

DECISION AND ORDER

Decision Issue Date Monday, September 25, 2017

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

Appellant: MITCHELL RADOWITZ

Applicant: MURRAY FEARN

Counsel or Agent: N/A

Property Address/Description: 51 HELENA AVE

Committee of Adjustment Case File Number: 17 105460 STE 21 MV (A0046/17TEY)

TLAB Case File Number: 17 169043 S45 21 TLAB

Hearing date: Friday, September 01, 2017

DECISION DELIVERED BY L. MCPHERSON

INTRODUCTION

This is an appeal to the Toronto Local Appeal Body (the "TLAB") by the owner ("Applicant") of the decision of the Committee of Adjustment ("Committee") for the City of Toronto ("City") to refuse minor variances related to additions to an existing one and 2 -storey dwelling at 51 Helena Avenue ("the subject property").

The subject property is located on the south side of Helena Avenue, in the southwest portion of the Bathurst and St. Clair intersection in the Wychwood neighbourhood. The owner proposes to add a 2nd and 3rd -storey addition as well as a small ground floor extension. The subject site is designated *Neighbourhoods* in the City of Toronto Official Plan ("the Official Plan") and is zoned R (d0.6) under Zoning By-law No. 569-2013 ("new City By-law") and R2 Z0.6 under Zoning Bylaw No. 438-86 ("in-force By-law").

The street contains single and semi-detached dwellings and a number of 3-storey dwellings. Redevelopment and renovation of homes has taken place on the street and surrounding area.

BACKGROUND

The variances sought were as follows:

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

Roof eaves may project a maximum of 0.9 m provided they are no closer than 0.30 m to a lot line

The roof eaves will be located 0.15 m from the west side lot line.

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

The maximum permitted depth of a detached dwelling is 17.0 m.

The altered dwelling will have a depth of 22.50 m.

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

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (194.98 m²).

The altered dwelling will have a floor space index equal to 0.87 times the area of the lot (282.08 m²).

4. 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 9.5m.

The height of the side exterior main walls facing a side lot line will be 10.07 m.

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

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (194.98 m²)

The altered dwelling will have a floor space index equal to 0.87 times the area of the lot (282.08 m²).

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

The minimum required side lot line setback for the portion of the detached dwelling not exceeding a depth of 17 m is 0.9 m.

The portion of the altered dwelling, not exceeding a depth of 17 m will be located 0.45 m from the west lot line.

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

The minimum required side lot line setback for the portion of the detached dwelling exceeding a depth of 17 m is 7.5 m.

The portion of the altered dwelling, exceeding a depth of 17 m will be located 1.22 m from the east lot line and 0.18 m from the west side lot line.

The Committee of Adjustment refused the applications on May 10, 2017 and the Applicant has appealed the decision. The TLAB heard evidence that at the Committee meeting, the Committee and neighbours in proximity to the subject site suggested that any addition be at the front of the existing dwelling as opposed to the rear as the existing house is set back significantly from Helena Avenue.

Further to TLAB Rule 11, the Applicant, through his agent, filed Form 3, Applicant's Disclosure, which included intended revisions to the plans and application that was made to the Committee of Adjustment.

The revisions would have the effect of changing two of the variances. Variance 3 to the new City Bylaw and Variance 1 to the in-force Bylaw would both change to reduce the permitted a floor space index ("fsi") equal to 0.83 times the lot area (272.43 m²).

The plans indicate that the majority of the addition would be located at the front of the existing building as opposed to the rear. While Variances 2 and 3 of the in-force Bylaw are not changed, it is noted that the portion of the building exceeding 17.0 m has been reduced.

I accept that these revisions are minor, were appropriately disclosed in the exchanges required by the TLAB Rules, and no further notice or consideration is required under s. 45 (18.1) of the Planning Act.

MATTERS IN ISSUE

In considering the applications for variances from the Zoning By-laws, the TLAB must be satisfied that the applications meet the four tests under s. 45(1) of the Planning Act. The tests are whether each of 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, building or structure; and
- are minor.

The TLAB will be considering these "four tests" based on the revised plans and variances disclosed as part of this proceeding.

EVIDENCE

The TLAB heard from the Applicant's agent, Murray Fearn, an architectural technologist. Additionally, four nearby neighbours testified in opposition to the revised application as Participants and will be identified further in this decision. Through Mr. Fearn, the Applicant requested that an Exhibit, not disclosed previously, be included as part of their evidence. While the TLAB does not support the failure to meet the disclosure

obligations, in this instance it is recognized that the Rules are new and that there was some confusion as to whether late filings were permitted. The Exhibit contained photographs of other houses on the street. The request to file the Exhibit was allowed and a break was taken to allow the Participants to view the photographs prior to the evidence proceeding.

Mr. Fearn outlined the background of the application. The subject site has a frontage of 7.62 m and contains a detached two-storey house. The original application had been refused at the Committee, and based on the comments made by the Committee and neighbourhood members who attended the hearing, the plans were revised and the addition was redesigned. The major portion of the addition has been moved to the front of the house over the existing structure including the front porch, and extends beyond the current second storey addition by 0.66 m to accommodate a second floor bedroom and maintain the location of the stairwell. (Exhibit 1) There is a 1.73 m addition at the rear of the house to accommodate a mudroom with an area of 4 m².

The length of the addition for the 2nd and 3rd floor has been reduced from 15.04 m to 14.22 m, a reduction of .82 m. These changes result in a reduction in an fsi of 0.87 times the lot area to an fsi of 0.84. Mr. Fearn indicated that previous Committee decisions on Helena Avenue permitted increased densities within the range of what is being proposed. The 1-storey rear addition has been revised to change from a gabled roof to a flat roof.

Mr. Fearn's opinion was that the proposed changes meet the 4 tests for a minor variance. With respect to the general intent of the Official Plan, he referenced Chapter 3, policy 3.2.1.2 which states "the existing stock of housing will be maintained and replenished". He interpreted this to mean that the renovation of existing housing is encouraged as opposed to demolishing and rebuilding the house. He referred to Exhibit 2, which shows 15 homes on Helena Avenue with 3rd storey additions.

With reference to this Exhibit, Mr. Fearn identified houses that had received an increase in density through the Committee as follows: 87 Helena Avenue received a variance for a density of 89%, 74 Helena Avenue received a variance for a density of 81% and 15 Helena Avenue received a variance for a density of 82%. He advised the TLAB that he obtained the information from going to the Committee of Adjustment office and reviewing these decisions.

With respect to Section 4.1.5 of the Official Plan requiring that development in Toronto's neighbourhoods must respect and reinforce the existing physical character of the neighbourhood, Mr. Fearn explained that the proposed variances generally reflect the existing location of the building on the subject site and the intention to maintain the look of the existing dwelling. He referred to Exhibit 1 which shows that the addition will have the same roofline as the existing 2nd floor addition. He concluded that the variances would allow for development which is consistent and compatible with the neighbourhood and reinforces the existing physical character.

It was Mr. Fearn's opinion that the variances maintain the intent and purpose of the Zoning By-law. Exhibit 2 demonstrates that there are other 3 storey homes on the street, both new houses and existing houses with third storey additions. Mr. Fearn

referenced Exhibit 3 which outlines the revised variances from the disclosure documents and addressed each variance.

By-law 569-2013:

Roof eaves projection

The By-law requires that the roof eaves may be no closer than 0.30 to a line while the proposed projection is 0.15 m from the west side lot line. Mr. Fearn explained that this variance is to accommodate the original roofline as the existing second floor has a roof overhang the same as the proposed elevation on the 2nd and 3rd floor additions. The projection is required for roof ventilation and an eaves trough.

Depth of a detached dwelling

The proposed depth of the dwelling is 22.5 m. Mr. Fearn described this as a technical variance as the house is set back 3.15 m from the required front yard setback. The By-law requires the depth to be measured from the required front yard setback. The required setback is calculated as the average of the frontage of the two adjacent houses resulting in a required setback for the subject property of 4.54 m. The existing house (to the porch) is setback 7.69 m. As a result, an additional 3.15 m would be added on to the length of the dwelling to determine the depth.

The proposed building length of the 3rd and 4th floors is 14.22 m. Mr. Fearn indicated that this variance only applies to the ground floor.

Maximum floor space index (same variance to Bylaws 569-2013 and 438-86)

The maximum fsi is 0.6 times the area of the lot. Mr. Fearn noted that the proposed fsi of 0.83 is within the range of other variances given in the neighbourhood as he earlier indicated.

Height of main wall

The proposed height of the side exterior main walls is 10.07 m whereas the By-law requires 9.5 m. The variance is to accommodate retrofitting the house with the existing roof structure and provide for a new floor system which requires 0.6 m from the existing 2nd floor ceiling to new floor. He noted that the overall height is within the By-law requirement and no variance is required.

By-law 438-86:

Minimum side yard setback for the portion of a detached dwelling not exceeding 17 m.

The by-law requires a minimum side yard setback for the portion exceeding 17 m to be 0.9 m whereas 0.45 is proposed from the west side lot line. The proposed setback reflects the existing condition so that the addition is flush with the existing west walls of the dwelling.

Minimum side yard for the portion of a detached dwelling exceeding a depth of 17 m.

The minimum required side lot line setback is 7.5 m. Mr. Fearn indicated that it would be impossible to achieve a 7.5 m setback as the lot is only 7.62 m wide. It is his opinion that the variance is technical in nature because the total building length from the existing main wall to the back of the proposed one storey mudroom is 17 m. The variance is required because the depth of the building is measured from the required front yard setback as opposed to the actual front yard setback.

In Mr. Fearn's opinion, the variances are minor under the Planning Act, desirable for the development of the land as they allow the existing house to be kept without any demolishing and building new house. The proposed density is within the range of previous approvals and the allowable height is maintained. The house was redesigned further to the Committee's comments so that the majority of the 2nd and 3rd floor additions are at the front of the house with no new windows facing the west neighbour.

It was his opinion that the addition at the 2nd and 3rd storeys did not block any windows and there will be minimal impact created by shadows and reduction of sunlight other than what is expected under the permitted development rights. He indicated that on any addition there is going to be shadow and sunlight blocked. Based on pictures and viewing the sunlight he feels there will be minimal effect on the neighbours' sunlight. The rear of the house is south facing and there is a big tree in the backyard.

Most of the variances are existing or technical in nature and most are to accommodate the existing dwelling which is unique and setback further from the street than the required setback line. Only the variances for density and main wall height are new. His opinion was that there is no quantitative measure of minor.

In conclusion, he noted that the suggestions from the Committee and the neighbours were taken into consideration and the house was redesigned to reflect their comments, the variances were reduced and that the revised application has merit and meets the test of a minor variance under the Planning Act.

Concerns of the Participants

Robin Hobbs (along with his wife, Terry Bujokas) is the owner of 55 Helena Avenue which is attached to 53 Helena Avenue, the house adjacent to the subject property to the west. He provided a Participant Statement (Exhibit 4). In his opinion, 3 storey residences are too tall and not appropriate. He objects to any more additions to the back of the house and is concerned with the extent of the square footage proposed. His Participant Statement refers to photographs and he notes that a 2 ft. 2 in. (0.6 m) addition at the rear would block early morning light. Mr. Hobbs provided some background on the history of the subject property and indicated that the existing house is set far back on the lot unlike the surrounding houses on the street which sit forward on their lots. He felt that the overall height with the addition, deck and new garage would be imposing on neighbours. He is also concerned with the continuous wall that would result from the addition of the mudroom and the loss of green area. In his opinion, it

would be more appropriate to tear down the existing structure and build to current standards.

Terry Bujokas provided a Participant Statement (Exhibit 5) which included 4 photographs taken on August 2, 2017 from 8:20 am to 8:54 am. In her opinion, the other large houses that have been referred to were positioned closer to the front of the property and had appropriate setbacks. Mr. Hobbs took the photos and added a line that shows the proposed addition. He developed the line by looking at the plans and estimating where the addition would be. Based on the photos, Ms. Bujokas was of the opinion that the rear addition would block the light until 9:00 am on August 2, 2017. She shares many of the concerns of Mr. Hobbs including overbuilding, light impediment, and a visual continuous wall. She does not support and further building on the back of the house.

Stephen Lederman provided a Participant Statement (Exhibit 6) which included 4 photographs. Mr. Lederman is co-owner with his wife, Jessica Lederman of 53 Helena Street, adjacent to the subject property. He does not object to the applicant expanding his house but does not support the rear addition going up 3-storeys as it will block light going to his deck and be too close to his property line. His opinion was that all 3 of his windows would be blocked by an extension on the east side. He also marked on the photos his approximation of the impact of the addition. His concern is that the addition in the rear will block more light from his deck and impact his enjoyment of the backyard. He does not object to expanding the proposal to add to the front of the house even though it will also impact his property. The issue is that the house is setback so far the impact is greater than if the house was at the proper setback.

Jessica Lederman provided a Participant Statement (Exhibit 6). She reiterated Mr. Lederman's position that they do not object to the addition at the front, she contests any addition at the back as it would be closer to the property line and impact their enjoyment of the deck and outdoor space. There is currently a minimal setback from the existing house to their property line. She is also concerned about the impact of a continuous wall with the mudroom extending beyond. She indicated that any building on the subject property will impact them, particularly the window on the east of the forward addition. Her opposition is to the addition at the rear of the house and not on the front.

ANAYLSIS, FINDINGS, REASONS

The TLAB has carefully considered the submissions of the Participants, both orally and in the Participant Statements. The evidence of the Applicant's agent was also carefully considered in light of the changes that have been made to the plans to address the concerns of the Committee and the Participants. A number of the variances also reflect the current condition.

Mr. Fearn and the Participants agree that the house is set back further from the street than the majority of the houses on Helena Avenue. This is an existing condition as are the current setbacks. The house is approximately 100 years old and had a 2nd storey addition about 20 years ago.

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Mr. Fearn argues that the variance for building depth is technical. He notes that for the 2nd and 3rd floors, the actual length of these floors is 14.22 metres.

The TLAB does not entirely agree with this conclusion. The measurement of depth is different than the measurement of length as it by definition is measured from the required setback line, which would mean it is controlling how deep into the lot the building is allowed to extend as opposed to the actual length of the building itself.

It is recognized that in this situation, the existing building extends further into the lot than the new City By-law would permit.

The overall depth of the dwelling as proposed will be 22.5 m. This largely reflects the existing depth of the ground floor footprint which has a length 18.39 m from the porch along the eastern wall, together with the 3.15 m setback area. This results in a depth of 21.54 m. The additional 0.96 m is for the proposed mudroom addition.

It is recognized and agreed to by all the witnesses that existing dwelling is unique as it is set back further from the street than the other houses on Helena Avenue. This unique situation provides a rationale for recognizing the current footprint while allowing a reasonable addition to the house similar to other homes on the street which include a number of 3-storey dwellings. However the existing condition must also be recognized for the impact it has on the neighbouring properties, particularly in the rear.

It is acknowledged that the applicant revised the roofline to reduce the visual impact of the mudroom, however it was the visual impact of a continuous wall as a result of the proposed mudroom that was a major concern to the Participants. The current house extends further into the rear of the backyard than is the pattern in the area as indicated in the photographs and a portion of the ground floor is located virtually on the lot line along the western edge. This panel considers it inappropriate to extend the ground floor further into the lot with a negligible setback. As a result, the maximum permitted depth of the building will be 21.54 m to recognize the current ground floor footprint measured from the required setback line.

TLAB has given consideration to the issues raised by the Participants with respect to the 2nd and 3rd floor rear addition which was the most significant issue raised.

As noted the length of the 2nd and 3rd storey is proposed to be 14.22 m. While the TLAB appreciates the real concerns of the neighbours that the addition will have significant impact on their access to sunlight and enjoyment of their properties, there was no technical evidence to support these concerns. The efforts of the Participants to indicate the impact on photographs cannot be accepted as an accurate portrayal of the impact on sunlight and views as issues relating to perspective, scale, accuracy and other matters could not be tested. Even if the impacts illustrated by the neighbours with relation to sunlight were proven to be accurate, it is my opinion that an impact lasting for an hour early in the morning in August is not considered a significant impact and would not significantly impact the enjoyment of the backyard.

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The TLAB prefers the evidence of Mr. Fearn that the addition at the 2nd and 3rd floor will have minimal effect on the neighbours and finds that the upper level additions are appropriate in the context of the existing built form on the subject site.

The required setback for the portion of the building not exceeding 17.0 m is 0.9 m in By-law 438-86. A setback variance to the new City By-law is not required. The proposed setback of 0.45 m will be flush with the existing 2nd-storey addition. It is noted that there are no new windows or doors proposed on the west face of the portion of the new addition which extends beyond the current building, which will assist in mitigating any potential impact.

Similarly, the eaves variance is reflecting the existing situation and a desire to follow the current roofline. There were no submissions made by the Participants regarding this variance and it is considered that the impact on the neighbours would be negligible.

With respect to the density variance, it was Mr. Fearn's evidence that similar densities were approved in the area. There was no evidence to contradict this information. With the removal of the mudroom addition, the built form is determined by this panel to be a reasonable deployment of density on the site, recognizing the existing footprint and the height, massing and scale of other houses on the street as shown in Exhibit 2 and the resulting gross floor area is appropriate. The TLAB notes that no front or rear yard setback is required. The removal of the mudroom will result in a minor reduction in the approved density.

The comment that the current building should be demolished and a new dwelling built is not considered good planning, and further, a new structure would be faced with the same limitations in terms of the lot dimensions.

With respect to other concerns expressed by the Participants, it is noted that an overall height variance is not required and a 3-storey building is permitted. The main wall height is less than the overall permission. With regard to the potential loss of green space, the new garage will be located further back on the subject property and no variances for the garage or green space are required.

In sum, the TLAB is satisfied that the requested variances, as modified by this Panel, meet the criteria set out in Section 45(1) of the Planning Act. The Applicant listened to the concerns of the Committee and the neighbours and made significant revisions to the plans to address the concerns. The modifications will keep the ground floor at its current maximum depth (which is articulated and deeper along the eastern wall) and restricts the floor space index to reflect the removal of the mudroom. The other variances, with the exception of the main front wall, recognize the current condition.

The general intent and purpose of the OP and zoning by-laws is being maintained. The addition will maintain the housing stock and the proposal to build the majority of the addition at the front of the house and over the existing dwelling. This respects and reinforces the physical character of the area. The proposal results in an appropriate and desirable development for the subject site and the variances are considered minor in the context. The TLAB is to consider conformity with provincial plans and consistency

with provincial policy. There was nothing in the file or documentation or the evidence that raised any issue on these matters.

DECISION AND ORDER

Therefore I authorize the following minor variances applicable to the new City Bylaw and the in-force Bylaw, as below specified:

New City Bylaw

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

Roof eaves may project a maximum of 0.9 m provided they are no closer than 0.30 m to a lot line

The roof eaves will be located 0.15 m from the west side lot line.

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

The maximum permitted depth of a detached dwelling is 17.0 m.

The altered dwelling will have a depth of 21.54 m.

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

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (194.98 m²).

The altered dwelling will have a floor space index equal to 0.83 times the area of the lot (268.43 m²).

4. 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 9.5m.

The height of the side exterior main walls facing a side lot line will be 10.07 m.

In-Force Bylaw

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

The maximum permitted floor space index of a detached dwelling is 0.6 times the area of the lot (194.98 m²)

The altered dwelling will have a floor space index equal to 0.83 times the area of the lot (268.43 m²).

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

The minimum required side lot line setback for the portion of the detached dwelling not exceeding a depth of 17 m is 0.9 m.

The portion of the altered dwelling, not exceeding a depth of 17 m will be located 0.45 m from the west lot line.

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

The minimum required side lot line setback for the portion of the detached dwelling exceeding a depth of 17 m is 7.5 m.

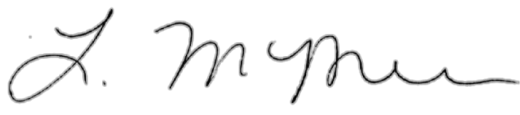
The portion of the altered dwelling, exceeding a depth of 17 m will be located 1.22 m from the east lot line and 0.18 m from the west side lot line.

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Conditions of Approval

1. The proposed dwelling shall be constructed substantially in accordance with the Site Plan and drawings dated July 18, 2017, except amended by the deletion of the proposed 1-storey mudroom, filed as Exhibit 1 and attached as Attachment 1 forming part of this decision.

(Attachment)

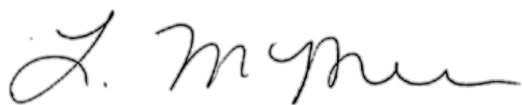
X 

Laurie McPherson

Chair, Toronto Local Appeal Body

Revision added October 25, 2017

Nothing in the forgoing is intended to prevent the enclosure of existing main building space at or near grade provided such permission does not extend to covering or enclosing any deck or extending any portion of the existing building face or part thereof further into the rear yard.



Laurie McPherson

Chair, Toronto Local Appeal Body

ZONING R2 ZO.6 R(d0.6)		LOT NO: LOT 92 PART OF LOT 93		PLAN NO: M-54		LOT AREA 3498.00 S.F. (324.97)m2		LOT FRONTAGE 25.00' (7.62)		LOT DEPTH 139.92' (42.65)		GENERAL NOTES	
DESCRIPTION	EXISTING	ADDITION	TOTAL	%	ALLOWED	%	SETBACKS	EXISTING	PROPOSED	GROSS FLOOR AREA EXISTING GROUND FLOOR 1070.56 SQ. FT. (99.46)m2 SECOND FLOOR 702.00 SQ. FT. (65.22)m2 TOTAL 1772.56 SQ. FT. (164.68)m2			FRONT YARD SETBACK 49 HELENA AVENUE 19'-4 7/16" (5.90) 53 HELENA AVENUE 10'-4 3/4" (3.17) TOTAL 29'-9 3/16" (9.07) 29'-9 3/16" / 2 = 14'-10 11/16" (4.54)
LOT COVERAGE	N.A.	N.A.	N.A.		-----		FRONT YARD	30'-11 3/8" (9.44)	25'-2 7/8" (7.69)	GROSS FLOOR AREA ADDITION FIRST FLOOR 41.72 SQ. FT. (3.87)m2 SECOND FLOOR 208.07 SQ. FT. (19.33)m2 THIRD FLOOR 910.07 SQ. FT. (84.55)m2 TOTAL 1159.86 SQ. FT. (107.75)m2			REAR YARD SOFT LANDSCAPING LOT FRONTAGE = 25.00' (7.62m) MIN. SOFT LANDSCAPING IS 50%
GROSS FLOOR AREA	1772.56 S.F. (164.68)m2	1159.86 S.F. (107.75)m2	2932.42 S.F. (272.43)m2	83.8	2098.80 S.F. (194.98)m2	60.0	REAR YARD	54'-4 1/8" (16.56)	51'-2 1/8" (15.60)				REAR YARD AREA 1378.37 S.F. MIN. SOFT LANDSCAPING 1378.37 S.F. x 50% = 689.19 S.F.
LANDSCAPING	SEE SPECIFICATIONS IN GENERAL NOTES						INTERIOR SIDE (east)	4'-0 1/4" (1.22)	4'-0 1/4" (1.22)	ESTABLISH D GRADE 97.00' + 96.33' = 193.33' 193.33' / 2 = 96.67			SOFT LANDSCAPING PROVIDED
NO. OF STORIES HEIGHT	2 STOREY 29'-10" (9.09) 23'-1" (7.03)	3RD STOREY 2 STOREY 1 STOREY	3 STOREYS 39'-2" (9.81) 33'-5" (7.03)		NOT LIMITED 39'-4" PEAK 31'-2" U/S OF EAVES		INTERIOR SIDE (west)	0'-5 3/4" (0.15)	1'-5 3/4" (0.45) 9 3/4" (0.24)				REAR YARD AREA 1378.37 S.F. REAR ADDITION - 41.72 S.F. DECK & STEPS - 116.10 S.F. GARAGE - 441.00 S.F. DRIVEWAY - 60.00 S.F.
WIDTH	20'-6" (6.25)	19'-6" (5.94)	20'-6" (6.25)		-----		EXTERIOR SIDE	-----	-----	MIN. LANDSCAPE OPEN SPACE 30% OF LOT AREA 3498.00 S.F. x 30% = 1049.40 S.F.			
DEPTH	70'-8 3/16" (21.54)	46'-8" + 5'-8" (14.22) (1.73)	73'-10 3/16" (22.50)		55'-9" (17.0)								
PARKING	DEMOLISH GARAGE	2 CAR GARAGE	2 CAR GARAGE		1 PARKING SPACE PER DWELLING								

FRONT YARD SETBACK		
49 HELENA AVENUE	19'-4 7/16" (5.90)	
53 HELENA AVENUE	10'-4 3/4" (3.17)	
TOTAL	29'-9 3/16" (9.07)	
29'-9 3/16" / 2 = 14'-10 11/16" (4.54)		
REAR YARD SOFT LANDSCAPING		
LOT FRONTAGE = 25.00' (7.62m)		
MIN. SOFT LANDSCAPING IS 50%		
REAR YARD AREA 1378.37 S.F.		
MIN. SOFT LANDSCAPING		
1378.37 S.F. x 50% = 689.19 S.F.		
SOFT LANDSCAPING PROVIDED		
REAR YARD AREA	1378.37 S.F.	
REAR ADDITION	- 41.72 S.F.	
DECK & STEPS	- 116.10 S.F.	
GARAGE	- 441.00 S.F.	
DRIVEWAY	- 60.00 S.F.	
TOTAL	719.55 S.F.	= 52.2%

Toronto Local Appeal Body

EXHIBIT # 1

Case File Number: 17 169043 S45 21 TLAB
Property Address: 51 Helena Ave
Date Marked and Produced: September 1, 2017

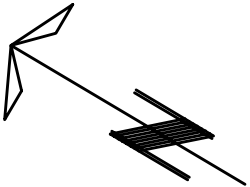
LIST OF DRAWINGS

- A1 SITE PLAN
- A2 BASEMENT PLAN
- A3 GROUND FLOOR PLAN
- A4 SECOND FLOOR PLAN
- A5 THIRD FLOOR PLAN
- A6 NORTH ELEVATION
- A7 SOUTH ELEVATION
- A8 EAST ELEVATION
- A9 WEST ELEVATION
- A10 CROSS SECTION 'A-A'
- G1 GARAGE PLAN
- G2 GARAGE ELEVATIONS
- G3 GARAGE ELEVATION SECTION & SPECS.

SITE PLAN

SCALE 1" = 15'-0"

SKETCH OF SURVEY OF
LOT 92 & PART OF LOT 93
REG'D PLAN M-54
CITY OF TORONTO
MUNICIPALITY OF METRO TORONTO
DONALD E. ROBERTS OLS
MAY 3, 1991



SHEET TITLE
SITE PLAN

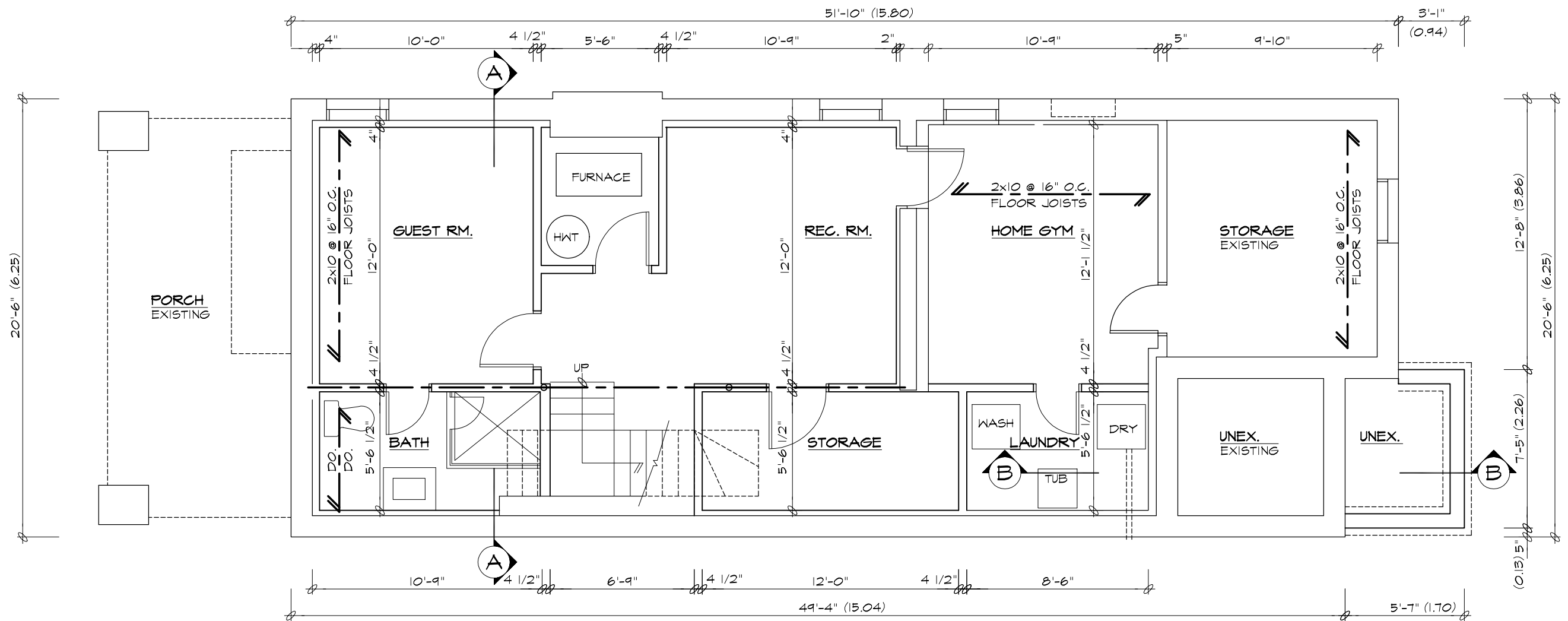
CLIENT
Residence For:
51 Helena Avenue
Toronto, Ontario

PROJECT
PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE

KHALMUR BUILDING
PRODUCTIONS INC.
20 FERRIS ROAD
TORONTO, ONTARIO
M4B 1G1 TEL. (416) 487-1213

THE UNDERSIGNED HAS REVIEWED & TAKES RESPONSIBILITY
FOR THIS DESIGN & HAS THE QUALIFICATIONS & MEETS THE
REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER.
KHALMUR BUILDING
PRODUCTIONS INC.
FIRM BCIN: 28462
MURRAY FEARY BCIN: 22693

SCALE AS SHOWN	PLOT DATE JULY 18, 2017
PROJ. NO. KIT-16	DWG. NO. A1 of 10



BASEMENT PLAN
 SCALE 3/16" = 1'-0"

SHEET TITLE
 FLOOR PLANS

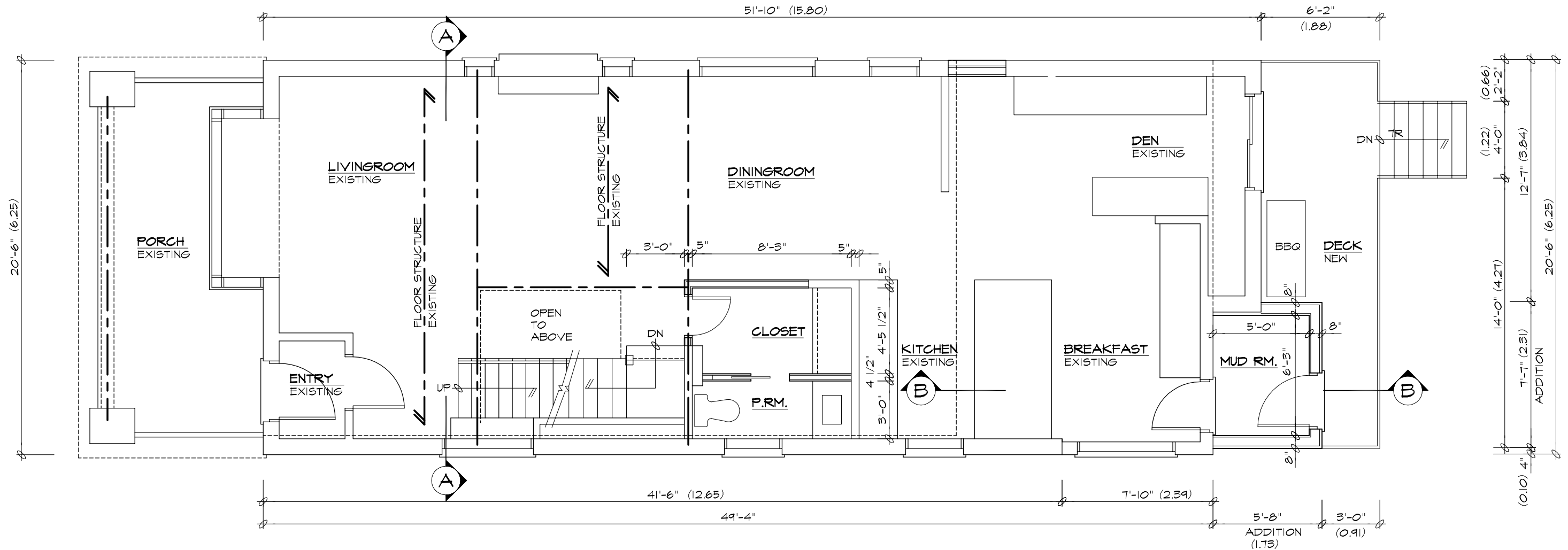
CLIENT
 Residence For:
 51 Helena Avenue
 Toronto, Ontario

PROJECT
 PROPOSED ADDITIONS,
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 2 CAR GARAGE

**KHALMUR BUILDING
 PRODUCTIONS INC.**
 20 FERRIS ROAD
 TORONTO, ONTARIO
 M4B 1G1 TEL. (416) 487-1213

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 REQUIREMENTS SET OUT IN THE O.B.C. TO BE A DESIGNER.
 FIRM
 BCIN: 28462 | *Murray Fearn*
 MURRAY FEARN BCIN: 22693

SCALE 3/16" = 1'-0"	PLOT DATE JULY 18, 2017
PROJ. NO. K17-16	DWG. NO. A2 of 10



GROUND FLOOR PLAN
SCALE 3/16" = 1'-0"

SHEET TITLE
FLOOR PLANS

CLIENT
Residence For:
51 Helena Avenue
Toronto, Ontario

PROJECT
**PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE**

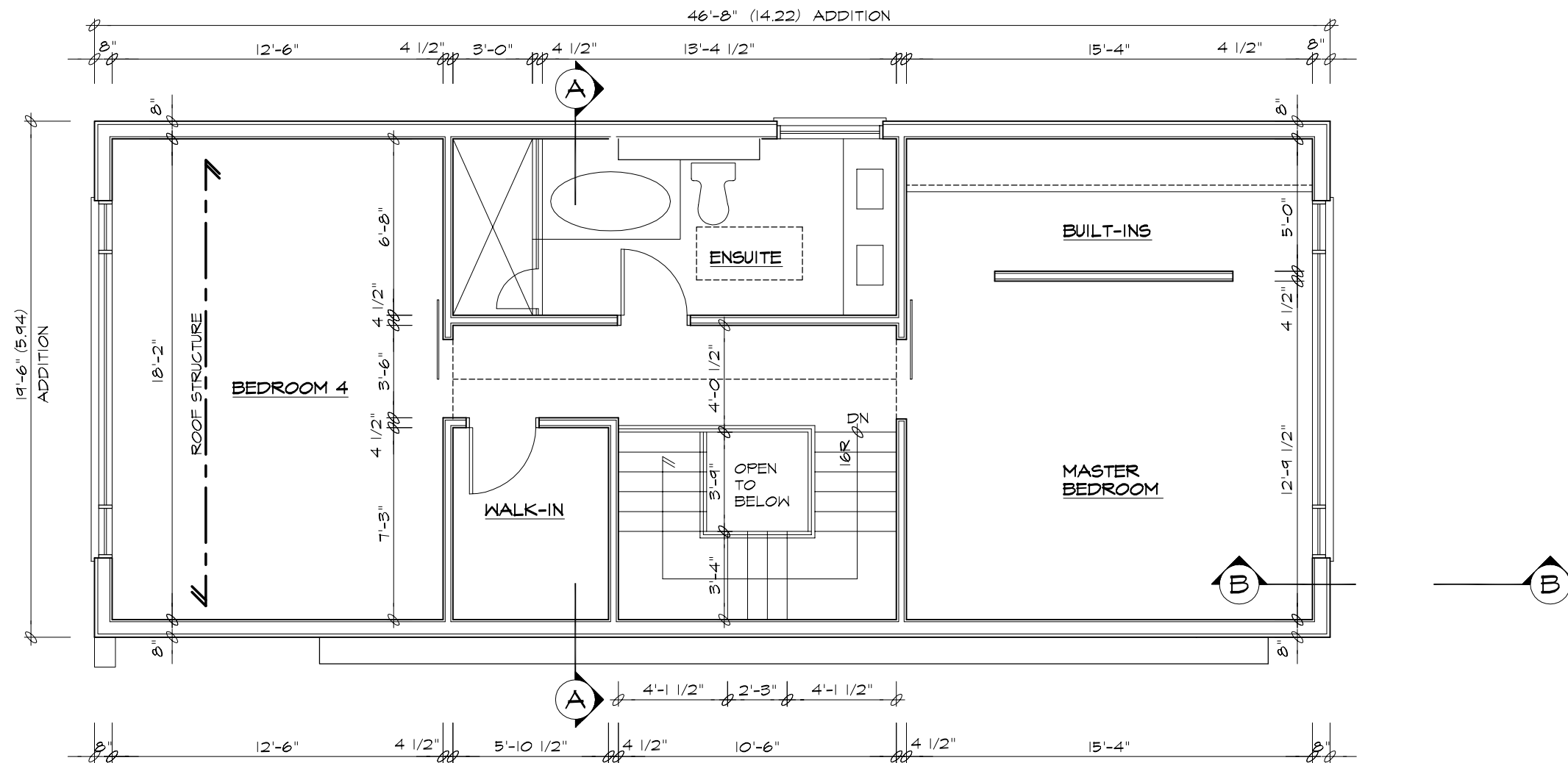
**KHALMUR BUILDING
PRODUCTIONS INC.**
20 FERRIS ROAD
TORONTO, ONTARIO
M4B 1G1 TEL: (416) 487-1213

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FIRM
BCIN: 28462

Murray Fearn
MURRAY FEARN BCIN: 22693

SCALE 3/16" = 1'-0"	PLOT DATE JULY 18, 2017
PROJ. NO. K17-16	DWG. NO. A3 of 10



THIRD FLOOR PLAN
SCALE 3/16" = 1'-0"

SHEET TITLE
FLOOR PLANS

CLIENT
Residence For:
51 Helena Avenue
Toronto, Ontario

PROJECT
PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE

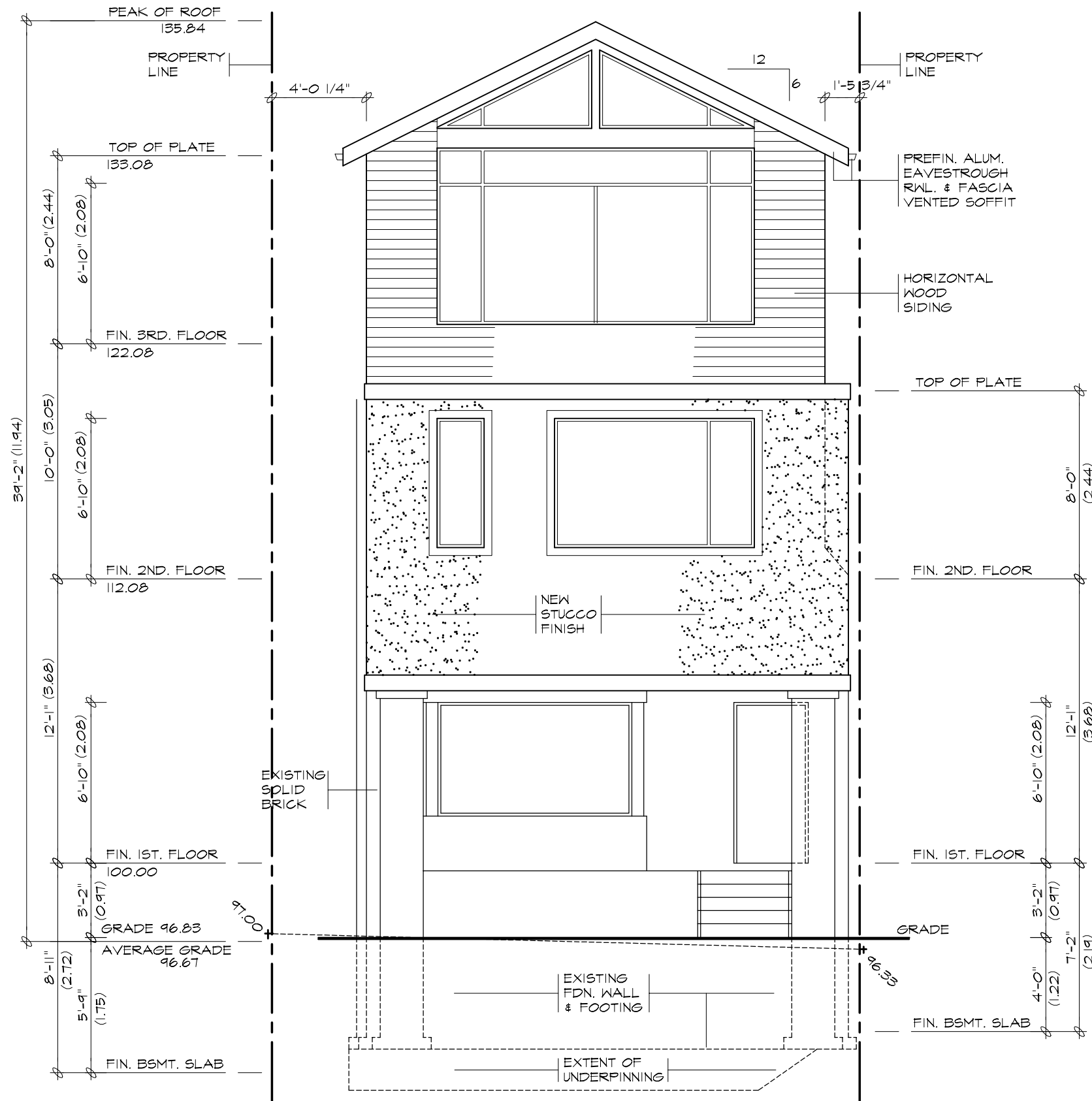
**KHALMUR BUILDING
PRODUCTIONS INC.**
20 FERRIS ROAD
TORONTO, ONTARIO
M4B 1G1 TEL. (416) 487-1213

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FIRM
BCIN: 28462

Murray Fearn
MURRAY FEARN BCIN: 22693

SCALE 3/16" = 1'-0"	PLOT DATE JULY 13, 2017
PROJ. NO. K17-16	DWG. NO. A5 of 10



NORTH ELEVATION
SCALE 3/16" = 1'-0"

SHEET TITLE
ELEVATIONS

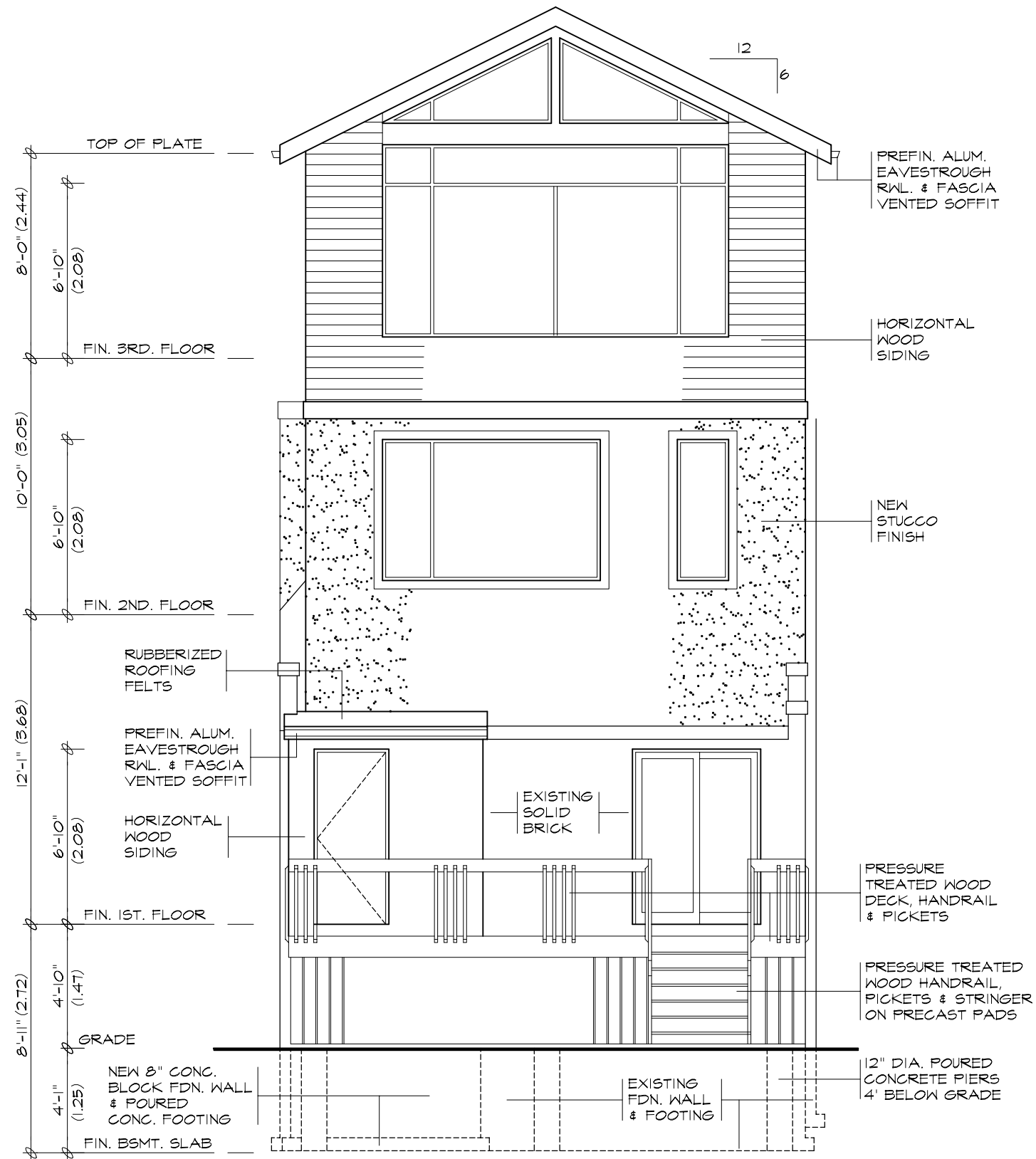
CLIENT
Residence For:
51 Helena Avenue
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PROJECT
PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE

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20 FERRIS ROAD
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FIRM
BCIN: 28462
MURRAY FEARN BCIN: 22693

SCALE 3/16" = 1'-0"	PLOT DATE JULY 18, 2017
PROJ. NO. K17-16	DWG. NO. A6 of 10



SOUTH ELEVATION

SCALE 3/16" = 1'-0"

SHEET TITLE
ELEVATIONS

CLIENT
Residence For:
51 Helena Avenue
Toronto, Ontario

PROJECT
PROPOSED ADDITIONS,
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KHALMUR BUILDING
PRODUCTIONS INC.
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FIRM
BCIN: 28462

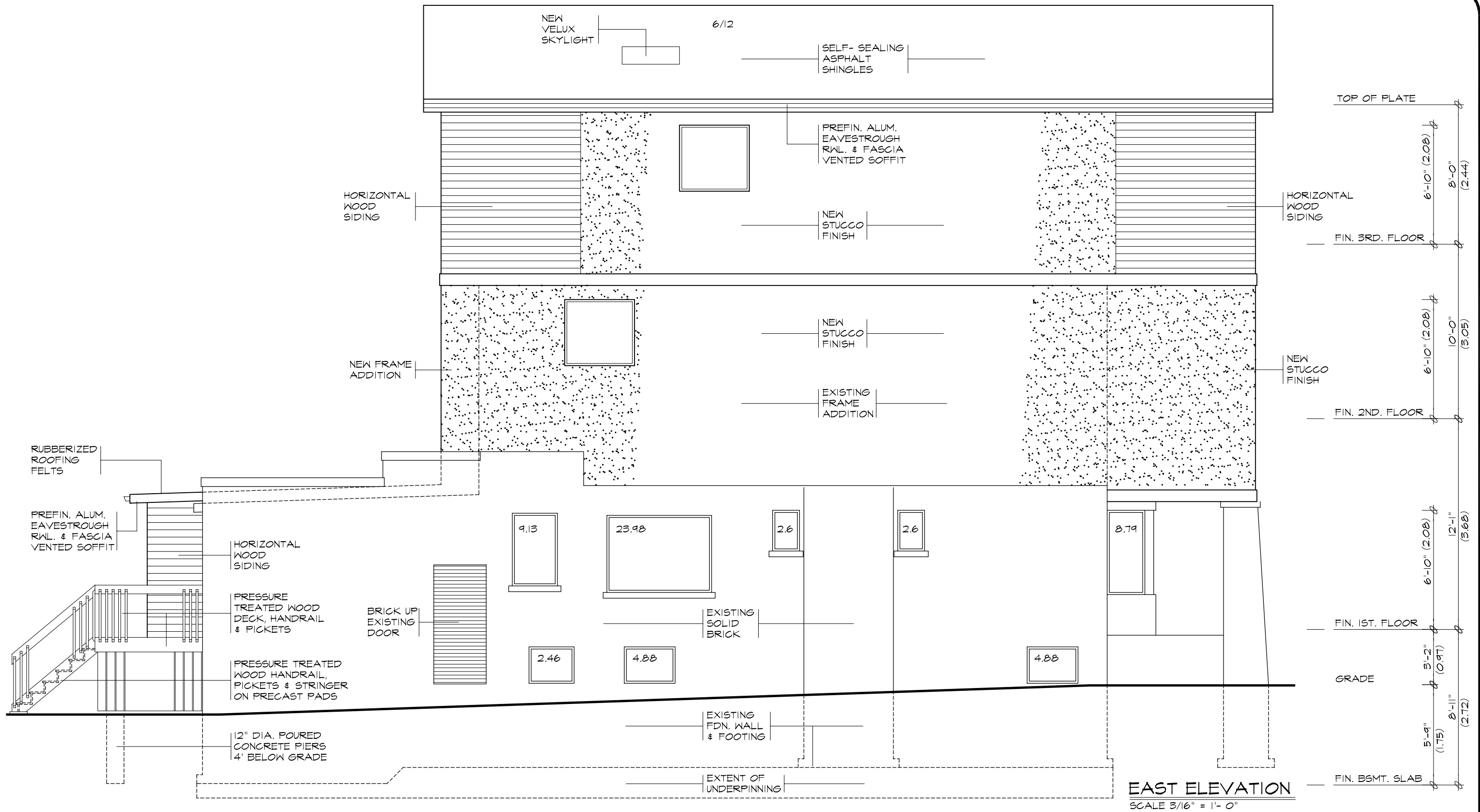
MURRAY FEARN BCIN: 22693

SCALE
3/16" = 1'-0"

PROJ. NO.
K17-16

PLOT DATE
JULY 18, 2017

DWG. NO.
A7 of 10



SHEET TITLE
ELEVATIONS

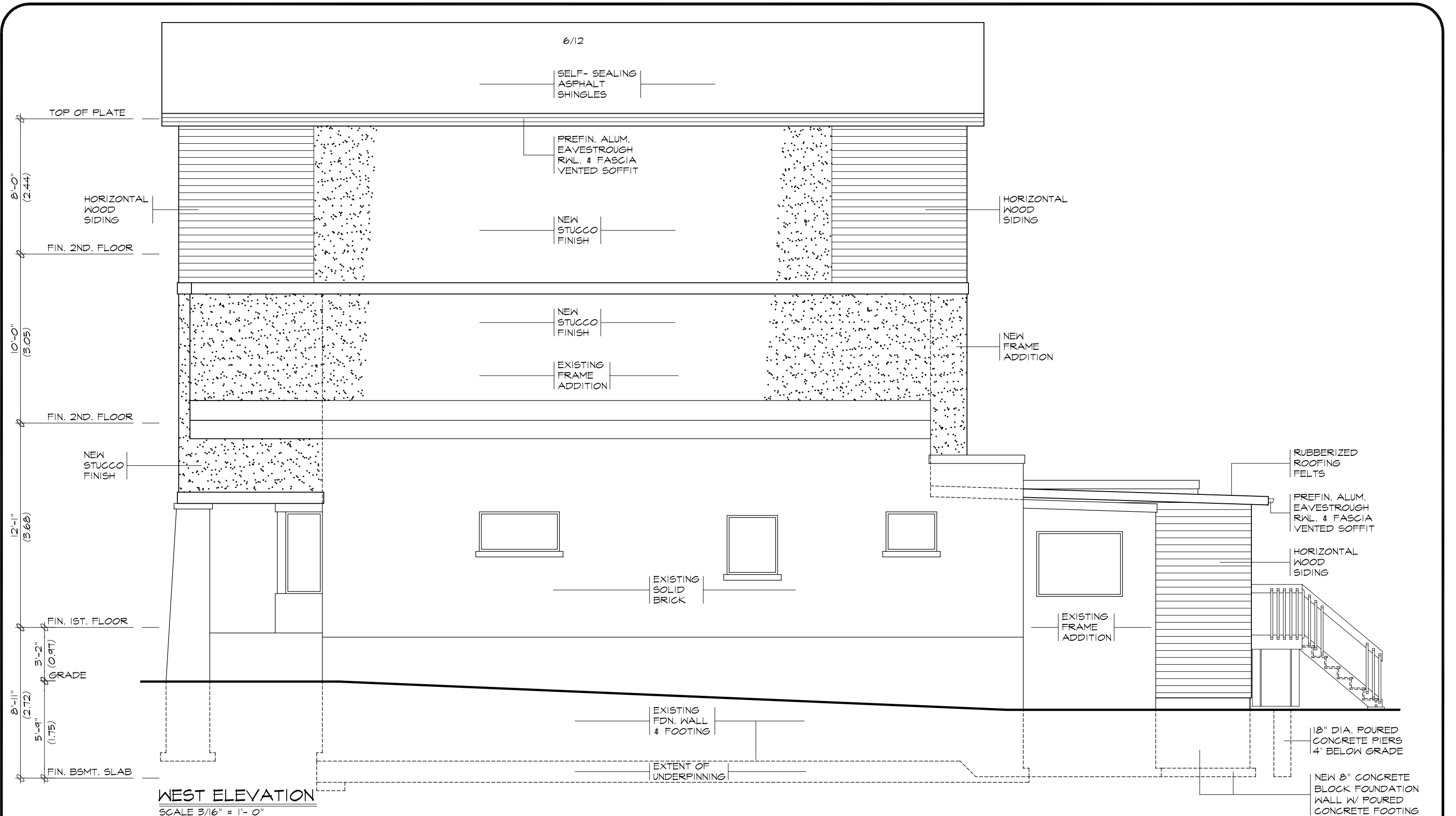
CLIENT
Residence For:
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PROJECT
PROPOSED ADDITIONS,
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PRODUCTIONS INC.
20 FERRIS ROAD
TORONTO, ONTARIO
M4B 1G1 TEL: (416) 487-1213

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FIRM BCIN: 28462
MURRAY FEARN BCIN: 22693

SCALE 3/16" = 1'-0"	PLOT DATE JULY 18, 2017
PROJ. NO. K17-16	DWG. NO. A8 of 10



SHEET TITLE
ELEVATIONS

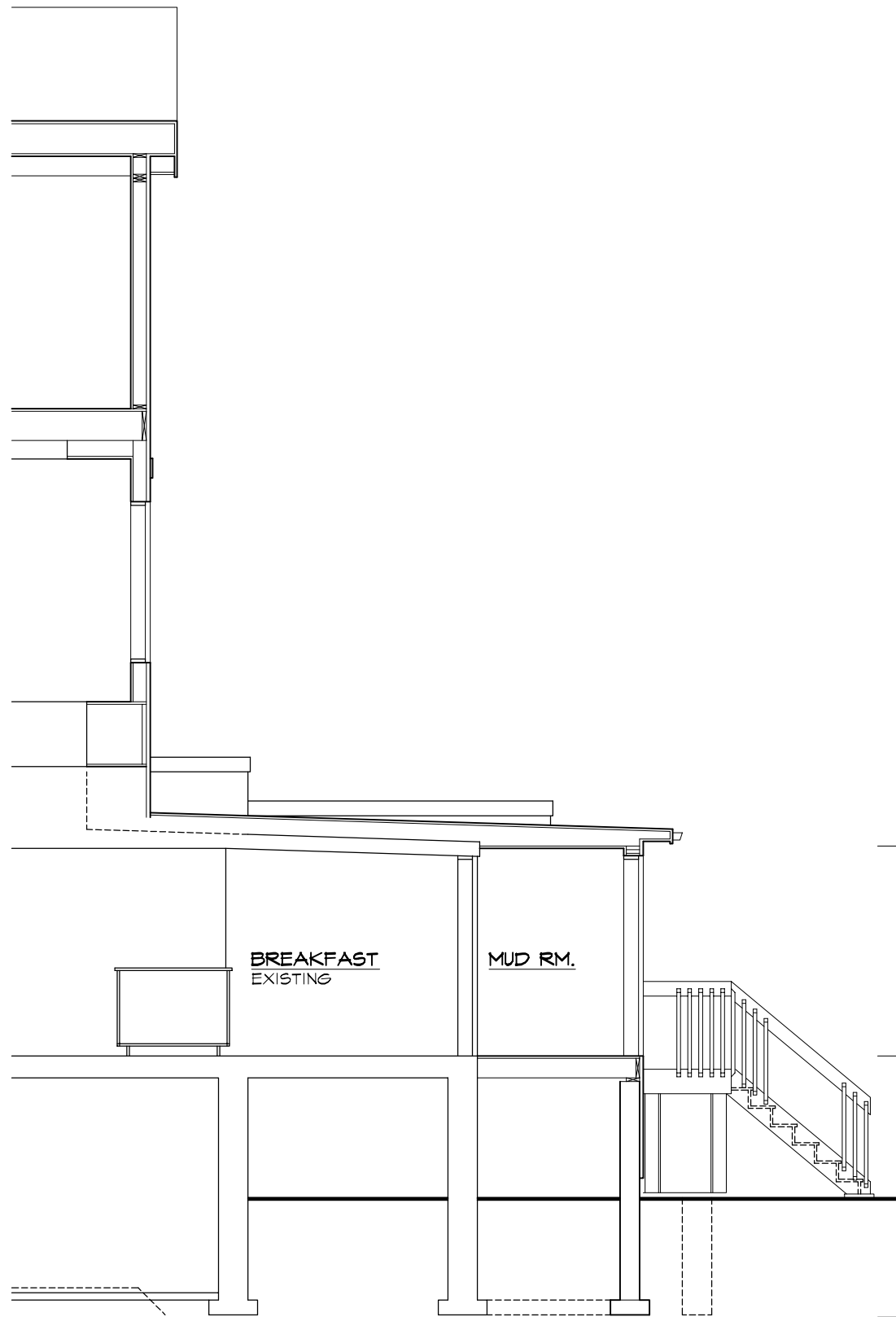
CLIENT
Residence For:
51 Helena Avenue
Toronto, Ontario

PROJECT
PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE

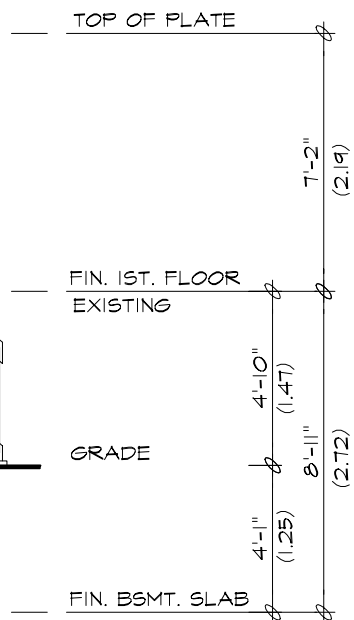
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FIRM BCIN: 28462
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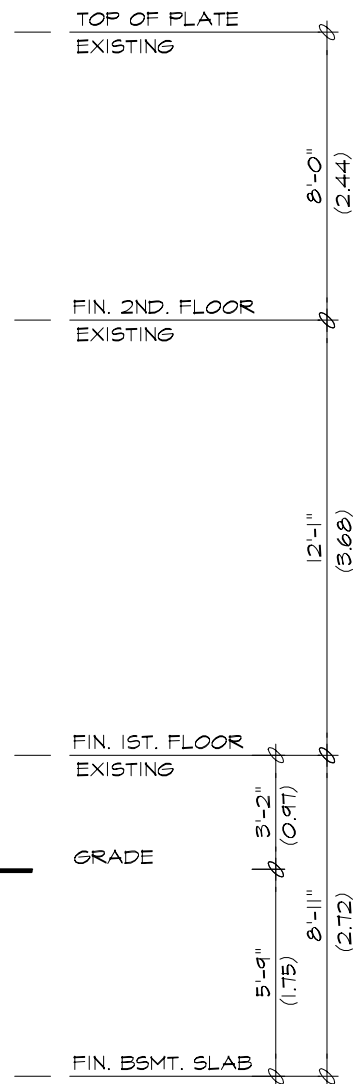
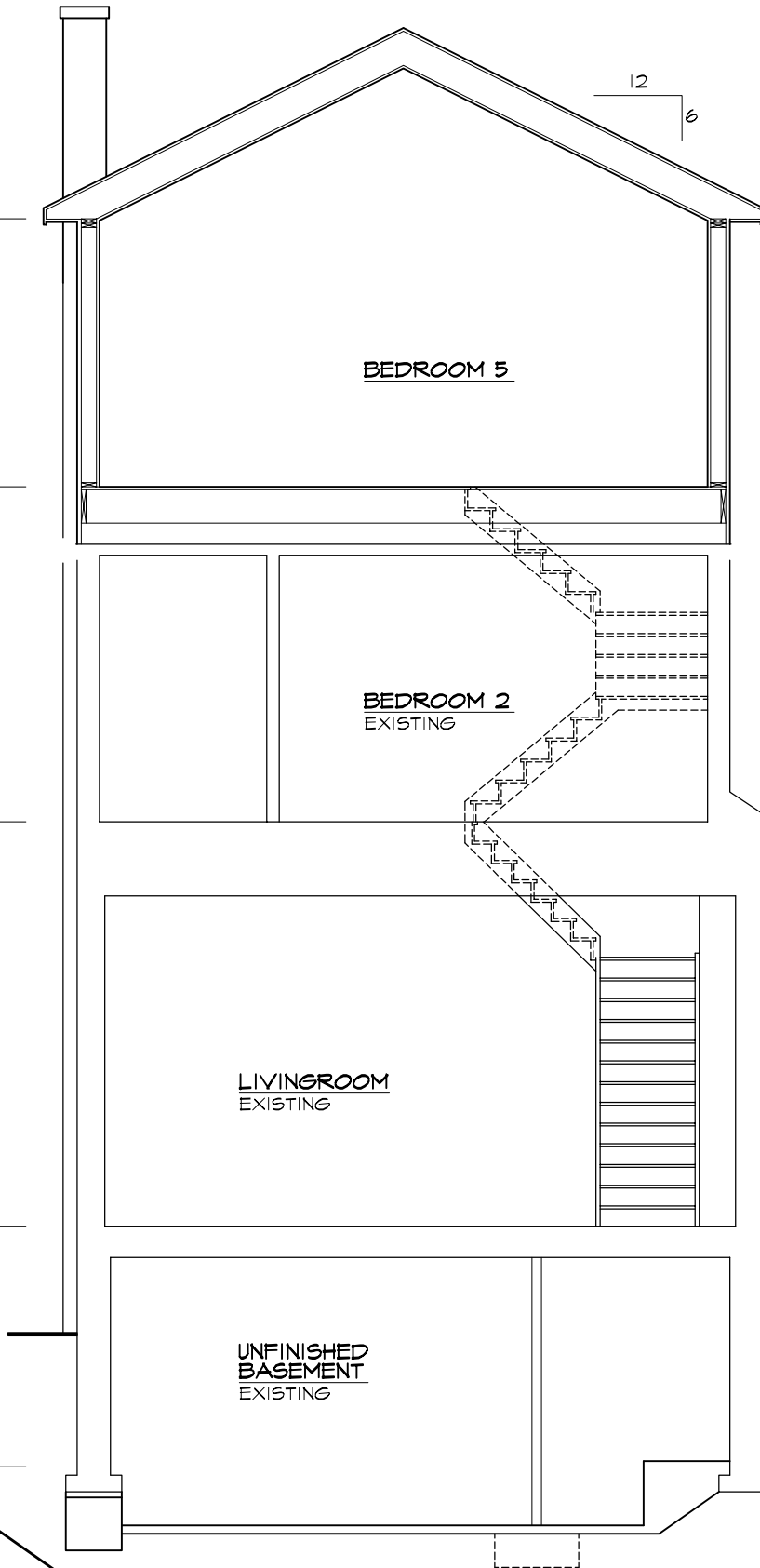
SCALE 3/16" = 1'-0"	PLOT DATE JULY 18, 2017
PROJ. NO. K17-16	DWG. NO. A9 of 10



SECTION 'B-B'
SCALE 3/16" = 1'-0"



SECTION 'A-A'
SCALE 3/16" = 1'-0"



SHEET TITLE
CROSS SECTION

CLIENT
**Residence For:
51 Helena Avenue
Toronto, Ontario**

PROJECT
**PROPOSED ADDITIONS,
INTERIOR ALTERATIONS &
2 CAR GARAGE**

**KHALMUR BUILDING
PRODUCTIONS INC.**
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FIRM
BCIN: 28462

Murray Fearn
MURRAY FEARN BCIN: 22693

SCALE
3/16" = 1'-0"
PROJ. NO.
K17-16

PLOT DATE
JULY 18, 2017
DWG. NO.
A10 of 10