

# DECISION AND ORDER

**Decision Issue Date**      Wednesday, September 21, 2022

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

Appellant(s):                      CITY OF TORONTO

Applicant:                              RUBINOFF DESIGN GROUP

Property Address/Description:    242 BOGERT AVE

Committee of Adjustment Case File Number:    21 230477 NNY 18 CO (B0041/21NY),  
21 230479 NNY 18 MV (A0749/21NY),  
21 230480 NNY 18 MV (A0750/21NY)

TLAB Case File Number:                      **22 134671 S53 18 TLAB**  
**22 134674 S45 18 TLAB,**  
**22 134675 S45 18 TLAB**

**Date of Scheduled Hearing:** Thursday, November 10, 2022

**DECISION DELIVERED BY:** *TLAB Chair D. Lombardi*

## INTRODUCTION AND CONTEXT

On March 24, 2022, the Committee of Adjustment approved, on condition, the consent and associated variances (Applications) to sever 242 Bogert Avenue (subject property) and to permit the construction of two (2) new detached dwellings, one on each new lot, for the Committee file numbers set out above.

An appeal was submitted by the City of Toronto (TLAB) by the City of Toronto (Appellant) and the TLAB set a Hearing date on November 10, 2022, to hear the appeal matter.

On September 16, 2022, the Appellant withdrew their appeal by email to the TLAB. The appeal has been withdrawn because the Applicant's legal representative, Glen Rubinoff, advised the Parties and the TLAB by email dated also dated September 16, 2022, that the owner of the subject property, Hong Zhu, wishes not to proceed with

the Applications and hereby withdraws any planning applications related to the subject property.

## **DECISION AND ORDER**

The appeal having been abandoned, the appeal is dismissed. The Committee of Adjustment decisions noted above are set aside, and the file of the Toronto Local Appeal Body related to this matter is closed.

The Hearing scheduled for November 10, 2022, is vacated and no attendance or further submissions are required.

X 

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D. Lombardi

Panel Chair, Toronto Local Appeal Body

Signed by: dlombar