

DECISION AND ORDER

Decision Issue Date Tuesday, June 18, 2019

PROCEEDING COMMENCED UNDER section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): CITY OF TORONTO

Applicant: KLAUS NIENKAMPER

Property Address/Description: 878 PALMERSTON AVE

Committee of Adjustment Case File Number: 17 240399 STE 20 MV

TLAB Case File Number: 19 116575 S45 11 TLAB

Electronic Hearing date: Wednesday, May 15, 2019

DECISION DELIVERED BY SEAN KARMALI

APPEARANCES

Name	Role	Representative
City of Toronto	Appellant	Michael Mahoney
Jordan Kemp	Applicant/Party	

INTRODUCTION

[1] This is an appeal ('Appeal') from the Toronto and East York Panel of the City of Toronto's ('City') Committee of Adjustment ('COA') approving an application ('Application'), without conditions, to convert the existing two-storey detached garage of 878 Palmerston Avenue (the 'Subject Property') into a laneway suite.

[2] The Subject Property is located in a neighbourhood south of Dupont Avenue and west of Palmerston Avenue.

Decision of Toronto Local Appeal Body Panel Member: S. KARMALI
TLAB Case File Number: 19 116575 S45 11 TLAB

[3] There are only two parties in this Appeal – the City and the Applicant (the ‘Parties’). The Applicant/Owner Mr. Klaus Nienkamper has authorized Bousfields Inc. to represent him, and specifically, Mr. Jordan Kemp, as indicated on Form 5 – Authorized Representative. Mr. Kemp completed Form 4 – Notice of Intention to be a Party. There are no participants in this Appeal according to the List of Appellants, Parties, Participants and Legal Representatives, which was posted on the public record on March 14, 2019.

[4] A date for a Hearing was scheduled for June 17, 2019.

[5] On March 18, 2019, Mr. Kemp initiated a request for an electronic (teleconference) settlement Hearing pursuant to Rule 19 – Settlement, and Rule 24.4 – Factors Considered for Holding an Electronic Hearing.

[6] The Toronto Local Appeal Body (‘TLAB’) is committed to encouraging Parties to settle issues by informal discussion, exchange and Mediation.

[7] Mr. Kemp and Mr. Mahoney arrived at a proposed settlement, which was to have the conditions contained in a November 16, 2018 Memorandum from the City of Toronto’s Engineering and Construction Services (‘ECS’) attached to the approval decision of the COA (the ‘Initial Decision’)

[8] The Initial Decision was approved without the conditions recommended by ECS. It is unclear to me whether the COA was aware of these conditions before it made its decision.

[9] A settlement hearing on the terms of the proposed settlement terms (‘Settlement Terms’) requires the TLAB give notice to all parties and participants of the date, time, and location of the hearing.

[10] Mr. Kemp’s request, however, also included a request for an electronic Hearing.

[11] The factors in deciding when an electronic Hearing should be held are contained in Rule 24.4. Mr. Kemp provided a rationale for each factor. He wrote that an electronic Hearing is the most appropriate type of hearing for this matter because:

- a) it is the most convenient form of Hearing to the Parties and the Local Appeal Body as it will expedite a hearing in the matter without requiring attendance at an Oral Hearing;
- b) it is less costly, faster and more efficient by forgoing scheduling an Oral Hearing date in the future and speeding up the potential for an earlier resolution;
- c) it will be fair and accessible process for the Parties;
- d) there is little necessity for public participation as the matter mostly relates to technical requirements of the City’s engineering group and is not being appealed by another Party;

- e) as such, and since the matter is on consent, there is no need to introduce evidence other than the evidence in the public record, all of which is suitable for an Electronic Hearing;
- f) credibility is not an issue in this matter and there are no facts in dispute; and,
- g) the Parties consent to the settlement as expediting the resolution will not cause significant prejudice to either Party.

[12] Mr. Mahoney, who completed Form 1 – Notice to Appeal, supported Mr. Kemp’s reasons, above, for an electronic Hearing to be held. Mr. Mahoney stated that an electronic Hearing of this matter would secure the just, most expeditious and cost-effective determination on its merits pursuant to Rule 2.2.

[13] I accepted that a hearing on the proposed Settlement Terms be held by conference telephone call.

[14] Rule 19.4 empowers the TLAB to issue an order giving effect to Settlement Terms and any necessary amendments provided there is no person at the hearing who opposes the proposed settlement.

[15] Despite the presence of a proposed settlement, which should be given great weight, the TLAB must still be satisfied that the considerations raised by provincial policy and subsection 45(1) of the *Planning Act* (as set out below), are satisfactorily met by the settlement proposal, and that the public interest is served.

[16] On April 18, 2019, a Notice of Electronic Hearing was disclosed establishing a hearing date of May 15, 2019.

[17] I maintained the Oral Hearing scheduled on June 17, 2019 for this matter should Parties experience a breakdown in their own settlement discussions, or if I decided not to give effect to the Settlement Terms following the electronic Hearing.

BACKGROUND

[19] I advised the parties I had visited the Subject Property and reviewed the materials on the public record.

[20] The Subject Property is located in an area with a land use designated *Neighbourhoods* in the current Toronto Official Plan, as amended.

[21] The Subject Property is zoned Residential (R2) under former City of Toronto Zoning By-law No. 438-86 and zoned Residential (‘R’) in 569-2013.

[22] An Official Plan Amendment ('OPA 403') was adopted in June 2018. It permits the development of laneway suites within *Neighbourhoods* located within the site and area specific policy of the 546 area, on which the Subject Property is.

[23] OPA 403 includes policies for the development of a laneway suite, and criteria to follow for an application under Section 45 of the *Planning Act*, as amended ('the Act').

[24] An area specific Zoning By-law ('By-law 810-2018') was also adopted, which permits laneway suites in the rear yards of properties that abut a public laneway within the R zone. By-law 810-2018 also includes performance standards.

[25] A City Planning Staff Report for Information ('the 2019 Staff Report') dated January 24, 2019 indicates the rear ancillary building is an existing condition, and its conversion into a legal laneway suite generally fit within the requirements of the City's laneway suite zoning requirements.

[26] On January 30, 2019, the COA heard and approved the Application without conditions attached (the 'COA hearing')

[27] As noted in his appeal covering letter dated on February 19, 2019, Mr. Mahoney, on behalf of the City of Toronto, appeals the Initial Decision because:

1. Without the requested conditions, the requested variances do not maintain the general intent and purpose of the Official Plan. The conditions provided by Development Engineering are necessary to comply with the requirements for development of laneway enacted under OPA 403;
2. Absent the conditions, the requested variances are not minor and are not desirable for the appropriate development of the Site;
3. The proposal does not constitute good planning; and,
4. Any further reasons that counsel may provide and that the TLAB may allow

MATTERS IN ISSUE

[28] The following ten variances are requested by Mr. Kemp on behalf of the Applicant:

1. Chapter 150.8.50.10.(1)(B), By-law 569-2013
<i>A minimum of 85% (44.78 m²) of the area between the rear main wall of the residential building and the front main wall of the ancillary building containing a laneway suite must be maintained as soft landscaping.</i>
In this case, 78.34% (41.27 m ²) of the area between the rear main wall of the residential building and the front main wall of the converted ancillary building will be maintained as soft landscaping.

2. Chapter 150.8.50.10.(1)(C), By-law 569-2013

A minimum of 75% of the area between the ancillary building containing a laneway suite and the lot line abutting a lane, excluding a permitted driveway, must be maintained as soft landscaping

In this case, there will be no soft landscaping.

3. Chapter 150.8.60.20.(2)(B), By-law 569-2013

The minimum required setback from a rear lot line that abuts a lane for an ancillary building containing a laneway suite with openings in the rear main wall is 1.5 m.

In this case, the converted ancillary building will be located between 0.29 m and 1.16 m from the rear lot line abutting a public lane.

4. Chapter 150.8.60.20.(3)(C), By-law 569-2013

The minimum required side lot line setback for an ancillary building containing a laneway suite, where the side main wall contains openings and the side lot line does not abut a street, is 1.5 m.

The ancillary building containing a laneway suite will be located 0.12 m from the north side lot line at the ground floor and will be located 1.44 m from the south side lot line at the second floor.

5. Chapter 150.8.60.30.(1)(B), By-law 569-2013

The minimum required separation between an ancillary building containing a laneway suite with a building height over 4 m and a residential building on the same lot is 7.5 m.

The separation between the converted ancillary building and the residential building will be 6.99 m.

6. Chapter 150.8.60.30.(2), By-law 569-2013

The front main wall of an ancillary building containing a laneway suite may not penetrate a 45 degree angular plane projected towards the rear lot line beginning from a height of 4 m at a distance of 7.5 m from the rear main wall of the residential building.

The converted ancillary building will penetrate the angular plane.

7. Chapter 150.8.60.30.(4), By-law 569-2013

The maximum permitted length of an ancillary building containing a laneway suite is 10 m.

The converted ancillary building will have a building length of 10.81 m.

8. Chapter 150.8.60.30.(5), By-law 569-2013

The maximum permitted building width of an ancillary building containing a laneway suite, measured perpendicular to the lot centreline, is 8 m.

The converted ancillary building will have a building width of 9.22 m.

9. Chapter 150.8.60.40.(1), By-law 569-2013

Provided that the ancillary building is between 5 m and 7.5 m from the residential building on the same lot, the maximum permitted height of an ancillary building containing a laneway suite is 4 m.

The converted ancillary building will have a height of 6.6 m.

10. Chapter 150.8.60.70.(1), By-law 569-2013

The maximum permitted lot coverage for all ancillary buildings on the lot is 30%.

The lot coverage of all ancillary buildings on the lot is 30.6%.

[29] A related matter is whether the revised Settlement Terms, which have been consented to by Mr. Mahoney and Mr. Kemp, are fair and balanced and in keeping with the public interest.

JURISDICTION

[30] Provincial Policy – S. 3

A decision of the Toronto Local Appeal Body 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').

[31] 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

[32] The evidence which forms the basis of my decision and order include my visit to the Subject Property, the materials on the public record for this matter, and the information gleaned from the teleconference I had with Mr. Mahoney and Mr. Kemp in the afternoon of May 15, 2019. I note there was neither written evidence marshalled, nor any expert witness testimony provided on this day.

[33] I also rely on the Official Plan and Zoning By-law amendments of June 2018 permitting laneway suites in residential zones in the Toronto and East York Districts.

ANALYSIS, FINDINGS, REASONS

[34] The Subject Property has an ancillary rear structure to the principal dwelling, which is not an uncommon characteristic within this neighbourhood.

[35] The purpose of the COA Application is convert the existing two-storey detached garage to a laneway suite accessible through the rear yard laneway of the existing two and a half-storey detached dwelling; and to replace the existing rear yard deck with soft landscaping.

[36] Laneways are constructed to provide vehicular access to parking garages for homes which already have a frontage to a public street. The Official Plan cannot be said to have fully contemplated the provision of housing on laneways.

[37] OPA 403 now permits a laneway suite for the Subject Property. The suite must be subordinate to the primary dwelling. This is not dissimilar from having a secondary unit within a principal dwelling.

[38] OPA 403 also indicates that the development of laneway suites:

- i. will ensure direct and safe access by meeting fire and emergency service requirements;
- ii. will limit privacy and overlook issues on adjacent properties;
- iii. will limit the reduction of soft landscaping on the property;
- iv. should not result in the injury or removal of a healthy tree protected under Municipal Code Chapter 658 and Chapter 813
- v. may include accessible design features; and,
- vi. is encouraged to include green roof areas, solar panels and other sustainable building technologies.

[39] I would place emphasis on the point that direct and safe access is ensured when fire and emergency service requirements are met. Emphasis should also be placed on the efforts made to not limit soft landscaping.

[40] OPA 403 also states where a Section 45 application is made in relation to the construction of a laneway suite that does not conform to the zoning standards, the application shall be generally consistent with one or more of the following:

- i. the construction of a suite that meets accessible building standards;
- ii. the construction of a suite that meets Tier 2 of the Toronto Green Standards;

Decision of Toronto Local Appeal Body Panel Member: S. KARMALI
TLAB Case File Number: 19 116575 S45 11 TLAB

- iii. accommodating the laneway suite within an existing ancillary building; and,
- iv. locating a laneway suite to avoid the removal of an existing tree protected under Municipal Code Chapter 658 and Chapter 813.

[41] It would appear to me that converting the garage on the Subject Property into a laneway suite fits into the criterion above of accommodating the laneway suite within an existing ancillary building.

[42] I accept that all of the requested variances maintain the general intent and purpose of the Official Plan, as amended.

[43] By-law 810-2018 includes requirements for laneway suite use, yard landscaping, setbacks, separation and dimensions, height, and floor area.

[44] I can appreciate that OPA 403 and By-law 810-2018 have triggered most of the requested variances. While I am not satisfied the yard landscaping requirements have been met, I do find the 2019 Staff Report reassuring. In particular, I am compelled by this statement: "Staff acknowledge that the rear ancillary building is an existing condition and its conversion into the legal laneway suite generally fit within the requirements of the recently enacted Zoning By-law and will not have any additional impact to adjacent properties."

[45] I accept that all of the requested variances cumulatively maintain the general intent and purpose of the Zoning By-law.

[46] Is the converting of a garage into a laneway suite desirable for the appropriate development or use of this land?

[47] Provincial policies support laneway suites. 1.1.1 b) of the Provincial Policy Statement emphasizes healthy, liveable communities are sustained by an appropriate range and mix of residential uses, including secondary units. Section 2.2.1.4 c) of the Growth Plan, for example, mentions that complete communities include a diverse range and mix of housing options, including secondary units to accommodate people at all stages of life.

[48] Furthermore, the Changing Lanes Review of Laneway Suites Final Report 2018, which was mentioned in some of the materials on the public record, states that a new form of "ground-related, rental, and extended family housing that will fit appropriately within the scale of established *Neighbourhoods*, and limit their impact on the existing physical character, while contributing to the growth of the City's rental housing stock."

[49] I, therefore, accept that all of the requested variances to convert the Subject Property garage into a laneway suite is at least a desirable use of this land. I also accept that the requested variances are cumulatively minor in nature. In my view, yard landscaping is vital for the potential residents of this laneway suite, and the neighbourhood in general. The Applicant should ensure that this is point is not lost in development process.

[50] Prior to electronic Hearing of May 15, 2019, the Settlement Terms were simply to attach the conditions outlined in the ECS memo to the Initial Decision. These were the conditions contained that memo:

While there are no concerns with your Committee granting approval of the minor variance application, it is subject to the Owner satisfying the following:

1. Submit a signed and sealed certification letter from a Professional Engineer to confirm that the water and sewer services for the two-storey laneway unit are from Palmerston Avenue, and are connected through the existing lot/dwelling;
2. Submit revised drawings to show:
 - a) The relocation/removal of the stairs from the south side of the exiting dwelling, in order to provide the required 1 m minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access;
 - b) The notation to indicate that "The existing fence/gate on the south side of the existing dwelling will be removed to provide required 1 m minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access purposes; and
 - c) A fire hydrant that is located within 45 m of the proposed two-storey entrance to the laneway suite, without using the lane for access; and
3. Contact municipal numbering staff at municipaladdress@toronto.ca prior to the issuance of a building permit, to obtain or verify new municipal address prior to submitting an application for a building permit. All addressed parcels and structures must have the correct municipal address posted. For further details visit www.toronto.ca/municipal-numbering.

Municipal addresses are required for the purpose of setting up the water account with the city of Toronto when the application is made for the proposed sewer and/or water service connection (as applicable).

[51] At the electronic Hearing, Mr. Mahoney expressed that the City would be satisfied, in addition to the ECS conditions, with Settlement Terms ensuring the Initial Decision is tied to Applicant building substantially in accordance with the approved plans, which were before the COA on January 30, 2019.

[52] Mr. Kemp expressed some slight reluctance about a possible condition of building substantially in accordance with the approved plans. He indicated that he is keen on moving the project forward and will work with Mr. Mahoney to find common ground in what would become revised Settlement Terms.

Decision of Toronto Local Appeal Body Panel Member: S. KARMALI
TLAB Case File Number: 19 116575 S45 11 TLAB

[53] With the change of course, I put to the Parties to provide me with a comprehensive document which details an amended proposal ('Amended Settlement Terms'). I indicated the document can be in the form of an email and must clearly show that both parties have agreed to the Amended Settlement Terms. A one-week soft submission deadline from the May 15, 2019 electronic Hearing was considered reasonable by the parties.

[54] An agreement between Mr. Mahoney and Mr. Kemp was reached in respect of Amended Settlement Terms on May 24, 2019. These Terms are indicated below:

The City and the Owner (the "Parties"), via the Owner's agent, have discussed and resolved concerns about the Application and agreed to settle the Appeal on the following terms:

1. The Parties jointly request that the TLAB approve the minor variances that were approved in the Decision of the Committee of Adjustment dated January 30, 2019, attached to this message, substantially in accordance with the plans that were before the Committee at that time, subject to conditions as described below.
2. The Parties jointly request that the TLAB approve the minor variances subject to following conditions:
 - a. Approval of the minor variances are subject to the Owner satisfying the following:
 - i. The Owner shall submit to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services a signed and sealed certification letter from a Professional Engineer to confirm that the water and sewer services for the two-storey laneway suite are from Palmerston Avenue, and are connected through the existing lot/dwelling;
 - ii. The Owner shall submit revised drawings to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services to show:
 - a) The relocation/removal of the stairs from the south side of the existing dwelling, in order to provide the required 1 metre minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access;
 - b) A notation to indicate that "The existing fence/gate on the south side of the existing dwelling will be removed to provide required 1 metre minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access purposes; and
 - c) The securing of fire and emergency access to the two-storey laneway suite according to the following requirements:
 1. The main entrance of the two-storey laneway suite is to be a maximum 45 metres from the Municipal street and unobstructed (the "Maximum Unobstructed Distance from Main Entrance");
 2. A fire hydrant is required to be located within a maximum of 45 metres from the Maximum Unobstructed Distance from Main Entrance and unobstructed, ensuring that a fire hydrant will be located within 90 metres of the main entrance to the two-storey laneway suite; and

Decision of Toronto Local Appeal Body Panel Member: S. KARMALI
TLAB Case File Number: 19 116575 S45 11 TLAB

3. Access to the two-storey laneway suite is to be provided via a walkway that is a minimum of 1 metre in width and 2.1 metres in height.

iii. The Owner shall contact municipal numbering staff at municipaladdress@toronto.ca prior to the issuance of a building permit, to obtain or verify new municipal address prior to submitting an application for a building permit. All addressed parcels and structures must have the correct municipal address posted. For further details visit www.toronto.ca/municipal-numbering.

3. The Parties will not seek costs in connection with this appeal.

[55] I note the main difference between the pre-May 15, 2019 settlement proposal and the May 24, 2019 Amended Settlement Terms is the addition of 2 a. ii. c) – an elaborate wording on the securing of fire and emergency access to the two-storey laneway. I do not find a significant issue here.

[56] I am generally satisfied the Amended Settlement Terms facilitate good planning and help serve the public interest.

[57] I appreciated that the Parties worked together to find, what appears to me is, a fair and balanced resolution.

DECISION AND ORDER

[58] I approve of the minor variances, substantially in accordance with the plans that were before the COA on Wednesday, January 30, 2019. These plans are indicated on the public record. All of the terms and conditions identified in the Amended Settlement Terms shall apply to this approval. I order the June 17, 2019 hearing date vacated as it is no longer necessary. Schedule 1, attached, shows the ten approved variances and the Amended Settlement Terms.

X  Date: 2019.06.18
15:33:16 -05'00'

Sean Karmali
Panel Chair, Toronto Local Appeal Body

SCHEDULE 1

The following ten variance requests by the Applicant for 878 Palmerston Avenue (the 'Subject Property') are approved by the Toronto Local Appeal Body on Friday, June 14, 2019. The terms and conditions in the Amended Settlement Terms, as agreed to by the Appellant and the Applicant on May 24, 2019 shall bind to the variance approval.

VARIANCE REQUESTS

1. Chapter 150.8.50.10.(1)(B), By-law 569-2013
<i>A minimum of 85% (44.78 m²) of the area between the rear main wall of the residential building and the front main wall of the ancillary building containing a laneway suite must be maintained as soft landscaping.</i>
In this case, 78.34% (41.27 m ²) of the area between the rear main wall of the residential building and the front main wall of the converted ancillary building will be maintained as soft landscaping.
2. Chapter 150.8.50.10.(1)(C), By-law 569-2013
<i>A minimum of 75% of the area between the ancillary building containing a laneway suite and the lot line abutting a lane, excluding a permitted driveway, must be maintained as soft landscaping</i>
In this case, there will be no soft landscaping.
3. Chapter 150.8.60.20.(2)(B), By-law 569-2013
<i>The minimum required setback from a rear lot line that abuts a lane for an ancillary building containing a laneway suite with openings in the rear main wall is 1.5 m.</i>
In this case, the converted ancillary building will be located between 0.29 m and 1.16 m from the rear lot line abutting a public lane.
4. Chapter 150.8.60.20.(3)(C), By-law 569-2013
<i>The minimum required side lot line setback for an ancillary building containing a laneway suite, where the side main wall contains openings and the side lot line does not abut a street, is 1.5 m.</i>
The ancillary building containing a laneway suite will be located 0.12 m from the north side lot line at the ground floor and will be located 1.44 m from the south side lot line at the second floor.
5. Chapter 150.8.60.30.(1)(B), By-law 569-2013
<i>The minimum required separation between an ancillary building containing a laneway suite with a building height over 4 m and a residential building on the same lot is 7.5 m.</i>
The separation between the converted ancillary building and the residential building will be 6.99 m.
6. Chapter 150.8.60.30.(2), By-law 569-2013
<i>The front main wall of an ancillary building containing a laneway suite may not penetrate a 45 degree angular plane projected towards the rear lot line beginning from a height of 4 m at a distance of 7.5 m from the rear main wall of the residential building.</i>
The converted ancillary building will penetrate the angular plane.

7. Chapter 150.8.60.30.(4), By-law 569-2013
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<i>The maximum permitted length of an ancillary building containing a laneway suite is 10 m.</i>
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The converted ancillary building will have a building length of 10.81 m.
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8. Chapter 150.8.60.30.(5), By-law 569-2013
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<i>The maximum permitted building width of an ancillary building containing a laneway suite, measured perpendicular to the lot centreline, is 8 m.</i>
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The converted ancillary building will have a building width of 9.22 m.
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9. Chapter 150.8.60.40.(1), By-law 569-2013
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<i>Provided that the ancillary building is between 5 m and 7.5 m from the residential building on the same lot, the maximum permitted height of an ancillary building containing a laneway suite is 4 m.</i>
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The converted ancillary building will have a height of 6.6 m.

10. Chapter 150.8.60.70.(1), By-law 569-2013

<i>The maximum permitted lot coverage for all ancillary buildings on the lot is 30%.</i>
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The lot coverage of all ancillary buildings on the lot is 30.6%.
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AMENDED SETTLEMENT TERMS

The City and the Owner (the "Parties"), via the Owner's agent, have discussed and resolved concerns about the Application and agreed to settle the Appeal on the following terms:

1. The Parties jointly request that the TLAB approve the minor variances that were approved in the Decision of the Committee of Adjustment dated January 30, 2019, attached to this message, substantially in accordance with the plans that were before the Committee at that time, subject to conditions as described below.
2. The Parties jointly request that the TLAB approve the minor variances subject to following conditions:
 - a. Approval of the minor variances are subject to the Owner satisfying the following:
 - i. The Owner shall submit to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services a signed and sealed certification letter from a Professional Engineer to confirm that the water and sewer services for the two-storey laneway suite are from Palmerston Avenue, and are connected through the existing lot/dwelling;
 - ii. The Owner shall submit revised drawings to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services to show:
 - a) The relocation/removal of the stairs from the south side of the existing dwelling, in order to provide the required 1 metre minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access;

Decision of Toronto Local Appeal Body Panel Member: S. KARMALI
TLAB Case File Number: 19 116575 S45 11 TLAB

- b) A notation to indicate that "The existing fence/gate on the south side of the existing dwelling will be removed to provide required 1 metre minimum unencumbered path from Palmerston Avenue to the two-storey laneway suite for fire and emergency access purposes; and
 - c) The securing of fire and emergency access to the two-storey laneway suite according to the following requirements:
 - 1. The main entrance of the two-storey laneway suite is to be a maximum 45 metres from the Municipal street and unobstructed (the "Maximum Unobstructed Distance from Main Entrance");
 - 2. A fire hydrant is required to be located within a maximum of 45 metres from the Maximum Unobstructed Distance from Main Entrance and unobstructed, ensuring that a fire hydrant will be located within 90 metres of the main entrance to the two-storey laneway suite; and
 - 3. Access to the two-storey laneway suite is to be provided via a walkway that is a minimum of 1 metre in width and 2.1 metres in height.
 - iii. The Owner shall contact municipal numbering staff at municipaladdress@toronto.ca prior to the issuance of a building permit, to obtain or verify new municipal address prior to submitting an application for a building permit. All addressed parcels and structures must have the correct municipal address posted. For further details visit www.toronto.ca/municipal-numbering.
4. The Parties will not seek costs in connection with this appeal.