

DECISION AND ORDER

Decision Issue Date Wednesday, August 12, 2020

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): SARA HAIDER

Applicant: NADEEM IRFAN ARCHITECT

Property Address/Description: 104 TRINNELL BLVD

Committee of Adjustment Case File Number: 19 220574 ESC 20 MV (A0231/19SC)

TLAB Case File Number: **19 256367 S45 20 TLAB**

Date of Scheduled Hearing: Tuesday, July 21, 2020

DECISION DELIVERED BY Ian James LORD

BACKGROUND

On November 14, 2019, the Committee of Adjustment rendered its' decision refusing two variances for 104 Trinnell Blvd (subject property) for the Committee file number set out above. An appeal was submitted by or on behalf of the owner, Sara Haider, represented by Kindza Haider. A Hearing date was scheduled for July 21, 2020. On that date, a 'virtual' Hearing was opened all as reported in my Interim Decision dated July22, 2020.

That interim disposition adjourning the matter left three obligations on the Owner:

"The Applicant/Appellant is to provide, on or before August 11, 2020, an affidavit attesting to the following:

1. The reason for non-attendance by the Representative, the owner or the applicant at the virtual Hearing held July 21, 2020;
2. Whether or not the existing residence on the subject property is undergoing renovations inconsistent with the expressed intention for demolition and reconstruction, as reflected in the variance application plans;

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3. Whether the Applicant/Appellant intends to proceed with professional opinion evidence in support of the variances on appeal or intends to withdraw the appeal (to permit closure of the TLAB file).”

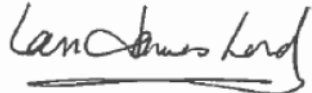
The owners’ Representative, Kinza Haider provided a satisfactory affidavit, sworn August 6, 2020 (Affidavit), complying with the requests of the TLAB.

In paragraph 3 of the Affidavit, the affiant state: “...we would like to withdraw our appeal...The affect would permit closure of the TLAB file.”

In effect, on August 6, 2020, the Appellant through the Representative, withdrew the appeal by email. There are no other outstanding appeals and the withdrawal was unequivocal and unconditional.

DECISION AND ORDER

The appeal having been abandoned, the appeal is dismissed. The Committee of Adjustment decision noted above is final and binding, and the file of the Toronto Local Appeal Body is closed.

X  _____

Ian Lord
Panel Chair, Toronto Local Appeal Body
Signed by: Ian Lord