

INTERIM DECISION AND ORDER

Decision Issue Date Thursday, September 30, 2021

PROCEEDING COMMENCED UNDER Section 53, subsection 53(19), Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): MOHAMMAD MAHMUDUL ISLAM, FATEH ALAMGIR

Applicant(s): ARC DESIGN GROUP

Property Address/Description: 89-91 MCCOWAN RD

Committee of Adjustment File

Number(s): 20 150768 ESC 20 CO, 20 179059 ESC 20 CO, 20 150776 ESC 20 MV, 20 150783 ESC 20 MV, 20 150787 ESC 20 MV

TLAB Case File Number(s): 20 225354 S53 20 TLAB, 20 225355 S45 20 TLAB, 20 225356 S45 20 TLAB, 20 225357 S45 20 TLAB, 20 225358 S53 20 TLAB

Hearing date: July 8, 2021, September 10, 2021

Deadline Date for Closing Submissions/Undertakings: October 15, 2021

DECISION DELIVERED BY S. GOPIRKISHNA

REGISTERED PARTIES AND PARTICIPANTS

Applicant	ARC DESIGN GROUP
Owner/Appellant	MOHAMMAD MAHMUDUL ISLAM
Appellant	FATEH ALAMGIR
Appellant's Legal Rep.	AMBER STEWART
Party	CITY OF TORONTO

**Decision of Toronto Local Appeal Body Panel Member: S. Gopikrishna
TLAB Case File Number: 20 225354 S53 20 TLAB, 20 225355 S45 20 TLAB, 20
225356 S45 20TLAB, 20 225357 S45 20 TLAB, 20 225358 S53 20 TLAB**

Party's Legal Rep.	MARC HARDIEJOWSKI (CITY OF TORONTO)
Party	TANYA BAKSH
Party	GLENDA COWIESON
Participant	GEORGE GREGORY
Participant	NEIL CHOW
Participant	DAVID FOX
Participant	ALAN BURT
Participant	ANTHONY LOMBARDI

INTRODUCTION AND BACKGROUND

The Hearing respecting 89-91 McCowan Road was completed on September 10, 2021.

At the end of the Hearing, the Applicants proposed new conditions to be imposed by the TLAB should the proposal be approved - the intent of these conditions was to protect the privacy of the neighbours.

The Applicants were given time till September 17, 2021 to submit the following documents:

- Updated list of conditions reflecting the discussions held on September 10, 2021
- A recitation of the Consent to sever the properties at 89 and 91 McCowan Road, followed by requested variances to each of the houses to be constructed.
- The Applicants were also instructed to submit updated Plans and Elevations as a package, where appropriate. This was to address the issue of some of the Elevations showing a window in a position where the Applicant did not intend to put a window.

I have been informed by the TLAB Staff that as of September 28, 2021, no submissions have been made by the Applicants regarding this proposal.

MATTERS IN ISSUE

The only issue to be addressed in this Interim Decision is to identify a firm deadline for the submission of the documents listed in the "Introduction and Background" section.

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The Applicants are given time until the end of day **on October 15 , 2021** to complete the submission, as discussed at the end of the Hearing.

I must express my disappointment at the lack of an update from the Applicants, or the receipt of the aforementioned documents, notwithstanding clear directions issued at the end of the Hearing

Should the submissions not received by the end of day on October 15, 2021, I will have to come to a Decision based on the evidence provided at the Hearing, and submission on file, even if the latter are not up to date.

INTERIM DECISION AND ORDER

- 1) The Applicant is given time until the **end of day on October 15, 2021**, to complete the following submissions:
- Updated list of conditions reflecting the discussions held on September 10, 2021
 - A recitation of the Consent to sever the properties at 89 and 91 McCowan Road, followed by requested variances to each of the houses to be constructed.
 - Updated Plans and Elevations as a package, where appropriate

Submissions made after October 15, 2021, will not be utilized for Decision making purposes. .

So orders the Toronto Local Appeal Body.

X 

S. Gopikrishna
Panel Chair, Toronto Local Appeal Body