

# ORDER

**Decision Issue Date** Thursday, September 19, 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): BABAK LOTFI

Applicant: BABAK GHASSEMI

Property Address/Description: 30 MELROSE AVE

Committee of Adjustment Case File: 19 108276 NNY 08 MV

**TLAB Case File Number: 19 136198 S45 08 TLAB**

**Hearing date:** Friday, August 09, 2019

## FINAL ORDER DELIVERED BY TED YAO

### APPEARANCES

Name	Role	Representative
Babak Ghassemi	Architect and applicant	
Babak Lotfi	Owner and appellant	Martin Mazierski
TJ Cieciura	Expert Witness	
Sandra Sabatino-Bulbo	Participant	
Jonathan Hess	Participant	

### ORDER

This Order concludes the hearing of August 9, 2019. The following variances are authorized subject to the conditions that follow. (The wording is copied from the memo of September 16, 2019, from Mr. Mazierski to the TLAB with formatting changes only).

#### 1. [10.10.40.10.(2) Maximum Height of Specified Pairs of Main Walls]

B)(ii) The permitted maximum height of all side exterior main walls facing a side lot line is 7.5 metres. The proposed height of the side exterior main walls facing a side lot line is 8.24 metres.

**2. [10.10.40.30.(1) Maximum Building Depth]**

A) The permitted maximum building depth for (detached house, semi-detached house) is 17.0 metres. The proposed building depth is 18.00 metres.

**3. [10.10.40.10.(6) Height of First Floor Above Established Grade]**

The permitted maximum height of the first floor above established grade is 1.2 metres. The proposed height of the first floor above established grade is 1.43 metres.

**4. [10.10.40.40.(1) Floor Space Index]**

A) The permitted maximum floor space index is 0.6 times the area of the lot. The proposed floor space index is 0.63 times the area of the lot.

**5. [10.10.40.70.(3) Minimum Side Yard Setback]**

A)(i) The required minimum side yard setback for a detached house is 0.9 metres. The proposed West side yard setback is 0.41 metres.

**6. [10.5.40.50.(2) Platforms in Relation to Building Setbacks]**

In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 metres of a building, must comply with the required minimum building setbacks for the zone. The required west side yard setback for the zone is 0.90 metres. The proposed west side setback for the front porch is 0.41 metres.

**7. [10.5.40.70.(1) Front Yard Setback - Averaging]** The minimum required front yard setback is 4.86 metres. The proposed front yard setback is 4.37 metres.

**8. [10.5.40.50.(4) Platforms at or Below the First Storey of a Residential Building other than an Apartment Building]**

In the Residential Zone category, the level of the floor of a platform, such as a deck or balcony located at or below the level of the first storey of a residential building other than an apartment building, may be no higher than 1.2 metres above the ground at any point below the platform, except where the platform is attached to or within 0.3 metres of a front main wall, the floor of the platform may be no higher than 1.2 metres above established grade. The proposed front porch is 1.43 metres above established grade.

**9. [10.5.40.50.(2) Platforms in Relation to Building Setbacks]**

In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 metres of a building, must comply with the required minimum building setbacks for the zone. The required west side yard setback for the zone is 0.90 metres. The proposed west side setback for the rear deck is 0.71 metres.

The Approval is subject to the following conditions:

1. The building will be constructed in substantial compliance with the Babak Ghassemi prepared drawings, including the western and eastern elevation drawings dated August 20, 2019 and attached to the decision.
2. A translucent privacy screen, which shall be approximately 2.0 metres in height, shall be installed along the full length of the west side of the rear first storey balcony.
3. There shall be no fence constructed along the west lot line of the subject property other than at or behind (meaning north of) the rear main wall of the building.

**X**



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Ted Yao  
Panel Chair, Toronto Local Appeal Body

## LIST OF DRAWINGS

A001 SITE PLAN

A002 LANDSCAPING STATISTICS

A100 BASEMENT FLOOR PLAN

A101 FIRST FLOOR PLAN

A102 SECOND FLOOR PLAN

A104 ROOF PLAN

A200 NORTH ELEVATION

A201 SOUTH ELEVATION

A202 EAST ELEVATION

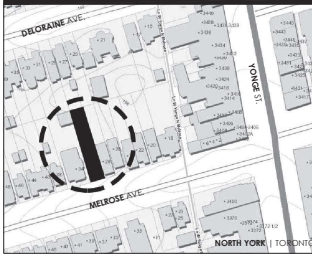
A203 WEST ELEVATION

A300 SECTION A

A301 SECTION B

A500 GENERAL NOTES

## SITE LOCATION | ZONE R1



## PROJECT STATISTICS

LOT MEASUREMENTS		
SITE AREA	3750 ft <sup>2</sup>	348.39 m <sup>2</sup>
LOT FRONTAGE	25' 0"	7.62 m
LOT DEPTH	150' 0"	45.72 m
SETBACKS		
FRONT YARD	14' 4"	4.37 m
REAR YARD	74' 11 1/2"	22.85 m
SIDE YARD (EAST)	3' 8"	1.11 m
SIDE YARD (WEST)	1' 4"	0.41 m
PROPOSED DWELLING		
LENGTH	60' 8 1/2"	18.50 m
WIDTH	20' 0"	6.10 m
HEIGHT	32' 9 1/2"	10.00 m
LOT COVERAGE	1214 ft <sup>2</sup> (32.37%)	112.8 m <sup>2</sup> (32.37%)

FLOOR AREA CALCULATIONS		
	METRIC	IMPERIAL
FIRST FLOOR	1178 ft <sup>2</sup>	109.44 m <sup>2</sup>
SECOND FLOOR	1178 ft <sup>2</sup>	109.44 m <sup>2</sup>
TOTAL GFA	2356 ft <sup>2</sup>	218.88 m <sup>2</sup>
BASEMENT (NOT INCLUDING MECHANICAL)	914 ft <sup>2</sup>	84.91 m <sup>2</sup>
BASEMENT (INCLUDING MECHANICAL)	975 ft <sup>2</sup>	90.58 m <sup>2</sup>
GARAGE	238 ft <sup>2</sup>	22.1 m <sup>2</sup>
NUMBER OF PARKING SPACES	1	1

LANDSCAPING STATISTICS		
FRONT YARD		
FRONT YARD AREA	339 ft <sup>2</sup>	33.35 m <sup>2</sup>
DRIVE WAY AREA	141 ft <sup>2</sup>	13.10 m <sup>2</sup>
LANDSCAPING AREA	218 ft <sup>2</sup>	20.25 m <sup>2</sup>
STEPS, PORCH & WALKWAY AREA	84 ft <sup>2</sup>	7.80 m <sup>2</sup>
SOFT LANDSCAPING AREA	134 ft <sup>2</sup>	12.45 m <sup>2</sup>
REAR YARD		
REAR YARD AREA	1867 ft <sup>2</sup>	173.44 m <sup>2</sup>
AREA OF WALKOUT & STEPS	109 ft <sup>2</sup>	10.12 m <sup>2</sup>
SOFT LANDSCAPING AREA	1758 ft <sup>2</sup>	163.32 m <sup>2</sup>
SIDE YARDS		
SIDE YARD AREA (EAST)	220 ft <sup>2</sup>	20.44 m <sup>2</sup>
SOFT LANDSCAPING AREA (EAST)	220 ft <sup>2</sup>	20.44 m <sup>2</sup>
SIDE YARD AREA (WEST)	81 ft <sup>2</sup>	7.53 m <sup>2</sup>
SOFT LANDSCAPING AREA (WEST)	81 ft <sup>2</sup>	7.53 m <sup>2</sup>

# arklab<sup>®</sup>

(647) 290 - 9695

info@arklab.ca

www.arklab.ca

PROPOSED 2 STOREY RESIDENTIAL DEVELOPMENT WITH INTEGRAL GARAGE

## 30 MELROSE AVE.

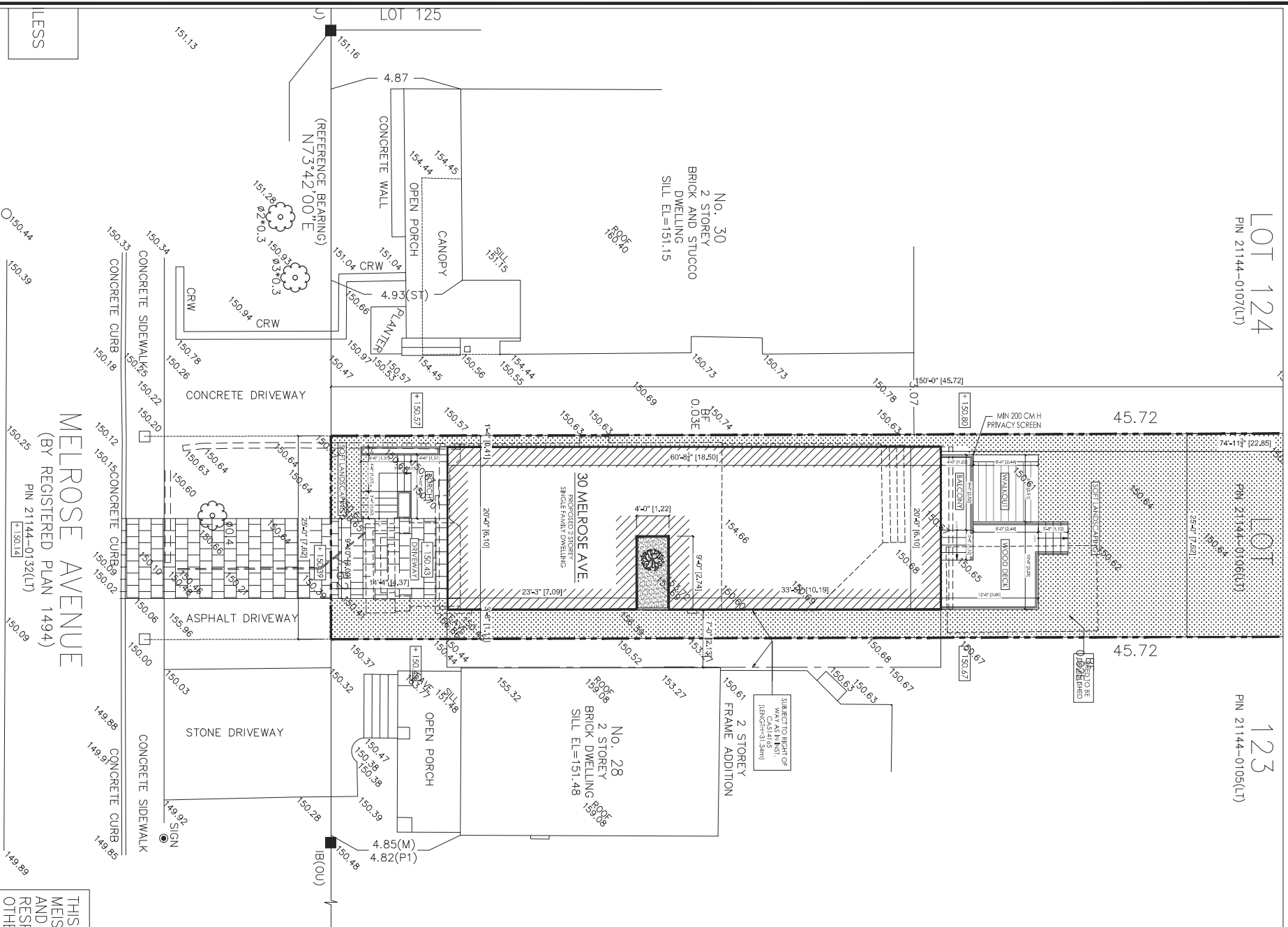
TORONTO, ON | M5M 1Y5



issue date | AUGUST 20 2019

PIN 21144-0107(LT)

PIN 21144-0105(LT)



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MELROSE AVENUE  
(BY REGISTERED PLAN 1494)  
PIN 21144-0132(LT)  
+13014

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DRAWN BY  
E.G.  
CHECKED BY  
E.G.  
DATE:  
14 AUG 2019  
PROJECT NO:  
2723

**REVISIONS / ISSUE DATES**

#	DATE	DESCRIPTION
1	NOV.15.18	ISSUED FOR CLIENT REVIEW
2	NOV.19.18	ISSUED FOR ZONING REVIEW
3	JAN.15.19	ISSUED FOR ZONING REVIEW
4	AUG.14.19	ISSUED FOR LAB

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FOR ACCURATE ROOM PLANS, ELEVATIONS AND DETAILS PLEASE REFER TO THE TRUSS COMPANY DRAWINGS.

**DRAWING KEY**

	SMOKE ALARM
	CO ALARM
	EXHAUST FAN
	FLOOR DRAIN
	BRICK OR STONE VENEER



The undersigned has reviewed and taken responsibility for the design and use of the drawings and meets the requirements set out in the Ontario Building Code to design the work shown on the attached set of drawings.

**Qualification Information**  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code

ARASH FARNA  
NAME: ARASHFARNA  
BCIN: 100763

**Regulatory Information**  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code  
ARLAB  
FIRM NAME: ARLAB  
BCIN: 102724

**STRUCTURAL REVIEW BY**

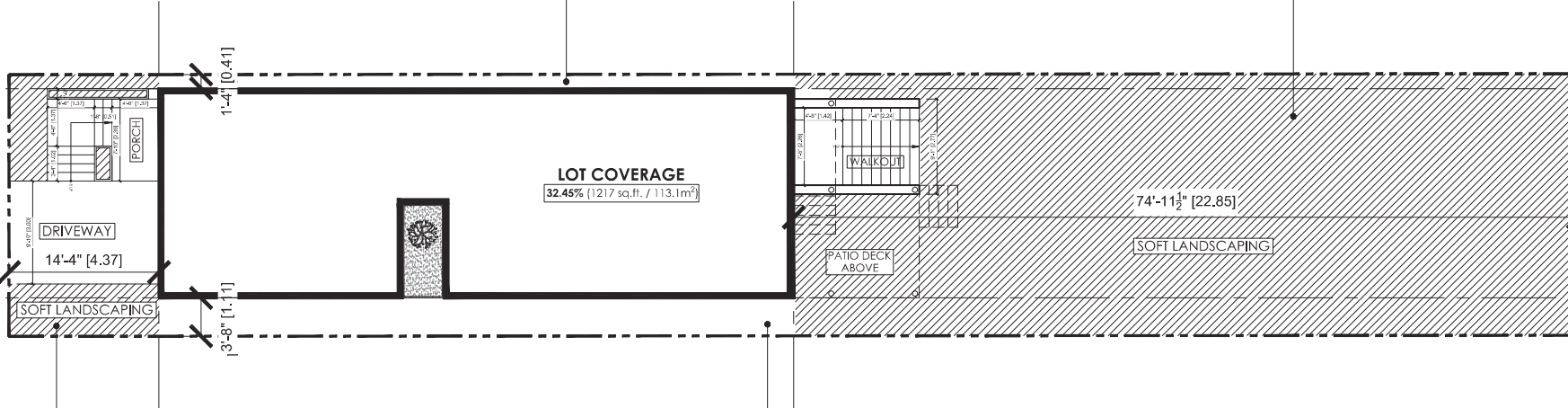
DRAWING TITLE  
**LANDSCAPING STATISTICS**  
DRAWING #  
**A002**

81 ft <sup>2</sup>	7.52 m <sup>2</sup>	SIDE YARD AREA
81 ft <sup>2</sup>	7.52 m <sup>2</sup>	LANDSCAPING AREA

**WEST YARD**

1867 ft <sup>2</sup>	173.44 m <sup>2</sup>	REAR YARD AREA
109 ft <sup>2</sup>	10.12 m <sup>2</sup>	AREA OF WALKOUT AND STEPS
1758 ft <sup>2</sup>	163.32 m <sup>2</sup>	SOFT LANDSCAPING AREA

**REAR YARD**



<b>FRONT YARD</b>	<b>FRONT YARD AREA</b>	33.35 m <sup>2</sup>	359 ft <sup>2</sup>
	DRIVEWAY AREA (39.3%)	13.10 m <sup>2</sup>	141 ft <sup>2</sup>
	<b>LANDSCAPING AREA (60.7%)</b>	20.25 m <sup>2</sup>	218 ft <sup>2</sup>
	PORCH, STEPS & WALKWAY AREA	7.80 m <sup>2</sup>	84 ft <sup>2</sup>
	SOFT LANDSCAPING AREA (61.5%)	12.45 m <sup>2</sup>	134 ft <sup>2</sup>

<b>EAST YARD</b>	SIDE YARD AREA	20.44m <sup>2</sup>	220 ft <sup>2</sup>
	LANDSCAPING AREA	20.44 m <sup>2</sup>	220 ft <sup>2</sup>

SCALE | 3/32" = 1' - 0"

DRAWN BY  
E.G.  
CHECKED BY  
E.G.  
DATE:  
14 AUG 2019  
PROJECT NO:  
2723

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#### DRAWING KEY

	SMOKE ALARM
	CO ALARM
	EXHAUST FAN
	FLOOR DRAIN
	BRICK OR STONE VENEER



The undersigned has reviewed and taken responsibility for this design and for the qualifications and fitness of the materials set out in the Ontario Building Code to design the work shown on the attached documents.

Qualified client information  
Required unless design is exempt under Div. C, 3.2.3.1. of the building code

ARASH FARNA 100763  
NAME BCIN

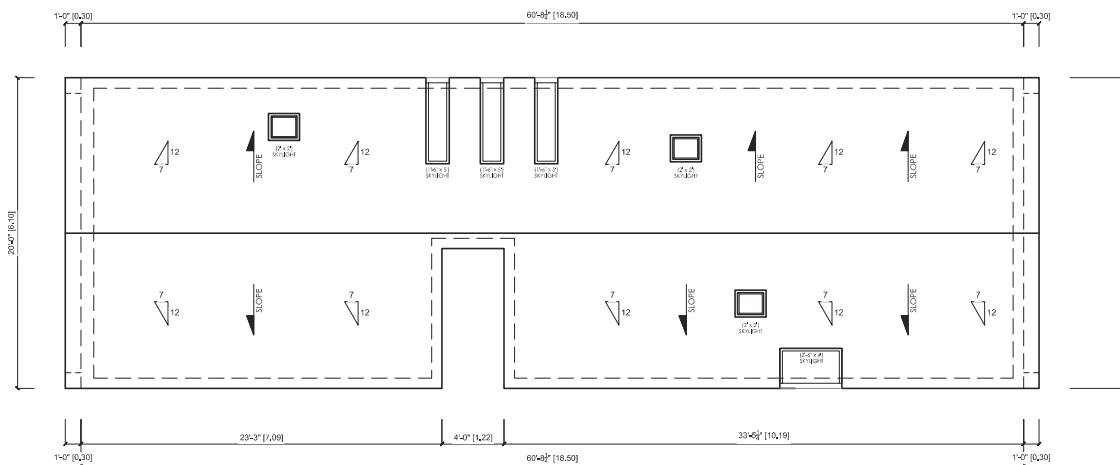
Regulatory information  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code

ARKLAB 102724  
FIRM/NAME BCIN

#### STRUCTURAL REVIEW BY

DRAWING TITLE  
ROOF PLAN

DRAWING #  
A103



SCALE | 1/8" = 1' - 0"



DRAWN BY  
**E.G.**  
CHECKED BY  
**E.G.**  
DATE:  
**14 AUG 2019**  
PROJECT NO:  
**2723**

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**KEY PLAN**

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**Qualifications Information**  
Required unless design is exempt under Div. C, 3.2.3.1. of the building code.

**ARASH FARNA** 100763  
NAME DESIGNER BCIN

**Regulatory Information**  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code.

**ARKLAB** 102724  
NAME DESIGNER BCIN

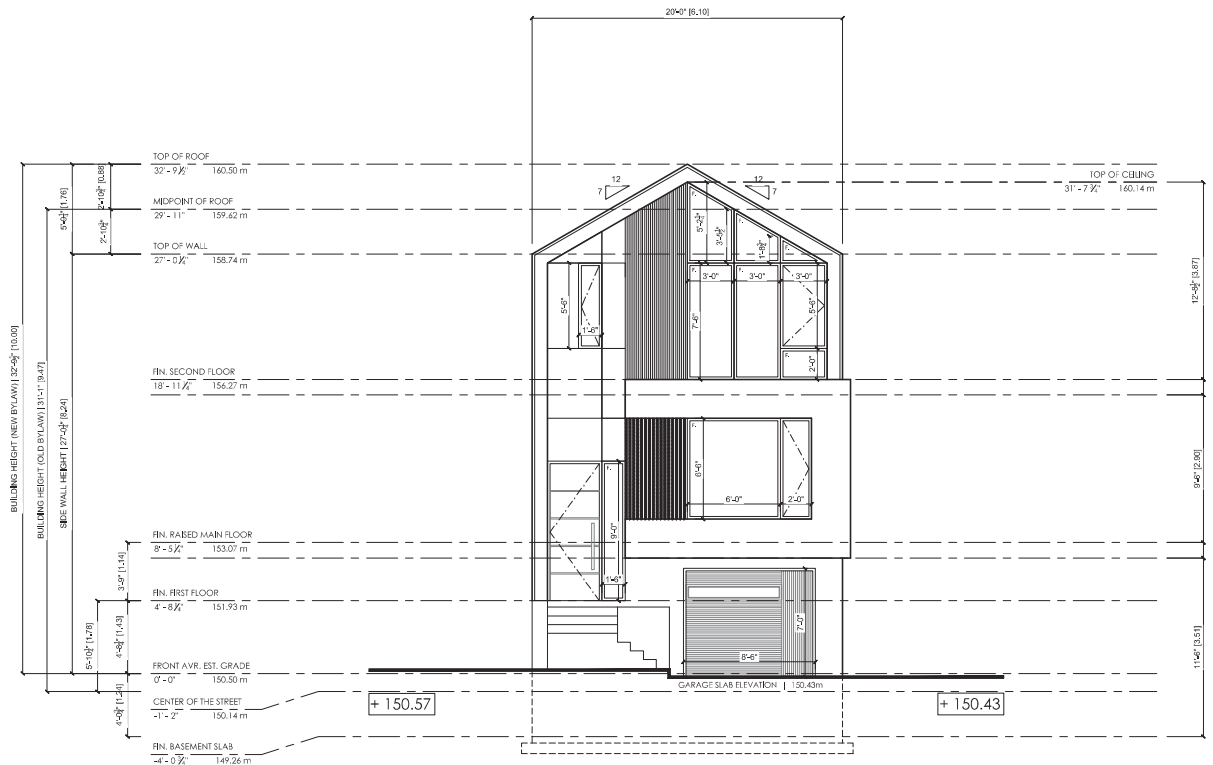
**STRUCTURAL REVIEW BY**

DRAWING TITLE

**SOUTH ELEVATION**

DRAWING #

**A.200**



BUILDING HEIGHT (NEW BY-LAW) | 10.00m [32' - 9 1/2"]  
SIDE WALL HEIGHT | 8.24m [27' - 0 1/2"]

SCALE | 1/8" = 1' - 0"





DRAWN BY B.G.
CHECKED BY: B.G.
DATE: 20 AUG 201
PROJECT NO: 2723

REVISIONS / ISSUE DATES
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\* FOR ACCURATE ROOM  
COMPANY DRAWINGS.



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification information

**Qualification information**  
Required unless design is exempt under Div. C - 3.2.5.1. of the building code

ARASH FARNIA	100763
NAME	SIGNATURE
	SCIN

**Registration Information**  
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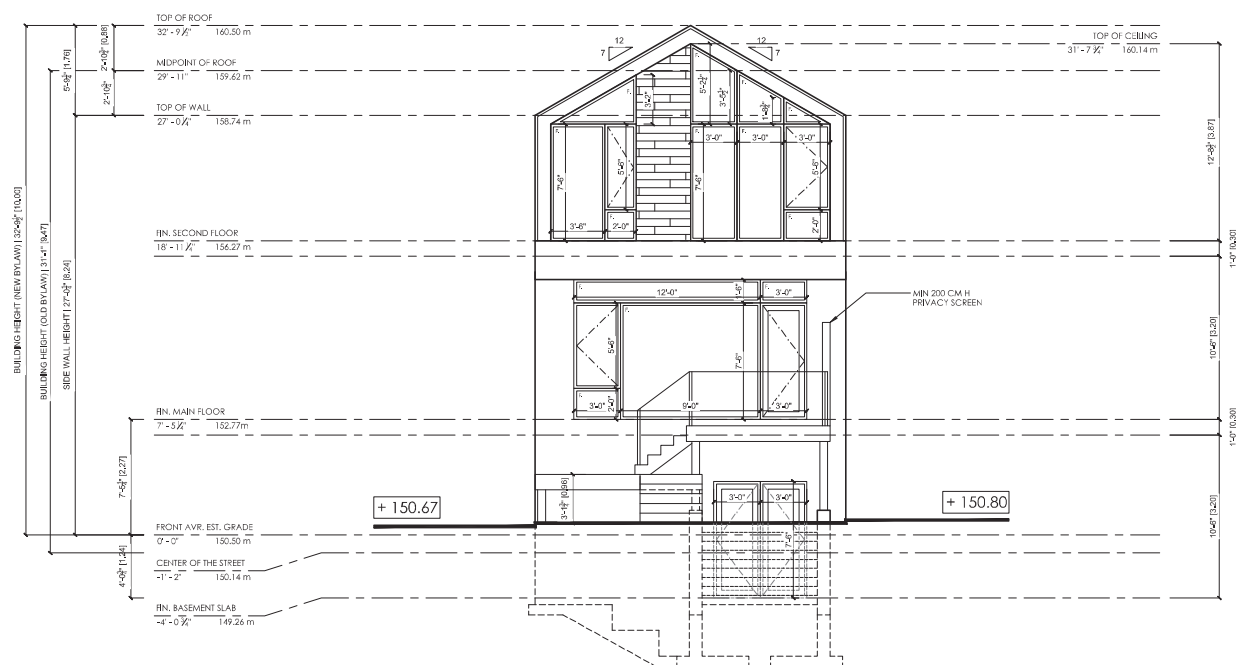
ARXLAB	10/27/24
FIRM NAME	BCN

## STRUCTURAL REVIEW BY

DRAWING TITLE	DRAWING #
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**NORTH ELEVATION**

A201



**BUILDING HEIGHT (NEW BY-LAW) | 10.00m [32' - 9 1/2"]**

SCALE |  $\frac{1}{8}" = 1' - 0"$

DRAWN BY  
**B.G.**  
CHECKED BY  
**B.G.**  
DATE  
**20 AUG 2019**  
PROJECT NO.  
**2723**

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**KEY PLAN**

The undersigned has reviewed and taken responsibility for this design and the building code and the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**Qualification Information**  
Required unless design is exempt under Div. C, 3.2.3.1. of the building code

**ARASH FARNA** 100763  
NAME BCIN

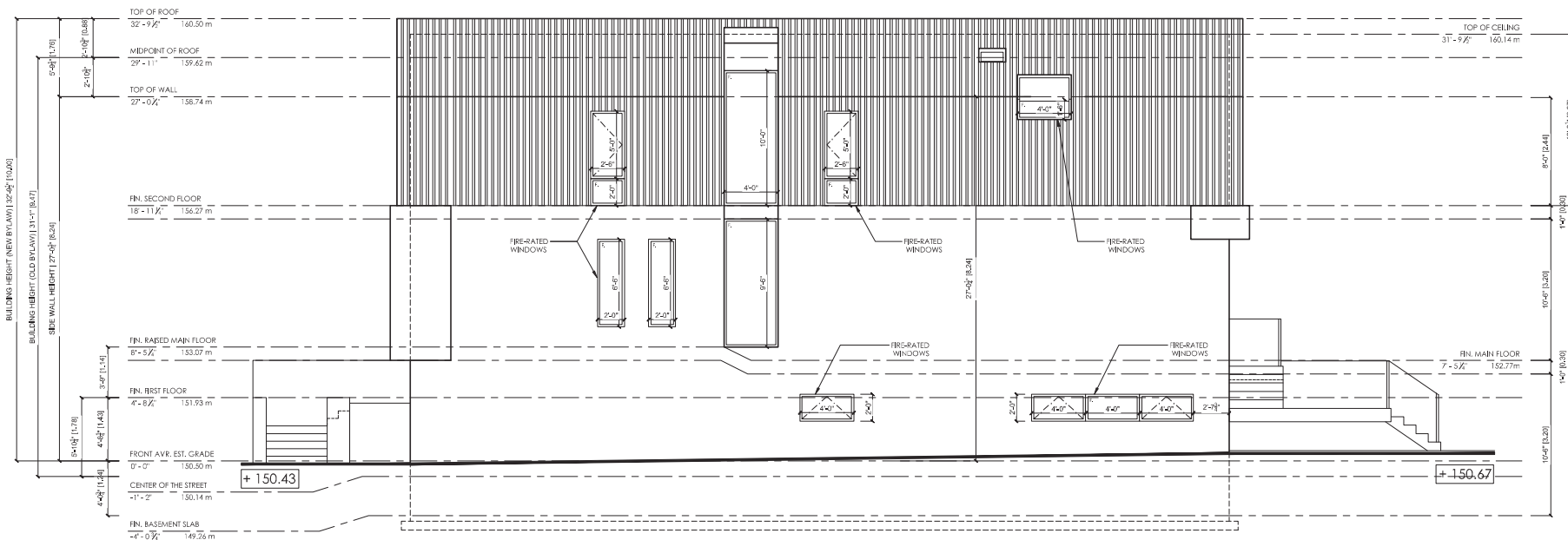
**Regulation Information**  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code

**ARKLAB** 102724  
FIRM/NAME BCIN

**STRUCTURAL REVIEW BY**

DRAWING TITLE  
**EAST ELEVATION**

DRAWING #  
**A202**



SIDE WALL HEIGHT | 8.24m [27' - 0 1/2"]

SCALE | 1/8" = 1' - 0"

DRAWN BY  
E.G.  
CHECKED BY  
E.G.  
DATE:  
20 AUG 2019  
PROJECT NO:  
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KEY PLAN

The undersigned has reviewed and taken responsibility for this design and the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information  
Required unless design is exempt under Div. C, 3.2.3.1. of the building code.

ARASH FARNA  
DESIGNER  
100763  
BCIN

Regulatory Information  
Required unless design is exempt under Div. C, 3.2.4.1. of the building code.

ARKLAB  
DESIGNER  
102724  
BCIN

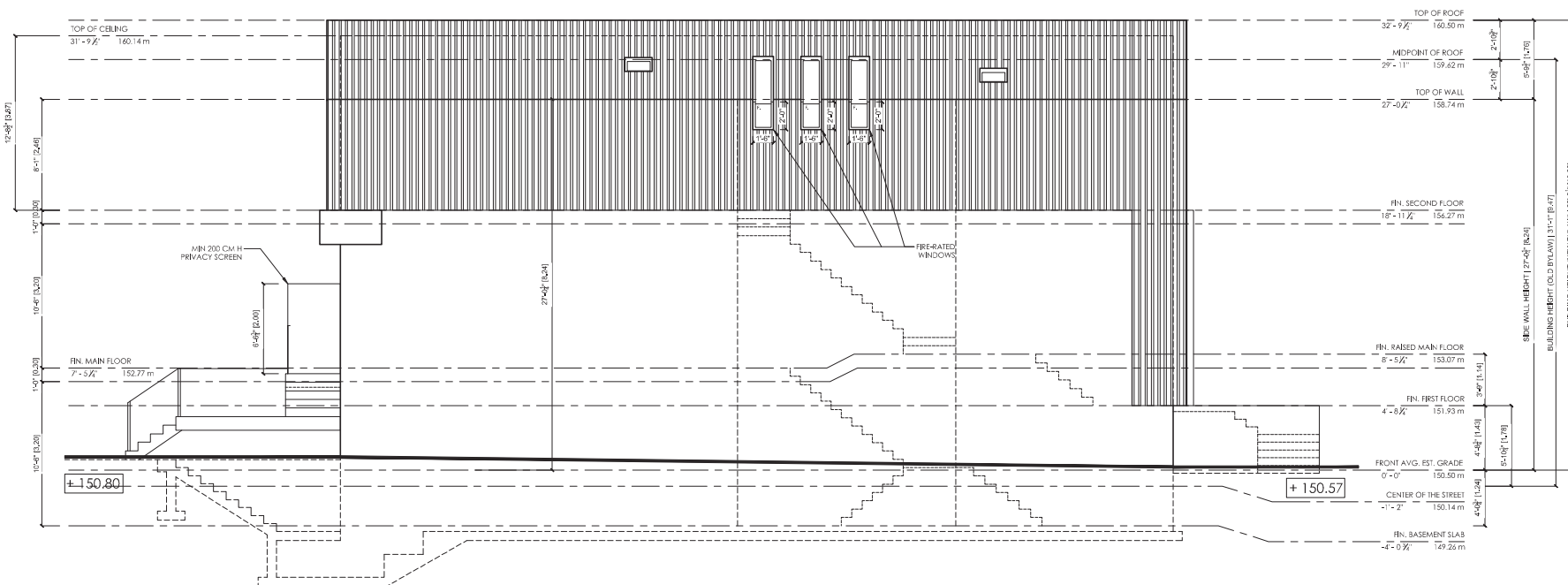
STRUCTURAL REVIEW BY

DRAWING TITLE

WEST ELEVATION

DRAWING #

A203



SIDE WALL HEIGHT | 8.24m [27'-0 1/2"]

SCALE | 1/8" = 1' - 0"