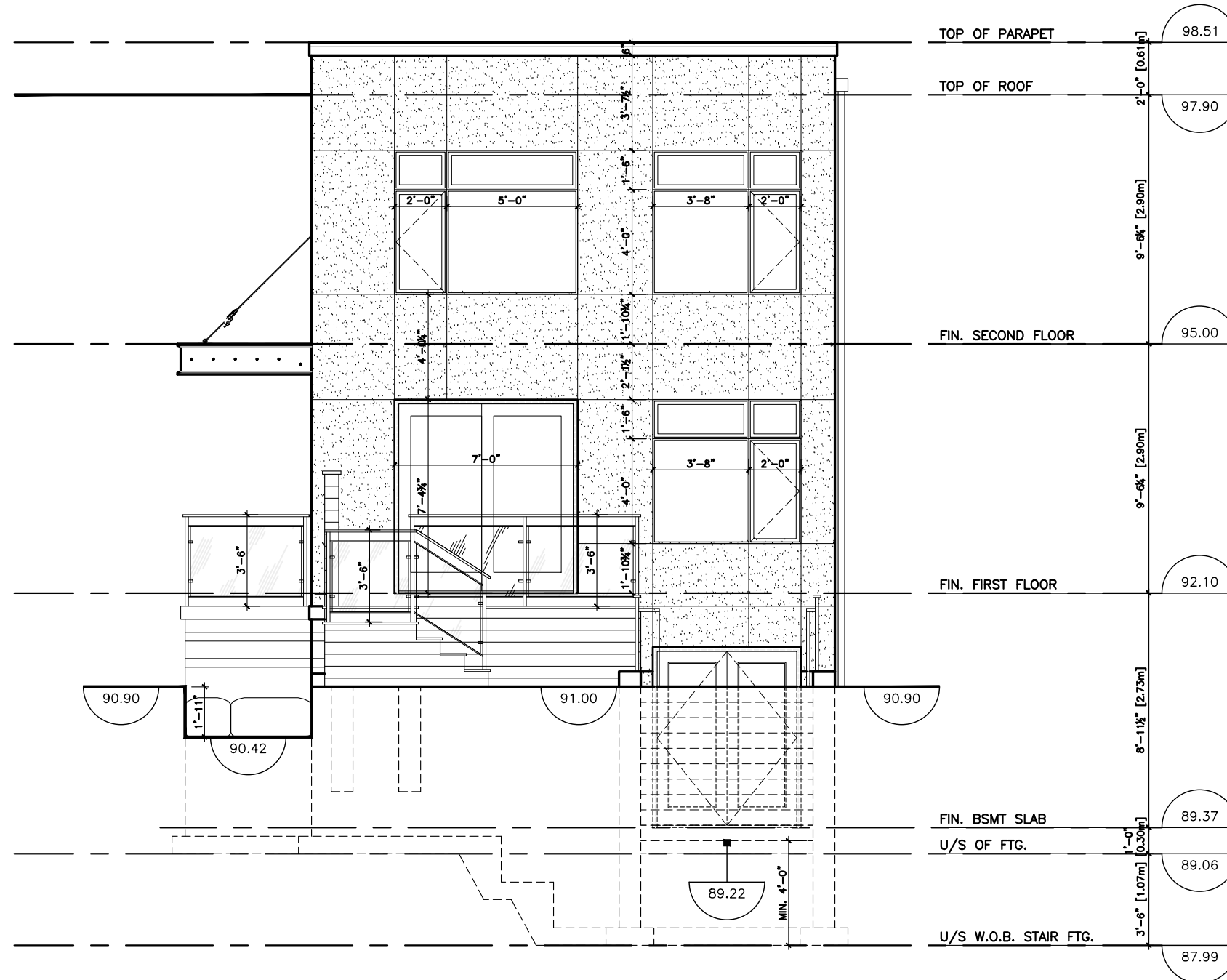
2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:
Jan. 2022

SCALE:
1:64
(3/16"=1'-0")

PROJECT No.:
1845

DRAWING No.:
Sk8



PROPOSED REAR (WEST) ELEVATION
98 Superior Avenue Etobicoke, ON

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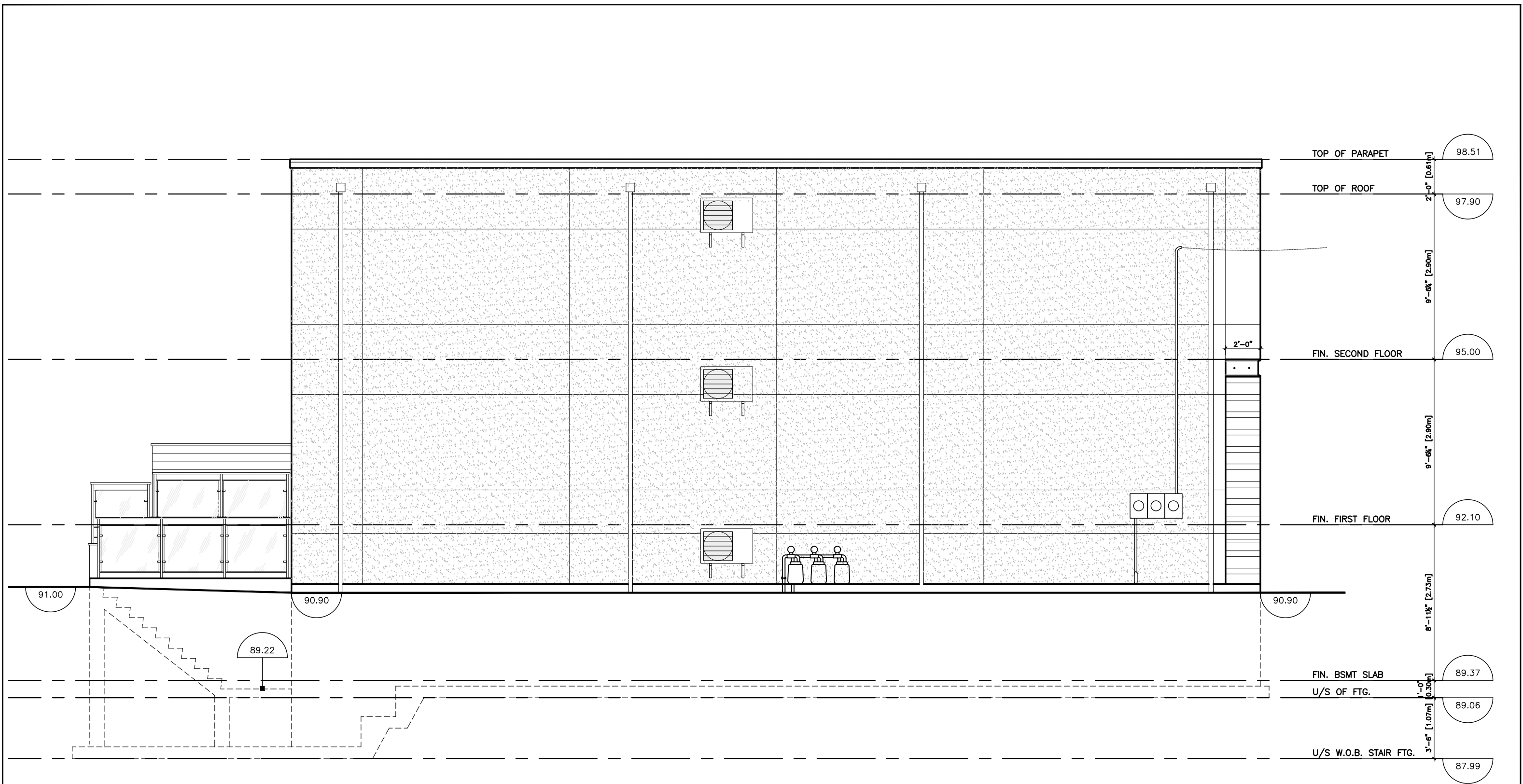
2007 Lawrence Ave W, Suite 8
Toronto Ontario, M9N 3V1

DATE:
Jan. 2022

SCALE:
1:64
($\frac{3}{16}$ "=1'-0")

PROJECT No.:
1845

DRAWING No.:
Sk9



PROPOSED LEFT SIDE (SOUTH) ELEVATION

98 Superior Avenue Etobicoke, ON

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	SCALE: 1:64 (3/16"=1'-0")
	PROJECT No.: 1845
	DRAWING No.: Sk10