

DECISION AND ORDER

Decision Issue Date Friday, February 09, 2018

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

Appellant(s): PANAGIOTA KORKONTZILAS

Applicant: ELLIAS KORKONTZILAS

Property Address/Description: 101 INWOOD AVE

Committee of Adjustment Case File Number: 17 136650 STE 29 MV

TLAB Case File Number: 17 217351 S45 29 TLAB

Hearing date: Wednesday, January 17, 2018

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 the construction of a new two-storey detached dwelling with a rear basement walkout, a rear ground floor deck and an integral garage at 101 Inwood Road ("the subject property"). The City was a Party to the hearing and there were five people who elected Participant status, four of whom attended the hearing.

BACKGROUND

The subject property is located on the east side of Inwood Avenue, between Mortimer Avenue and Memorial Park Avenue.

The subject property is designated *Neighbourhoods* in the City of Toronto Official Plan ("the Official Plan") and is zoned RD (f9.0; a280; d0.45) under Zoning By-law No. 569-2013 ("new City By-law") and R1A under Zoning Bylaw 6725 of the former Borough of

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East York ("former By-law"). The requested variances are with respect to floor space index (fsi), roof eaves projection, side yard setback, building height, side exterior main wall height, lot coverage and front yard setback (the latter in the former By-law only). It is noted that the original application before the Committee included a variance for building length. Planning staff prepared a report to the Committee recommending that the building length variance be refused. As a result, the Applicant amended the application to remove the length variance which resulted in a corresponding reductions in the coverage and fsi. The revised variances sought are as follows:

1. Chapter 10.20.40.40. (1)(A), By-law 569-2013

The maximum permitted floor space index of a detached dwelling is 0.45 times the area of the lot (174.39m²).

The new detached dwelling will have a floor space index equal to 0.6815 times the area of the lot (264.14m²).

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

Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.3m to a lot line.

The roof eaves will be located 0.03m from the north side lot line.

3. Chapter 10.20.40.70. (3)(B), By-law 569-2013

The minimum required side yard setback is 0.9m.

The new detached dwelling will be located 0.33m from the north side lot line.

4. Chapter 10.20.40.10. (1)(A), By-law 569-2013

The maximum permitted building height is 8.5m.

The new detached dwelling will have a height of 8.98m.

5. Chapter 10.20.40.10. (2)(B)(i), By-law 569-2013

The maximum height of all exterior main walls facing a side lot line is 7m.

The height of the side exterior main walls facing a side lot line will be 7.5m

1. Section 7.2.3, By-law 6752

The maximum permitted building height is 8.5m.

The new detached dwelling will have a height of 8.98m.

2. Section 7.2.3, By-law 6752

The maximum permitted floor space index of a detached dwelling is 0.45 times the area of the lot (174.39m²).

The new detached dwelling will have a floor space index equal to 0.6815 times the area of the lot (264.14m²).

3. Section 7.2.3, By-law 6752

The minimum required front yard setback is 6m.

The new detached dwelling will be located 4.73m from the west front lot line.

4. Section 7.2.3, By-law 6752

The maximum permitted lot coverage is 35% of the lot area (135.64m²).

The lot coverage will be equal to 35.36% of the lot area (137.05m²)

5. Section 7.2.3, By-law 6752

The minimum required side yard setback is 0.9m.

The new detached dwelling will be located 0.33m from the north side lot line.

MATTERS IN ISSUE

The matter at issue is whether the revised variances meet the applicable tests under Section 45(1) of the Planning Act.

JURISDICTION

Provincial Policy – S. 3

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

Minor Variance – S. 45(1)

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

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

EVIDENCE

Mr. Tae Ryuck provided evidence on behalf of the owner. Mr. Ryuck was qualified to give expert evidence on land use planning matters. The proposal is to replace the existing 1-storey detached dwelling with a new 2-storey single detached dwelling with an integral garage. The subject property has a frontage of 9.45 m, a depth of 41 m and a lot area of 387.54 m².

Mr. Ryuck referred to his study area which is bounded by Cosburn Avenue to the north Greenwood Avenue to the east, Mortimer Avenue to the south, and Donlands Avenue to the west (Exhibit 2). Mr. Ryuck describes the area as stable with some regeneration in the form of redevelopment and additions. There are 1-storey and 2 -storey dwellings throughout the neighbourhood and there are a variety of lot sizes and frontages.

Commercial uses are located within walking distance to the north. The subject property is also within walking distance to transit.

Mr. Ryuck advised that the front and rear walls of the proposed dwelling are consistent with the area and the neighbourhood context. The north side lot line setback is the same as the existing house foundation, with the exception that the proposed dwelling is longer than the current dwelling. There are integral garages in the area including across the street. In his opinion, the proposal is consistent with the immediate and the surrounding context and meets the four tests of the Planning Act.

In Mr. Ryuck's opinion, the application is consistent with the applicable policies of the Provincial Policy Statement ("PPS") and in conformity with the Growth Plan which encourage and promote the following:

- optimizing the efficient use of land, resources and infrastructure, including existing and planned public transportation
- compact form
- redevelopment and intensification
- mixed uses at densities that make efficient use of land, resources and infrastructure.

The subject property is designated Neighbourhoods in the Official Plan. Mr. Ryuck referred to several applicable sections of the Official Plan.

Section 2.3

Neighbourhoods shall be stable but not static.

a. "A cornerstone policy is to ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood."

In his opinion, the proposed single detached dwelling respects and reinforces the existing physical character of the neighbourhood. It is modest in size and height and is deployed appropriately on the lot. The neighbourhood is experiencing regeneration and intensification in the form of redevelopment and additions while not impacting the stability of the neighbourhood.

Section 4.1

Physical changes to established neighbourhoods must be sensitive, gradual and generally fit the existing physical character. A key objective of the OP is that new development respect and reinforce the general physical patterns in a Neighbourhood.

In Mr. Ryuck's opinion, the criteria under Section 4.1.5 are to be used to in assessing the character of a neighbourhood to ensure that new development does not propose changes that are out of keeping with other development.

Specifically, he provided the following opinions of the applicable criteria of 4.1.5:

(c) heights, massing, scale – the proposal is consistent with other

heights/massing/scale and in ZBL limits and is a modest house which does not represent overdevelopment. The proposed 8.98 m height is consistent with dwellings on the street. From a streetscape perspective, the proposal seamlessly integrates into the neighbourhood and provides architectural character to the streetscape.

(d) prevailing building types –The proposed dwelling is a single detached dwelling consistent in form and massing with other homes in the area context.

(e) setbacks of buildings from the street – the front setback is consistent with the street and the adjacent dwellings.

(f) prevailing patterns of rear and side yard setbacks and landscaped open space – the proposed building envelope is reflective of the prevailing building setbacks. On Inwood Avenue, there is a pattern of reduced side yards on one side of a dwelling. On the east side, the houses are pushed north. The proposal maintains this consistent pattern. In addition there are no front or rear yard setback variances to the new City By-law.

Section 4.1.8

Zoning by-laws are intended to provide guidance to ensure compatibility of new development with the physical character.

Mr. Ryuck identified three elements used to determine character – existing conditions, by-law standards, and minor variances that have been granted. In his opinion, the proposed dwelling represents the general physical pattern of the neighbourhood and is consistent with other homes in the neighbourhood. The proposed placement will result in a consistent street frontage, and same building envelope in terms of north yard setback, reinforcing the physical character and streetscape.

In summary, it was his opinion that the proposed variances individually and cumulatively meet the general intent and purpose of the Official Plan.

Mr. Ryuck advised that the intent and purpose of the zoning by-law is to ensure a compatible built form and to ensure that there are no unacceptable adverse impacts on the streetscape or adjacent properties. Referring to the revised list of variances, he provided the following opinions:

- The lot coverage and fsi has been deployed on the property and within a built form that is consistent with the homes within the area. The proposed fsi of .6815 is under what has been approved and existing in the neighbourhood. His context map identified fsi's in the area greater than or equal to 0.7. The proposed lot coverage is 35.36% which is only 0.36% over the by-law requirement (former By-law only).
- The building length, front yard setback (new City By-law) and rear yard setback meet the by-law requirements. The only setback being sought is the 0.33 m on the north side and that is consistent of what exists today and an extension of the existing foundation wall. The typical pattern of development in the neighbourhood is that the dwelling is immediately adjacent to one of the side lot lines. The existing side yards in the area do not meet the by-law standards as shown on his

context map.

- Density can be deployed in many forms and the proposed development does not represent a dramatic increase that would reflect over-development.
- Integral garages exist in the neighbourhood and are permitted by the zoning by-law – no variance is required for the garage.

The proposed height of 8.98m from a quantitative and more important qualitative perspective does not result in a built form that is out of character with the immediate adjacent properties or the neighbourhood. There have been heights approved for up to 9 m in the area. From the street frontage perspective, the eaves match up with the eaves of the 2 -storey home to the north. The location of the north wall is in the same location as the current dwelling and is separated from the dwelling to the north by a driveway. The additional 48 cm in height would not result in any adverse impacts on the adjacent houses as there is no building length or depth variance and no rear yard setback variance.

In summary, it was Mr. Ryuck's opinion that the overall intent of the by-law is to arrive at a built form with development standards that will be compatible and will have no adverse impacts on the existing neighbourhood context. He noted that compatible does not mean the same. The proposal maintains this intent and purpose and does not introduce an inappropriate built form that creates any adverse impacts on or destabilizes the neighbourhood. Individually and cumulatively, in his opinion, the variances meet the intent and purpose of the zoning by-laws.

With respect to the test for desirable and appropriate Mr. Ryuck stated that the proposed dwelling is of a size and type that is within the character of the neighbourhood. The variances related to coverage, FSI, height and side yard setbacks does not seek to push the permitted building envelope. In his opinion, there would be no shadow or overlook impacts that would be uncharacteristic of the existing context or unacceptable. The design and size of the dwelling takes into account its relationship to adjacent properties and the neighbourhood. The proposal does not create any material changes with respect to privacy, views or enjoyment of neighbouring properties.

Mr. Ryuck stated that the question of appropriateness with respect to this application relates to the built form and the manner in which the proposed dwelling has been integrated within the existing area context. There are no impacts on existing trees and Urban Forestry has provided comments. In his opinion, the proposal represents a form of intensification that is appropriate given the surrounding context and existing neighbourhood.

In Mr. Ryuck's opinion, the proposal is desirable and appropriate.

Mr. Ryuck advised that a variance could be considered to not meet the test for minor if it is too large or too important to be considered minor. He advised that the test for minor is not whether there is no impact, but whether the impact is considered acceptable. Some impacts are acceptable in an urban setting especially in this neighbourhood context. In his opinion, the proposed development has been designed in a manner that does not test the limits of unacceptable. The proposed deployment of gross floor area in the form of the 2- storey dwellings does not create adverse overlooks, shadows, building form,

massing or height that is uncharacteristic of the streetscape or the neighbourhood.

In his opinion, the proposed variances are minor in nature.

In summary, in Mr. Ryuck's opinion, the proposed variances individually and cumulatively meet the four tests of the Planning Act and should be considered to have merit and represent good planning. He recommended that the TLAB approve the application for minor variance subject to the conditions provided by Urban Forestry and Right-of -Way Management.

Mr. Santaguida, the solicitor for the City, indicated that the City no longer opposes the application. He submitted conditions to approval should the TLAB approve the application (Exhibit 4).

Ms. Fiona Dalziel and her husband live at 103 Inwood Avenue, directly to the north of the subject property. She pointed out that the survey is inaccurate as it identifies the dwelling to the south at 99 Inwood Avenue as 2- storey dwelling when it is a bungalow.

Ms. Dalziel agrees with Committee decision to refuse the application. In her opinion the variances do not meet the four tests of the Planning Act. Ms. Dalziel referred to highlighted sections of Chapter 4 of the Official Plan which requires development in established neighbourhoods to respect and reinforce the existing physical character of the neighbourhood including, but not limited to, the pattern of streets, blocks etc.; the size and configuration of lots; the heights, massing, scale and prevailing building types of nearby residential properties; the setbacks of building from the street; the prevailing pattern of rear and side yard setbacks and landscaped open space; and, the continuation of special landscape or built form features. The Official Plan states that no changes will be made through rezoning, minor variance etc. that are out of keeping with the physical character of the neighbourhood.

With respect to the variances, she noted that variance 1 would increase the floor space index to 0.681 times the lot area, greatly exceeding the permitted 0.45 times under both the by-laws. The house would be over 2600 sq. ft. which is larger than the typical 2-storey houses on the street and out of character with the massing and scale of other houses. In her opinion, this is not in keeping with the general pattern of houses on the street, not appropriate for the lot sizes on east side of Inwood Avenue, and not consistent with the physical character of other houses on the street.

Ms. Dalziel advised that her house is a 2-storey house renovated 10 years ago with a floor area of 1,642 ft² and an fsi of 0.393, which is typical for Inwood Avenue and the neighbourhood. She indicated that the proposed house would be significantly larger than their house or the bungalow to the south. She noted that there is a consistent lot size and pattern on Inwood Avenue which has been respected with other developments. There are 24 houses on Inwood Avenue north of Mortimer Avenue and south of Memorial Park Avenue; 13 houses on east side, and 11 houses on west side. The lots on the east side have a frontage that is 4 feet narrower and 540 ft² smaller than the lots on the west side. Of the 13 houses on the east side of Inwood Avenue, 8 are bungalows. Ms. Dalziel indicated that the five 2- storey houses on the east side have an

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fsi of less than 0.45 and there are no houses with an fsi greater than 0.7. Further, no houses on east side have an integral garage. All of the front doors and entrances are located on the south side of the house as noted in her photographs. In her opinion, the proposal is not modest, disrupts the streetscape, is inconsistent with the prevailing building type, the scale and massing of nearby houses, and the configuration of lots on the east side of the street. As such, in her opinion, it does not meet the intent and purpose of the Official Plan.

Variance 4 proposes to increase the height to 8.98 m from the permitted 8.5 m and variance 5 proposes to increase the main wall height to 7.5 m from the permitted 7 m. Ms. Dalziel stated that the height and design of the house is not in keeping with the physical characteristics and pattern of the houses in the neighbourhood and would result in a house being more than 4 feet taller than the typical house. She advised that her house is 7.8 m in height and in her view the proposed house would tower over it. She indicated that the proposed height would cause overlook concerns and have an adverse impact on the shadow, privacy, view, and enjoyment of the adjacent property.

In Ms. Dalziel's opinion, the increased height and fsi are a result of the design of the integral garage. The location of the garage also changes the front entrance from the south side of the house to the north side. She advised that the driveway between 103 Inwood Avenue (her property) and 101 Inwood Avenue (the subject property) is used by 103 Inwood Avenue. Every house on the street has a driveway on the south side of the house. Ms. Dalziel indicated that there is a 10.8 inch strip along the south side of the driveway between the houses that belongs to the 101 Inwood Avenue that she referred to as a maintenance strip. She advised that they park their car on the portion of the driveway between the houses. Their porch and front door are located to have easy access to the driveway. The norm is to have a detached garage at the back of the house. She opined that the reason that there are no integral garages on east side of the street is because the lots are narrower. Ms. Dalziel is concerned that if the porch and front door are located to the north of the house it would interfere with the safe opening of car doors on their driveway.

Ms. Dalziel advised that there is other opposition to at-grade integral garages in the City and referred to a letter to Council from the Ward 22 Councillor indicating that tall replacement houses with integral garages are not desirable for the appropriate development of the land for his area. He indicated that they have been successfully opposed at the Committee and requested a study of the area. In her view, the proposal would destabilize the design of the street, particularly the east side which is not desirable.

Ms. Dalziel indicated that an essential intent of the by-law is to limit the impact of new development on existing or adjacent properties. Variance 2 proposes to move the roof eaves of 101 Inwood to within 0.03 m of the north side lot line, much closer than the 0.9 m permitted under the by-law. Variance 3 proposes to move the side yard setback to 0.33 m from the north side lot line which is much closer than the 0.9 m permitted under the by-law. In her opinion this would adversely affect the adjacent property and not meet the intent and purpose of the zoning by-law. Further, the extended house would interfere with the existing fence line and the trees on her property which she does not

want removed or replaced.

Ms. Dalziel does not consider the height and size of the dwelling desirable for the appropriate development of the lot in this existing neighbourhood. In her opinion, the variances being requested are not minor and would consequentially increase the floor space index, lot coverage, size, height, width and massing of the house.

In her opinion, the decision of the Committee should be upheld.

Ms. Karen Koumouras and her husband are the owners of 105 Inwood Avenue, two houses to the north of the subject property. She indicated her support for Ms. Dalziel's evidence. Ms. Koumouras added a second storey and a main floor extension to their house but they maintained the side yard setback for the extension. In her opinion, the fsi is excessive, and the height would dwarf the homes on the east side of the street.

In reply, Mr. Ryuck made the following points:

- The existing dwelling has a 0.33 m setback from the north property line and the proposal is to extend the same setback to the 17 m length. The side yard on the south side is greater and exceeds the zoning by-law requirement. The proposed dwelling was sited closer to the north lot line along the existing foundation similar to the houses at 103 and 105 Inwood Drive which is the pattern of development in the area.
- The house at 84 Inwood Avenue has an fsi of 0.7
- As noted on the north elevation, there are no windows on the north edge to address privacy and overlook concerns.
- The orientation of front entrance maintains the pattern on the street as the driveway is maintained on the south side.
- There will be no interference with the use of the adjacent property or driveway to north. The site plan demonstrates there are no obstructions, and there is no requirement for a setback for the porch.
- There is no variance required for an integral garage. The by-law requires a minimum frontage of 7.62 m for an integral garage, and the subject property has a frontage of 9.45 m.
- Planning staff had no issues other than the length of the dwelling which has been addressed.
- There is no easement between the properties and the development will take place within the subject property.
- The proposed eaves setback is typical on the street and is what exists currently.

ANALYSIS, FINDINGS, REASONS

The TLAB has carefully considered the submissions of the Participants, both orally and in the Participant Statements in addition to the evidence of the Applicant's professional planner.

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The Participants consider the proposed house to be out of character with the neighbourhood. One of the main concerns was the integral garage and the location of the front door and porch. While the TLAB appreciates this concern, the proposed dwelling does not require a variance for the integral garage or the location of the porch or front door. The by-law does not control the location of the front door. With regard to the integral garage, the evidence of Mr. Ryuck was that the minimum frontage required for an integral garage is 7.62 m. The subject property has a frontage of 9.45 m which exceeds this minimum. While I accept that the lots on the west side of Inwood Avenue are wider and larger, the by-law applies the same zoning standards to both sides of the street and regulates an integral garage based on a minimum lot frontage. All of the lots in the area that meet the frontage requirement would be permitted to have an integral garage unless the City changes the zoning by-law. Ms. Dalziel referred to the letter to Council from the Councilor of Ward 22. The letter refers to houses where the garage dominates the frontage of the house. A review of the proposed front elevation does not lead me to the conclusion that the garage dominates the frontage of the house.

I agree with the Participants that the integral garage is related to the height variance. The issue is the amount of the variance and its impact, if any. The proposed height is 0.48 m higher than permitted, the equivalent to just less than 19 inches. Mr. Ryuck characterized this as a sliver of the roof. He further indicated that the eaves would be consistent with the houses to the north.

The height variance must be considered in conjunction with the north side yard variance as the closer the building is to the lot line, the greater the potential impact of the additional height.

I agree with Mr. Ryuck that the 0.33 m side yard condition on the north side is a common condition along the street and indeed is the same condition that the Participants' dwellings have maintained when they added a second storey. In that regard, the proposed dwelling is not introducing a new structure that is closer to the property line but one that is taller and longer. Both of the Participants' houses are two-storeys with heights that are lower than the proposed dwelling but also lower than the as-of-right height permission of 8.5 m. The TLAB must consider the impacts in association with the as-of-right zoning of the adjacent and nearby dwellings as this can be considered part of the "planned" context of the area since no approvals are needed to build to the by-law standards. The reduced north side yard setback must also be considered in conjunction with the south side yard setback, which exceeds the by-law standard, in terms of the placement of the dwelling on the lot.

The plans indicate that the current dwelling is 12.185 m in length. I find that there would be negligible impact from the additional height at the existing north side yard setback for the length of the existing dwelling, particularly as there are no windows on the north wall. However, I am concerned with the potential impact of the reduced side yard for the additional length of the building which is 4.818 m. As noted by Ms. Koumouras and can be seen on the context map, the addition at 105 Inwood Avenue that extended beyond the existing foundation respected the minimum setback in the by-law. While it is appropriate to recognize the current footprint of the dwelling I consider it undesirable to extend the dwelling further into the lot with a negligible setback on the north side.

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The proposed coverage is 0.36% over the by-law provision which I find that both qualitatively and quantitatively to be minor and indiscernible, however, with an additional north yard setback for the rear of the house, the coverage would be reduced accordingly, as would the fsi. The fsi results from the deployment of the density on the lot. I find the front yard setback appropriate as it aligns with the other houses on the street. There are no rear yard or south side yard variances required. I have addressed the height variance and the setback variance for the rear extension on the north side. Taken together, these result in an fsi of that will be approximately 0.68 (which will be reduced somewhat as a result of the additional setback for the rear of the dwelling) which I find appropriate in this context.

Similarly, the eaves variance is reflecting the existing situation for the current length of the building and will be further setback for the additional length.

I am satisfied that the reduction in setback for the length of the existing building with a modest increase in height will not cause any undue adverse privacy, sunlight or sky view issues. While the TLAB appreciates the concerns of the Appellant, there was no technical evidence to support these concerns.

With respect to the issue of the driveway and the maintenance strip, the TLAB cannot require an owner to provide access over their property to an adjacent neighbour. The plans indicate that the dwelling will be constructed wholly within the property boundaries. As noted, the TLAB cannot dictate the location of the front door on the front elevation.

The prevailing building type in the Official Plan refers to the type of dwelling. In this case, the prevailing building type is a single detached dwelling. The proposal conforms to the Official Plan in this respect.

The TLAB is satisfied that the requested variances, as amended below, with the conditions proposed by the City, meet the criteria set out in Section 45(1) of the Planning Act. The general purpose and intent of the Official Plan and Zoning By-laws is maintained. The proposal results in an appropriate and desirable development for subject property and the variances are considered minor in the context.

The TLAB is satisfied that the variances are consistent with the Provincial Policy Statement and conform to the Growth Plan.

DECISION AND ORDER

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

1. Chapter 10.20.40.40. (1)(A), By-law 569-2013

The maximum permitted floor space index of a detached dwelling is 0.45 times the area of the lot (174.39m²).

The new detached dwelling will have a floor space index equal to 0.6815

times the area of the lot (264.14m²).

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

Roof eaves may project a maximum of 0.9m provided that they are no closer than 0.3m to a lot line.

The roof eaves will be located 0.03m from the north side lot line for the portion of the dwelling located 0.33 m from the north side lot line.

3. Chapter 10.20.40.70. (3)(B), By-law 569-2013

The minimum required side yard setback is 0.9m.

The new detached dwelling will be located 0.33m from the north side lot line for a length of 12.185 m.

4. Chapter 10.20.40.10. (1)(A), By-law 569-2013

The maximum permitted building height is 8.5m.

The new detached dwelling will have a height of 8.98m.

5. Chapter 10.20.40.10. (2)(B)(I), By-law 569-2013

The maximum height of all exterior main walls facing a side lot line is 7m.

The height of the side exterior main walls facing a side lot line will be 7.5m

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The new detached dwelling will have a floor space index equal to 0.6815 times the area of the lot (264.14m²).

3. Section 7.2.3, By-law 6752

The minimum required front yard setback is 6m.

The new detached dwelling will be located 4.73m from the west front lot line.

4. Section 7.2.3, By-law 6752

The maximum permitted lot coverage is 35% of the lot area (135.64m²).

The lot coverage will be equal to 35.36% of the lot area (137.05m²)

5. Section 7.2.3, By-law 6752

The minimum required side yard setback is 0.9m.

The new detached dwelling will be located 0.33m from the north side lot line for a length of 12.185 m.

Conditions of Approval

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Urban Forestry:

1. Where there are no existing street trees, the owner shall submit a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application or elsewhere in the community if there is no space. The current cost of planting a tree is \$583.00, subject to changes.

Transportation Services:

2. The proposed private driveway be paved with semi-permeable paving material.

3. Restore any curb cuts for obsolete driveways to a full curb, and submit a vehicular access application to Right of Way Management, Construction Activities, 55 John Street, Metro Hall, Toronto, or call 416-392-7877.

X 

L. McPherson

Panel Chair, Toronto Local Appeal Body