

DECISION AND ORDER

Decision Issue Date **Monday, January 13, 2020**

PROCEEDING COMMENCED UNDER Section 53, subsection 53(19), and Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): Ling Hu

Applicant: Melissa Shea

Property Address/Description: 369 Walmer Rd

Committee of Adjustment Case File: 18 243929 STE 21 CO (B0091/18TEY), 18 243934 STE 21 MV (A0983/18TEY), 18 243935 STE 21 MV (A0982/18TEY)

TLAB Case File Number: 19 121602 S53 12 TLAB, 19 121614 S45 12 TLAB, 19 121616 S45 12 TLAB

Hearing date: Tuesday, July 09, 2019

DECISION DELIVERED BY S. Makuch

REGISTERED PARTIES AND PARTICIPANTS

Appellant	Ling Hu
Appellant's Legal Rep.	Raj Kehar
Party	City of Toronto
Party's Legal Rep.	Ben Baena
Party	Susannah Ketchum
Party	Sarah Coysh
Party	Peter Ketchum
Participant	Stephanie Churcher
Participant	Dan Woloszanskyj

Participant	Regan Anne Stewart
Participant	Yves St-Cyr
Participant	Cheryl Ann McEwen
Participant	Rob McEwen
Participant	Graham Campbell
Participant	Elizabeth Rotman
Participant	Joseph Heath
Participant	Edward Eng
Participant	Dale Ruth Joffe
Participant	Judith Leslie Greenbaum
Participant	Bernard Boaz Fresco
Participant	Karin Ann Fresco
Participant	Gordon David Hoops
Participant	Demetris Michaelides
Participant	Ulrich Menzefricke
Expert Witness	David Hardy
Expert Witness	Sebastian Bravo

INTRODUCTION

This is the final approval of an interim order issued on August 14, 2019 and modified on August 26, 2019 approving minutes of settlement as basis for resolving the above appeal. Final documents were required to be submitted in accordance with the interim order. Those documents have been submitted in accordance with the interim order.

BACKGROUND

The documents submitted by the solicitor of the appellants in accordance with the interim order are: the variances to be approved; the site plan and elevations to be approved; the conditions of approval respecting the minor variances; and the conditions of approval respecting the consent.

MATTERS IN ISSUE

There is one issue raised by the City. It requested that dormers as modified on the front elevation be pointed. I agree with the appellant's solicitor that this request is out of time, and that there is insufficient rationale for it.

JURISDICTION

The jurisdiction and rationale for granting the appeal subject to the terms now met are set out in the decision of August 26, 2019.

EVIDENCE

Evidence was provided that the documents were properly submitted. There was no challenge to the submission of the documents.

ANALYSIS, FINDINGS, REASONS

The plans attached as Appendix 1 and the resulting severance, and the variances attached as Appendix 2 should be approved. The conditions of approval for the minor variances attached as Appendix 3 and the consent conditions attached as Appendix 4 should also be approved.

DECISION AND ORDER

The appeal is allowed and the consent and minor variances attached hereto in Attachments 1 and 2 respectfully are approved subject to the conditions respecting the minor variances in Appendix 3 and the respecting the consent in Appendix 4.

Decision of Toronto Local Appeal Body Panel Member: S. Makuch

TLAB Case File Number: 19 121602 S53 12 TLAB

19 121614 S45 12 TLAB

19 121616 S45 12 TLAB

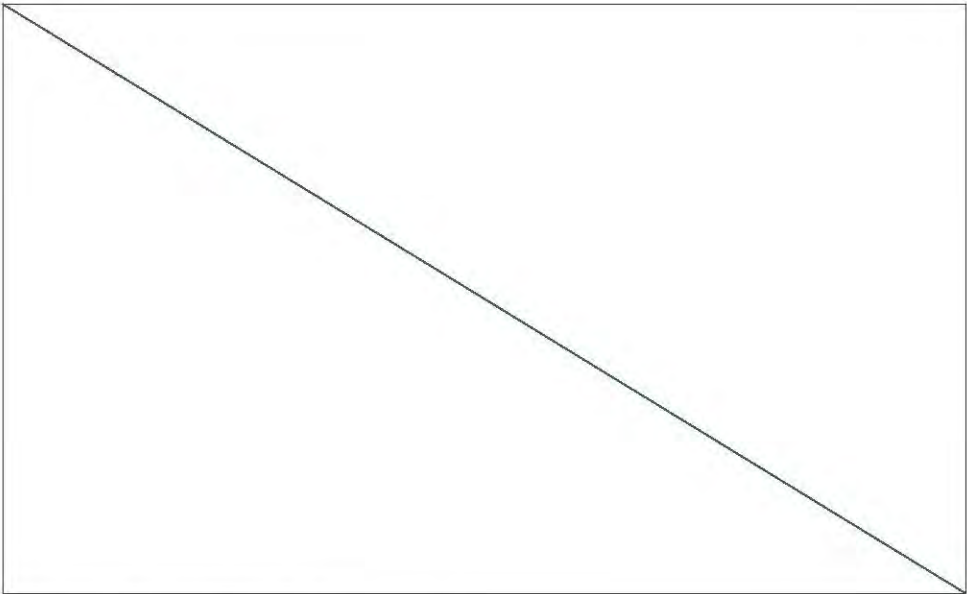
X 

S. Makuch

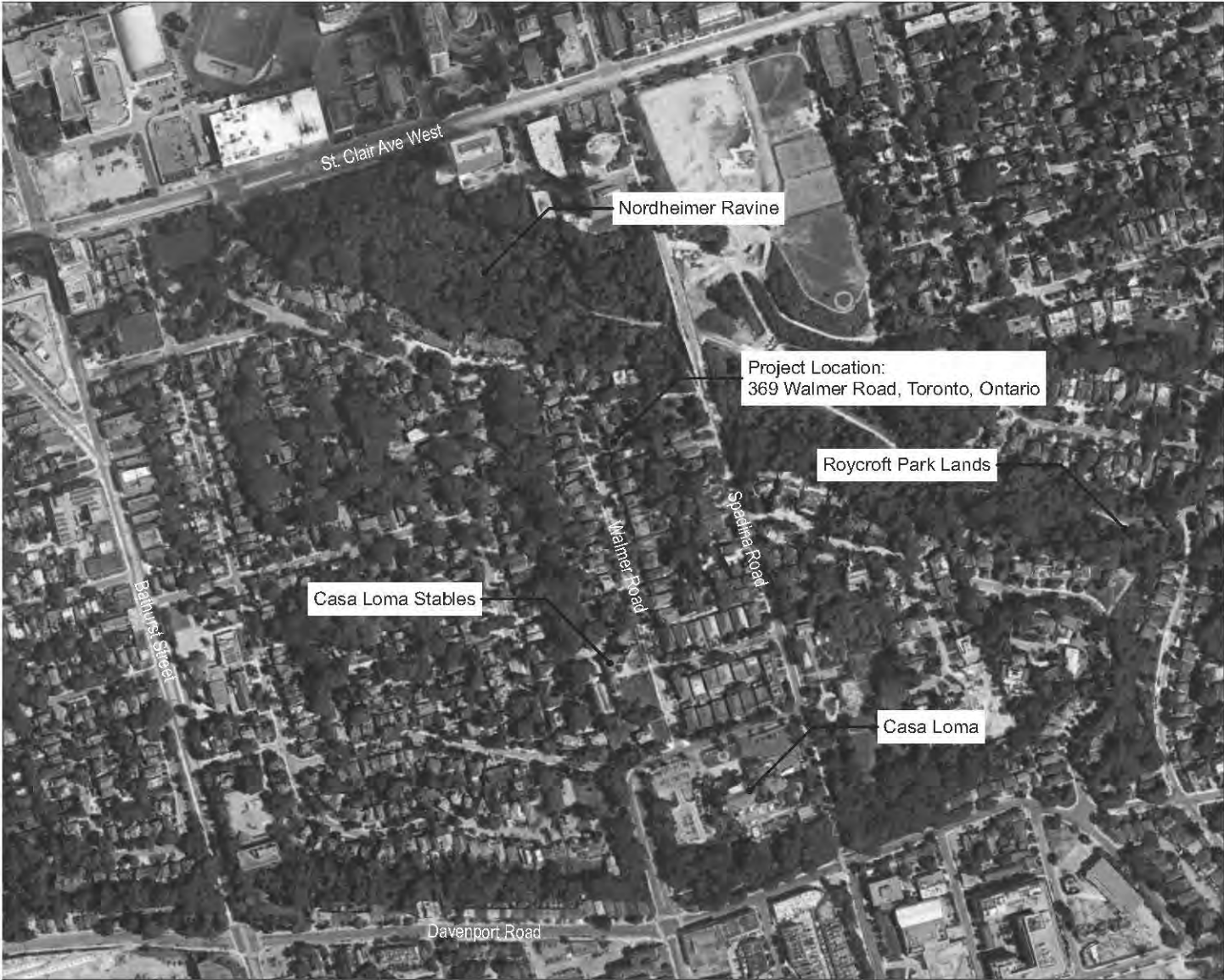
Panel Chair, Toronto Local Appeal

Appendix 1

Plans

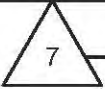


3D - Front View



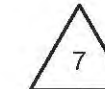
Location Map

NOT TO SCALE



COA001	COVER PAGE
COA002a	SURVEY
COA0002b	DRAFT-R PLAN
COA003	ZONING ANALYSIS - LOT A
COA004	ZONING ANALYSIS - LOT B
COA100	SITE PLAN - Proposed
COA200	BASEMENT
COA201	GROUND FLOOR
COA202	SECOND FLOOR
COA203	THIRD FLOOR
COA210	GARAGE PLAN
COA300	SECTION - LONGITUDINAL
COA301	SECTION - TRANSVERSE
COA400	WEST/FRONT ELEVATION
COA401	NORTH/SIDE ELEVATION
COA402	SOUTH/SIDE ELEVATION
COA403	EAST/REAR ELEVATION
COA410	GARAGE ELEVATIONS - WEST/FRONT
COA411	GARAGE ELEVATIONS - NORTH/SIDE
COA412	GARAGE ELEVATIONS - SOUTH/SIDE
COA413	GARAGE ELEVATIONS - EAST/REAR
L1	LANDSCAPE CONCEPT PLAN

Drawings List

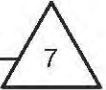


This set of plans contains a number of notes in red text that have already been implemented on the plans (where applicable) and will be implemented through construction of the building in accordance with a settlement reached before the Toronto Local Appeal Body between the resident parties and the City

07 - Revision - TLAB Revision - 2019-07-30



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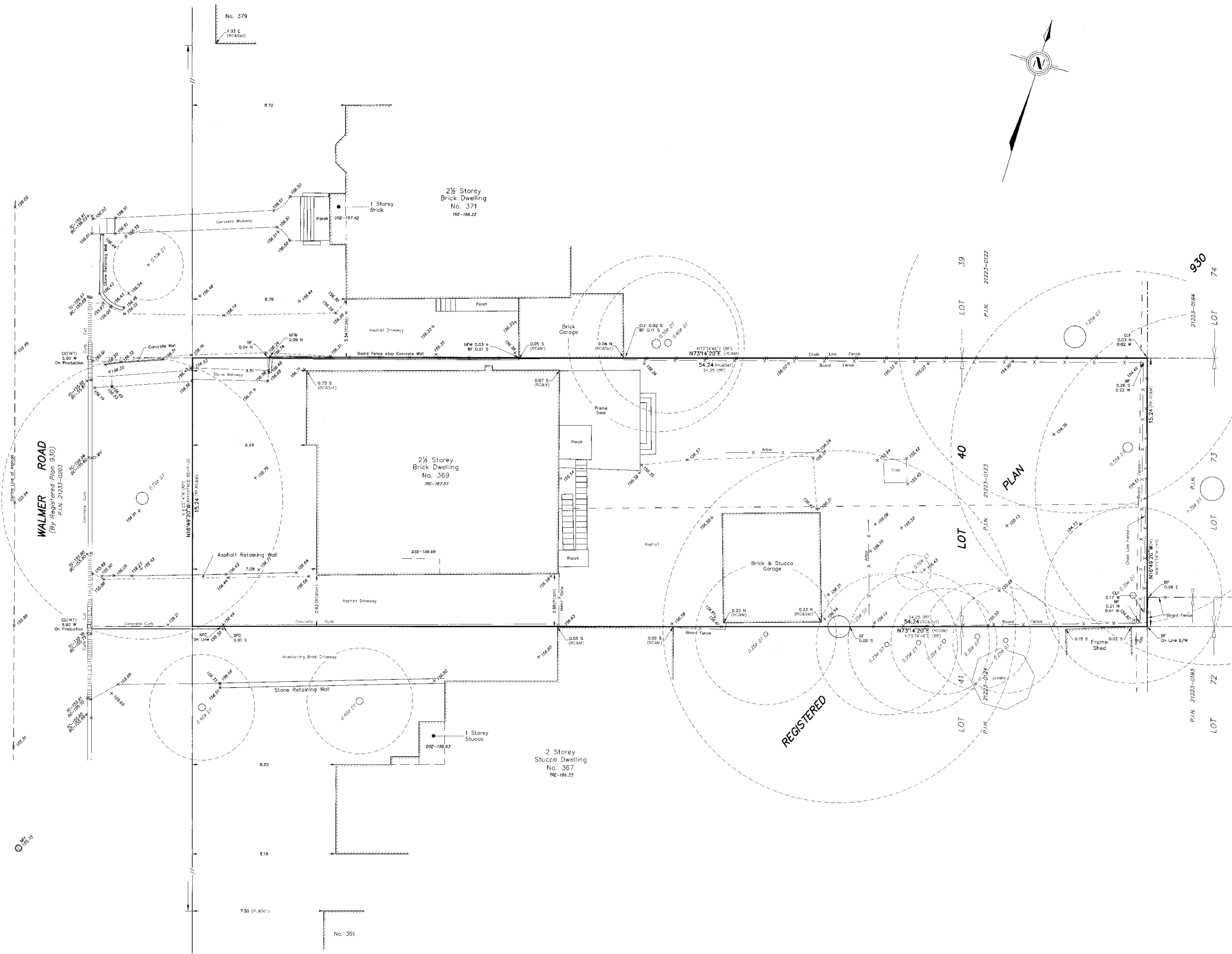


Walmer Ravine Duplex

369 Walmer Road
Toronto

COVER PAGE
Date: 2019-08-09

COA001



SURVEYOR'S REAL PROPERTY REPORT - PART 1
PLAN OF
LOT 40
REGISTERED PLAN 930
CITY OF TORONTO
SCALE 1 : 100
AVANTI SURVEYING INC.
© COPYRIGHT 2017

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE
BEARINGS ARE REFERRED TO THE
EAST LIMIT OF WALMER ROAD, HAVING A BEARING OF
N16°49'20"W ACCORDING TO PLAN 63R-1648.

ELEVATION NOTE
ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE
CITY OF TORONTO BENCHMARK NO. 1224746074 HAVING A
PUBLISHED ELEVATION OF 153.16 METRES.

- LEGEND**
- DENOTES SURVEY MONUMENT SET
 - RP REGISTERED PLAN 930
 - PL PLAN 63R-174
 - N.S.E.W. NORTH SOUTH-EAST, WEST
 - W MEASURED
 - CC CUT CROSS
 - WT WITNESS
 - PLM PROPERTY IDENTIFIER NUMBER
 - O- OVERHEAD WIRES & UTILITY POLE
 - CLF CHAIN LINK FENCE
 - BF BOARD FENCE
 - MH MANHOLE
 - TC TOP OF CURB
 - BC BOTTOM OF CURB
 - DSE TOP OF ROOF ELEVATION
 - DT DECIDUOUS TREE
 - CT CONIFEROUS TREE
 - Ø DIAMETER
 - WV WATER VALVE
 - NFW NORTH FACE OF WALL
 - NFC NORTH FACE OF CURB
 - SFC SOUTH FACE OF CURB
 - RC PLAN BY RABBEAU & CZERNINSKI, O.L.S. DATED JULY 01, 1993

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2037957
THIS PLAN IS NOT VALID
UNLESS IT IS AN UNREPRODUCED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
IN ACCORDANCE WITH
REGULATION 1025, SECTION 29(3)

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE
REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 27th DAY OF
NOVEMBER, 2017.

DECEMBER 01, 2017
DATE
CHRIS BERNESNIEWICZ
ONTARIO LAND SURVEYOR

THIS PLAN WAS PREPARED FOR: WEIXING LI

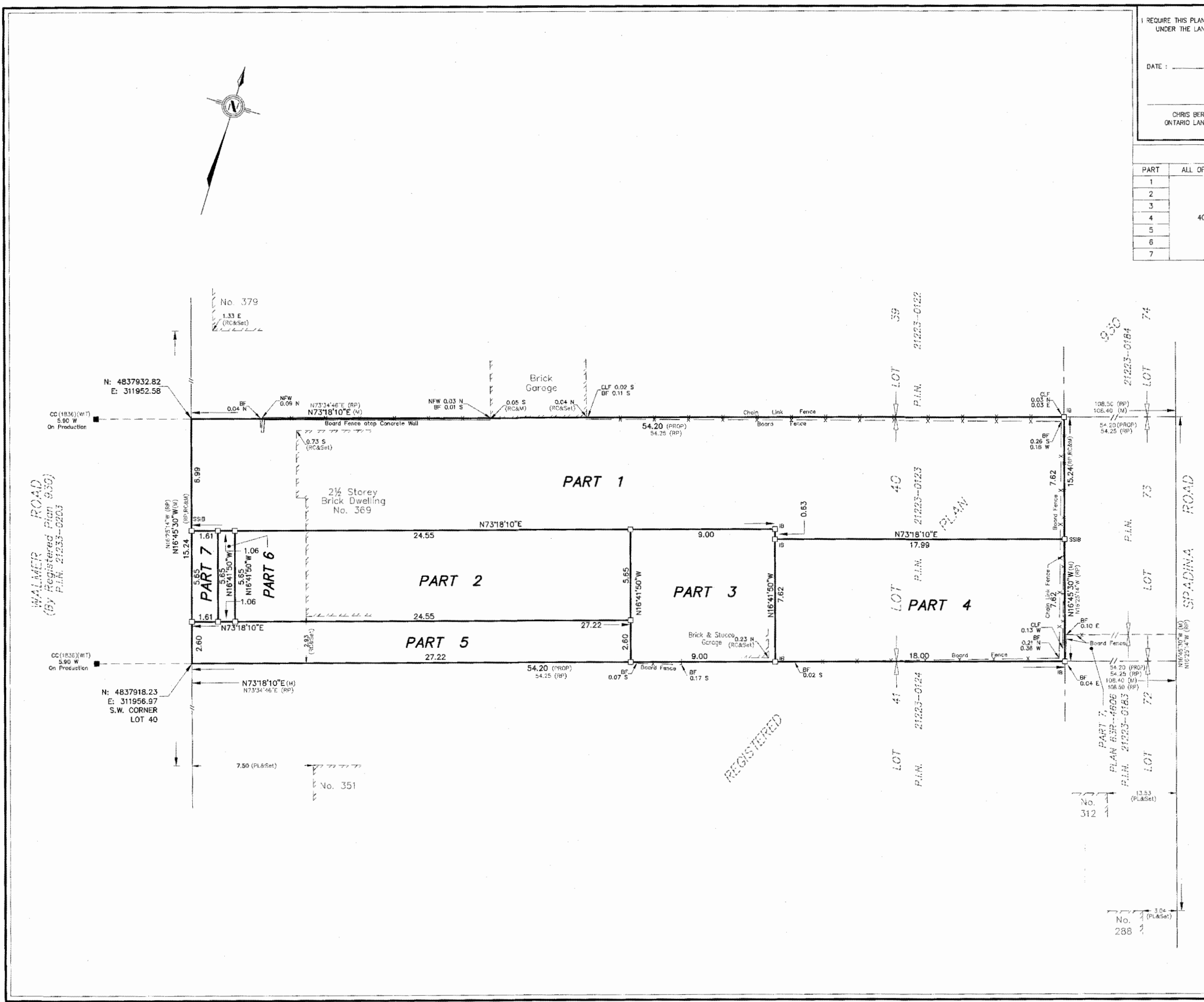
PART 2 - SURVEY REPORT
1) PLEASE NOTE LOCATION OF FENCES AND OVERHEAD WIRES
2) REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY - NONE
3) THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING
BY-LAWS

Avanti
SURVEYING INC.
310 North Queen St. Unit 102, Toronto ON M5C-3K4
Tel: (416) 231-1174 - Fax: (416) 621-3360
E-MAIL: info@avantisurveying.com

DRAWN: RUM CHECKED: C.B. PROJECT 17-368

Not To Scale

COA002a



1 REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE : _____

CHRIS BERESNIEWICZ
ONTARIO LAND SURVEYOR

PLAN 66R-

RECEIVED AND DEPOSITED

DATE : _____

REPRESENTATIVE FOR THE LAND REGISTRAR
FOR THE LAND TITLES DIVISION OF THE
TORONTO REGISTRY OFFICE. (No.66)

SCHEDULE				
PART	ALL OF LOT	PLAN	ALL OF P.I.N.	AREA
1				390.3 m ²
2				138.7 m ²
3				74.3 m ²
4	40	930	21223-0123	137.1 m ²
5				70.8 m ²
6				6.0 m ²
7				9.1 m ²

PLAN OF SURVEY OF
LOT 40
REGISTERED PLAN 930
CITY OF TORONTO
SCALE 1 : 150

AVANTI SURVEYING INC.

METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE
IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING
BY 0.3048.

LEGEND

□	DENOTES	SURVEY MONUMENT SET
■	DENOTES	SURVEY MONUMENT FOUND
RP	---	REGISTERED PLAN 930
PL	---	PLAN 63R-674
N.S.E.W	---	NORTH,SOUTH,EAST, WEST
M	---	MEASURED
CC	---	CUT CROSS
SSB	---	SHORT STANDARD IRON BAR
IB	---	IRON BAR
WT	---	WITNESS
P.I.N.	---	PROPERTY IDENTIFIER NUMBER
CLF	---	CHAIN LINK FENCE
BF	---	BOARD FENCE
NFW	---	NORTH FACE OF WALL
(1836)	---	AVANTI SURVEYING INC., O.L.S.
RC	---	PLAN BY RADDEAU & CZERNIWSKI, O.L.S. DATED JULY 01, 1993

BEARING NOTE
BEARINGS ARE MTM GRID DERIVED FROM SPECIFIED
CONTROL POINTS 02019650300 AND 02019650378, MTM
ZONE 10, NAD83 (CSRS)

SPECIFIED CONTROL POINTS (SCPs): MTM ZONE 10, NAD
83 (CSRS) COORDINATES TO URBAN ACCURACY PER
SECTION 14(2) OF OREG. 216/10

	NORTHING	EASTING
SCP 02019650300	4837858.79	312095.74
SCP 02019650378	4837950.12	312068.20

COORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON
THIS PLAN

DISTANCE NOTE
DISTANCES SHOWN HEREON ARE GROUND DISTANCES
AND CAN BE CONVERTED TO GRID DISTANCES BY
MULTIPLYING BY A COMBINED SCALE FACTOR OF
0.99990065.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND
TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF
JUNE, 2018.

JUNE 26, 2018
DATE

CHRIS BERESNIEWICZ
ONTARIO LAND SURVEYOR

Avanti
SURVEYING INC.

310 North Queen St., Unit 102, Toronto ON M9C-5K4
Tel: (416) 231-1174 - Fax: (416) 621-3360
E-MAIL : info@avantisurveying.com

DRAWN: RJM CHECKED: C.B. PROJECT 17-368

Not To Scale

COA002b

Zoning Analysis
Walmer Ravine Duplex - Lot A

369 Walmer Road Toronto ON M5R 2Y3 Canada
TORONTO CITY WARD Ward 21 (St. Paul's)

ZONING BY-LAW 569-2013

ZONING R(f10.5; u2; d0.6)(x929)
PERMITTED USES Detached or Duplex

ZONING BY-LAW 438-86

ZONING ZONE R1S Z0.6

PERMITTED PROPOSED

Table with 3 columns: LOT, LOT FRONTAGE, LOT AREA, LOT DEPTH, ESTABLISHED GRADE, AVERAGE GRADE, PERMITTED # DWELLING UNITS. Includes diagrams of lot shapes and dimensions.

Table with 3 columns: LOT - LANDSCAPING, FRONT YARD LANDSCAPING, FRONT YARD SOFT LANDSCAPING, REAR YARD SOFT LANDSCAPING, MAX. WIDTH F. YARD WALKWAY, DRIVE WIDTH, LOT COVERAGE (incl. ancillary). Includes diagrams of landscaping areas.

Table with 3 columns: BUILDING - SETBACKS, FRONT YARD, REAR YARD, SIDE YARD - NORTH, SIDE YARD - SOUTH. Includes diagrams of building setbacks.

Table with 3 columns: BUILDING - GFA AND FLOOR SPACE INDEX, Basement GFA, Ground Floor GFA, Second Floor GFA, Third Floor GFA, GFA(GFA/Lot Area=Max)0.6=Max.237.261m² | 10.5.40.40(A), MAX.FL. SPACE INDEX(GFA/Lot Area)0.6. Includes diagrams of floor space.

Table with 3 columns: BUILDING - DIMENSIONS, BUILDING HEIGHT, BUILDING HEIGHT+CHIMNEY, HEIGHT MAIN WALL - Front, HEIGHT MAIN WALL - Rear, HEIGHT MAIN WALL - Side, FIRST FLOOR ABOVE GRADE, MAX. NO. STORIES, BUILDING LENGTH, BUILDING DEPTH, ROOF SLOPE. Includes diagrams of building dimensions.

Table with 3 columns: BUILDING - SETBACK ENCROACHMENT, ROOF EAVE, CANOPY, PLATFORM FRONT, PLATFORM REAR, PLATFORM SIDE, PLATFORM SIDE. Includes diagrams of setback encroachment.

Table with 3 columns: BUILDING - EXTERIOR STAIRS, MAX. WIDTH. Includes diagrams of exterior stairs.

Table with 3 columns: ANCILLARY BUILDING - DETACHED GARAGE, AVG. GRADE, SEPARATION FROM HOUSE, REAR YARD, SIDE YARD - NORTH, SIDE YARD - SOUTH, MAX. HEIGHT if more than1.8m away, Total Floor Area. Includes diagrams of detached garage.

Table with 3 columns: LOT GRADE, BUILDING - DIMENSIONS, BUILDING HEIGHT Map 50J 321. Includes diagrams of lot grade and building height.



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Walmer Ravine Duplex

369 Walmer Road
Toronto

ZONING ANALYSIS - LOT
A

Date: 2019-08-02

COA003

Zoning Analysis
Walmer Ravine Duplex - Lot B

369 Walmer Road Toronto ON M5R 2Y3 Canada
TORONTO CITY WARD Ward 21 (St. Paul's)

ZONING BY-LAW 569-2013

ZONING R(f10.5; u2; d0.6)(x929)
PERMITTED USES Detached or Duplex

ZONING BY-LAW 438-86

ZONING ZONE R1S Z0.6

PERMITTED PROPOSED

LOT		
LOT FRONTAGE	Min. 10.5m	8.25m
LOT AREA	Min. Lot Frontage x 30m = Min. 315m ²	435.8m ²
LOT DEPTH	N/A	54.240m
ESTABLISHED GRADE	N/A	156.64m
AVERAGE GRADE	N/A	156.64m
PERMITTED # DWELLING UNITS	Max. 2 Units	2 Units

LOT - LANDSCAPING

FRONT YARD LANDSCAPING	50%(- drive)=Min. 10.5.50.10 (44.55m ² -14.00m ²)0.5=Min. 15.28m ²	25.21m ²
FRONT YARD SOFT LANDSCAPING	50%(- encrchs)x 75%=Min. (28.913m ²)0.75=Min. 21.685m ²	17.58m ²
REAR YARD SOFT LANDSCAPING	Min. 50% (201.18m ²)0.5=Min. 100.59m ²	99.99m ² =49%
MAX. WIDTH F. YARD WALKWAY	-	1.06m
DRIVE WIDTH	Min. 2.0m Max 2.6m 10.5.100 (2)	2.6m
LOT COVERAGE (incl. ancillary)	N/A	N/A

BUILDING - SETBACKS

FRONT YARD	Neigh.s' Avg.=8.000m 10.5.40.70	5.4m
REAR YARD	7.5m 10.10.40.70	28.33m
SIDE YARD - NORTH	0.0 m	0.0m
SIDE YARD - SOUTH	3.0 m	2.5m

BUILDING - GFA AND FLOOR SPACE INDEX

Basement GFA	N/A 10.5.40.40	114.61m ²
Ground Floor GFA	N/A	102.54m ²
Second Floor GFA	N/A	96.16m ²
Third Floor GFA	N/A	88.32m ²
GFA(GFA/Lot Area=Max)0.6=Max.258.705m ² 10.5.40.40(A)		287.02m ²
MAX.FL. SPACE INDEX(GFA/Lot Area)0.6		0.66

BUILDING - DIMENSIONS

BUILDING HEIGHT	Max. 12.0 m	10.34m
BUILDING HEIGHT+CHIMNEY	-	-
HEIGHT MAIN WALL - Front	Max. 9.5m	10.18m
HEIGHT MAIN WALL - Rear	Max. 9.5m	10.18m
HEIGHT MAIN WALL - Side	Max. 9.5m	10.34m
FIRST FLOOR ABOVE GRADE	1.2 m	1.18m
MAX. NO. STORIES	No Limit	4
BUILDING LENGTH	17 m	20.52m
BUILDING DEPTH	14m duplex/fourplex 10.10.40.30	17.92m
ROOF SLOPE	5 vertical : 3 vertical	

BUILDING - SETBACK ENCROACHMENT

ROOF EAVE	0.45m	-
CANOPY	2.5m	1.2m
PLATFORM FRONT	Lesser of 2.5m or 50% FY Setback	1.2m
PLATFORM REAR	Lesser of 1.5m or 50% RY Setback	2.134m
PLATFORM SIDE	0m	0m
PLATFORM SIDE	0m	0m

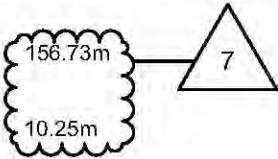
BUILDING - EXTERIOR STAIRS

MAX. WIDTH	2.0m 10.5.40.60	1.20m
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ANCILLARY BUILDING - DETACHED GARAGE

AVG. GRADE	N/A	156.44m
SEPARATION FROM HOUSE	Min. 1.8m 10.5.60.30	10.29m
REAR YARD	0m 10.10.60.20	11.83m
SIDE YARD - NORTH	0.3m 10.5.60.20	0.9m
SIDE YARD - SOUTH	0.3m 10.5.60.20	4.2m
MAX. HEIGHT if more than 1.8m away	4.0m	3.63m
Total Floor Area	40m ²	21.18m ²

LOT GRADE	N/A
BUILDING - DIMENSIONS	
BUILDING HEIGHT Map 50J 321	12m



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Walmer Ravine Duplex

369 Walmer Road
Toronto

ZONING ANALYSIS - LOT
B

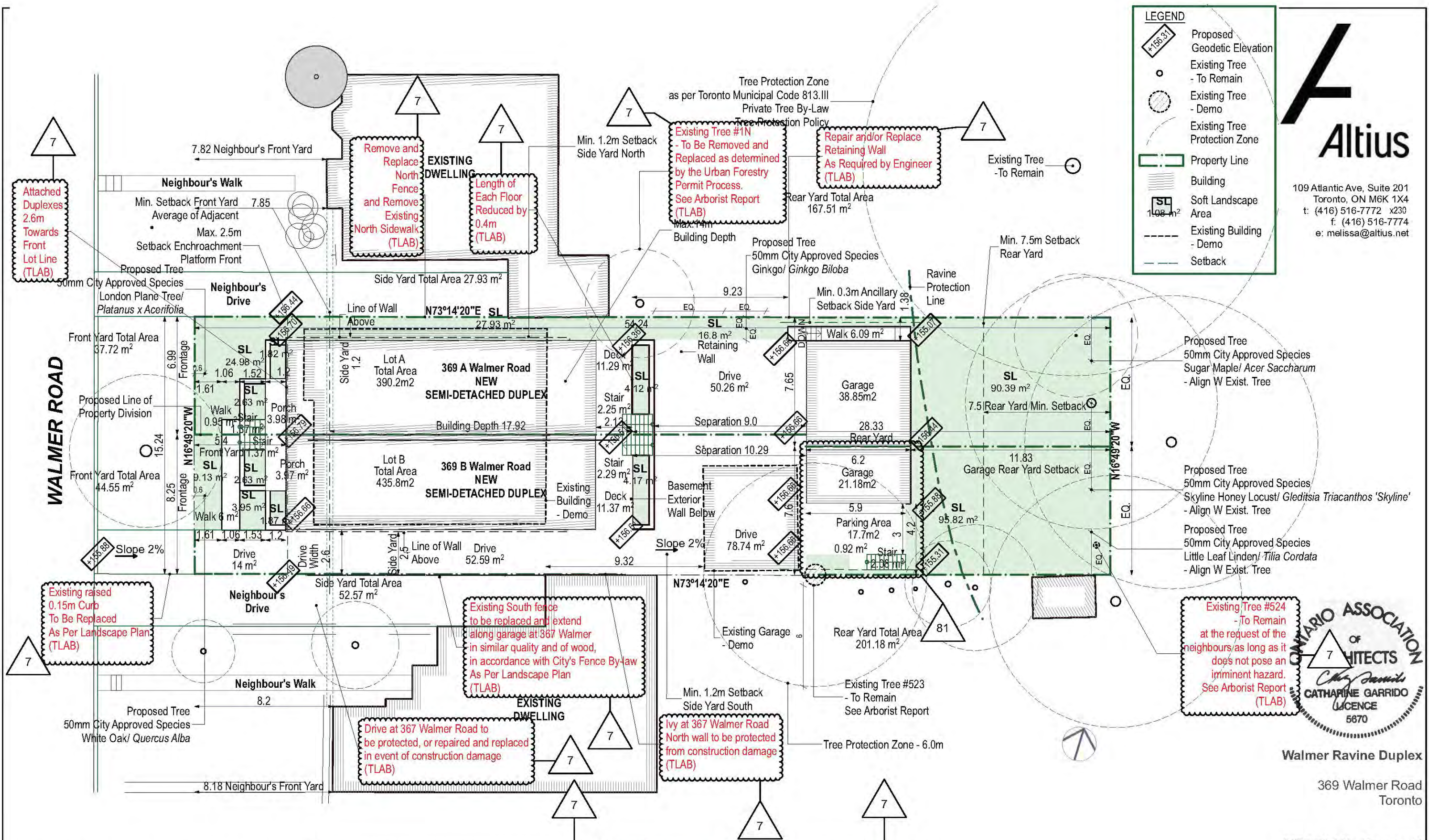
Date: 2019-08-02

COA004



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LEGEND	
	Proposed Geodetic Elevation
	Existing Tree - To Remain
	Existing Tree - Demo
	Existing Tree Protection Zone
	Property Line
	Building
	Soft Landscape Area
	Existing Building - Demo
	Setback



SITE PLAN - Proposed
SCALE: 1:200

Note:
-The owner agrees to maintain landscaping substantially in accordance with landscaping plan.
-Porous paving will be used for driveway construction. (TLAB)

Note: Drainage and flooding to be addressed on this or abutting properties with special measures including porous paving materials for driveway as determined necessary through review with City of Toronto engineering department. (TLAB)

- 01 - Revision - Just for driveway slope as per engineering memo 2019-02-01
- 02 - Revision - Zoning Revision 2019-03-28
- 06 - Revision - TLAB Revision - Garage Only 2019-07-12
- 07 - Revision - TLAB Revision - 2019-07-30



Walmer Ravine Duplex
369 Walmer Road
Toronto

SITE PLAN - Proposed
Date: 2019-09-05
COA100



369 Walmer Road
Toronto

BASEMENT
Date: 2019-08-02

COA200

BASEMENT

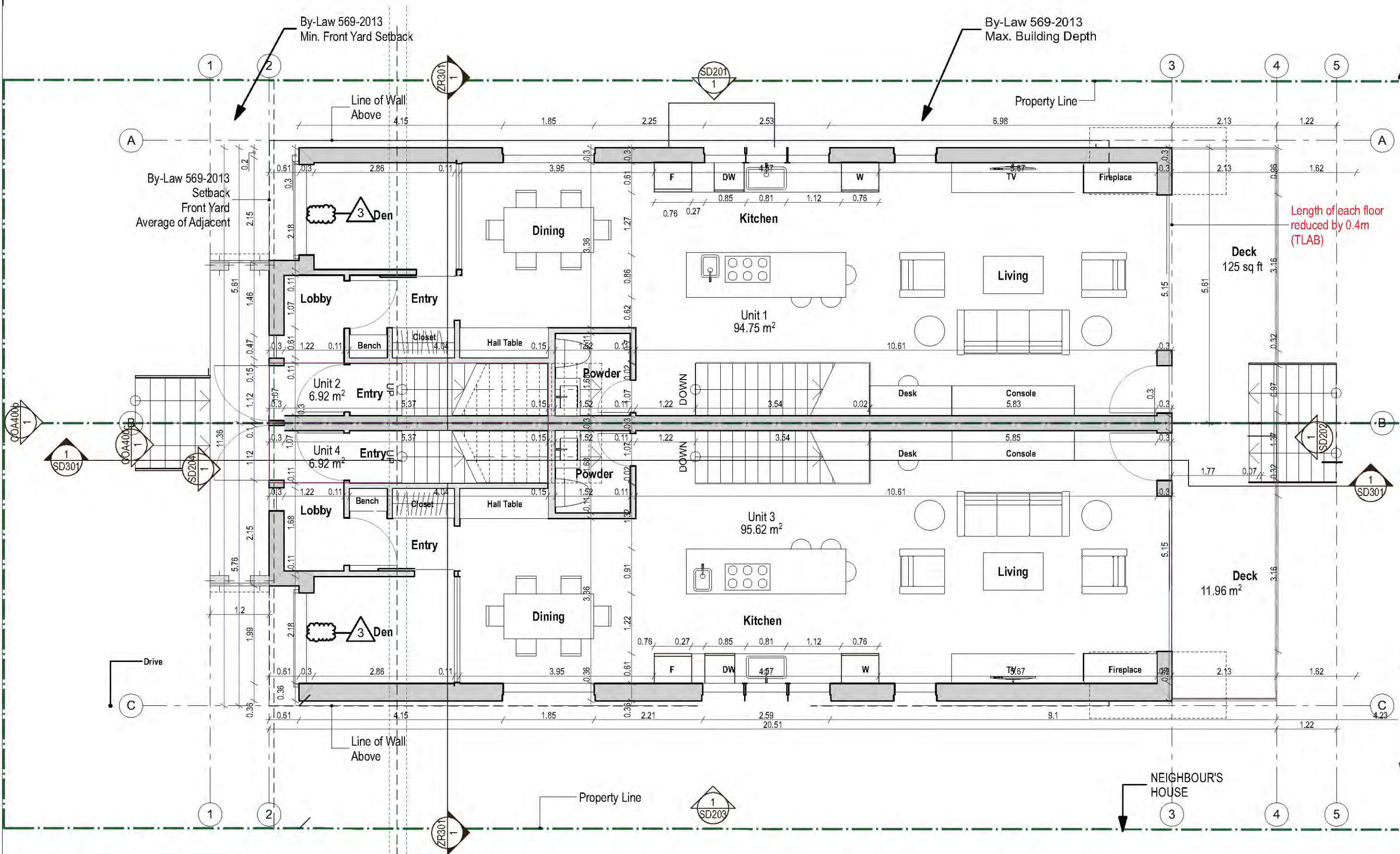
SCALE: 1:75



369 Walmer Road
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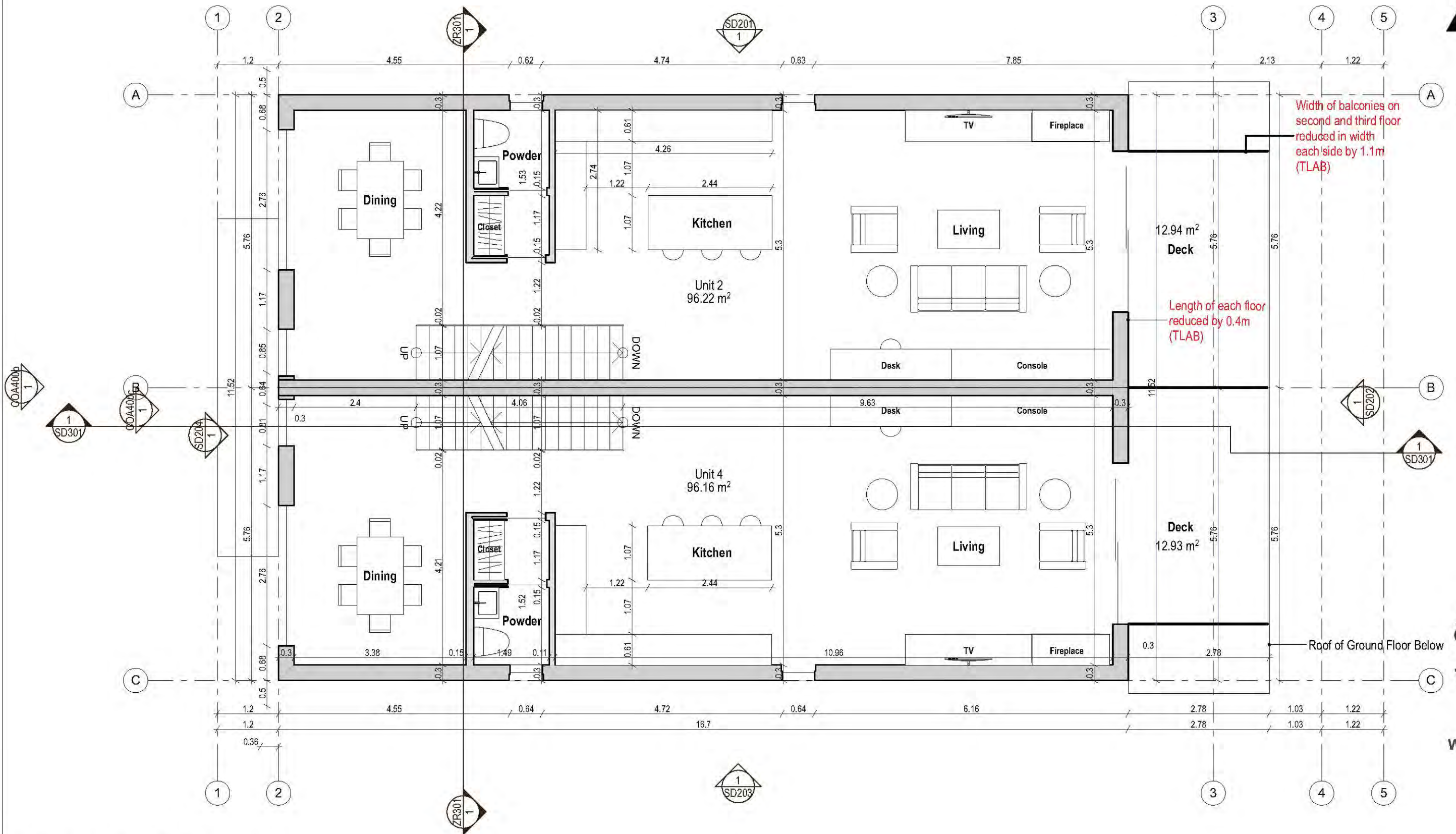
GROUND FLOOR
Date: 2019-08-02

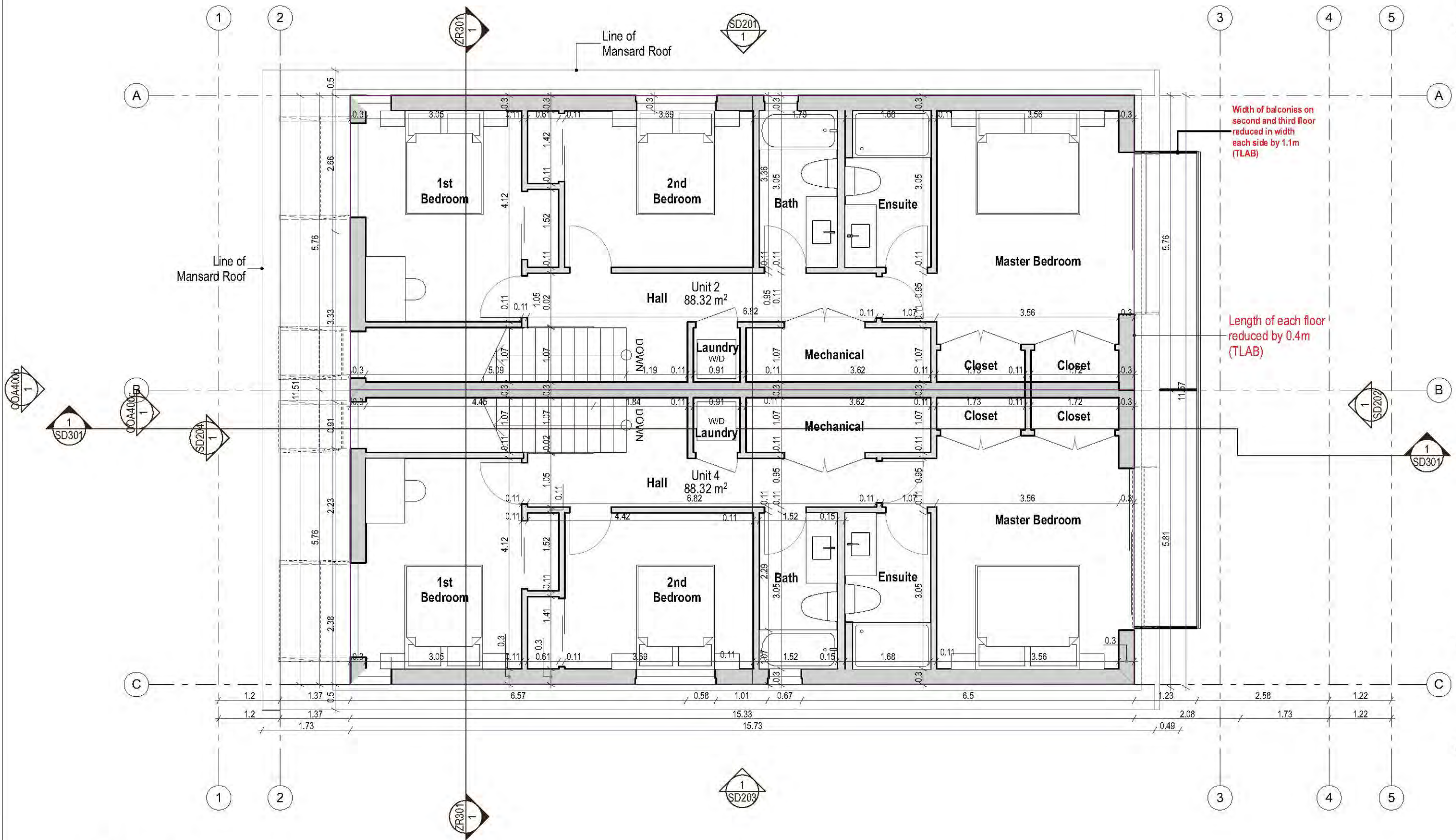
COA201

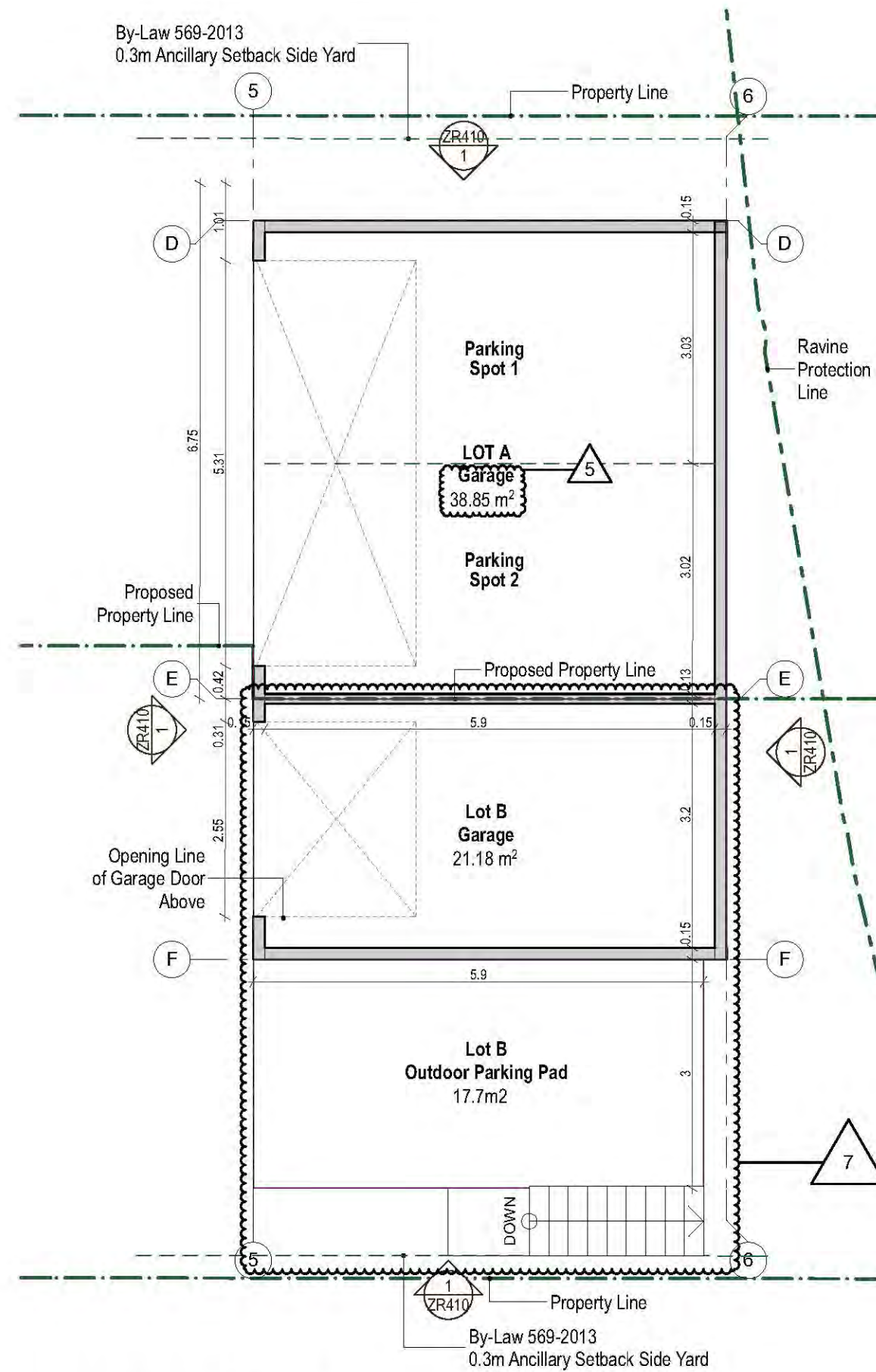


GROUND FLOOR

SCALE: 1:75







GARAGE PLAN

SCALE: 1:75

06 - Revision - TLAB Revision - Garage Only 2019-07-12



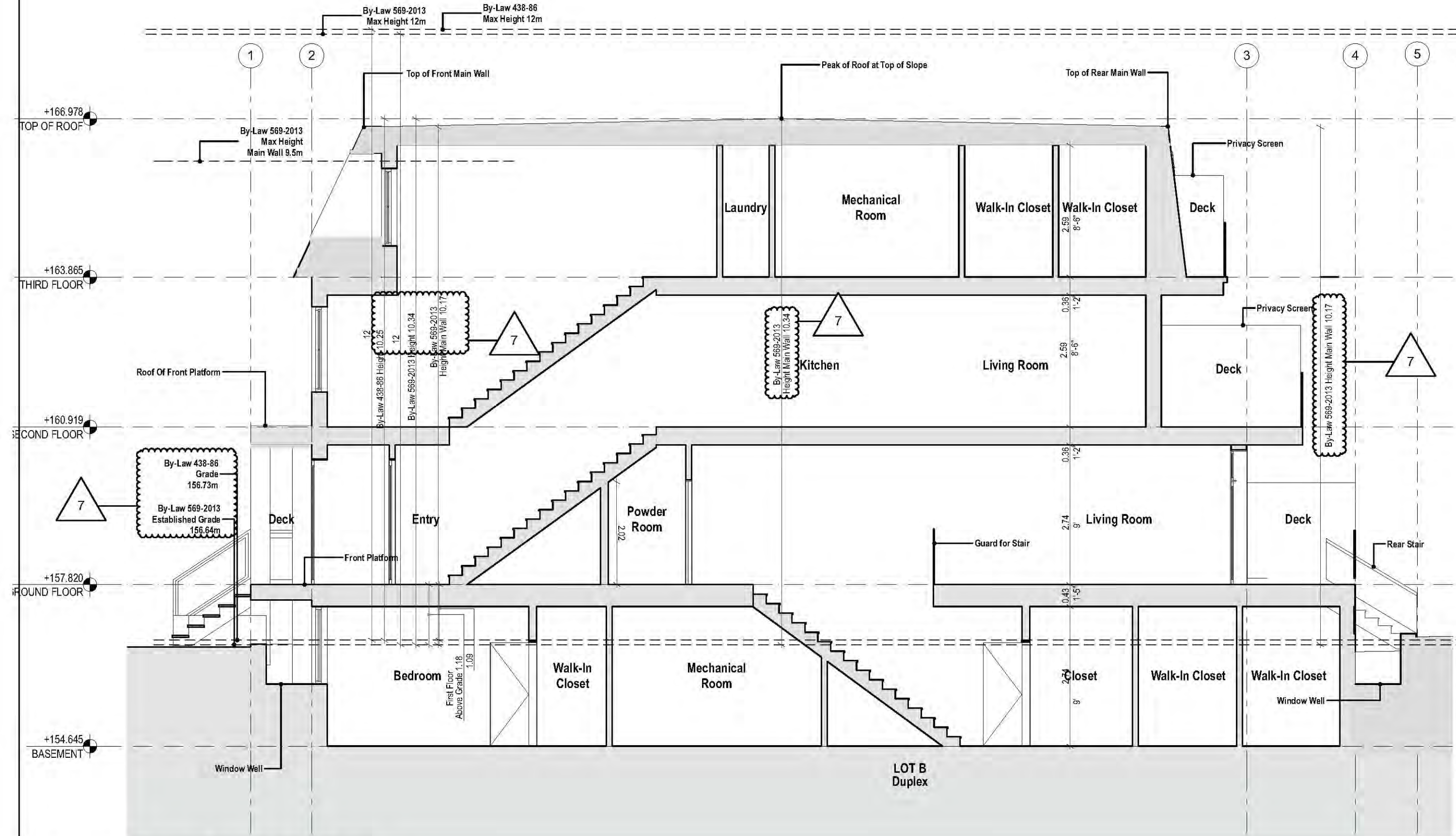
Walmer Ravine Duplex

369 Walmer Road
Toronto

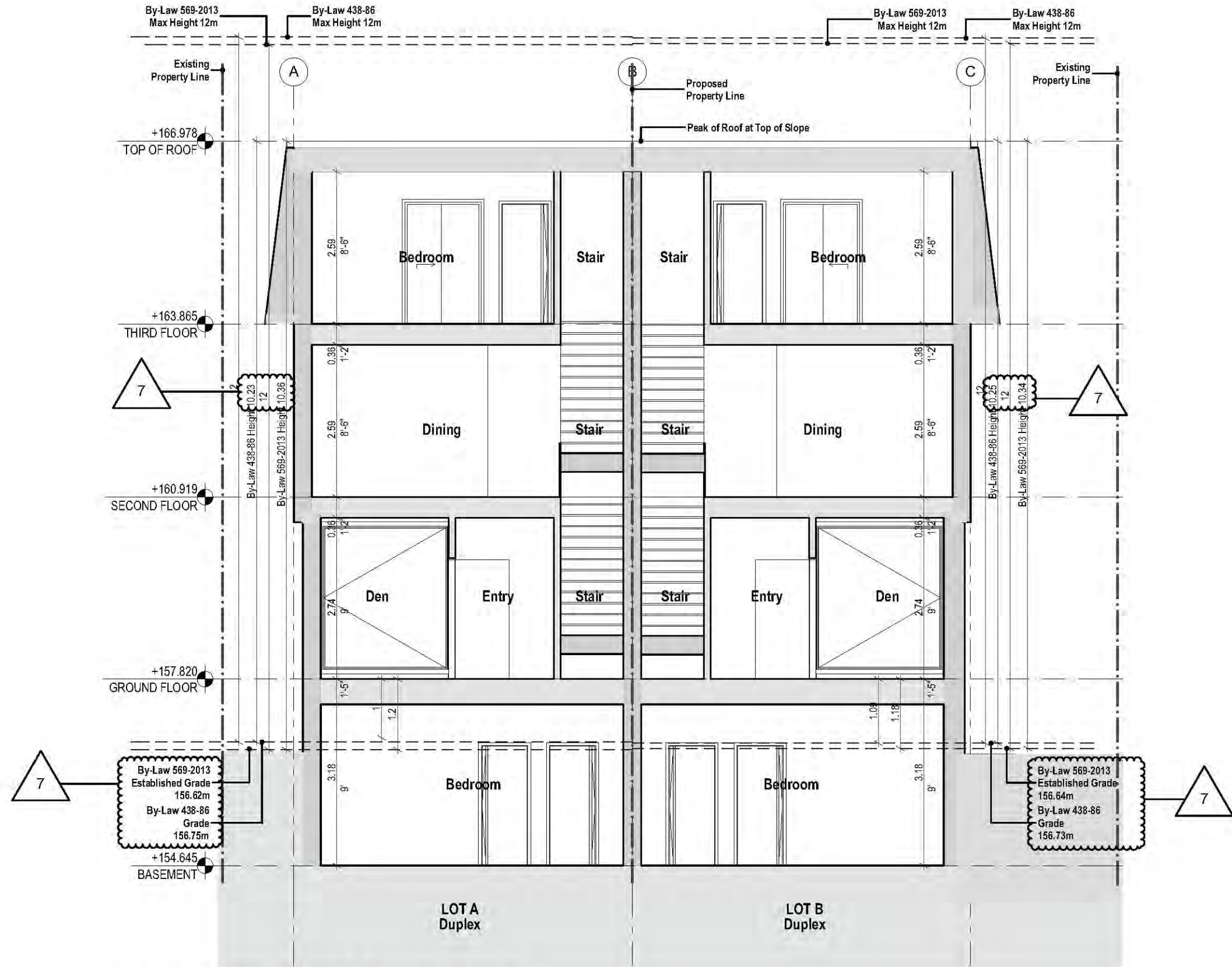
GARAGE PLAN

Date: 2019-08-02

COA210



SECTION - LONGITUDINAL



SECTION - TRANSVERSE



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D.J. K. Land Use Planning

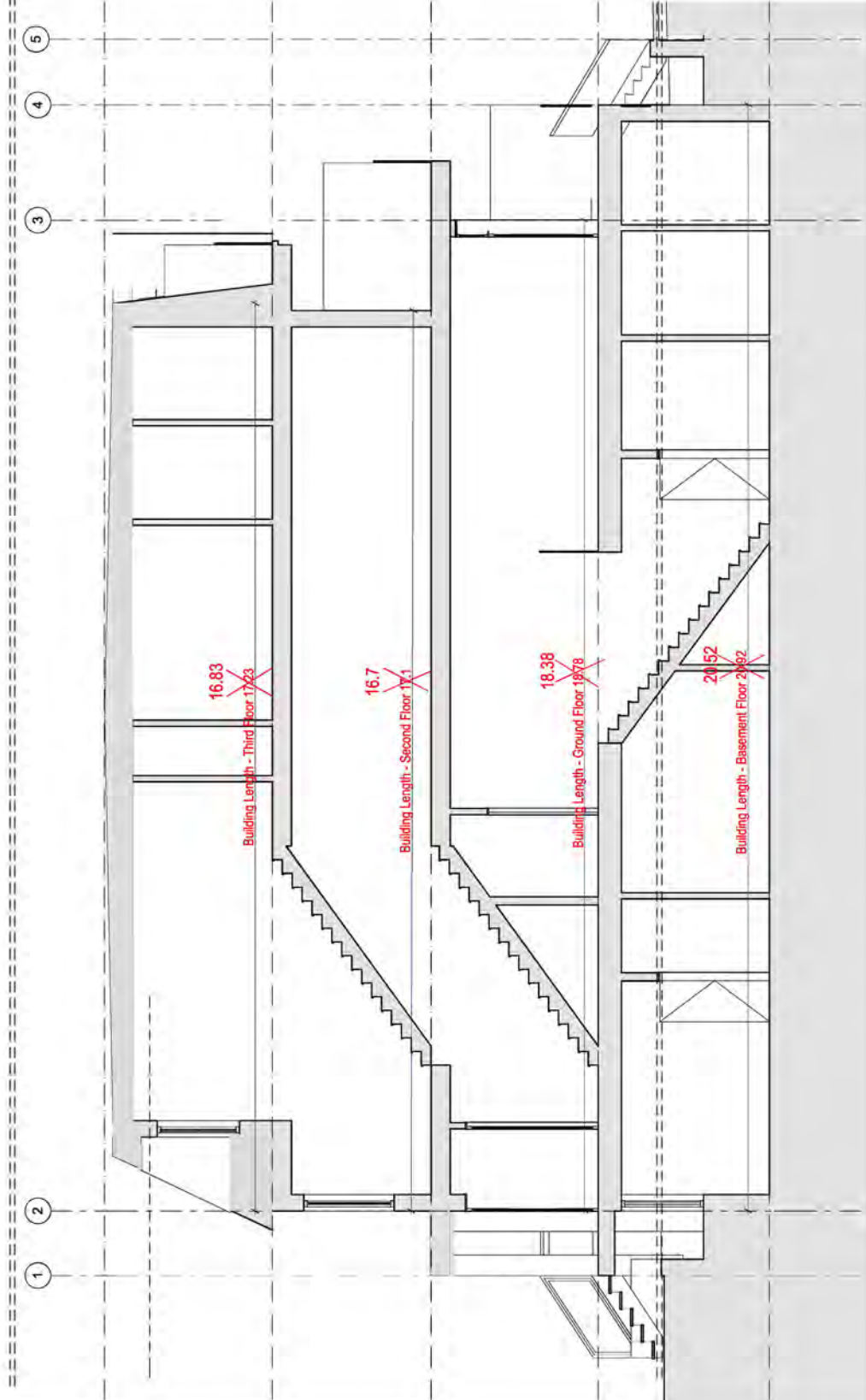


Walmer Ravine Duplex

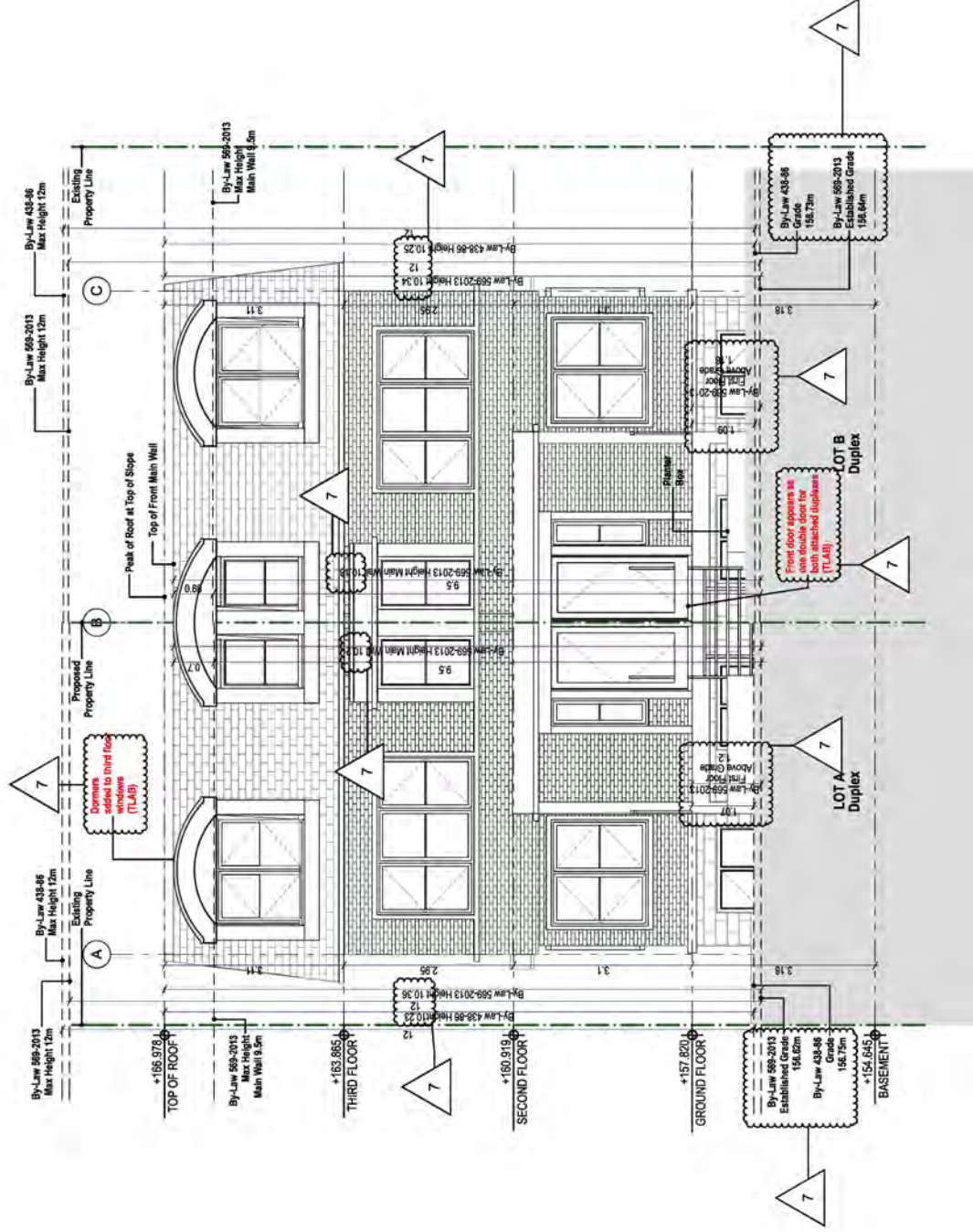
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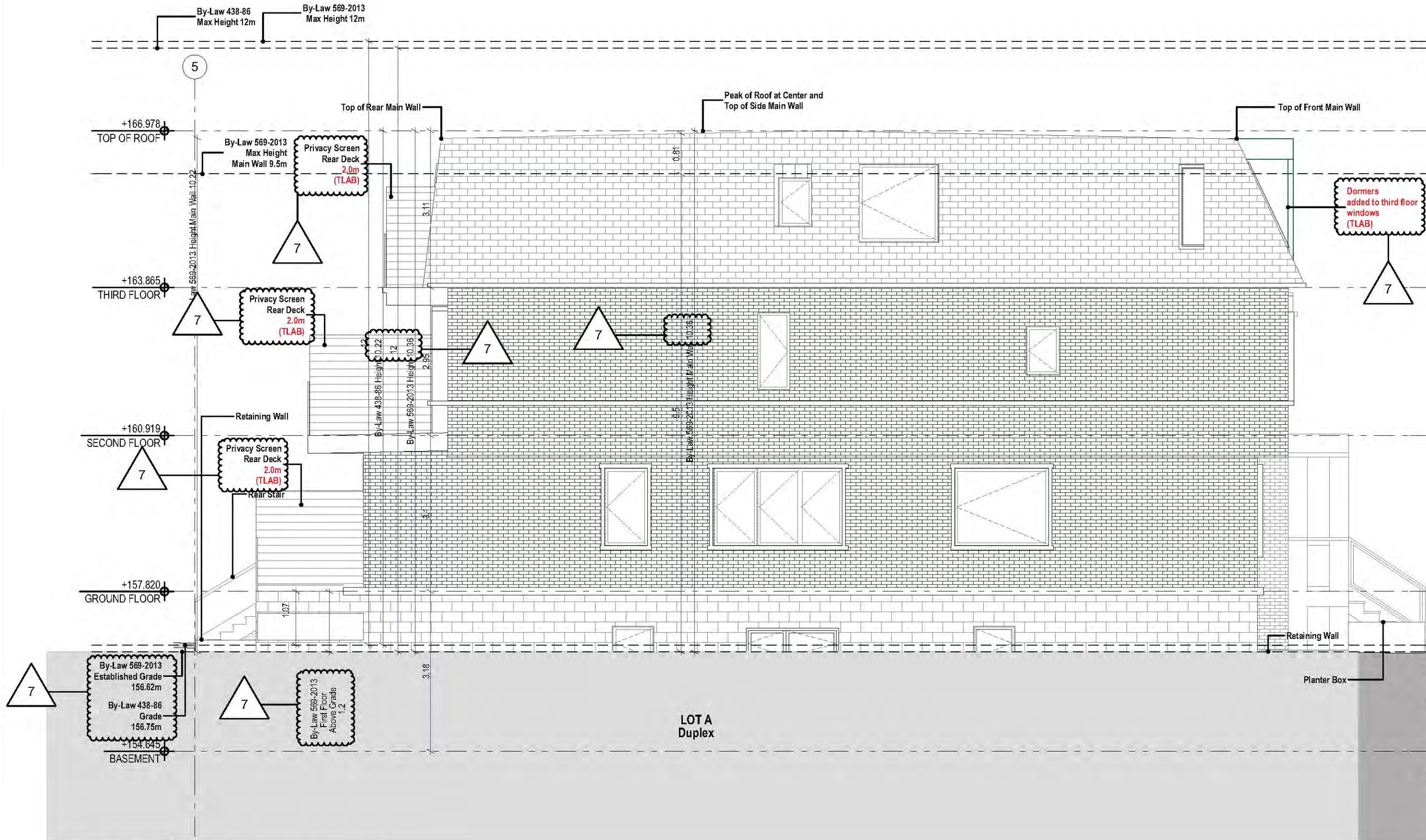
Diagram - Building
Length Analysis
Date: 2019-09-11

COA008



SCALE: 1:75





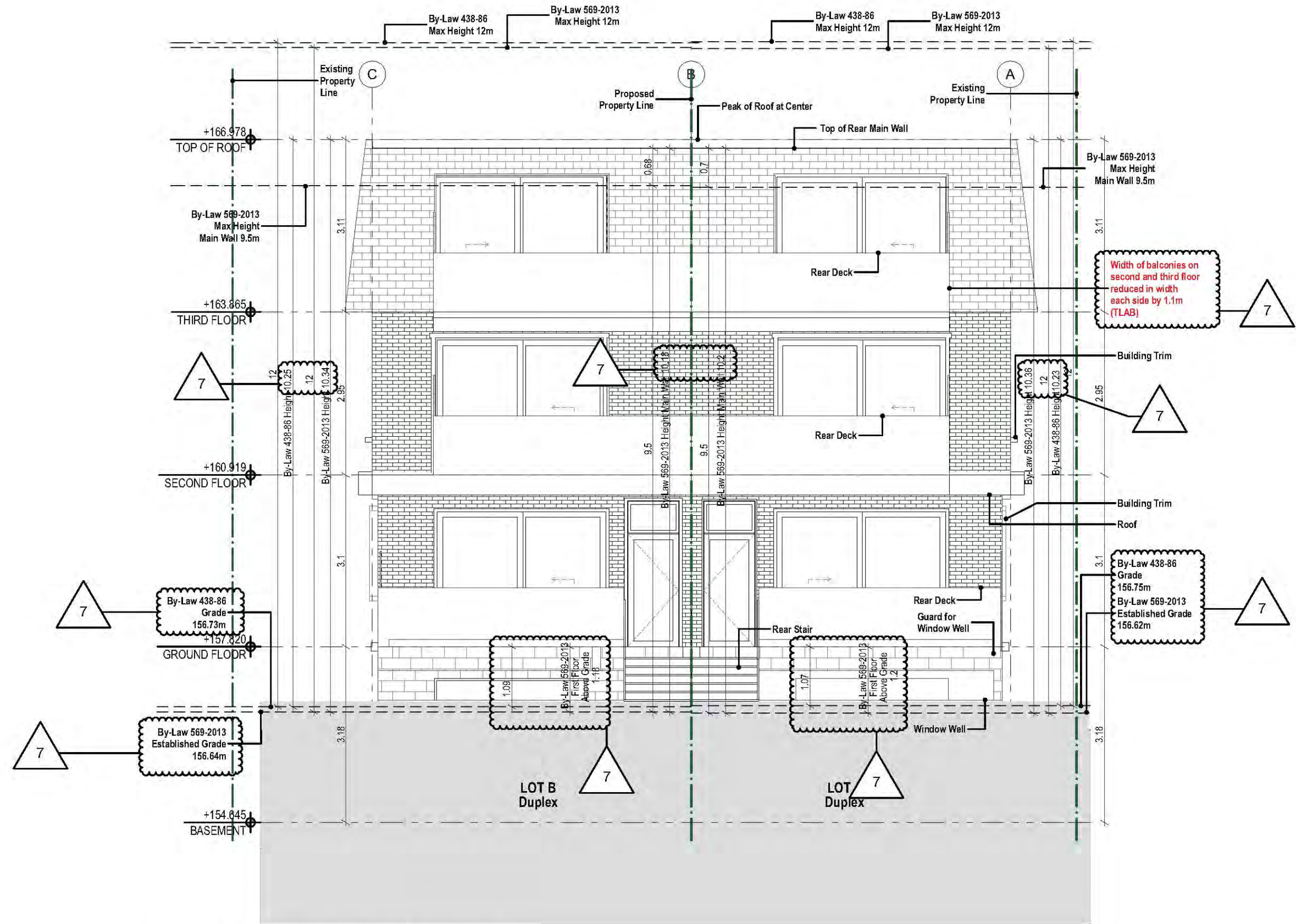


369 Walmer Road
Toronto

SCALE: 1:75

SOUTH/SIDE ELEVATION
Date: 2019-08-15

COA402



EAST/REAR ELEVATION

SCALE: 1:75



SCALE: 1:75



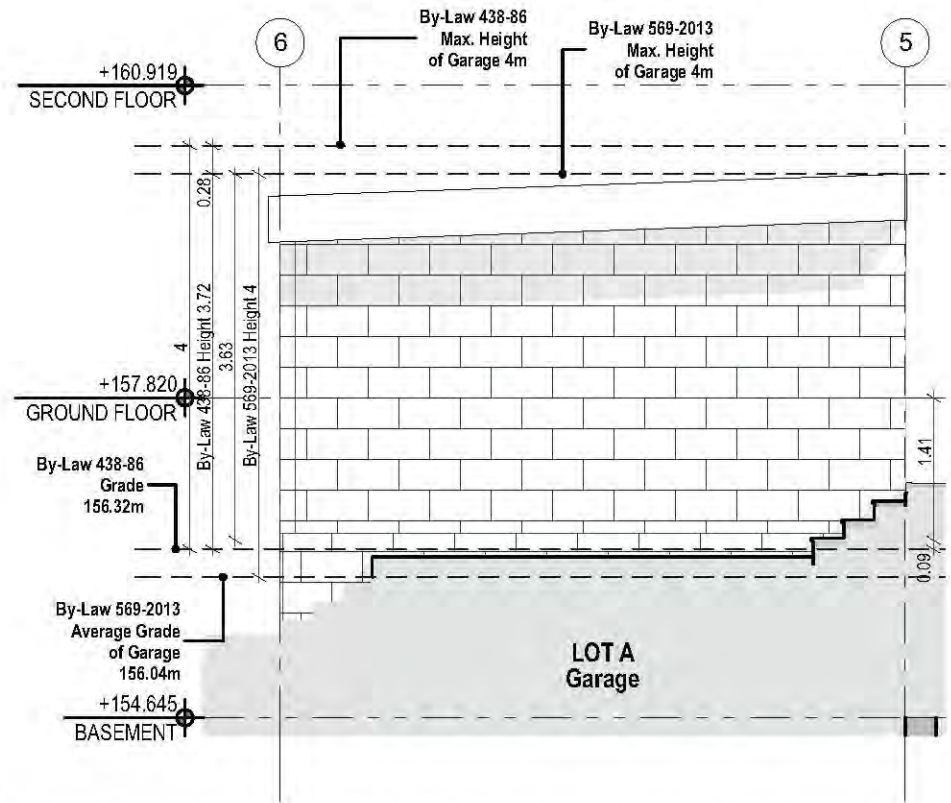
Walmer Ravine Duplex

369 Walmer Road
Toronto

**GARAGE ELEVATIONS -
WEST/FRONT**

Date: 2019-08-02

COA410



SOUTH/SIDE GARAGE ELEVATION

SCALE: 1:75



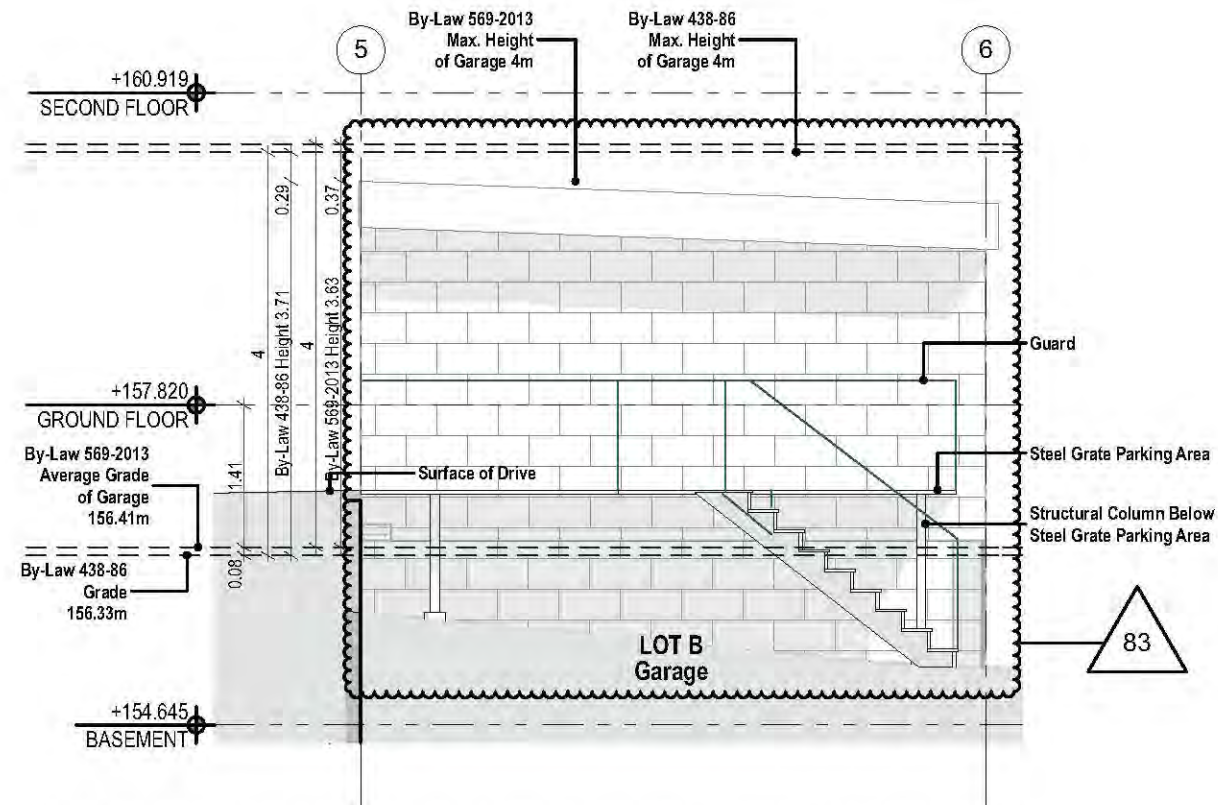
Walmer Ravine Duplex

369 Walmer Road
 Toronto

GARAGE ELEVATIONS -
 SOUTH/SIDE

Date: 2019-08-02

COA412



NORTH/SIDE GARAGE ELEVATION

SCALE: 1:75

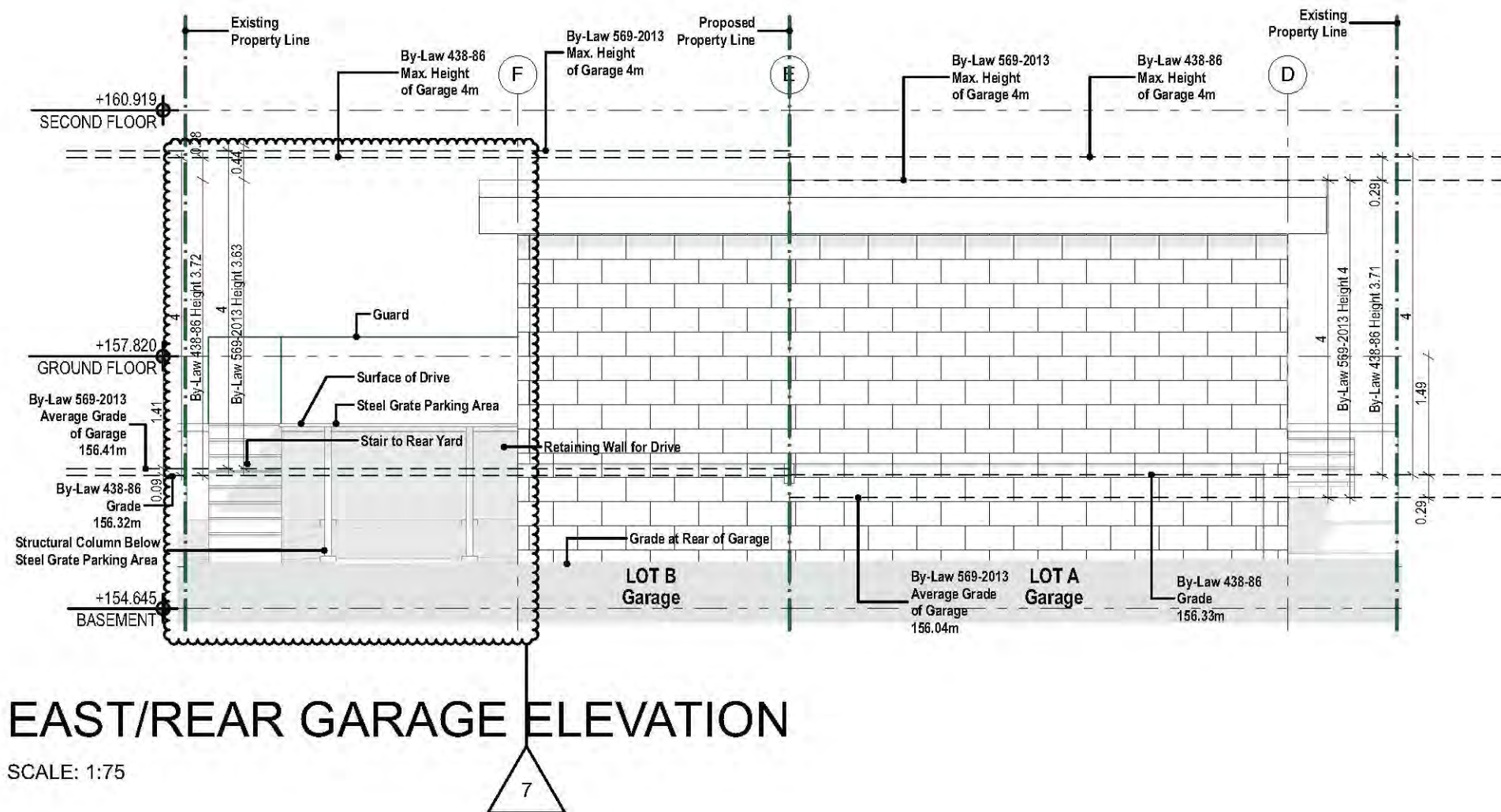


Walmer Ravine Duplex

369 Walmer Road
 Toronto

GARAGE ELEVATIONS -
 NORTH/SIDE
 Date: 2019-08-02

COA411



Appendix 2

List of Variances

The variances for Lot A are listed below:

1. The required minimum lot frontage is 10.5 metres, The proposed lot frontage is 6.99 metres. [10.10.30.20.(1)]
2. The permitted maximum height of all front exterior main walls is 9.5 metres. The proposed height of the front exterior main wall is 10.20 metres. [10.10.40.10(2)]
3. The permitted maximum height of all rear exterior main walls is 9.5 metres. The proposed height of the rear exterior main wall is 10.20 metres. [10.10.40.10(2)]
4. The permitted maximum height of all side exterior main walls facing a side lot line is 9.5 metres. The proposed height of the side exterior main wall is 10.36 metres. [10.10.40.10(2)]
5. The permitted maximum building depth for a duplex is 14.0 metres. The proposed building depth is 17.92 metres in the basement, 15.79 metres on the ground floor, and 14.11 metres on the second and third stories [10.10.40.30(1)]
6. The permitted maximum floor space index is 0.6 times the area of the lot: 234.08 square metres. The proposed floor space index is 0.74 times the area of the lot: 286.21 square metres. [10.10.40.40(1)]
7. A platform without main walls, attached to or less than 0.3 metres from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 metres if it is no closer to a side lot line than the required side yard setback. The proposed front porch encroaches 3.8 metres into the required front yard setback. [10.5.40.60.(1)]
8. The required minimum front yard setback is 8.0 metres. The proposed front yard setback is 5.4 metres. [10.10.40.70.(1)]
9. A dwelling unit is only permitted in a detached house or a duplex; and for a duplex, the following applies:
 - (i) a duplex may be attached to one other duplex on an adjacent lot in the same zone: and
 - (ii) the minimum side yard setback for a duplex or for the exterior of two attached duplex residential buildings is 3.0 metres.

The proposed north side yard setback is 1.2 metres.
[(900.2.10(929) Exception R 929]

The variances for Lot B are listed below:

1. The required minimum lot frontage is 10.5 metres, The proposed lot frontage is 8.25 metres. [10.10.30.20.(1)]
2. The permitted maximum height of all front exterior main walls is 9.5 metres. The proposed height of the front exterior main wall is 10.18 metres. [10.10.40.10(2)]
3. The permitted maximum height of all rear exterior main walls is 9.5 metres. The proposed height of the rear exterior main wall is 10.18 metres. [10.10.40.10(2)]
4. The permitted maximum height of all side exterior main walls facing a side lot line is 9.5 metres. The proposed height of the side exterior main wall is 10.34 metres. [10.10.40.10(2)]
5. The permitted maximum building depth for a duplex is 14.0 metres. The proposed building depth is 17.92 metres in the basement, 15.79 metres on the ground floor, and 14.11 metres on the second and third stories. [10.10.40.30(1)]
6. The permitted maximum floor space index is 0.6 times the area of the lot: 258.71 square metres. The proposed floor space index is 0.66 times the area of the lot: 287.02 square metres. [10.10.40.40(1)]
7. A platform without main walls, attached to or less than 0.3 metres from a building, with a floor no higher than the first floor of the building above established grade may encroach into the required front yard setback 2.5 metres if it is no closer to a side lot line than the required side yard setback. The proposed front porch encroaches 3.8 metres into the required front yard setback. [10.5.40.60.(1)]
8. The required minimum front yard setback is 8.0 metres. The proposed front yard setback is 5.4 metres. [10.10.40.70.(1)]
9. A dwelling unit is only permitted in a detached house or a duplex; and for a duplex, the following applies:
 - (i) a duplex may be attached to one other duplex on an adjacent lot in the same zone: and
 - (ii) the minimum side yard setback for a duplex or for the exterior of two attached duplex residential buildings is 3.0 metres.

The proposed south side yard setback is 2.5 metres. [(900.2.10(929) Exception R 929]

Appendix 3

Minor Variance Conditions

1. The construction of any building on Lot A or Lot B shall be substantially in accordance with the site plan prepared by Altius dated September 5, 2019, Plan COA 100 and the elevation plans contained in the plans prepared by Altius dated August 9, 2019 Plan COA400, COA401, COA402, COA403, COA410, COA 411, COA412 & COA413 all plans filed with the TLAB on September 13, 2019.
2. The applicant shall be required to comply with all of the Engineering and Construction Services Conditions in the memorandum dated November 12, 2018, from the Development Engineering (City of Toronto), to ensure positive driveway drainage and obtaining new municipal addresses prior to submission of a building permit.
3. The applicant shall be required to comply with all of the Heritage Preservation Services Conditions outlined in the staff report dated February 12, 2019, Heritage Preservation Services which indicates that approval be subject to an archaeological assessment in accordance with the *Ontario Heritage Act*, prior to demolition, construction, or other soil disturbances on the subject property.
4. Prior to the issuance of a building permit, the applicant shall satisfy all conditions concerning City owned trees, to the satisfaction of the Director, Parks, Forestry & Recreation, Urban Forestry Services.
5. As stated in a letter dated February 1, 2019, from the Toronto and Region Conservation Authority (TRCA), a permit for the construction at the rear of the properties is required prior to issuance of a Building Permit.
6. As stated in a memorandum dated February 7, 2019, Urban Forestry – Toronto East York District required the owner to provide payment in lieu of planting of one street tree on the City road allowance abutting each of the sites involved in the application, prior to issuance of a Building Permit.
7. Prior to removal of any trees on site, appropriate permits and clearances from the Urban Forestry – Toronto East York District, shall be obtained.
8. In accordance with a letter dated February 1, 2019, from the Toronto Transit Commission, prior to issuance of a building permit, a TTC Technical Review to ensure the proposed work does not negatively impact the TTC's subway tunnel infrastructure along the Yonge-University-Spadina Line shall be completed, as well as Interference Warning clauses included in any purchase or lease agreements.

Appendix 4

Consent Conditions

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.
- (2) Municipal numbers for the subject lots indicated on the applicable Registered Plan of Survey shall be assigned to the satisfaction of Survey and Mapping Services, Technical Services.
- (3) **Two copies of the registered reference plan of survey** integrated with the Ontario Coordinate System and listing the Parts and their respective areas, shall be filed with City Surveyor, Survey & Mapping, Technical Services.
- (4) **Three copies of the registered reference plan of survey** satisfying the requirements of the City Surveyor, shall be filed with the Committee of Adjustment.
- (5) Within **ONE YEAR** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions and prepare for electronic submission to the Deputy Secretary- Treasurer, the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection