



Kyle Knoeck
Director, Zoning and Secretary-Treasurer
Committee of Adjustment
City Planning Division

Committee of Adjustment
Toronto and East York
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Sabrina Salatino
Manager and Deputy Secretary-Treasurer
416-392-0413
coa.tey@toronto.ca

January 18, 2023

**NOTICE OF DECISION
CONSENT
(Section 53 of the Planning Act)**

File Number: B0048/22TEY
Property Address: 14-16 AUSTIN TER
Legal Description: PLAN D1439 PT LOT 20 PT LOT 21
Agent: ROBERT OMIDI
Owner(s): ROBERT OMIDI
RUTH LOCKHART
Zoning: R(f10.5; u2; d0.6)(x929)
Ward: Toronto-St. Paul's (12)
Community: Toronto
Heritage: Not Applicable

Notice was given and a Virtual Public Hearing was held on **Wednesday, January 18, 2023**, as required by the Planning Act.

THE CONSENT REQUESTED:

To obtain consent to sever the property into two residential lots and to create easements/right-of-ways.

**Conveyed – Parts 1 and 2, Draft R-Plan
16 Austin Terrace**

Parts 1 and 2 has a lot frontage of 7.625 m from Austin Terrace and a lot area of 246 m². The existing semi-detached dwelling containing one unit will be maintained and unaltered.

Easement/Right-of-way

Part 1 will have an area of 49.3 m² and will be subject to an easement/right-of-way for the purpose of vehicular access in favour of the lands municipally known as 18-20 Austin Terrace.

**Retained – Parts 3 and 4, Draft R-Plan
14 Austin Terrace**

Parts 3 and 4 has a lot frontage of 7.625 m from Austin Terrace and a lot area of 244.1 m². The existing semi-detached dwelling containing two units will be maintained and unaltered.

Easement/Right-of-way

Part 4 will have an area of 48.7 m² and will be subject to an easement/right-of-way for the purpose of vehicular access in favour of the lands municipally known as 12 Austin Terrace.

The existing easements/right-of-ways described in Instrument Number WA95198 will be maintained.

The Consent Application is Approved on Condition

The Committee has considered the provisions of Section 51(24) of the *Planning Act* and is satisfied that a plan of subdivision is not necessary. The Committee therefore consents to the transaction as shown on the plan filed with the Committee of Adjustment on the condition that before a Certificate of Official is issued, as required by Section 53(42) of the *Planning Act*, the applicant is to fulfill the following conditions to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment:

- (1) Confirmation of payment of outstanding taxes to the satisfaction of the Revenue Services Division, in the form of a statement of tax account current to within 30 days of an applicant's request to the Deputy Secretary-Treasurer of the Committee of Adjustment to issue the Certificate of Official.
- (2) Where there are no existing street trees, the owner shall submit a payment in lieu of planting one street tree on the City road allowance abutting each of the sites involved in the application or elsewhere in the community if there is no space, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review, Toronto and East York District.
- (3) Municipal numbers for the subject lots indicated on the applicable registered reference plan of survey shall be assigned to the satisfaction of the Supervisor, Surveys, Engineering Support Services, Engineering and Construction Services.
- (4) One electronic copy of the registered reference plan of survey integrated to NAD 83 CSRS (3 degree Modified Transverse Mercator projection), delineating by separate Parts the lands and their respective areas, shall be filed with, and to the satisfaction of, the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services.

- (5) One electronic copy of the registered reference plan of survey satisfying the requirements of the Manager, Land and Property Surveys, Engineering Support Services, Engineering and Construction Services shall be filed with the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (6) Prepare and submit a digital draft of the Certificate of Official, Form 2 or 4, O. Reg. 197/96, referencing either subsection 50(3) or (5) of the *Planning Act* if applicable as it pertains to the conveyed land and/or consent transaction to the satisfaction of the Deputy Secretary-Treasurer of the Committee of Adjustment.
- (7) Once all of the other conditions have been satisfied, the applicant shall request, in writing, that the Deputy Secretary-Treasurer of the Committee of Adjustment issue the Certificate of Official.
- (8) Within **TWO YEARS** of the date of the giving of this notice of decision, the applicant shall comply with the above-noted conditions.

SIGNATURE PAGE

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NANCY OOMEN (CHAIR)



NIMROD SALAMON



AARON CHENG



LARRY CLAY



PETER REED

DATE DECISION MAILED ON: **Tuesday, January 24, 2023**

LAST DATE OF APPEAL: **Monday, February 13, 2023**

CERTIFIED TRUE COPY



Sabrina Salatino
Manager & Deputy Secretary-Treasurer
Committee of Adjustment, Toronto and East York District

Appeal Information

The Provincial government has amended the Planning Act and generally removed rights of third parties to appeal Committee of Adjustment decisions. As of November 28, 2022, only the applicant, the Minister of Municipal Affairs and Housing, specified persons and public bodies (as those terms are defined in the Planning Act), are permitted to appeal decisions of the Committee of Adjustment.

All appeals must be filed by email with the Deputy Secretary-Treasurer, Committee of Adjustment to coa.tey@toronto.ca and Sabrina.Salatino@toronto.ca by the last date of appeal as shown on the signature page.

Your appeal to the **Toronto Local Appeal Body (TLAB)** should be submitted in accordance with the instructions below unless there is a related appeal to the Ontario Land Tribunal (OLT) for the same matter.

TORONTO LOCAL APPEAL BODY (TLAB) APPEAL INSTRUCTIONS

To appeal this decision to the TLAB you need the following:

- A completed TLAB Notice of Appeal (Form 1).
- \$300 for each appeal filed regardless if related and submitted by the same appellant.
- Fees are payable to the **City of Toronto**. Once your appeal has been received by e-mail by the Deputy Secretary –Treasurer you will receive payment instructions.

To obtain a copy of the Notice of Appeal Form (Form 1) and other information about the appeal process please visit the TLAB website at www.toronto.ca/tlab.

ONTARIO LAND TRIBUNAL (OLT) INSTRUCTIONS

To appeal this decision to the OLT you need the following:

- A completed OLT Appellant Form (A1) in digital format on a USB stick and in paper format.
- \$400 with an additional reduced fee of \$25 for each connected appeal filed by the same appellant.
- Fees are payable to the **Minister of Finance** by certified cheque or money order (Canadian funds).
- Due to the Covid-19 Emergency please contact the Deputy Secretary-Treasurer to make arrangements in submitting the appeal.

To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Land Tribunal (OLT) website at <https://olt.gov.on.ca/appeals-process/forms/>

A **related appeal** is another planning application appeal affecting the same property. To learn if there is a related appeal, search community planning applications status in the [Application Information Centre](#) and contact the assigned planner if necessary. If there is a related appeal, your appeal to the **Ontario Land Tribunal (OLT)** should be submitted in accordance with the instructions above.

NOTE: Only individuals, corporations and public agencies may appeal a decision. The appeal may not be filed by an unincorporated association or group. However, the appeal may be filed in the name of an individual who is a member of the association or group on its behalf.