

Tuesday, March 8, 2022

**NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)**

File Number: B0030/21NY
Property Address: 37 WILKET RD
Legal Description: PLAN 5998 LOT 32 CHD
Agent: GREEN CITY COMMUNITIES INC
Owner(s): HONGYU ZHANG
Zoning: RD (ZZC)
Ward: Don Valley West (15)
Community: North York
Heritage: Not Applicable

Notice was given and the application considered on Tuesday, March 8, 2022, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots. Related planning files include a previous consent and minor variance application (B0020/18NY, A0264/18NY), zoning by-law amendment and site plan applications (File No. 18 139773 NNY 25 OZ , File No. 18 139783 NNY 25 SA), as well as TLAB Case File Numbers: 18 243170 S53 25 TLAB, 18 243167 S45 25 TLAB.

Conveyed - PARTs 2 & 4
Lot frontage is 32.26m and a lot area is 1,235.0 m²

Retained - PARTs 1 & 3
Lot frontage of 23.65m and a lot area of 1308.8m².
A new residential dwelling is proposed requiring variances to the applicable zoning By-law(s) as outlined in application # A0483/21NY.

Parts 3 & 4 are subject to an easement as in Inst No. 341965

File numbers B0030/21NY, A0483/21NY will be jointly considered.

The Committee of Adjustment considered the written submissions relating to the application made to the Committee before its decision and oral submissions relating to the application made at the hearing. In so doing, **IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:**

The Consent Application is Approved on Condition

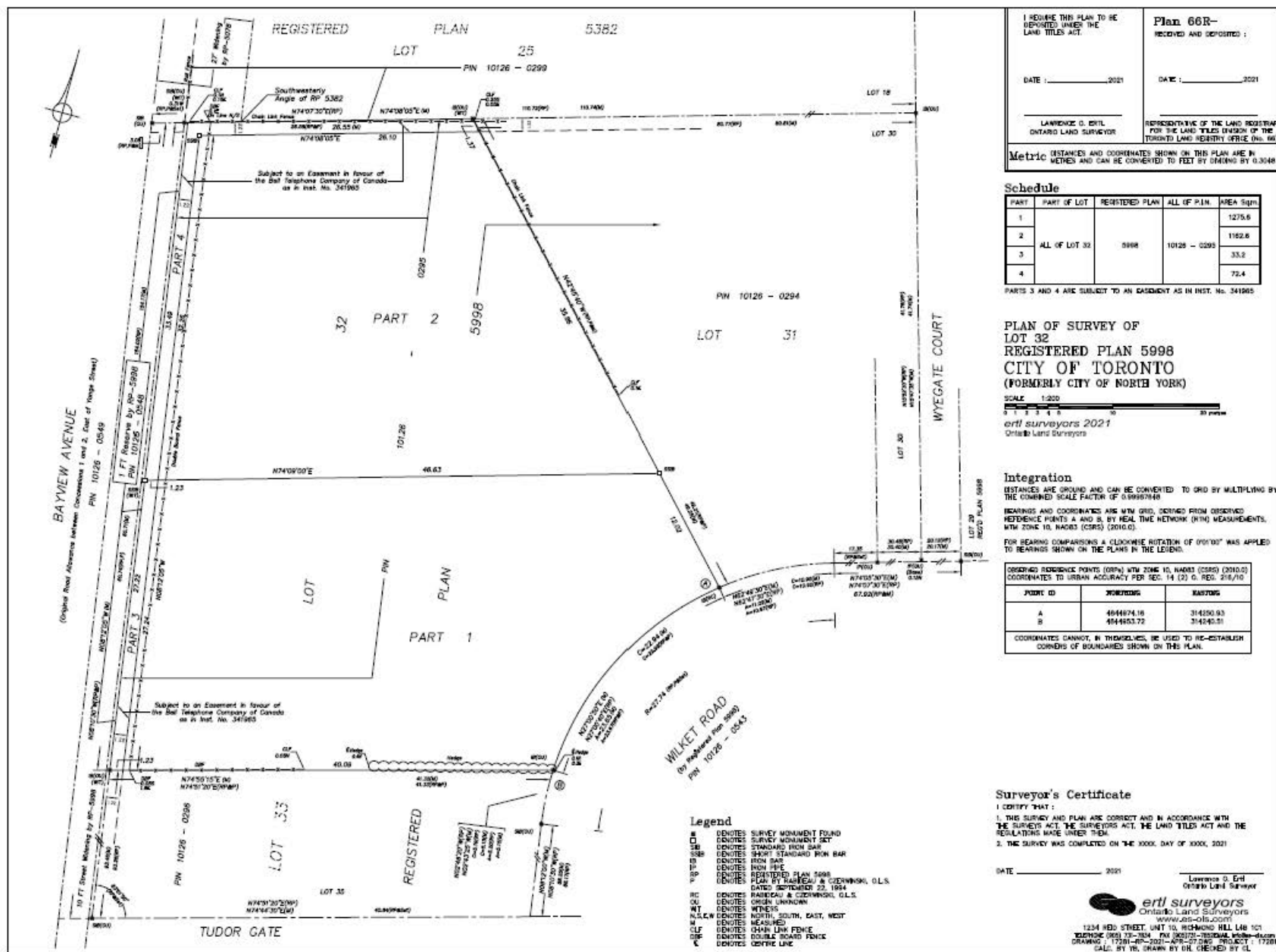
The Committee has considered the provisions of Section 51(24) of the *Planning Act* and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the *Planning Act*, the applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

1. The requirements of the Engineering and Construction Services

1. The applicant must prepare all documents and convey to the City, at nominal cost a 0.4 metre wide widening along the Bayview Ave. property frontage in order to satisfy the Official Plan right-of-way requirements (There is a 0.3m reserve abutting Bayview Avenue), in fee simple, such lands to be free and clear of all physical and title encumbrances, with the exception of utility poles and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services and the City Solicitor;
2. The applicant shall submit a revised draft Reference Plan of Survey to the Chief Engineer & Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan shall:
 - i. be drawn in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection;
 - ii. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site, and any appurtenant rights-of-way and easements; and,
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.The applicant is financially responsible for all costs associated with preparing and registering the reference plans. We advise the applicant to contact Ana Michalek, Acting Supervisor of Property Records, at (416) 392-5241 to obtain an exact description of the required conveyance(s).

2. Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official.

3. Municipal numbers for the subject lots indicated on the applicable registered reference plan of survey shall be assigned to the satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services.
4. One electronic copy of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services.
5. One electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services shall be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment.
6. Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the *Planning Act* if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.
7. Once all of the other conditions have been satisfied, the applicant shall request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment issue the Certificate of Official.
8. Within **TWO YEARS** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions.



SIGNATURE PAGE

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Heritage: Not Applicable



Allan Smithies (signed)



Nadini Sankar (signed)



Paul Kidd (signed)

DATE DECISION MAILED ON: Tuesday, March 15, 2022

LAST DATE OF APPEAL: Monday, April 4, 2022

CERTIFIED TRUE COPY

Daniel Antonacci
Manager and Deputy Secretary-Treasurer

Appeal Information

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.ny@toronto.ca and Daniel.Antonacci@toronto.ca by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal* to the Local Planning Appeal Tribunal (LPAT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at www.toronto.ca/tlab.

LOCAL PLANNING APPEAL TRIBUNAL (LPAT) INSTRUCTIONS

To appeal this decision to the LPAT you need the following:

- A completed LPAT Appellant Form (A1) in digital format on a USB stick and in paper format.
- \$400 with an additional reduced fee of \$25 for each connected appeal filed by the same appellant.
- Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Environmental & Lands Tribunals Ontario (ELTO) website at <http://elto.gov.on.ca/tribunals/lpat/forms/>

*A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the Application Information Centre and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Local Planning Appeal Tribunal (LPAT)** should be submitted in accordance with the instructions above.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.