

DECISION AND ORDER

Decision Issue Date **Tuesday, March 20, 2018**

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): VICTOR MANUEL H ANDASOL, SANTOS LEIVA LEIVA

Applicant: GIUSEPPE DIMARCO

Property Address/Description: 1220 DUFFERIN ST

Committee of Adjustment Case File Number: 17 116910 STE 18 MV

TLAB Case File Number: **17 255122 S45 18 TLAB**

Motion Hearing date: Thursday, March 15, 2018

DECISION DELIVERED BY L. McPherson

INTRODUCTION AND BACKGROUND

On October 18, 2017 the Committee of Adjustment ("Committee") for the City of Toronto ("City") refused a minor variance application for 1220 Dufferin Street. The proposal was to convert the existing 2 1/2- storey semi-detached dwelling into a six unit residential rental building by constructing: a rear three-storey addition that will incorporate the existing rear detached garage as an integral garage; a front third-storey addition; and, front, second and third storey decks. The Applicant appealed the Committee decision. The Toronto Local Appeal Body ("TLAB") scheduled a Hearing date for March 15, 2018. The City elected to be a Party. Three Participants were identified.

On February 15, 2018 the Applicant filed a Notice of Motion (revised) requesting an adjournment of the Hearing date and requesting a new date. The grounds for the Motion indicated that the Applicant had revised the proposal to address issues raised by the neighbours and City staff. The Applicant is requesting an adjournment to allow City Planning and Legal to review the amended building proposal and revised Preliminary Project Review. In addition the Applicant would like to consult with the local Councillor.

The City responded to the Notice of Motion and consented to the relief requested by the Applicant on the following basis:

**Decision of Toronto Local Appeal Body Panel Member: L. McPherson
TLAB Case File Number: 17 255122 S45 18 TLAB**

- The TLAB canvases the Parties' availability prior to issuing a revised Notice of Hearing;
- New exchange dates be identified in the Notice of Hearing;
- The City reserves the right to retract previous filings; and
- The City reserves the right to oppose the amended application and to make submission respecting the amended applications pursuant to Section 45(18.1.1) of the Planning Act.

JURISDICTION

Under Rule 2.10, the TLAB may grant all necessary exceptions to the Rules, or grant other relief as it considers appropriate, to enable it to effectively and completely adjudicate matters in a just, expeditious and cost-effective manner. In addition, under Rule 4.4, the TLAB may extend or reduce the time limits provided by the Rules.

ANALYSIS, FINDINGS, REASONS

The City of Toronto has consented to the request for an adjournment. The adjournment will allow for the revised plans to be reviewed by the appropriate City staff.

DECISION AND ORDER

The Motion for Adjournment is granted. The TLAB staff is requested to canvass the Parties for a new Hearing Date and to issue a new Notice of Hearing and associated document disclosure dates. The City reserves the right to retract previous filings and oppose the amended application and make submissions pursuant to Section 45(18.1.1) of the Planning Act.

X 

Laurie McPherson
Panel Chair, Toronto Local Appeal Body