

DECISION AND ORDER

Decision Issue Date Thursday, November 29, 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): JESSIE TUITT

Applicant: VALDIMIR DOUNIN

Property Address/Description: 54 MARESFIELD DR

Committee of Adjustment Case File: 18 117404 ESC 41 MV (A0050/18SC)

TLAB Case File Number: 18 141276 S45 41 TLAB

Hearing date: Tuesday, October 23, 2018

DECISION DELIVERED BY G. BURTON

APPEARANCES

Applicant Valdimir Dounin

Appellant Jessie Tuitt

Appellant's Legal Rep. Ken Bradburn

INTRODUCTION

This was an appeal from a decision of the Committee of Adjustment, Scarborough panel (COA) made March 22, 2018 that granted one variance for Gross Floor Area (GFA) to the owner and applicant of the property at 54 Maresfield Drive in Scarborough.

The stated purpose of the application to the COA was for a "Proposed front porch and entrance addition and second storey addition to the existing house."

BACKGROUND

The appellant Ms. Tuitt resides at No. 56 to the east. She appealed what she thought were two variances, one for a GFA variance, and one related to the “proposed front porch and entrance addition”.

MATTERS IN ISSUE

It appeared that one part of the proposal, the front entrance, had already been granted a building permit before the TLAB hearing began. Construction of the front entrance extension is already underway.

ANALYSIS, FINDINGS, REASONS

Prior to my issuing a decision in this matter, correspondence in the nature of a complaint came to my attention. The complaint came from the Applicant to the Chair, and concerned this panel.

In the circumstances I find that I am now unable to issue a decision in this matter.

DECISION AND ORDER

In light of this conclusion and determination, I order that a new panel be constituted. This matter shall be heard by this new panel at the earliest possible date available to the TLAB.

X 

G. Burton

Panel Chair, Toronto Local Appeal Body