

## DECISION AND ORDER

**Decision Issue Date**      **Tuesday, December 21, 2021**

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): **KATELIN MCCARTHY**

Applicant: **CHRISTINE WALLACE – CITY OF TORONTO**

Property Address/Description:      **2299 DUNDAS ST W**

Committee of Adjustment Case File Number: **19 214033 STE 04 MV (A0947/19TEY)**

TLAB Case File Number: **19 259662 S45 04 TLAB**

**Date of Scheduled Hearing:** Friday, December 17, 2021

**DECISION DELIVERED BY: Stanley Makuch**

### BACKGROUND

This is an appeal respecting minor variances granted by the Committee of Adjustment on November 20, 2019, to alter the existing four-storey mixed-use building, at 2299 Dundas St. W., to a municipal shelter, by constructing a fifth storey addition intended to provide rooftop access to the clients of the proposed shelter. On December 15, 2021 two days before the appeal hearing was scheduled and over two years after the variances had been granted, the appellant, without reasons or identification withdrew her appeal. The withdrawal was confirmed by email of the same day, by her solicitor, Christopher Stienburg, to be that of Ms. McCarthy. There was no other appellant remaining in the proceedings.

### DECISION AND ORDER

The City Solicitor, Mr. Hardiejowski, appeared at the scheduled hearing, which was not cancelled because of the lateness of the withdrawal. At the hearing the City Solicitor, brought to my attention a subsequent email from Mr. Stienburg appearing to contain unsigned correspondence from Ms. McCarthy withdrawing her appeal and complaining about the appeal process. In Mr. Hardiejowski's opinion the complaints were without merit. I found no basis upon which to accept any of the complaints.

**Decision of Toronto Local Appeal Body Panel Member: S. Makuch  
TLAB Case File Number: 19 259662 S45 04 TLAB**

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 

---

S. Makuch  
Panel Chair, Toronto Local Appeal