

DECISION AND ORDER

Decision Issue Date Monday, September 20, 2021

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

Appellant(s): LUCAS BASCIANO

Applicant(s): NICK BASCIANO

Property Address/Description: 37 GORT AVE

Committee of Adjustment File

Number(s): 20 186495 WET 03 CO, 20 186508 WET 03 MV, 20 186525 WET 03 MV

TLAB Case File Number(s): 21 115156 S53 03 TLAB, 21 115157 S45 03 TLAB, 21 115158 S45 03 TLAB

Hearing date: June 30, 2021

DECISION DELIVERED BY TED YAO

REGISTERED PARTIES AND PARTICIPANTS

Name	Role	Representative
Nick Basciano	Applicant	
Rose Trenchard	Owner/Primary Owner	
Lucas Basciano	Appellant	Amber Stewart
Franco Romano	Expert Witness	

This is the final decision and order for which an interim decision was issued July 9, 2021. The sought-for variances are as follows:

Table 1. Variances sought for 37 Gort Ave		
	Required/Permitted	Proposed (Parts 1 (south) and 2 (north))

Table 1. Variances sought for 37 Gort Ave			
Variances from Zoning By-law 569-2013			
1	Frontage	18 m (59 ft) for a semi-detached house (see footnote)	Parts 1 and 2 – 6.66 m (21.9 ft)
2	Lot Area	665 m ²	Parts 1 and 2 – 270.2 m ²
3	Coverage	0.33 times the lot area	Both Parts 0.373 times the lot area
4	Floor Space Index	0.40	0.65
5	Side Yard Setback	1.5 m	Both Parts .91 m (but new plans will offer neighbours more setback)
6	Building Length	17 m	Both Parts 18.28 m (Originally 17.98 m)
7	Building Depth	19 m	Part 1 19.3 m; Part 2 19.7 m (Originally no depth sought)

Decision and ORDER

Conditions of Consent Approval

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, and 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 50(3) or (5) or subsection 53(42) of the *Planning Act*, as it pertains to the conveyed land and/or consent transaction.

Conditions of Minor Variance Approval

Decision of Toronto Local Appeal Body Panel Member: Ted Yao
TLAB Case File Number: 21 115156 S53 03 TLAB, 21 115157 S45 03 TLAB,
21 115158 S45 03 TLAB

1. The proposed semi-detached dwelling shall be constructed substantially in accordance with the following plans prepared by Nortec Design & Drafting:
 - a. Site Plan (A1) dated June 30, 2021;
 - b. Front Elevation (A5) dated June 30, 2021
 - c. Rear Elevation (A6) dated June 30, 2021;
 - d. South Side Elevation (A7) dated June 30, 2021; and,
 - e. North Side Elevation (A8) dated June 30, 2021.
2. The proposed driveways shall each be a maximum of 2.6 m wide within the property, and may each flare out to 3.15 m within the boulevard, as shown on the approved Site Plan.
3. The applicant shall provide a site plan with the following revisions and notations to the satisfaction of the Engineering and Construction Services and Transportation Services, at no cost to the City:
 - a. Explicitly identify all redundant portions of the existing driveway that are no longer required to be removed; any disturbed areas shall be restored with topsoil and sod.
 - b. Illustrate a positive slope, minimum 2% and maximum 4% slope, on each section of the proposed driveways, in between the proposed garage door entrance to the edge of asphalt pavement on Gort Avenue;
 - c. Illustrate whether the existing dwelling and framed garage on Part 1 Lot will be removed;
 - d. Illustrate whether the (2) existing dwelling structures on Part 2 Lot will be removed;
 - e. Indicate whether the existing trees in front of the proposed dwelling on Part 1 and 2 Lots will be preserved or removed;
 - f. Add the following notations to the Site Plan:
 - i. "All portions of the existing driveway, which are no longer required, shall be removed; and any disturbed area shall be restored in accordance with applicable City standards to the satisfaction of the Transportation Services Division, and at no cost to the City of Toronto."
 - ii. "The proposed new driveways shall be constructed to the applicable City of Toronto Design Standards at no cost to the municipality."
 - iii. "The owner must obtain all required permits from the Permits and Enforcement unit of Transportation Services prior to commencing construction, which may include but not be limited to, payment of a Municipal Road Damage Deposit. The owner will be required to contact the Permits and Enforcement unit of Transportation Services in order to obtain the exact particulars of all permits that are required."
 - iv. "All work within the Gort Avenue road allowance must be done to the satisfaction of the Transportation Services Division, and at no cost to, the City of Toronto."

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v. "The owner must obtain written approvals from Parks, Forestry and Recreation Division with respect to any regulated trees."

4. The owner shall submit a complete application for a permit to injure or remove a City owned tree(s), as per City of Toronto Municipal Code Chapter 813, Trees Article II Trees on City Streets. 5. Where there is no existing street tree, the owner shall provide payment in lieu of planting of one street tree on the City road allowance abutting each of the sites involved in the application. The current cash-in-lieu payment is \$583/tree. make an Order under s. 45(18.1.1) of the *Planning Act* that the changes are minor and no further notice is required.

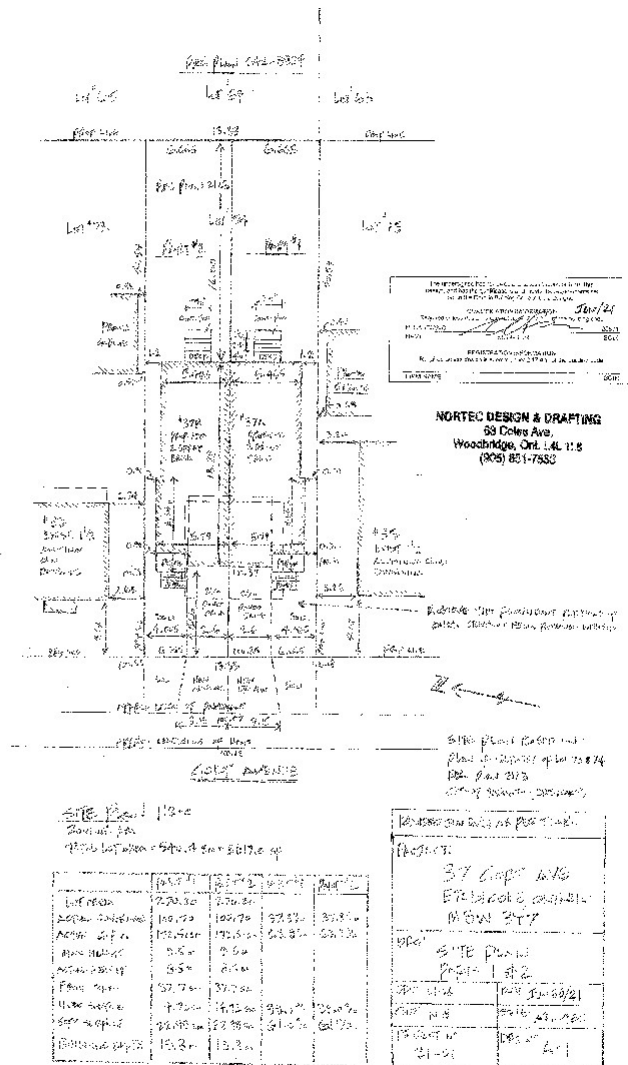
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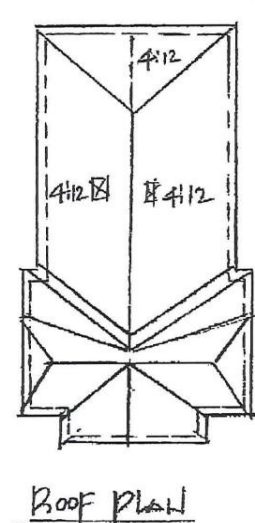
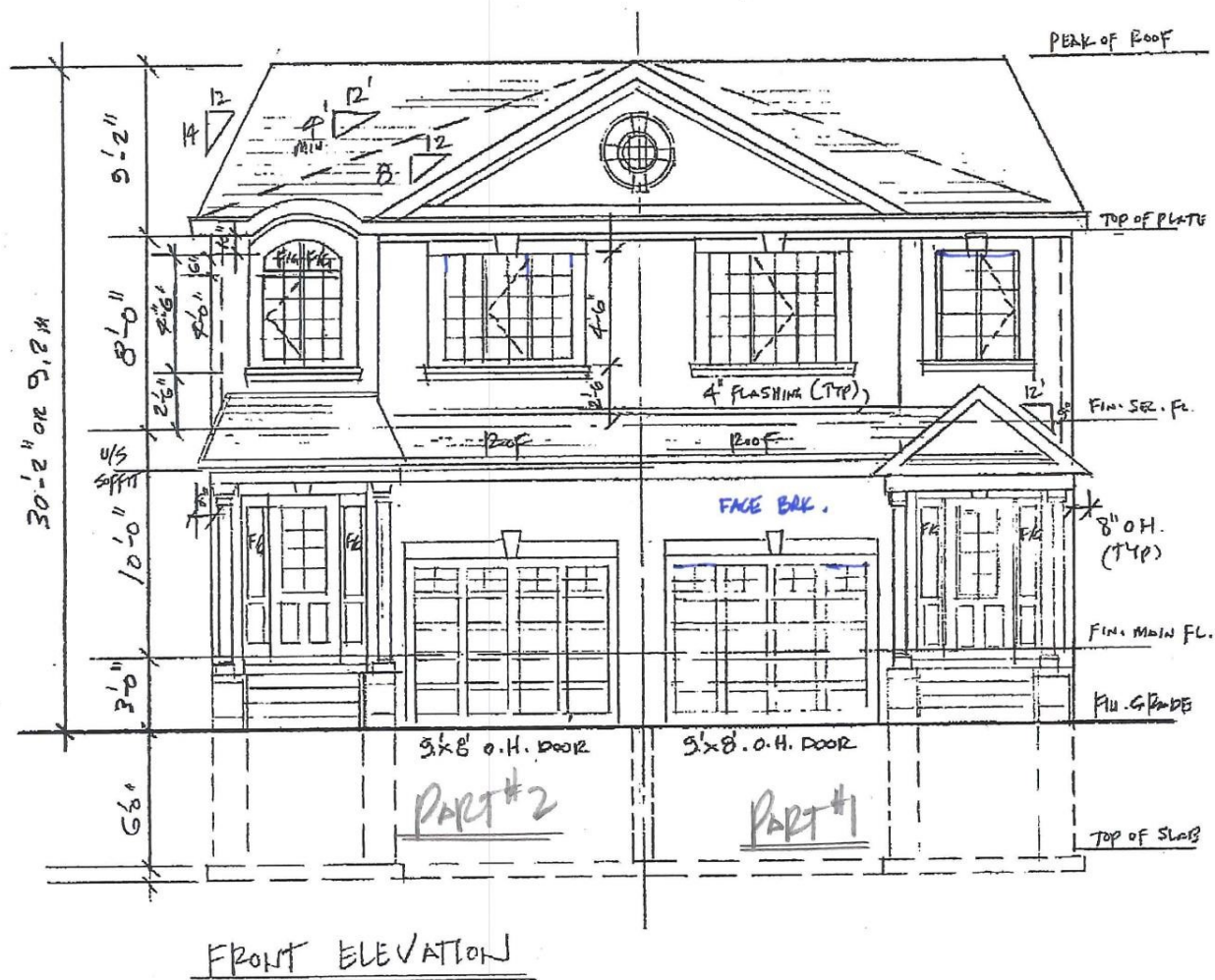


Ted Yao
Panel Chair, Toronto Local Appeal Body

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NORTEC DESIGN & DRAFTING
63 Coles Ave.
Woodbridge, Ont. L4L 1L8
(905) 851-7533

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 be a designer.

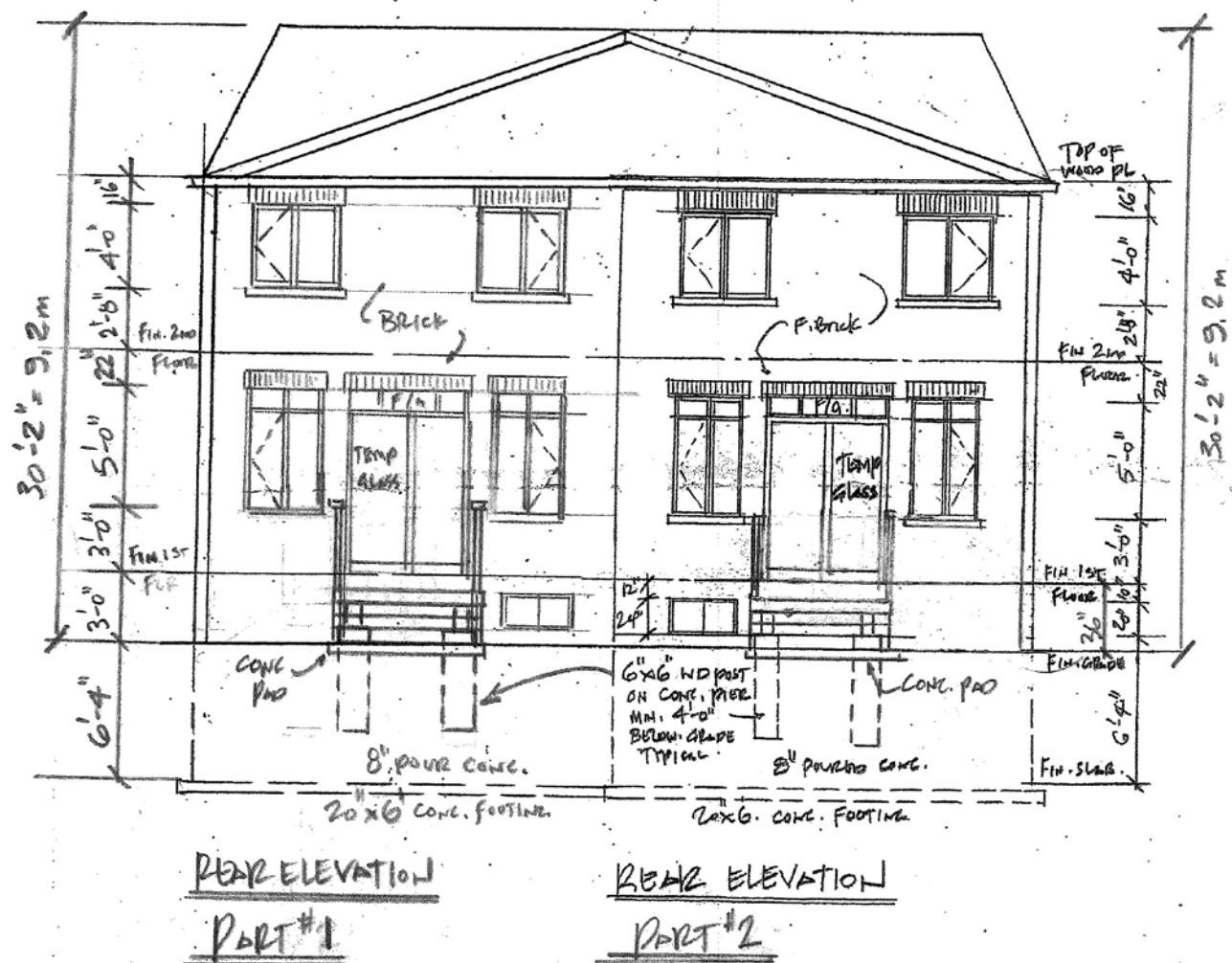
QUALIFICATION INFORMATION *June 30/21*
Required unless design is exempt under 2.17.5.1 of the building code

N. BASCIANO *[Signature]* 3571
NAME SIGNATURE BCIN

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.4.1 of the building code

FIRM NAME _____ BCIN _____

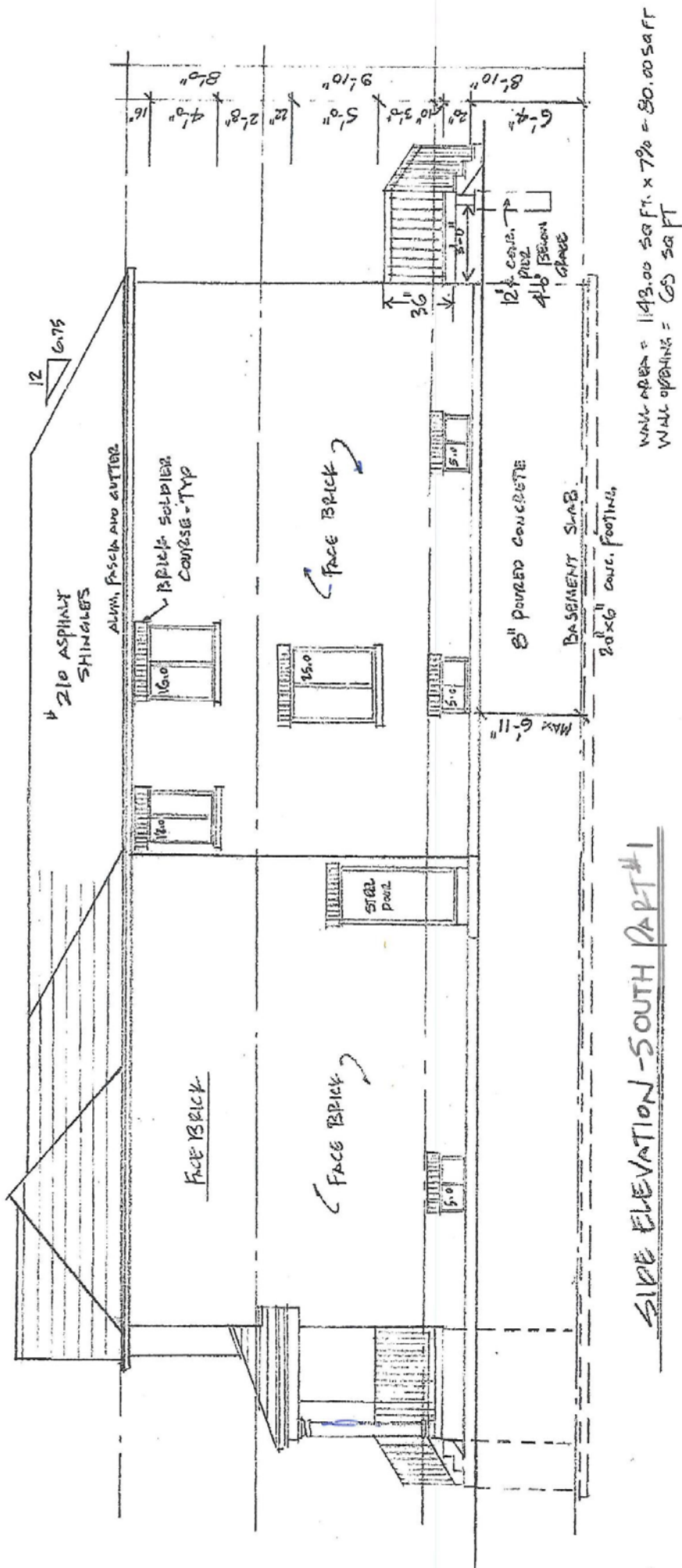
JUNE 30/21
DRG NO:
A-5
2.17.5.1



NORTEC DESIGN & DRAFTING
63 Coles Ave.
Woodbridge, Ont. L4L 1L8
(905) 851-7533

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 be a designer.	
QUALIFICATION INFORMATION Required unless design is exempt under 2.17.4.1. of the building code	
N. BASCIANO	25571
NAME	SIGNATURE
REGISTRATION INFORMATION Required unless design is exempt under 2.17.4.1. of the building code	
FIRM NAME	BCIN

JUNE 30/21
DRG NO.
A-6



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 be a designer.

Required unless otherwise noted: 1/3 of the building code.

NAME: N. BASCIANO
SIGNATURE: [Signature]
BCIN: 25571

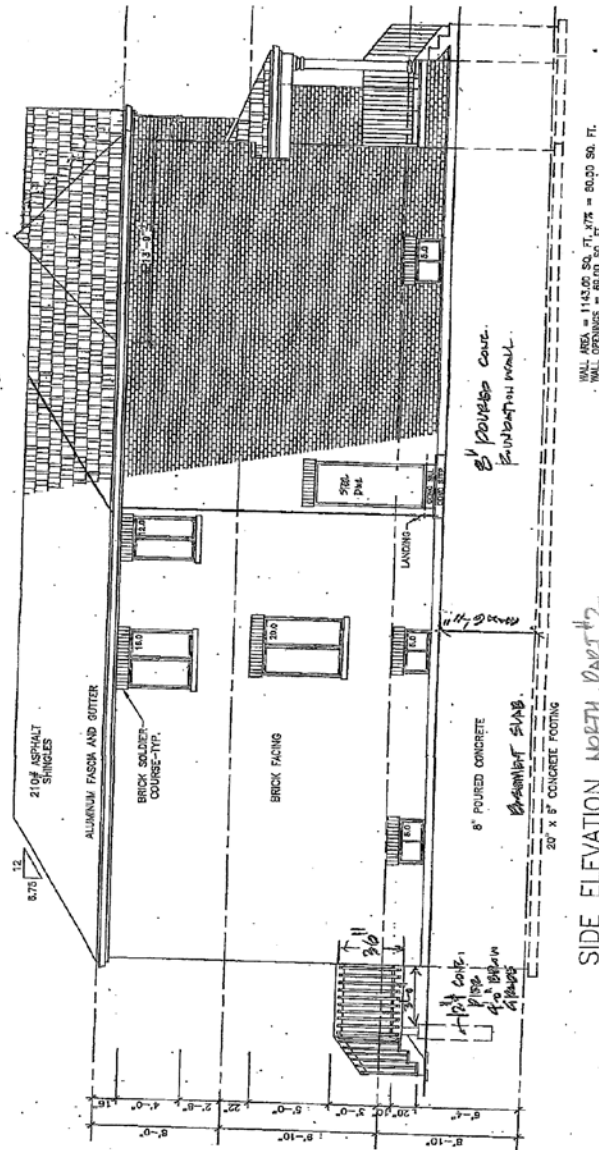
QUALIFICATION INFORMATION: JUNE 30/21

REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1. of the building code.

FIRM NAME: [Blank]
BCIN: [Blank]

NORTEC DESIGN & DRAFTING
83 Coles Ave.
Woodbridge, Ont. L4L 1L8
(905) 851-7533

JUNE 30/21
DRG. NO.:
A-7



SIDE ELEVATION NORTH PART #2

This certificate shall be signed and sealed by the architect and the engineer and shall be a condition of the contract documents and shall be a condition of the contract documents and shall be a condition of the contract documents.

DATE: JUN/21

BY: [Signature]

FOR: [Signature]

REGISTERED PROFESSIONAL ENGINEER

REGISTERED PROFESSIONAL ARCHITECT

RENEWED every design is stamped under 2.17.4.1. of the building code

PRINT NAME: [Name]

DOB: [DOB]

NORTEC DESIGN & DRAFTING
 63 Coles Ave.
 Woodbridge, Ont. L4L 1L8
 (905) 851-7533

JUNE 30/21

DRG
 A-B