

DECISION AND ORDER

Decision Issue Date Friday, June 29, 2018

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): LAURE BAUDOT

Applicant: ROUNDABOUT STUDIO INC

Property Address/Description: 187 ALBANY AVE

Committee of Adjustment Case File Number: 17 159937 STE 20 MV

TLAB Case File Number: **18 113612 S45 20 TLAB**

Hearing date: Friday, June 08, 2018

DECISION DELIVERED BY S. Gopikrishna

APPEARANCES

Name	Role	Representative
Roudabout Studio Inc.	Applicant	
Leeor Sommer	Owner	
Laure Baudot	Appellant/Primary Owner	Raj Kehar
Geoffrey Cape	Party	
Dennis Wheeler	Party	
David McKay	Expert Witness	
Nick Mocan	Expert Witness	

INTRODUCTION AND BACKGROUND

Leeor Sommer and Laure Baudot are the owners of 187 Albany Avenue, a two and half storey detached dwelling, located in Ward 20 of the City of Toronto. They applied to the Committee of Adjustment (COA) to alter the existing dwelling by constructing a rear basement and ground floor addition, rear ground floor deck, and rear third floor addition with a deck. The COA heard the application on 17 January, 2018 and refused the application.

The applicants appealed the decision to the TLAB, which scheduled an oral hearing for 8 June, 2018. Geoff Cape and Valerie LaFlamme, owners of 189 Albany Ave. and Chris Orton, owner of 185 Albany Ave., elected to become Parties- they are referred to Parties Cape and Christian for the purposes of this decision. Other community members elected to become Participants.

The Appellants filed revised plans on 9 March, 2018. On 7 June 2018, the Appellants submitted Minutes of Settlement which had been signed only by the Appellants and Party Cape.

MATTERS IN ISSUE

The following variances were requested by the Appellants at the time of the oral hearing.

By-law 569-2013

1. Chapter 10.5.40.60.(7), By-law 569-2013

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 metres a lot line. In this case, the eaves will be located 0.0 m from the north lot line.

2. Chapter 10.5.50.10.(1)(D), By-law 569-2013

A minimum of 75% of the required front yard landscaping must be soft landscaping (16.49 m²). In this case, the front yard soft landscaping area will be equal to 46% (10.29 m²).

3. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m. In this case, the height of the side exterior main walls facing a side lot line is 10.62 m.

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

The maximum permitted building depth is 17.0 m. The altered dwelling will have a building depth equal to 18.96 m.

By-law 438-86

1. Section 6(3) Part II 3(I), By-law 438-86

The minimum required setback to the side wall of an adjacent building that contains no openings is 0.9 m. The altered building will be located 0.0 m from the adjacent building to the north.

2. Section 6(3) Part II 3.B(II), By-law 438-86

A minimum required side lot line setback for the portion of the building exceeding 17.0 m in depth is 7.5 m. The altered building will be located 0.0 m from the north side lot line and 1.76 m from the south side lot line.

3. Section 6(3) Part III 3(d)(i)(D), By-law 438-86

A minimum of 75% of the front yard not covered by a permitted driveway shall be provided and maintained as soft landscaping (16.49m²). In this case, 46% of the front yard not covered by a permitted driveway will be provided and maintained as soft landscaping (10.29 m²).

4. Section 6(3) Part II 3.B(I), By-law 438-86

The minimum required side lot line setback for a detached house in an R2 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings. The altered building will be located 0.0 m from the north side lot line.

JURISDICTION

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.

In addition, TLAB must have regard to matters of provincial interest as set out in Section 2 of the Act, and the variances must be consistent with Provincial Policy Statements and conform with Provincial Plans (Section 3 of the Act). A decision of the TLAB must therefore be consistent with the 2014 Provincial Policy Statement (PPS) and conform to (or not conflict with) any provincial plan such as the Growth Plan for the Greater Golden Horseshoe (Growth Plan) for the subject area.

EVIDENCE

At the hearing held on 8 June, 2018, the Appellants were represented by their lawyer, Mr. Raj Kehar, Registered Professional Planner and Expert Witness Mr. David McKay, and Storm Water Management specialist and Expert Witness, Mr. Nick Mocan. Mr. Geoff Cape, owner of 189 Albany and a Party to the proceeding, was also present.

Mr. Kehar began by drawing my attention to the Minutes of Settlement which had been submitted the previous day and stated that while all Parties had settled, Party Cape had already signed the agreement and the signature from Party Christian was awaited; the latter did not attend the hearing. By way of editorial comment, I would like to point out that the name of Party Christian is given as Christian Orton; I have referred to him as Party Christian following the Minutes of Settlement.

Mr. Kehar also stated that there were no changes to the variances from the Plans submitted in April, 2018. Where there is a Settlement by Parties, the TLAB must still hear evidence on the variances to reach its conclusions on the merits, as the appeal is a hearing *de novo*. I therefore proceeded to hear the appeal.

The Settlement focused on agreement between the Parties that:

- a) there would be a one storey extension that is 1.52 metres (5 feet) in length instead of 3.92 metres (12 feet 10 ½ inches)
- b) the Applicants have agreed to not construct a second or third storey extension above the first storey extension shown on the Settlement Plans pursuant to this Application and/or any future variance application

Mr. Kehar also stated that though 187 Albany was jointly owned by Laure Baudot and Leeor Summer, the Appeal had been launched only in the name of Laure Baudot ; consequently, however both had signed the Minutes of Settlement.

Mr. Kehar introduced Mr. David McKay, Registered Professional Planner, to provide expert evidence on planning issues. After being sworn in and recognized as an Expert Witness, Mr. McKay proceeded to provide evidence about Provincial Policies and the 4 tests listed under Section 45(1) of the Planning Act, and how the Settlement complied with the requisite policies.

Mr. McKay began by stating that the subject lands are located within the Annex neighbourhood of Toronto. The neighbourhood chosen by Mr. McKay for contextualising planning evidence included Dupont Street to the north, Bloor St. W. to the south, houses just to the west of Bathurst St. and the east of Spadina Ave. This area is zoned "Residential" under the By-Laws 569-2013 and 438-86, both of which apply to this property..

According to Mr. McKay, the neighbourhood consists of a range of two (2) and three (3) storey, detached and semi-detached houses. He also pointed out that this area has “pockets” where the built form was not consistent in terms of built form, density and lot pattern, as exemplified by apartment buildings on Walmer Road. He stated that while the neighbourhood is a stable residential area, it is not static because it experiences new construction and investment either through renovations, additions, or complete new builds.

Mr. McKay then introduced an “Immediate Study Area”, the purpose of which is to provide a snapshot of lot data, including building dimensions, for the properties that are most directly proximate to the subject lands. This area is bounded by Dupont Street to the north, Bathurst Street to the west, Barton Avenue to the south, and Brunswick Avenue to the east. The analysis of the housing contained in this area was completed based on the City of Toronto’s open data, and was measured based on the City’s available information regarding lot boundaries and building footprints. According to Mr. McKay, there are 444 lots in this area. The lot area for properties in the immediate study area range from 85 sq. m (433 Dupont Street) to 970 sq m (190 Howland Avenue) with the average at 266 sq. m. Approximate lot coverages range from 14.4% (202 Howland Avenue) to 77.8% (33 Wells Street) with the average at 40.2%. Building depths (measured from the required front yard setback to the rear of the building) range from 8.4 m (154 Albany Avenue) to 27.5m (168 Howland Avenue) with the average of 16.56 m.

Describing the variances, Mr. McKay explained that the owners propose to alter the existing dwelling by constructing a rear basement and one storey ground floor addition, and a third-storey addition to the existing building that extends to the existing second storey rear main wall. Mr. McKay said that the purpose behind these additions is to improve the accessibility of the building such that the owner’s sister, who uses a wheelchair, will be able to access the dwelling comfortably.

Mr. McKay then reviewed the tests with respect to Provincial Policies and Section 45 (1) of the Planning Act.

He referred to Section 2 of the Act, which outlines matters of Provincial Interest which planning decisions are to have regard to and are further enunciated through the policy statements issued under Section 3 of the Act. Under Section 3(5)(a) of the Act, a decision of the TLAB that impacts a planning matter, including minor variance applications, is to be consistent with the Provincial Policy Statement 2014 (“the PPS”). The PPS directs development to established built-up areas where there is existing municipal infrastructure. Intensification and redevelopment is encouraged as is a range and mix of housing types and densities.

Referring to Policies 1.1.3.1- 1.1.3.4 of the Provincial Policy Statement, Mr. McKay stated that the approval of the proposed variances would maintain the existing residential uses on the subject lands and simultaneously improve accessibility of the

dwelling which will contribute to the mix and range of housing options in the area. The proposed variances would allow for a modest intensification of the subject land which is compatible with adjacent uses and would appropriately utilize existing infrastructure. The proposed variances are consistent with the policy objectives of the PPS.

Mr. McKay then discussed the proposal's compatibility with the Growth Plan for Greater Golden Horseshoe. According to Mr. McKay, the Growth Plan sets out broad policies for the development of urban areas in the Greater Golden Horseshoe, including the promotion of compact urban form through the intensification of existing urban areas. The intent is to better use land and infrastructure to avoid the outward expansion of communities through a variety of measures, including intensification. The proposal is generally consistent with the policies which focus on intensification.

Mr. McKay then discussed how the proposal is consistent with the 4 tests, beginning with the Official Plan. The subject lands are designated by the in-force Official Plan as 'Neighbourhoods'. The 'Neighbourhoods' designation is intended to provide a full range of residential uses including detached houses, semi-detached houses, duplexes, triplexes and townhouses that are four storeys or less. Consistent with the observation in Chapter 2.3 of the OP, this neighbourhood is not "frozen in time" and "is stable without being static". According to Mr. McKay, 47 COA decisions from the immediate Study Area, many of which are similar to the variances requested by the Appellants, testify to the changing but stable nature of the neighbourhood. The proposal, according to Mr. McKay, can exist in harmony and meets the policies discussed in Section 3.1.2.1 of the Official Plan, such as soft landscaping, and respecting the massing of buildings. With respect to the subsection about adequate light and privacy, Mr. McKay discussed how the Appellants had commissioned a shadow impact study, which was consistent with the guidelines provided by the City of Toronto. The study demonstrated the lack of any undue impacts with respect to both shadows and privacy on the neighbours.

At this stage, I asked Mr. McKay about the circumstances under which shadow studies were necessary to determine impact. Mr. McKay stated that shadow studies are usually required for "big" buildings, much bigger than the project in question. He added that the study had been undertaken to address concerns brought up by the neighbours; and that the study had demonstrated that the proposed third storey extension did not create any undue privacy impact. The Appellants had agreed to eliminate the 3rd storey deck to address privacy concerns raised by the neighbours. Mr. McKay then stated that "Development within Neighbourhoods is to be respectful of the existing neighbourhood context and is to reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas". He noted that Chapter 4.1 of the Official Policy states that "Physical changes to our established *Neighbourhoods* must be sensitive, gradual and generally "fit" the existing physical character."

The introductory text to the development criteria gives guidance that the policies are not to be interpreted such that there is rigid adherence to, or replication of any particular neighbourhood characteristic. Rather, the policies require that new development fit the general physical patterns in a neighbourhood.

Mr. McKay noted that the majority of proposed changes would mainly occur at the rear of the property, including the rear one-storey addition and the third-storey extension. Except for the construction of exterior stairs leading down to the basement on the front facade of the building, there would be no changes to the front façade, including the front porch. He concluded that there would be no significant visual impact to the streetscape as a result of approving the proposal. Mr. McKay discussed the application of relevant sections (c) and (f) of 4.1.5 and concluded that the height, massing and scale respect the existing character of the neighbourhood. He explained that the increased depth of the building was the consequence of reduced length on the 3rd floor and drew attention to the approval of similar depth variances in the neighbourhood. Mr. McKay opined that the impact of the variances sought to the exterior side main walls is comparable to what is of right; and is supported by other approvals of similar variances in the immediate study area.

Based on these observations, Mr. McKay concluded that the proposal was consistent with the general intent and purpose of the Official Plan.

Mr. McKay then discussed how the variances were consistent with the intent and purpose of the zoning plan. Mr. McKay discussed how the side yard variances were consistent with the intent of the side yard setback, which includes allowing access to the rear yard, sidewalls for maintenance and to reduce overlook issues. He then discussed how the variances related to the main wall variances were consistent with what has been approved in the neighbourhood by the COA, and how these approvals had not created any negative impact. Mr. McKay then pointed the intent of minimum front yard soft landscaping provision is to ensure that there will be sufficient soft landscaping to provide adequate permeable surface and drainage and to create visual consistency with the neighbouring properties. The requested variance reflects a small decrease in the amount of existing landscaped area in the front yard, which will not detrimentally impact the function of the existing landscaping in the front yard nor will it result in visual inconsistencies.

Based on these observations, Mr. McKay concluded that the requested variances meet the general intent and purpose of the zoning by-laws.

Mr. McKay then discussed the question of the variances being appropriate for use and development of the subject lands. He reiterated that the owner's intention is to increase the accessibility of the dwelling to accommodate the accessibility needs of the owner's sister who utilizes a wheelchair. Mr. McKay stated that the reinvestment in housing stock, including the addition of accessible units is appropriate and desirable for the neighbourhood and the property. He then asserted that none of the variances would result in appreciable impacts of a negative nature and that the visual impact from the street is minimal. Based on these observations, Mr. McKay concluded that the variances are appropriate for the proposal as presented.

Mr. McKay then discussed how the variances fulfilled the test of being “minor”. Pointing out that the threshold warranting refusal of variances is not one of “no impact”, but any unacceptable adverse impact, Mr. McKay stated the variances don’t create any adverse impact on the streetscape, shadowing, privacy or overlook. The variances will allow the dwelling to be more accessible while keeping in character of the neighbourhood..

Based on this discussion, Mr. McKay concluded that the variances are individually and collectively minor. He then recommended that the proposal be approved as presented given that the proposal satisfies the 4 tests under Section 45(1) of the Act, and is compatible with the higher level provincial policies.

He then discussed the conditions that could be imposed if the proposal were approved. Mr. McKay proposed that the approval of the minor variances be tied to construction in substantial accordance with Exhibit 5 (the Settlement Plans). By adding this condition, an as-of-right permission to expand the building on the second and third floors would not be created, thus addressing the concerns of the neighbours. He also stated that the imposition of a forestry condition would be appropriate in order to obtain any necessary Urban Forestry permits. Mr. McKay opined that such a condition is regularly applied when there are existing trees on a property.

Mr. Kehar then called the next expert witness, Mr. Nick Mocan, who is a Professional Engineer with many years of experience who specialized in storm water management. By way of editorial comment, I believe that a short summary of Mr. Mocan’s statement would be sufficient, given the applicability of the evidence to the final decision. The detail of whether this evidence is germane is discussed in the Findings and Analysis Section.

Mr. Mocan stated that the purpose of his assessment was to comment on the significance of proposed building addition as it relates to drainage and storm water management. Mr. Mocan relied on field reconnaissance of the site on June 1, 2018 to observe and document existing site drainage conditions, a local topographic survey for the purposes of understanding drainage pattern and a variety of documents including the site plans and Wet Weather Flow Management Guidelines (WWFMG) from the City of Toronto dated November 2006, to formulate his conclusions: .

Based on an analysis of these documents, Mr. Mocan concluded that :

1. Since the subject site is not located within the City of Toronto’s chronic basement flooding area, consultation with Toronto Water to support the development is not required.
2. The drainage condition on the property is split, from front to back, with an average rear yard slope of approximately 1% away from the existing building, consistent with the conditions across the neighbouring lands.
3. The 2% increase in imperviousness of the site associated with the building addition is considered relatively minor ,and is not expected to cause adverse drainage impacts to the site and surrounding lands.

4. It is recommended that the downspouts at the rear of the property splash to grade as part of the development of the site

I thanked Mr. Mocan for his evidence and then asked Mr. Kehar to help understand the nexus between Mr. Mocan's testimony and the 4 tests under Section 45(1), since there did not seem to be any obvious connection between storm water management and the four tests. Mr. Kehar started off by stating that the evidence was germane to the test regarding the Official Plan, and then continued on to state that the study had been primarily undertaken to satisfy the neighbours, whose opposition relied on concerns around storm water management.

I asked the only other Party present at the hearing, Mr. Cape, if he had any comments. Mr. Cape said that he had no comments.

Mr. Kehar then summed up his case by saying that there was no opposition to the proposal and that uncontroverted evidence from McKay demonstrated that the project fulfilled all the prescribed tests under Section 45(1) of the Act. He recommended that the Appeal be allowed and the variances approved with the conditions suggested by Mr. McKay

Mr. Kehar then asked if I could issue an order from the bench, given that this was a Settlement hearing. I regretted my inability to immediately issue an order but assured him that I would do so in a reasonable period of time.

ANALYSIS, FINDINGS, REASONS

It is important to note that this is a Settlement Hearing with uncontroverted evidence from the Expert Witness, Mr. David McKay. Mr. McKay provided fulsome evidence about the applicability of high level Provincial Policies, as well as the ability of each variance to meet the requirements of the four tests listed under Section 45(1), as well as examples of how similar variances had been approved in the immediate study area. The evidence demonstrates that the proposal should be approved with stated conditions.

However, I believe that it is important to draw attention to, and remark on a few issues before issuing the final order.

I would like to commend the Appellant Ms. Baudot for her thoughtfulness and community spirit in going beyond the average obligations of a Party to address and satisfy the concerns expressed by her neighbours and arrive at the Settlement presented to TLAB. Notwithstanding the fact that shadow studies are not necessary for a modest project such as the proposal at 187 Albany Avenue and storm water management issues are tangential to determining the appropriateness of the variances, she had a shadow study as well as a storm water management study commissioned and completed to demonstrate that the proposal would not create any adverse impact on the neighbours. I am impressed by her community spirit and take this opportunity to

congratulate her on the sensitivity demonstrated to her surrounding community and neighbours.

While the evidence presented to demonstrate compliance between the proposal and Section 45(1) has been fulsome, there is an interesting issue that arises out of the Appellants' references to the needs of the residents to justify the variances' compliance with tests of being minor. While I am sympathetic to the Appellants' need to seek variance to redesign their house and accommodate the needs of a disabled sibling, there is no recognition of "need" under Section 45(1) of the Planning Act. While the needs of disabled populations are recognized specifically under Section 1.1.1(f) of the Provincial Policy Statement, I note that there was no explicit reference to Section 1.1.1(f) in the evidence. It is therefore difficult to include the inconvenience to the handicapped individual in decision making since the appropriate policy has not been explicitly canvassed.

It is my intention to neither question nor distinguish a possible approval of this case from the current state of jurisprudence. I find that this issue can be resolved through noting, but not taking into account, the needs of the family, to arrive at a conclusion regarding the test of the variances being minor. The lack of negative impact on the neighbouring properties, as referenced in the evidence, is adequate to satisfy, the test of the variances being minor.

As stated in the Evidence section, the connection between the evidence regarding storm water management and Section 45(1) is tenuous at best, and was evident in the response from Mr. Kehar when asked about the nexus. I therefore conclude that the exclusion of the storm water management solution issue from the analysis of this case has no impact on the overall conclusion.

Evidence pertaining to the needs of the family, and storm water management are therefore excluded from the evidence used to reach a conclusion in the proposal respecting 187 Albany Avenue.

The conditions to be imposed, as suggested by Mr. McKay, are routine- they require building in substantial compliance with submitted plans and elevations and a standard forestry condition

Based on these observations, I conclude that the Appeal may be allowed and the variances may be authorized subject to the conditions as stated below:

a) The proposed renovation has to be constructed in substantial accordance with the site and elevation plans contained at Exhibit 5 (Settlement Plans), appended to this decision.

b) The Appellants need to submit, if required, a complete application to the City for a permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, private trees.

DECISION AND ORDER

1. The Appeal respecting 187 Albany Avenue is allowed

2. The following variances are approved:

By-law 569-2013

1. Chapter 10.5.40.60.(7), By-law 569-2013

Roof eaves may project a maximum of 0.9 m provided that they are no closer than 0.30 metres to a lot line. In this case, the eaves will be located 0.0 m from the north lot line.

2. Chapter 10.5.50.10.(1)(D), By-law 569-2013

A minimum of 75% of the required front yard landscaping must be soft landscaping (16.49 m²). In this case, the front yard soft landscaping area will be equal to 46% (10.29 m²).

3. Chapter 10.10.40.10.(2)(B)(ii), By-law 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 9.5 m. In this case, the height of the side exterior main walls facing a side lot line is 10.62 m.

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

The maximum permitted building depth is 17.0 m. The altered dwelling will have a building depth equal to 18.96 m.

By-law 438-86

1. Section 6(3) Part II 3(I), By-law 438-86

The minimum required setback to the side wall of an adjacent building that contains no openings is 0.9 m. The altered building will be located 0.0 m from the adjacent building to the north.

2. Section 6(3) Part II 3.B(II), By-law 438-86

A minimum required side lot line setback for the portion of the building exceeding 17.0 m in depth is 7.5 m. The altered building will be located 0.0 m from the north side lot line and 1.76 m from the south side lot line.

3. Section 6(3) Part III 3(d)(i)(D), By-law 438-86

A minimum of 75% of the front yard not covered by a permitted driveway shall be provided and maintained as soft landscaping (16.49m²). In this case, 46% of the front yard not covered by a permitted driveway will be provided and maintained as soft landscaping (10.29 m²).

4. Section 6(3) Part II 3.B(I), By-law 438-86

The minimum required side lot line setback for a detached house in an R2 district is 0.45 m for a depth not exceeding 17.0 m and where the side walls contain no openings. The altered building will be located 0.0 m from the north side lot line.

Decision of Toronto Local Appeal Body Panel Member: S. Gopikrishna
TLAB Case File Number: 18 113612 S45 20 TLAB

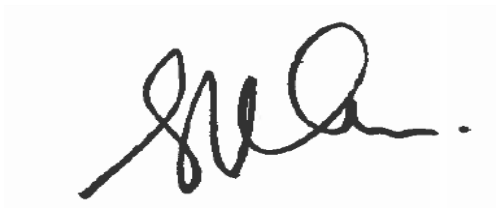
3. The following conditions are imposed on the approval:

a) The proposed renovation has to be constructed in substantial accordance with the site and elevation plans contained at Exhibit 5 (Settlement Plans), appended to this decision.

b) The Appellants need to submit, if required, a complete application to the City for a permit to injure or remove privately owned trees under Municipal Chapter 813 Article III, private trees

So orders the Toronto Local Appeal Body

X



S. Gopikrishna
Panel Chair, Toronto Local Appeal Body

187 ALBANY AVENUE

TORONTO / M5R 3C7

SCOPE OF WORK:
 Renovation of three storey fully detached house (incl. basement).
 Rear addition to basement and ground floor. As well as a rear addition on the third floor to the extend of the existing second storey rear main wall.
 Interior partition wall alterations on all floors.

SITE STATISTICS:
ZONING: R (d1.0)
LOT AREA: 323.46 m² (3481.7 ft²)

BUILDING HT. AT RIDGE FROM ESTABLISHED GRADE:	EXISTING: 10.81m (35'-5 1/2")	PROPOSED: [NO CHANGE]
HT. WHERE PROP. ROOF TO MEET EX. ROOF:	10.62m (34'-10 1/4")	10.62m (34'-10 1/4")
BUILDING DEPTH:	17.44m (57'-2 1/2")	18.96m (62'-2 1/2")
FRONT YARD:	20.23m ² (217.8 ft ²)	[NO CHANGE]
FRONT SOFT LANDSCAPING:	11.21m ² (120.7 ft ²) (55.4%)	10.23m ² (110.1 ft ²) (50.6%)
REAR YARD:	183.54 m ² (1975.6 ft ²)	174.37m ² (1876.9 ft ²)
REAR SOFT LANDSCAPING:	158.45 m ² (1705.5 ft ²) (86.3%)	147.20m ² (1584.4 ft ²) (84.4%)

SETBACKS:	EXISTING:	PROPOSED:
FRONT YARD:	6.20m (20'-4")	[NO CHANGE]
NORTH SIDE YARD:	0.03m (1 1/8")	[NO CHANGE]
SOUTH SIDE YARD:	0.91m (2'-11 3/8")	[NO CHANGE]
REAR YARD:	29.89m (98'-0 3/4")	28.37m (93'-0 3/4")

EXISTING GFA:

BASEMENT FLOOR (NOT INCL. IN GFA TOTAL)	60.71 m ² (653.5 ft ²)
GROUND FLOOR	79.35 m ² (854.1 ft ²)
SECOND FLOOR	77.93 m ² (838.8 ft ²)
THIRD FLOOR	38.95 m ² (419.2 ft ²)
EXISTING TOTAL GFA	196.23 m² (2112.1 ft²) [60.7% OF LOT]

PROPOSED GFA:

BASEMENT FLOOR (NOT INCL. IN GFA TOTAL)	85.03 m ² (915.3 ft ²)
GROUND FLOOR	85.72 m ² (922.7 ft ²)
SECOND FLOOR	77.93 m ² (838.8 ft ²) [NO CHANGE]
THIRD FLOOR	67.25 m ² (723.9 ft ²)
PROPOSED TOTAL GFA	230.90 m² (2485.4 ft²) [71.4% OF LOT]

DRAWING LIST:

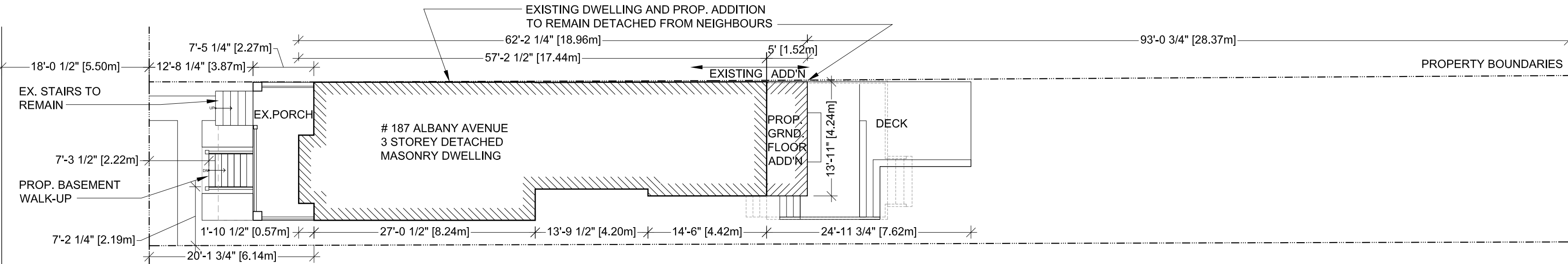
D-001 PROJECT INFORMATION AND SITE PLAN	For Reference: E-100 PLANS - EX. BASEMENT + GROUND FLRS.
D-100 PLANS - PROP. BASEMENT + GROUND FLRS.	E-101 PLANS - EX. SECOND + THIRD FLRS.
D-101 PLANS - PROP. SECOND + THIRD FLRS.	E-200 ELEVATIONS - EX. WEST + EAST
D-200 ELEVATIONS - PROP. NORTH + SOUTH	E-201 ELEVATIONS - EX. SOUTH
D-201 ELEVATIONS - PROP. EAST + WEST	E-200 ELEVATIONS - EX. NORTH
D-300 PROP. SECTION	E-300 EXISTING SECTION

1 PROJECT INFORMATION

SCALE: N.T.S.

2 SITE SURVEY

SCALE: N.T.S.

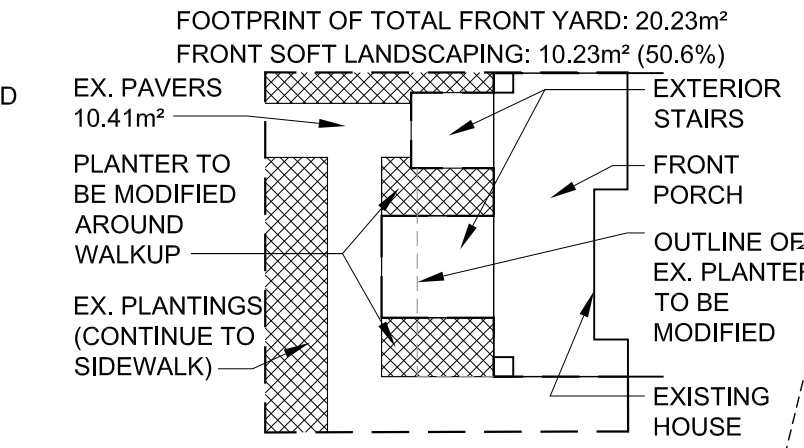


3 PROP. SITE PLAN

SCALE: 3/32"=1'-0"

LEGEND

[Symbol]	EXISTING TO BE REMOVED
[Symbol]	REAR YARD FOOTPRINT
[Symbol]	HARD LANDSCAPING
[Symbol]	SOFT LANDSCAPING



5 PROP. REAR YARD LANDSCAPING AREAS

SCALE: 3/32"=1'-0"



PLAN OF SURVEY OF PART OF LOT 6 1/2 REGISTERED PLAN 535 YORK CITY OF TORONTO
 MUNICIPALITY OF METROPOLITAN TORONTO
 C.E. DOTTERILL O.L.S. 1984

Toronto Local Appeal Body

EXHIBIT 5

Case File Number: 18 113612 S45 20 TLAB
 Property Address: 187 Albany Ave.
 Date Marked: June 08, 2018

NOTE	SURVEYOR'S CERTIFICATE	BEARING NOTE	
S.I.B. denotes standard iron bar. S.S.I.B. denotes short standard iron bar. I.B. denotes iron bar. I.T. denotes iron tube. C.C. denotes cut cross. ◆ denotes set. ◆ denotes found.	I CERTIFY THAT The field survey represented on this plan was completed on the 15th day of August 1984. C. E. Dotterill Ontario Land Surveyor	Bearings are astronomic and are referred to the Westerly limit of Howland Avenue as shown on Plan 63R-562 having a bearing of N5° 02' 55" W	C. E. DOTTERILL LTD. ONTARIO LAND SURVEYOR 122 CAMBRIDGE AVENUE TORONTO 461-0381.
		METRIC Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.	



ROUNDABOUT STUDIO INC.
 141 BATHURST ST., SUITE 102
 TORONTO, ONTARIO
 M5V 2R2 | 416.515.8422

GENERAL NOTES:
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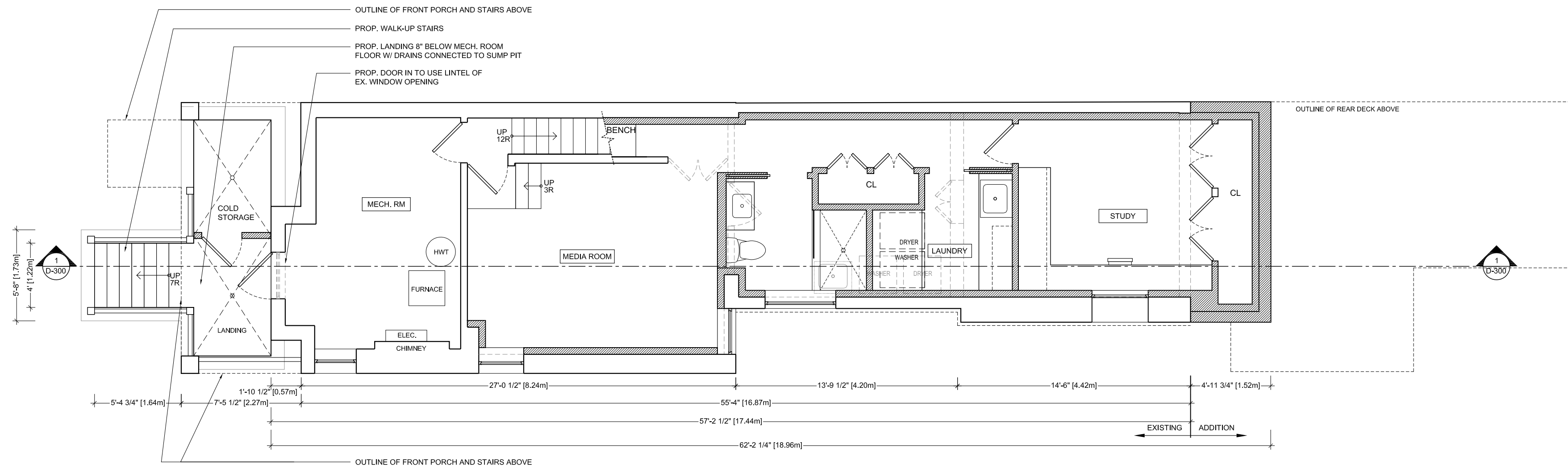
PROJECT ADDRESS:
187 ALBANY AVE.
 TORONTO, ON M5R 3C7

DRAWING:
 Project Information and Proposed Site Plan

PROJ #: 286
 DATE: JUNE 7, 2018
 SCALE: AS SHOWN

D-001

- LEGEND**
- EXISTING TO BE REMOVED
 - EXISTING TO REMAIN
 - NEW CONSTRUCTION



0 PROP. BASEMENT FLOOR PLAN
SCALE: 3/16"=1'-0"

GENERAL NOTES:

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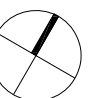
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R0	TLAB	05/03/18
R0	TLAB	07/06/18

PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

DRAWING:
Proposed Basement Plan




PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

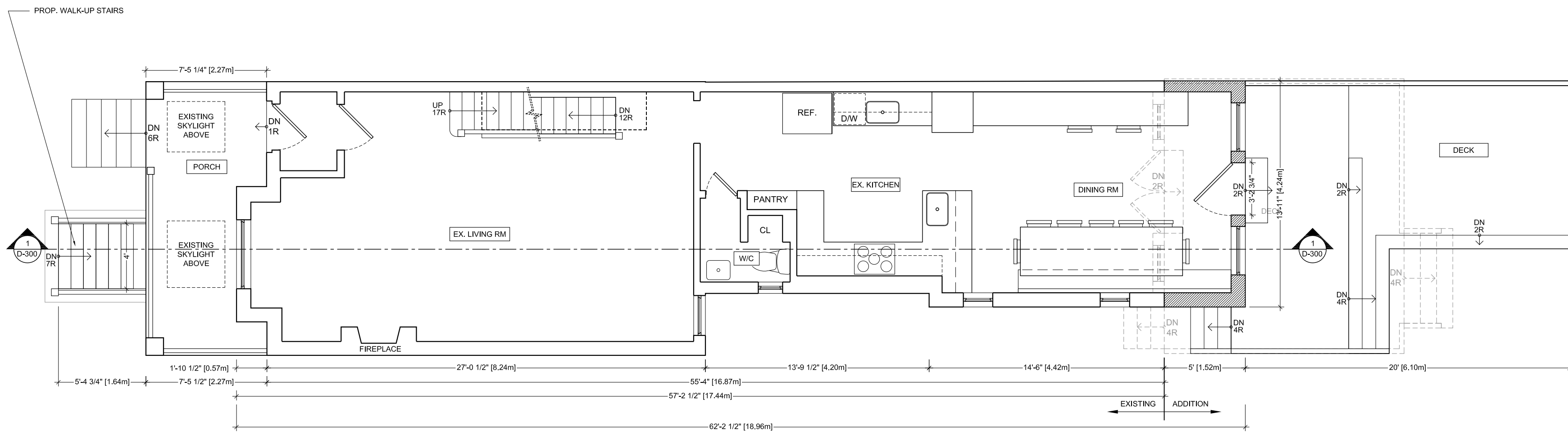


D100a

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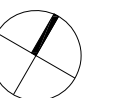
LEGEND
 EXISTING TO BE REMOVED
 EXISTING TO REMAIN
 NEW CONSTRUCTION






PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

DRAWING:
Proposed Ground Floor Plan

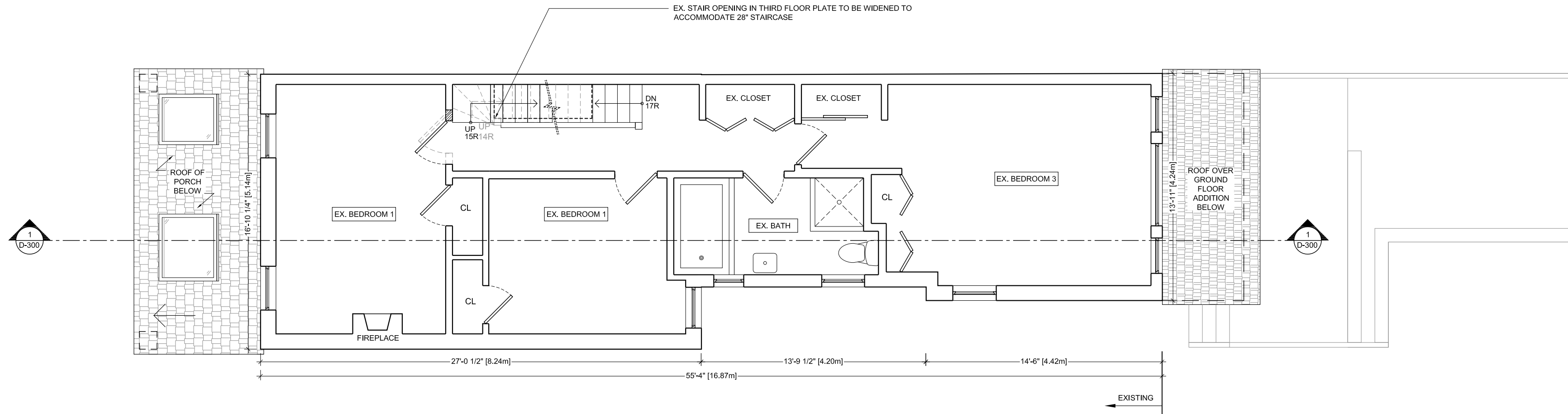
PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"



- LEGEND**
-  EXISTING TO BE REMOVED
 -  EXISTING TO REMAIN
 -  NEW CONSTRUCTION

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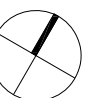


2 PROP. SECOND FLOOR PLAN
SCALE: 3/16"=1'-0"

PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

DRAWING:
Proposed Second Floor Plan

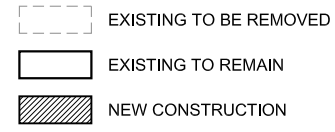
PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

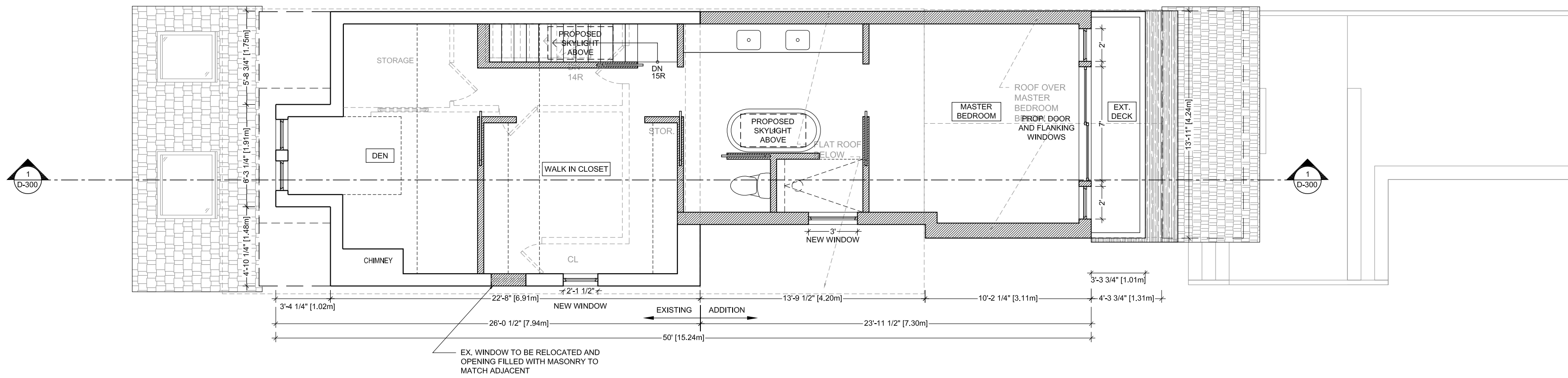


D101a

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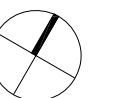
LEGEND

 --- EXISTING TO BE REMOVED
 ——— EXISTING TO REMAIN
 ▨ NEW CONSTRUCTION



PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

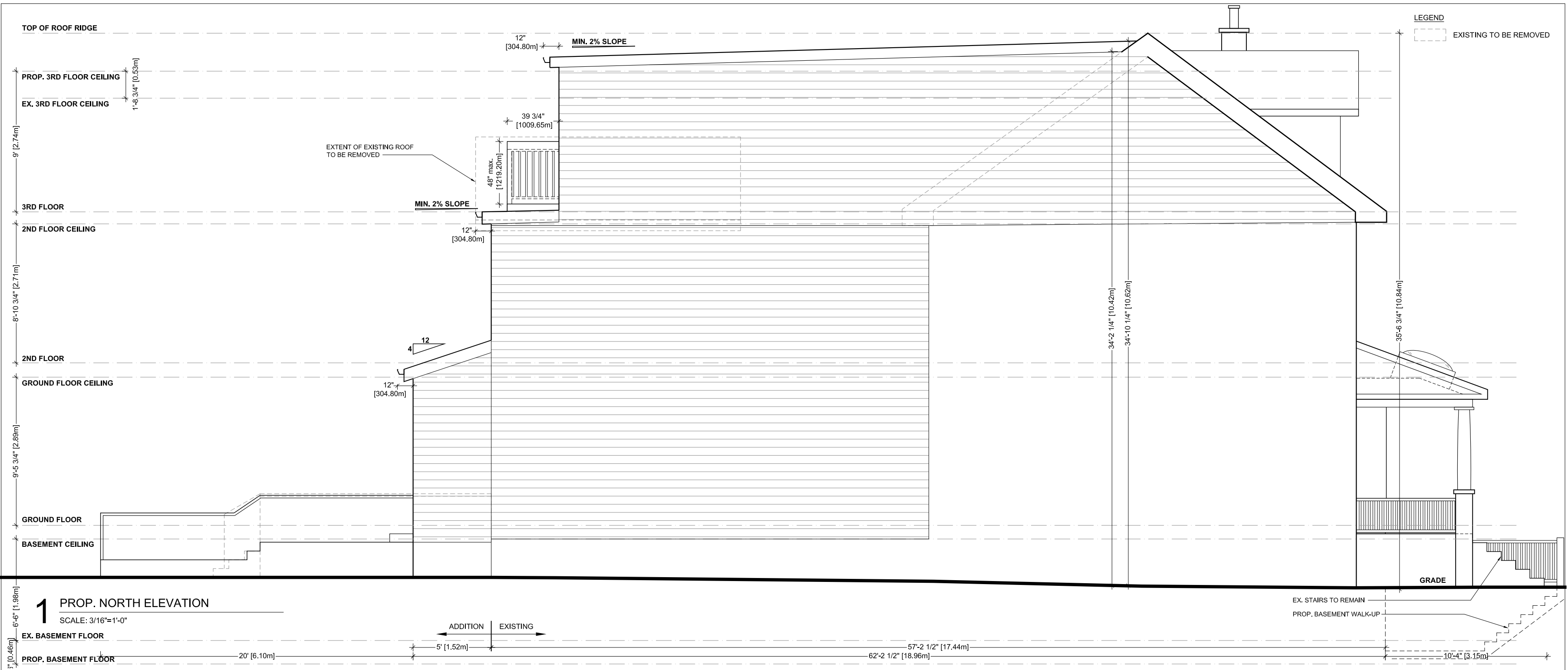
DRAWING:
Proposed Third Floor Plan

PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"



GENERAL NOTES:
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1 PROP. NORTH ELEVATION
SCALE: 3/16"=1'-0"

PROJECT ADDRESS:
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TORONTO, ON M5R 3C7

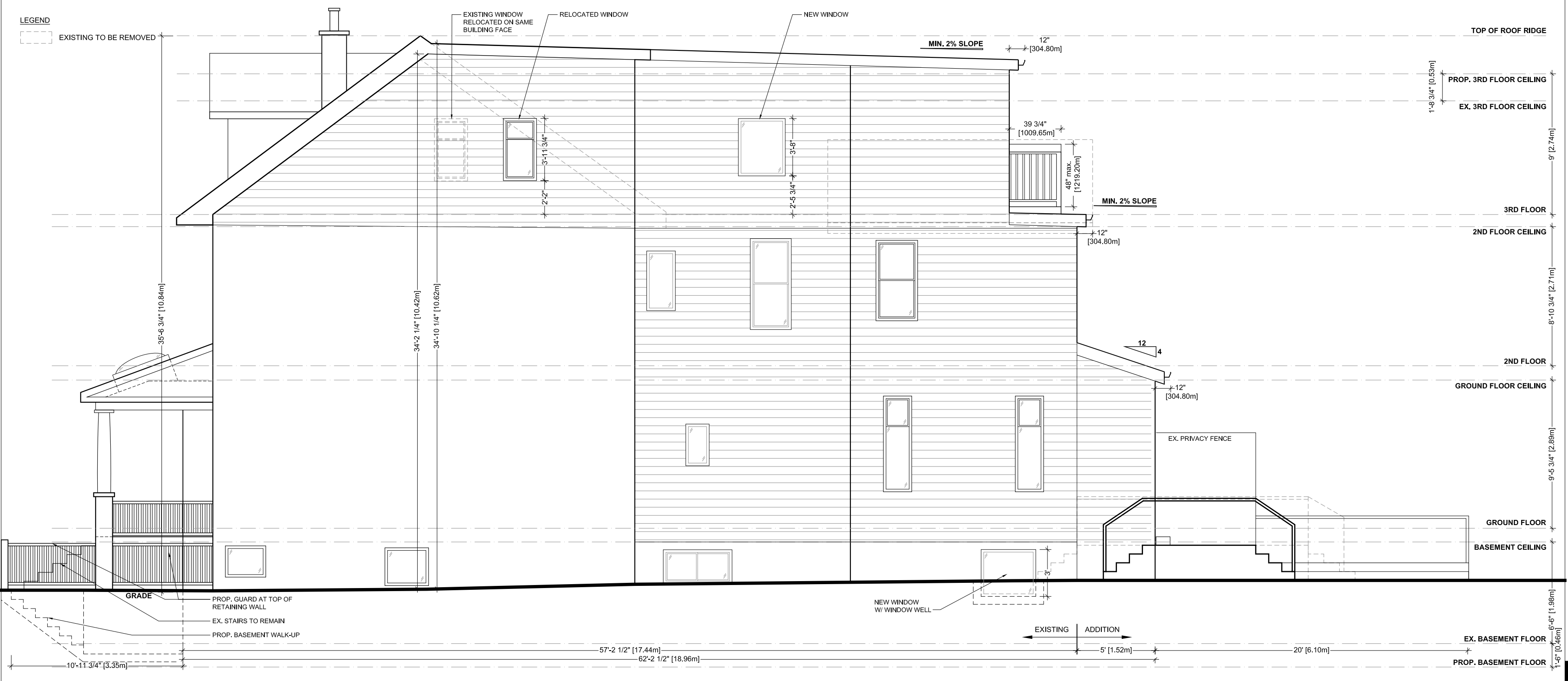
DRAWING:
Proposed North Elevation

PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

D200a

GENERAL NOTES:
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1 PROP. SOUTH ELEVATION
SCALE: 3/16"=1'-0"

PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

DRAWING:
Proposed South Elevation

PROJ #: 286
DATE: JUNE 7, 2018

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

D200b

GENERAL NOTES:
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R0	TLAB	07/06/18



LEGEND
 EXISTING TO BE REMOVED

1 PROP. WEST ELEVATION
SCALE: 3/16" = 1'-0"

- PROP. GUARD AT TOP OF RETAINING WALL
- EX. WINDOW LINTEL FOR PROP. DOOR
- EX. STAIRS TO REMAIN
- PROP. BASEMENT WALK-UP

PROJECT ADDRESS:
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TORONTO, ON M5R 3C7

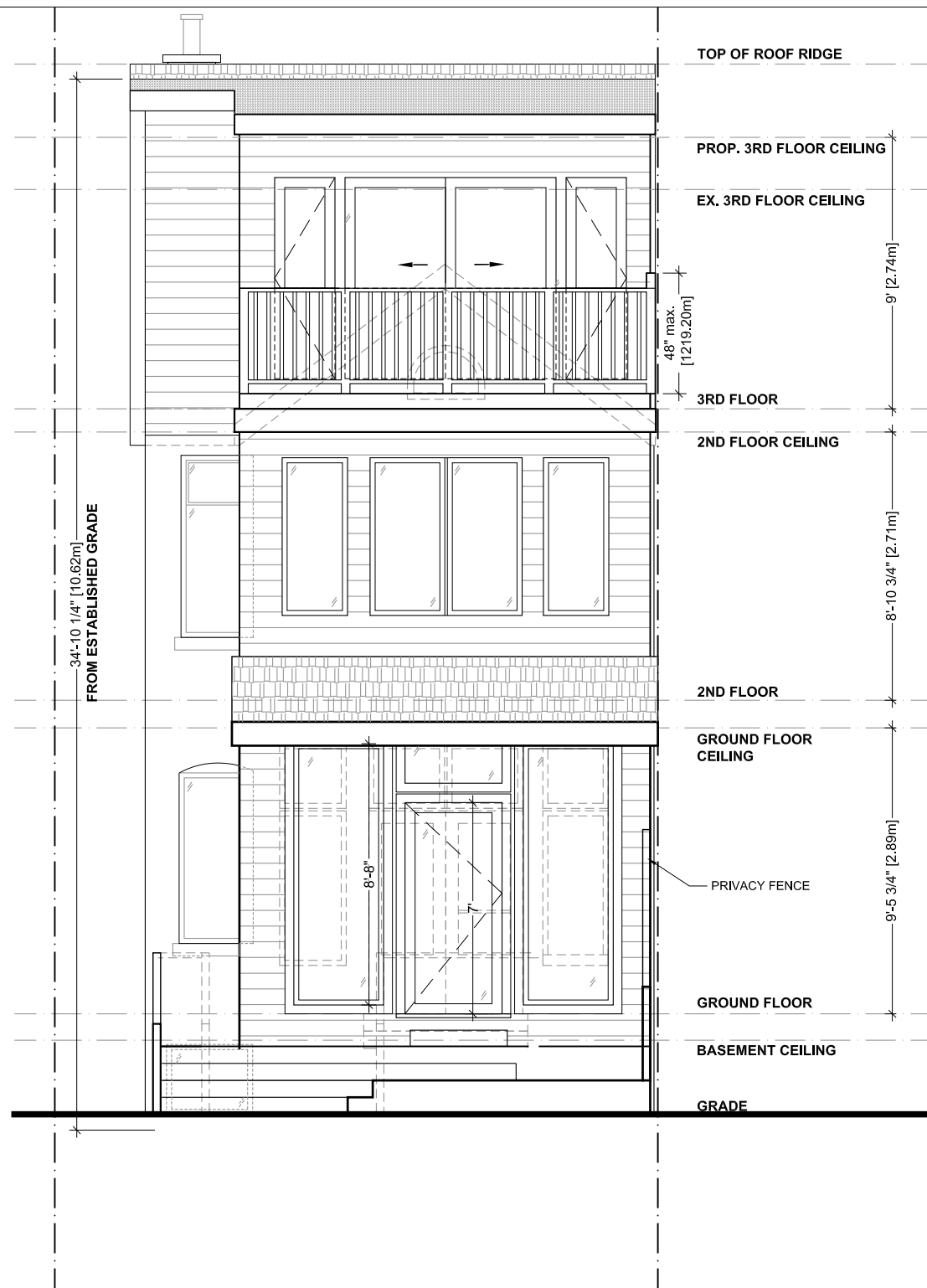
DRAWING:
Proposed West Elevation

PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

D201a

LEGEND

EXISTING TO BE REMOVED



1 PROP. EAST ELEVATION
SCALE: 3/16"=1'-0"

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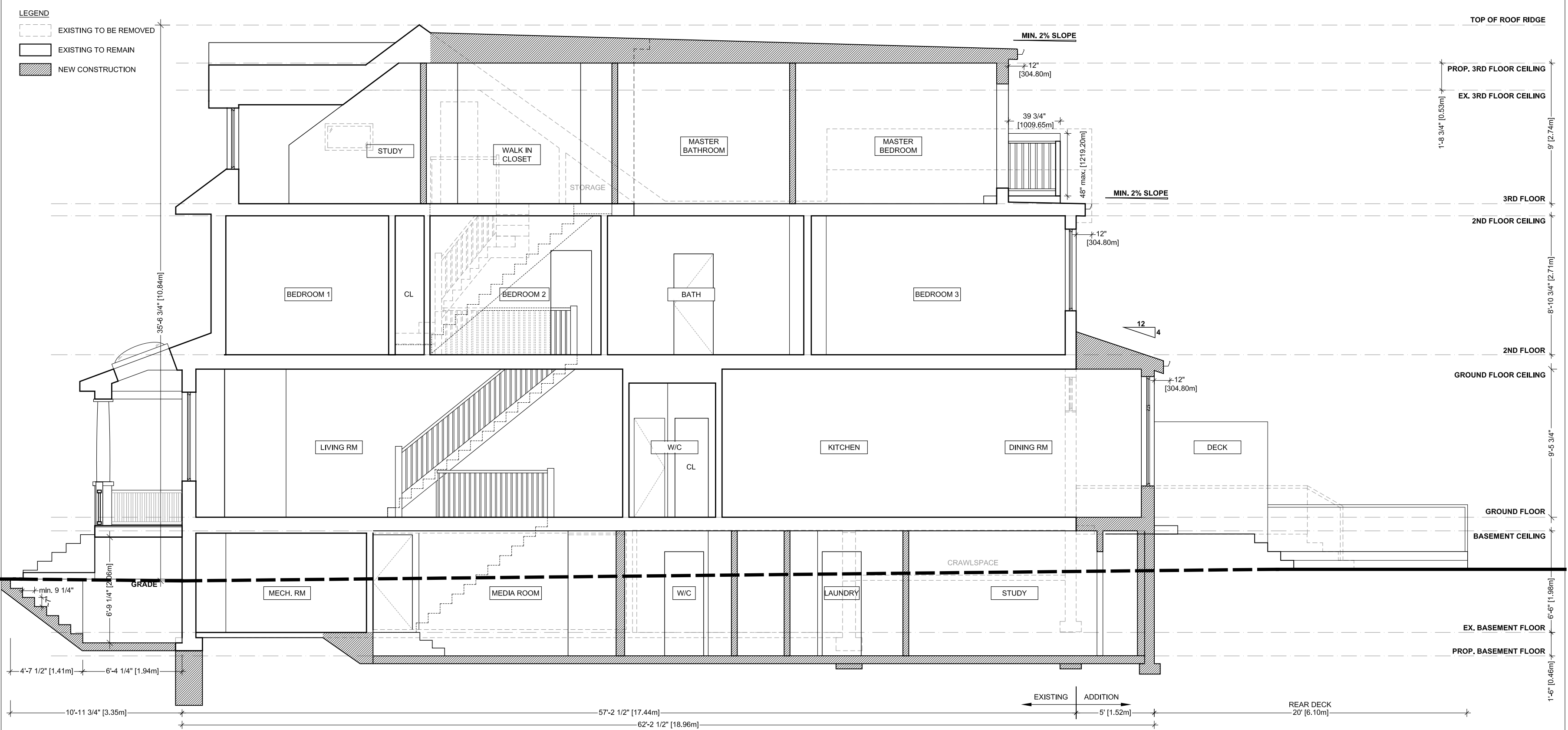
DRAWING:
Proposed East Elevation

PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

D201b

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1 PROP. BUILDING SECTION
SCALE: 3/16"=1'-0"

PROJECT ADDRESS:
187 ALBANY AVE.
TORONTO, ON M5R 3C7

DRAWING:
Proposed Building Section

PROJ #: 286
DATE: JUNE 7, 2018
SCALE: 3/16" = 1'-0"

D-300