

DECISION AND ORDER

Decision Issue Date **Tuesday, April 3, 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): ROSMARIE MISHAIEL

Applicant: KIERAN JAMES RANDALL

Property Address/Description: 617 OSSINGTON AVE

Committee of Adjustment Case File Number: 17 158246 STE 19 MV (A0535/17TEY)

TLAB Case File Number: 17 267797 S45 19 TLAB

Hearing date: Thursday, March 29, 2018

DECISION DELIVERED BY S. MAKUCH

APPEARANCES

Name

Kieran James Randall	Designer
Rosmarie Mishaiel	Owner/ Applicant
Christine Chow	Party/ Objector

INTRODUCTION

This is an appeal on behalf of the owner of 617 Ossington Ave from a decision of the Committee of Adjustment's refusing 12 variances in total, to Bylaw 438-86 and By-law 569-2013. The variances were sought to permit alterations and additions to a dwelling house.

BACKGROUND

At the commencement of the hearing the owner sought an adjournment because she had retained a new designer to prepare and submit revised plans. The new designer was out of the country and could not be present the hearing. The applicant and the owner of a neighbouring property who was objecting to the appeal, were the only parties present at the hearing.

MATTERS IN ISSUE

The only matter in issue was the granting of an adjournment to allow for the presentation of altered plans which might have less of an impact on the neighbouring property. There was no objection to the adjournment.

JURISDICTION

Under the TLAB rules I am permitted to grant an adjournment.

EVIDENCE

The evidence of the owner /applicant was that an adjournment was necessary to revise the plans and submit new plans. The neighbour did not object to an adjournment provided the plans were filed in advance of the new hearing date.

ANALYSIS, FINDINGS, REASONS

I find it desirable to give the applicant an opportunity to have new plans prepared and submitted. The owner agreed that it was reasonable to have the new plans submitted for a revised Examiner's Notice by April 6, 2018 and the revised plans and new examiner's notice filed with the TLAB as soon as she receives the new notice.

DECISION AND ORDER

The hearing is adjourned to May 24, 2018 at 9 a.m. Revised plans are to be submitted for review by a zoning examiner by April 6, 2018, and the revised plan and notice are to be filed with the TLAB upon receipt of the examiner's notice by the owner.

I so order.

This order is made without prejudice to a future finding that the revised plans and Examiner's Notice may necessitate a new application to the Committee of Adjustment which could negate this decision and order.

X 

S. Makuch
Panel Chair, Toronto Local Appeal