



City Planning Division

Committee of Adjustment
Toronto and East York District

100 Queen Street West, 1st Floor
Toronto, Ontario M5H 2N2
Tel: 416-392-7565
Fax: 416-392-0580

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

File Number:	B0016/17TEY	Zoning	R(d0.6) & R2 Z0.6 (WAIVER)
Owner(s):	GILLIAN GARDNER JAMES GARDNER	Ward:	Beaches-East York (32)
Agent:	THE BIGLIERI GROUP LTD	Heritage:	Not Applicable
Property Address:	133 SILVER BIRCH AVE	Community:	Toronto
Legal Description:	PLAN 1064 PT LOT 148 PT LOT 147		

Notice was given and the application considered on **Wednesday, April 26, 2015**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent for the creation of a new easement.

Easement, Part 4, Draft R-Plan
133 Silver Birch Avenue

Part 4 has is a 41.1 m² easement for the purpose of vehicular access, in favour of the north abutting property, 135 Silver Birch Avenue, Parts 1 & 2.

Part 5 is subject to an easement/right-of-way as in Instrument No. EX58505.

The Deputy Secretary-Treasurer considered any written submissions in making a decision. For a list of submissions, please refer to the file.

IT WAS THE DECISION OF THE DEPUTY SECRETARY TREASURER THAT:

The Consent Application is Approved on Condition

The Deputy Secretary-Treasurer has considered the provisions of Section 51(24) of the Planning Act, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality and therefore consents to the requested transaction, pursuant to subsection 53(42) of the Planning Act, **subject to the following conditions:**

- (1) Confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department.

- (2) **Two copies 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 the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services.
- (3) **One electronic copy of the registered reference plan of survey** satisfying the requirements of the Manager of Land and Property Surveys, Engineering Services, Engineering and Construction Services, shall be emailed to the Case Manager, Committee of Adjustment.
- (4) 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.

SIGNATURE PAGE

File Number:	B0016/17TEY	Zoning	R(d0.6) & R2 Z0.6 (WAIVER)
Owner(s):	GILLIAN GARDNER JAMES GARDNER	Ward:	Beaches-East York (32)
Agent:	THE BIGLIERI GROUP LTD	Heritage:	Not Applicable
Property Address:	133 SILVER BIRCH AVE	Community:	Toronto
Legal Description:	PLAN 1064 PT LOT 148 PT LOT 147		

DATE DECISION MAILED ON: **TUESDAY, MAY 2, 2016**

LAST DATE OF APPEAL: **TUESDAY, MAY 23, 2016**

Signed this 27th day of **April, 2017**

CERTIFIED TRUE COPY

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Committee of Adjustment - Toronto and East York District

Appeal Information

All appeals must be filed with the Deputy Secretary Treasurer, Committee of Adjustment by the last date of appeal as shown above.

Appeals filed prior to May 3, 2017: Please submit your appeal in accordance with the **Ontario Municipal Board Appeal Information** below.

Appeals filed on or after May 3, 2017: Please submit your appeal in accordance with the **Toronto Local Appeal Body Appeal Information** below unless one of these exceptions apply:

- the Committee of Adjustment decision was already appealed before May 3, 2017*; or
- there is a related appeal to the OMB for the same matter. A related appeal is an appeal under section 114 of the City of Toronto Act, under sections 17, 22, 34, 36, 38, 41 or 51 of the Planning Act or under a regulation made under section 70.2 of the Planning Act.**

If either one of these exceptions apply, please submit your appeal in accordance with the **Ontario Municipal Board Appeal Information** below.

* To learn if this decision has already been appealed before May 3, 2017, please contact the Committee of Adjustment Case Manager.

** To learn if there is a related appeal to the OMB, search community planning applications in the [Application Information Centre](#) and contact the assigned planner if necessary.

Ontario Municipal Board Appeal Information: To appeal this decision to the Ontario Municipal Board (OMB), submit a completed OMB Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$300.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.

Toronto Local Appeal Body Appeal Information: To appeal this decision to the Toronto Local Appeal Body (TLAB), submit a completed TLAB Notice of Appeal (Form 1) in digital format on a CD/DVD to the Manager & Deputy Secretary Treasurer of the Committee of Adjustment with the required fee. The fee is \$300 for each appeal filed regardless if related and submitted by the same appellant. Fees are payable by cash, certified cheque or money order, in Canadian funds. A certified cheque or money order must be made payable to the City of Toronto. To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB web site at www.toronto.ca/tlab.

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.

NOTICE OF DECISION

CONSENT

(Section 53 of the Planning Act)

File Number:	B0017/17TEY	Zoning	R(d0.6) & R2 Z0.6 (WAIVER)
Owner(s):	GILLIAN GEIGER	Ward:	Beaches-East York (32)
Agent:	THE BIGLIERI GROUP LTD	Heritage:	Not Applicable
Property Address:	135 SILVER BIRCH AVE	Community:	Toronto
Legal Description:	PLAN 1064 PT LOT 147		

Notice was given and the application considered on **Wednesday, April 26, 2015**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent for the creation of a new easement.

Easement, Part 2, Draft R-Plan 135 Silver Birch Avenue

Part 2 has is a 60.9 m² easement for the purpose of vehicular access, in favour of the south abutting property, 133 Silver Birch Avenue, Parts 3, 4 & 5, Draft R-Plan.

The Deputy Secretary-Treasurer considered any written submissions in making a decision. For a list of submissions, please refer to the file.

IT WAS THE DECISION OF THE DEPUTY SECRETARY TREASURER THAT:

The Consent Application is Approved on Condition

The Deputy Secretary-Treasurer has considered the provisions of Section 51(24) of the Planning Act, is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality and therefore consents to the requested transaction, pursuant to subsection 53(42) of the Planning Act, **subject to the following conditions:**

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