

**Toronto Local Appeal Body** 

40 Orchard View Blvd, Suite 211 Toronto, Ontario M4R 1B9 
 Telephone:
 416-392-4697

 Fax:
 416-696-4307

 Email:
 tlab@toronto.ca</tlab/</td>

 Website:
 www.toronto.ca/tlab//www.toronto.ca/www.toronto.ca/www.toronto.ca/www.toronto.ca/www.toronto.ca/www.toronto.ca/www.toronto.ca//www.toronto.ca/www.toronto.ca/www.toronto.ca/www.toronto.ca//www

# **DECISION AND ORDER**

Decision Issue Date Friday, July 05, 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): ARMIN AZARNIA

Applicant: RUBINOFF DESIGN GROUP

Property Address/Description: 271 MELROSE AVE

Committee of Adjustment Case File Number: 18 247561 NNY 16 MV

TLAB Case File Number: 18 272258 S45 08 TLAB

Hearing date: Wednesday, May 29, 2019

#### **DECISION DELIVERED BY GILLIAN BURTON**

## **APPEARANCES**

Name	Role	Representative
Rubinoff Design Group	Applicant	
Sally Firth	Owner	
Armin Azarnia	Appellant	Jennifer Meader
Andrew and Siobhan Farrer	Participants	
David Riley	Expert Witness	

# INTRODUCTION

This is an appeal to the Toronto Local Appeal Body (TLAB) from the Committee of Adjustment (COA) decision of December 6, 2018, in which four variances were sought

for the purpose of constructing a single detached dwelling on the subject lot at 271 Melrose Ave. in North Toronto.

The property is designated Neighbourhoods in the City of Toronto Official Plan (OP). It is zoned Residential (R)(f7.5; d0.6)(x604) in the City of Toronto Zoning By-law No. 569-2013. The new dwelling would have an integral garage and an elevated rear deck.

# BACKGROUND

The COA approved two of the requested variances, those for eaves projections and the height of side exterior main walls. It refused the two other variances, relating to building depth and floor space index. Ms. Meader stated that her client's intention is to seek approval for the plans that originally were submitted to the COA, including a 19.05 m depth variance, rather than the 18m put forth as a compromise at the COA hearing. The plans were never altered, and accurately reflect this requested depth variance of 19.05m.

Mr. Andrew Farrer, the neighbour at 275 Melrose Avenue to the west, filed a Notice to become a Party to the appeal. Rule 16.4 of the TLAB Rules requires that a Party file a Witness Statement prior to a Hearing. This provides disclosure for the other Parties and Participants. However, nothing further was received from Mr. Farrer.

# **MATTERS IN ISSUE**

The general questions were the usual ones, whether the application met the applicable tests in the Act. In addition, the neighbours Mr. and Mrs. Farrer objected almost exclusively to the proposed depth variance.

# JURISDICTION

For variance appeals, the TLAB must ensure that each of the variances sought meets the tests in subsection 45(1) of the Act. This involves a reconsideration of the variances considered by the Committee in the physical and planning context. The subsection requires a conclusion that each of the variances, individually and cumulatively:

- maintains the general intent and purpose of the official plan;
- maintains the general intent and purpose of the zoning by-law;
- is desirable for the appropriate development or use of the land, building or structure; and
- is minor.

These are usually expressed as the "four tests", and all must be satisfied for each variance.

In addition, TLAB must have regard to matters of provincial interest as set out in section 2 of the Act, and the variances must be consistent with provincial policy

statements and conform with provincial plans (s. 3 of the Act). A decision of the TLAB must therefore be consistent with the 2014 Provincial Policy Statement (PPS) and conform to (or not conflict with) any provincial plan such as the Growth Plan for the Greater Golden Horseshoe (Growth Plan or GP) for the subject area.

Under s. 2.1(1) of the Act, TLAB is also to have regard for the earlier Committee decision and the materials that were before that body.

# EVIDENCE

The appellant/owner's evidence was provided by Mr. David Riley, an experienced land use planner qualified as an expert for this purpose. He had accepted this file following the COA hearing. The current owner is Mr. Armin Azarnia, who purchased the property after the COA application had been made, and is carrying on this appeal.

Mr. Riley had recently identified another variance that the Zoning Examiner did not include in the Zoning Notice of October 18, 2018. This variance, for soft landscaping in the front yard, is sought to be added in this appeal. The details are below.

Mr. Riley testified that the subject property is located on the south side of Melrose Avenue, in a low density residential neighbourhood characterized by single and semidetached dwellings, mid-way between Lawrence Avenue West (to the south) and Wilson Avenue (to the north). He chose as the relevant area for assessing the application Melrose Avenue east of Avenue Road. He did not include the east side of Avenue Rd., as it is in a different zone. The area he studied closely is somewhat more limited, i.e. the subject block and one block to the east on Melrose, and the two streets north and south of Melrose. He described it generally as including properties within a residential zone east of Avenue Road and within 500 metres of the subject property. A map showing the location of the property in relation to the surrounding streets is shown in Exhibit 2, p. 2.

The lots along Melrose here are generally similar in terms of depth and width, with some variations in the size of lots close to street corners (Ex. 2, p. 3). There are detached dwellings to the east and west of the subject, at 267 and 275 (the Farrer property). This is the pattern on the north side of Melrose as well.

Mr. Riley described the proposed dwelling in detail. It would have an integral garage, with the basement level lower than the garage since the first floor is entirely above it. Seven steps would lead to the front door, then five additional interior steps would give access to the first floor level, leaving the front door lower than the first floor. This permits the scale of the design to be lower to the ground. Four bedrooms are planned. There is only one window on the west side next to 275. This must be included since under the Building Code, an internal bedroom must have a window. It is only the dormer for the window that gives rise to the external wall height variance. The roof line

is below the height of the finished ceiling, thus there must be a dormer in order to allow for the required window. There are no windows on the east side.

In the rear yard, a small rear deck gives access to a larger one, reducing its height and providing some privacy. The proposed extension in the dwelling depth would require the demolition of part of the existing "shed" or garage, now found at the rear of the subject property. Half of the shed is on the subject land; the other half is on the Farrer property at 275 next door. There is an internal party wall within the shed. In formulating his planning opinion, Mr. Riley assumed that the shed or garage was not going to be present on the subject parcel. The proposed alterations at the rear may be seen in the Site Plan in Ex. 2, following the survey.

The Urban Forestry Department did not comment on the application. As seen on the Site Plan, three non-City trees would be removed, but they are too small to require a permit. The trees to the rear are not involved.

Ms. Farrer then attempted to ask questions of the witness. Ms. Meader objected, arguing that since no Witness Statement had been filed, the Farrers should have only Participant status, rather than as Parties. They were then limited to a Participant role, with some leniency, because of their non-disclosure of evidence and argument in advance of the Hearing.

Mr. Riley illustrated the surrounding neighbourhood through a Photo Book (in Ex. 2), and by analyses of previous COA decisions. He emphasized by means of a lot depth chart, marked on an aerial map (Ex. 2, Attachment 4) that the building depths vary extensively along both the subject block and the one to the east. On the Context map before the depth map, it may be seen that at a mere two properties to the west, the applicable Zoning By-law changes. Those to the west are covered by the older North York By-law. There, massing is managed by a lot coverage maximum and not by FSI, as it is for this property. The frontages are larger, as the zoning is RD (f18.0; a690). However, Mr. Riley opined that the properties in this entire area do not appear to have different zoning requirements. They exhibit many of the same or similar qualities to that of the subject property and its immediate surroundings (within 500m), in terms of building type, built form, and streetscape character.

He pointed to some newer constructions in the block of Melrose east of the subject block. Some of these are semis, or single dwellings with an integral garage and elevated front door with the main floor above the garage. Reverse slope drives here are of older construction, since these are now prohibited. Many rights of way are not centred on the lots, and are smaller than the proposed. On the other side of the street in the subject block there are parking pads, of asphalt or permeable pavers, as well as similar configurations of front yards as the proposed.

Mr. Riley relied on charts of recent COA decisions to assess the appropriateness of the variances requested. Charts for FSI, side wall height, depth and eaves from lot line variances are found in Ex. 2. Increases above those requested have been obtained for many nearby properties.

He set out the variances in Exhibit 3, then discussed them:

## 1. Chapter 10.5.40.60.(7), By-law No. 569-2013

Roof eaves may project a maximum of 0.90m provided that they are no closer than 0.30m to a lot line.

The proposed eaves are 0.09m from the east lot line.

## 2. Chapter 10.10.40.10.(2), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.50m.

The proposed height of the side exterior main walls facing a side lot line is 8.53m.

## 3. Chapter 10.10.40.30.(1), By-law No. 569-2013

The maximum permitted building depth is 17.00m. The proposed building depth is 19.05m.

## 4. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area. The proposed floor space index is 0.675 times the lot area.

As mentioned, in his opinion there should be a variance added, as it is required:

## 5. Chapter 10.5.50.10.(1)(D), By-law No. 569-2013

A minimum of 75% of the required front yard landscaping must be soft landscaping, which is equal to 12.7 sq. m.

The proposed front yard soft landscaping is 62% (10.5 sq. m.).

Respecting Variance 1, the eaves projection, here the eaves are only .09m from the lot line, rather than the permitted .3. Because of this a variance is required.

For variance 2, as mentioned, the only portion of the side exterior main walls facing a side lot line that is beyond the height limit is the top of the dormer, where the bedroom window is located. The proposed height there is 8.53m. A variance is needed even though the required height of 7.50m will be met for the rest of the roof. There is no variance needed for the overall height of the roof at 9.98m, since the requirement is for 10m.

Variance 3, the building depth, is measured from the front yard setback to the rear wall. Here the distance is measured from the front wall to the rear wall, which is 19.05m, when only 17m is allowed. The depths of nearby properties are illustrated in Ex. 1, Attachment 4, where the significant variety is clearly seen.

The variance for an increase in FSI, Variance 4, would permit the proposed dwelling on this site. 0.675 times the lot area is requested, when the By-law permits only .6 times.

Variance 5 was requested to be included since Mr. Riley had noted an incorrect assessment of those required here. It is somewhat complicated. He explained that the front yard is required to have a minimum of 50% landscaping. This could be either hard or soft surfaces, and can include everything except the driveway area. The proposed Site Plan showed 63% landscaping, which would comply. However, another By-law requirement states that of the 50% minimum landscaping, 75% of this must be soft landscaping. Thus: 50% of the front yard area is 16.9 sq. m, and 75% of this must be soft landscaping, equaling 12.7 sq. m. The Site Plan had shown only 10.5 sq. m of soft landscaping, that is, only 62% rather than the 75% required. The added variance is for the reduction in soft landscaping to 62%, rather than 75%. In Mr. Riley's opinion, this is indeed a minor change, resulting in a difference of only 2.2 sq. m in soft landscaping in the front yard.

In considering the application of the provincial policies, Mr. Riley discussed section 2 of the Act and found these criteria had been properly addressed. Similarly, both the PPS and the Growth Plan, by which growth is directed to settlement areas, are satisfied. These require land use patterns that make efficient use of land, minimize impacts to the environment, are transit and active transportation supportive, and make efficient use of existing infrastructure. The proposal is both consistent with the PPS, and conforms to the goals in the Growth Plan respecting a mix of housing types, and compact development, among other matters. The proposed variances will facilitate the proposed new single detached dwelling, as sought in the City's OP policies which reflect the Growth Plan.

#### General Intent and Purpose of the OP

The subject lands are designated "Neighbourhoods" in the OP. In Mr. Riley's opinion, the proposal conforms to the urban structure and land use policies of the Official Plan, including policies in sections 2.3.1, 3.1 and 4.1. By Policy 2.3.1, neighbourhoods are physically stable areas, but not static; some physical change will occur over time. Policy 2.3.1.1, requiring all developments there to respect and reinforce the existing physical character of buildings, streetscapes and open space patterns, is met in this application. Section 3.1.2 respecting built form states that new development will be located, organized, massed and designed to fit harmoniously into its existing and/or planned context. In addition, new development is to preserve existing mature trees, provide parking and appropriate landscaping.

In Mr. Riley's opinion the proposed variances maintain the general intent and purpose of the policies of sections 2 and 3 of the OP, even as amended by OPA 320. He provided extensive testimony respecting OPA 320, which was duly noted.

Section 4 of the OP contains the policies for the Neighbourhoods designation. Policy 4.1.1 states that Neighbourhoods are physically stable areas made up of residential uses in lower scale buildings, including single detached dwellings. In the second paragraph under the "Development Criteria in Neighbourhoods" it is stated that physical changes within Neighbourhoods must be

sensitive, gradual and "fit" the existing physical character. Policy 4.1.5 provides specific development criteria for neighbourhoods, requiring that changes be in keeping with the physical character of a geographic neighbourhood. The criteria are listed below, as well as his opinion on how the proposal addresses each criterion (*I am citing only the relevant ones in his testimony*):

c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;

In his view, the proposal does not change the prevailing dwelling type, which is a single detached dwelling, a common building type here. There would also be no change in density, as the new dwelling replaces an existing dwelling. As such, the proposal meets this requirement.

With respect to building height, the variance for increase in maximum height of side walls is required to facilitate the design of the proposed dwelling. Many such increases have been granted by the COA (see Tables). The photos show that many of the newer dwellings nearby have a similar style, with the first floor located above the garage. This has the effect of creating a taller dwelling, one not exceeding the maximum overall height, but with side walls higher than the minimum required heights in the By-law. Here, the impact of the height is mitigated by the design of the roof, where the ridgeline is brought down below the ceiling height on the second floor. In his opinion, this has the effect of reducing the visual impact of height, and is similar to other dwellings in the neighbourhood.

In terms of massing and scale, which are related to floor area and height, the proposed dwelling is similar in size to others nearby. The COA has granted many increases in GFA and FSI within 500 metres of the subject property. In Mr. Riley's opinion this is a reliable source of information for dwelling size, and is indicative of the character of a neighbourhood. Increases granted were shown on a neighbourhood map, many of which were greater than the FSI of the proposed dwelling. This assists in demonstrating that the proposed dwelling respects the physical character of the neighbourhood with respect to massing, scale and dwelling size.

The COA has also approved depth variances for many dwellings within 500 metres of the subject property. As mentioned, his Statement also contains a map showing those properties on the same block and neighbouring blocks of the subject property where increases in dwelling depth have been granted. Approximately half are similar or greater in depth than the proposed dwelling. One of the characteristics of the neighbourhood is the deep rear yards, illustrated by Attachment 4. This is superimposed over an aerial map of the block, which shows both the deep rear yards and the approximate location and depth of the proposed dwelling. It also shows the projection of the proposed rear wall, parallel to the street, across the rear yards of all dwellings on the same block. This map shows a large variation in dwelling depths on the block, and the characteristic of deep rear yards. As such Mr. Riley opined that the

proposed dwelling depth respects the character of the neighbourhood, and further, does not create an adverse impact on neighbouring properties.

Respecting clause c), then, the proposed increases in FSI, height of side walls and dwelling depth are reflective of the character of the area. Given that the proposed additional floor area has been appropriately massed, this criterion is satisfied.

d) prevailing building type(s);

The prevailing building type in the neighbourhood is single and semi-detached dwellings. The proposal reinforces and maintains this.

f) prevailing setbacks of buildings from the street or streets;
The proposed dwelling respects the pattern of front yard setbacks on the street.
No variance is required for the front yard setback.

g) prevailing patterns of rear and side yard setbacks and landscaped open space;

With respect to rear yard setbacks, while the proposed dwelling requires a variance for an increase in dwelling depth, the proposal exceeds the minimum required rear yard setback in the By-law, and is reflective of similar dwelling depths on the block.

With respect to side yard setbacks, a variance is required for the setback of the roof eaves from the east side lot line. However, the proposal <u>improves</u> the existing east side yard setback. It would be greater than the existing dwelling, and is thus appropriate. The COA has granted many such variances, as is indicated by the small side yards within the neighbourhood.

The landscaped open space requirement is met in general.

Therefore in Mr. Riley's opinion, the test of general intent and purpose of the OP is met by this application.

#### General Intent and Purpose of Zoning By-law

The intent of both the maximum floor space index and building depth requirement is to ensure appropriate massing and dwelling size in comparison to nearby dwellings, and to ensure appropriate amenity space in the rear yard. As discussed earlier, the COA has granted many increases in FSI within 500 metres of the subject property. Mr. Riley opined that the intent of the By-law is thus maintained with respect to dwelling size and compatibility with area character. For dwelling depth, many such variances have been granted for greater than 17 metres. Two characteristics of the neighbourhood are deeper lots and varying dwelling depths. Thus the intent of the by-law is maintained, and adequate rear yard amenity space is provided here.

Building height requirements ensure that dwellings in a neighbourhood are compatible with one another in terms of massing and size. The proposal calls for a maximum side

wall height of 8.53 metres, whereas a maximum of 7.5 metres is permitted. Many newer dwellings within the neighbourhood have been constructed in a similar style, with the first floor located above the garage. The impact of the proposed height is lessened by the design of the roof here, where the ridgeline is brought down below the ceiling height on the second floor. This has the effect of reducing the visual impact of height, Mr. Riley stated, and is similar to other dwellings in the neighbourhood. Thus the intent of the by-law is maintained.

The several goals of the minimum side yard setback requirement are to ensure appropriate access, to maintain a compatible setback in relation to adjacent buildings, and to mitigate any potential massing impacts on adjacent properties. Although a variance is required for the setback of roof eaves from the east side lot line, this actually improves the setback to the east side yard. The existing structure is closer. No access is needed via the west of the lot, since it is provided in the approximately 5-metre shared driveway with no. 275. The setback of roof eaves is characteristic of other dwellings in the neighbourhood, given the many observed small side yard setbacks. Similarly, there are approved variances for reductions in the roof eaves nearby.

His general conclusion is that the proposed variances, both individually and collectively, maintain the intent and purpose of the Zoning Bylaw.

#### Desirable for the Appropriate Development or Use of the Property

He is also of the opinion that the proposal is desirable for the subject property, since the new dwelling can be adequately and appropriately accommodated there. It is of similar size and scale to other dwellings in the neighbourhood. Overall, the proposed variances permit construction of a dwelling that respects the existing physical form in the neighbourhood, and contributes to the renewal of the housing stock here. Therefore the proposed variances are desirable for the appropriate development and use of the property.

#### Minor

Mr. Riley testified that the basis for determining whether a proposed variance is minor is one of impact. It is not a mathematical exercise. Even though a variance may seem to be a significant numerically, if it does not have significant adverse impacts on the surroundings, it can be determined to be minor.

Following his review of all available materials related to the proposal, and in considering applicable policies and zone provisions, it was Mr. Riley's opinion that the proposed variances will not generate any adverse impacts on the surroundings. The variances related to height, dwelling depth, side yard setback of roof eaves and floor space index are desirable to facilitate the appropriate development of the property.

His overall conclusion was that the requested variances individually and collectively meet the four tests set out in section 45(1) of the Act. This includes the general intent and purpose of the OP, and the criteria for development within neighbourhoods enumerated in section 4.1.5. The application meets the general intent and purpose of

the Residential provisions of the Zoning By-law. It is appropriate and desirable for the development of the Subject Property; and is minor in nature.

The COA application was reviewed by City staff, who did not oppose it in their Report of November 27, 2018. They merely requested a condition that the construction would be substantially in accordance with the east and west side elevations as included in the plans. This would ensure that the side exterior main wall height variance would be limited to that shown in the plans as submitted.

#### Mr. and Ms. Farrer

As mentioned, the neighbours at 275 Melrose Avenue to the west of the subject property had sought to take part in the hearing of this appeal, Mr. Farrer as a Party. They gave testimony as Participants instead. They expressed opposition to the changes that would result from the depth variance in the rear of the subject property. They had renovated their property in 2014, and had "pared it back", Mr. Farrer explained, to accommodate the (then) neighbours. The shed or garage present in the rear of both properties, centred on the property line, has been shared for many years. The Farrers did not increase their building depth past 17m (it is 15.5m) in order to retain the shed. Mr. Farrer stated that a 19m depth would be 12% over the permitted 17m.

Ms. Farrer testified as to the extensive patio and garden they had constructed, at significant expense, more or less all around the western shed wall. This provides an outdoor room, and extends their home in this way. A window had been inserted in the shed wall for appearances. Their fear was that construction of such a deep structure on the subject property would reduce the space for access to the rear yard there. It would also reduce privacy for their rear yard. Damage to the shed structure was also a possibility.

# ANALYSIS, FINDINGS, REASONS

I am satisfied that the addition of a variance for soft landscaping in the front yard is indeed a minor change to the application so that no further notice is required, as provided in subsection 45(18.1.1) of the Act. The Site Plan and other plans have not changed, either at or following the COA hearing. No one will have been misled.

I did a thorough examination of the few blocks in question during a site visit. I agree with Mr. Riley that the proposed dwelling will respect and reinforce the existing physical character of the neighbourhood, including the height, massing, scale, and dwelling types of the surrounding residential properties. It will fit in well with the surrounding neighbourhood. On his evidence, many new homes in the near neighbourhood have been granted more variances than now proposed, and many of these are much greater numerically. The proposed dwelling will have no adverse impacts of a planning nature on the surrounding properties. I note from Photos 11 and 12 in the Photo Book that the Farrers' property, 275, is fairly large and somewhat bulky in appearance from the rear. The shed or garage is seen in Photo 11, as well as the depth of the dwelling. Thus the

proposed would not be excessive in the context. Similar built form may be seen at 276 and 286 across the street – narrow and tall structures.

Construction of the new dwelling will of necessity involve the demolition of the portion of the shed now on the subject property. This is clear from the Site Plan. There would thus be no tight access point here, as Mr. Farrer feared. It is unfortunate that the neighbours have structured their rear yard in the manner described, and count on its retention. However, I think that this can be rectified and their outdoor room kept in some configuration.

Mr. Farrer stressed the good relationship with the neighbours at the time of his reconstruction. Discussions had been held with the present applicant/owner here, apparently without satisfying the Farrers. Further discussion, with some suggested solutions to retain or rebuild the shed structure and, most particularly, the existing patio and garden, took place at the end of the Hearing. The owner will attempt to satisfy the concerns of the Farrers. There is an existing party wall dividing the shed. I am assuming that the owners of 271 will ensure that it is suitably reinforced and/or weatherproofed if it remains in place. If it does, it too will ensure privacy for their rear yard.

I do not find that the proposed depth would threaten the neighbours' privacy, in any event. It was notable to me that the neighbours to the east have apparently never objected to this proposal. Their rear wall is even further forward than the proposed here, and considerably more so than the Farrers'. The Planning Staff did not address anything but the side exterior walls of the proposed dwelling, and did not object to the proposed height. I find no impairment to the privacy of the Farrer patio so long as the shed structure is retained in some form in about its current location, as they desire. The owner of the subject property has offered to accommodate its reconstruction, if desired by the Farrers. Ms. Farrer did raise one possible obstacle, that rebuilding it might require a further variance. This is an unknown factor. However, I do not think this should hold up the construction of an otherwise desirable new dwelling. As Ms. Meader argued, the depth variance here would have little undesirable impact on the rear amenity area of the subject property, or on the neighbourhood.

Mr. Riley had considered the application as if OPA 320 applied to it. At the time of this application to the COA, OPA 320, while adopted by Council, had not yet been finally approved by LPAT. Therefore, I consider it to have no direct application to this appeal. Even if it had, it would be satisfied by this application, where there are many examples of such variances even within a two-block distance from the subject property.

## **DECISION AND ORDER**

The appeal is allowed, and the variances in **Attachment 1** are approved, subject to the following conditions:

1. The proposal be developed substantially in accordance with the Site Plan, the west side elevation and the east side elevation prepared by Rubinoff Design Group, dated September 19, 2019, found in **Attachment 2.** 

2. Permeable materials are to be used for the proposed driveway.

## **ATTACHMENT 1 – VARIANCES**

#### 1. Chapter 10.5.40.60.(7), By-law No. 569-2013

Roof eaves may project a maximum of 0.90m provided that they are no closer than 0.30m to a lot line.

The proposed eaves are 0.09m from the east lot line.

#### 2. Chapter 10.10.40.10.(2), By-law No. 569-2013

The maximum permitted height of all side exterior main walls facing a side lot line is 7.50m.

The proposed height of the side exterior main walls facing a side lot line is 8.53m.

#### 3. Chapter 10.10.40.30.(1), By-law No. 569-2013

The maximum permitted building depth is 17.00m. The proposed building depth is 19.05m.

#### 4. Chapter 10.10.40.40.(1), By-law No. 569-2013

The maximum permitted floor space index is 0.60 times the lot area. The proposed floor space index is 0.675 times the lot area.

#### 5. Chapter 10.5.50.10.(1)(D), By-law No. 569-2013

A minimum of 75% of the required front yard landscaping must be soft landscaping, which is equal to 12.7 sq. m.

The proposed front yard soft landscaping is 62% (10.5 sq. m.).

#### **ATTACHMENT 2 – PLANS**

G. Burton Panel Chair, Toronto Local Appeal Body





697 Mount Pleasant Road Toronto, Ontario M4S 2N4 EL 416.667.0322 FAX.416.667.0751 EMAIL. Info@rubinofidesign.co 271 MELROSE AVE.

SEPT 19, 2018

SCALE : 1:75



RIGHT (WEST) ELEVATION

N°271 MELROSE AVE.

