

INTERIM DECISION AND ORDER

Decision Issue Date Tuesday, March 30, 2021

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): MICHAEL CARPINO

Applicant: LEMCAD CONSULTANTS

Property Address/Description: 97 YARDLEY AVE

Committee of Adjustment Case File: 19 169522 STE 19 CO, 19 169523 STE 19 MV, 19 169524 STE 19 MV

TLAB Case File Number: 19 265118 S53 19 TLAB, 19 265119 S45 19 TLAB, 19 265120 S45 19 TLAB

DECISION DELIVERED BY S. GOPIKRISHNA

APPEARANCES	ROLES	REPRESENTATIVE
LEMCAD CONSULTANTS	APPLICANT	
IET THAT	OWNER	
MICHAEL CARPINO	APPELLANT	AMBER STEWART
FRANCO ROMANO	EXPERT WITNESS	
GEORGE EASTMAN	PARTICIPANT	
DEV SINGH	PARTICIPANT	
HEATHER LIBERTY	PARTICIPANT	
STAN BURROWS	PARTICIPANT	

INTRODUCTION AND BACKGROUND

The Hearing respecting 97 Yardley Road was completed on 11 February, 2021. Ms. Amber Stewart, Counsel for the Applicant, and Mr. Franco Romano, a planner, represented the Applicant, Mr. Michael Carpino. Ms. Heather Liberty and Mr. George Eastman participated in the Hearing as Participants.

Decision of Toronto Local Appeal Body Panel Member: S. GOPIKRISHNA
TLAB Case File Number: 19 265118 S53 19 TLAB, 19 265119 S45 19 TLAB, 19 265120
S45 19 TLAB

The Applicants agreed to some of the changes suggested by the Participants, with respect to the design of the proposed houses to be built on the severed lots, if the Appeal were allowed. When I asked the Applicants to update the recommended set of conditions, and diagrams, where appropriate, and submit them to the TLAB by 26 February, 2021, I was assured that the submissions would be completed in time

It is my understanding that as of 30 March, 2021, the requested documentation has not been received by the TLAB. I must express my disappointment at the lack of follow-up by the Applicants.

MATTERS IN ISSUE

The only issue to be addressed in this Interim Decision is to identify a firm deadline for the submission of the requested document and diagrams. The Applicants are given time until the end of day on **16 April, 2021** to complete the submission, as discussed at the end of the Hearing.

Should the submission not received, I will have to come to a Decision based on the evidence provided at the Hearing, and submission on file, even if the latter are not up to date.

INTERIM DECISION

- 1) The Applicant is given time until the **end of day on 16 April, 2021**, to complete the following submissions:
 - Recommendations for conditions to be imposed on the approval of the severance, and variances for the houses to be built on the severed lots, if the Appeal were allowed
 - Any updates to the Plans and Elevations of the houses, reflecting the recommended conditions, where appropriate

Submissions made after 16 April, 2021, will not be utilized for Decision making purposes. .

So orders the Toronto Local Appeal Body

X



S. Gopikrishna
Panel Chair, Toronto Local Appeal Body