



Court Services
Toronto Local Appeal Body

Toronto Local Appeal Body
40 Orchard View Boulevard, Suite 253
Toronto, Ontario M4R 1B9

Tel: 416-392-4697
Email: tlab@toronto.ca
Web: www.toronto.ca/tlab

TORONTO LOCAL APPEAL BODY

NOTICE OF HEARING

Pursuant to Rule 10.1 (Form 2)

PROPERTY ADDRESS: 16 MARTINDALE RD
HEARING DATE: Tuesday, January 28, 2025

16 Martindale Rd - Remote Hearing
Hosted by Toronto Local Appeal Body

Tuesday, January 28, 2025 9:30 AM | 7 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: **2868 163 4953**

Password: **AiPhv2**

<https://toronto.webex.com/toronto/j.php?MTID=mac49d9bb1d128998827a5fc30df63eac>

Join by video system

Dial **28681634953@toronto.webex.com**

You can also dial **173.243.2.68** and enter your meeting number.

Join by phone

+1-416-915-6530 Canada Toll

+1-613-714-9906 Canada Toll (Ottawa)

Access code: 286 816 34953

Application Information Center (AIC): <https://www.toronto.ca/city-government/planning-development/application-details/?id=5522034&pid=51811&title=16-MARTINDALE-RD>

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

Appellant(s):	MOHAMMAD MOHIUDDIN BHUIYAN
Applicant(s):	PRIYAL KAPADIA
Property Address/Description:	16 MARTINDALE RD
Committee of Adjustment File Number(s):	24 196628 ESC 20 MV (A0174/24SC)

TLAB Case File Number(s): 24 221361 S45 20 TLAB

The Toronto Local Appeal Body has set aside One (1) Day for this hearing.

All parties and participants should attend at the start of the hearing at the time and date indicated, irrespective of the time allotted. Hearing dates are firm - adjournments will not be granted except in accordance with the Rules.

Hearings will ordinarily be held by Oral Hearing; however, TLAB by Notice or by its Rules may provide that a proceeding may be by way of an Electronic Hearing or a Written Hearing.

The TLAB encourages Parties to conduct mediation if the TLAB is satisfied there is good reason to believe one or more of the issues in dispute may be resolved through Mediation. Mediation is a more effective and less costly approach than the hearing process, and allows parties to address issues in a collaborative manner and in a less formal environment. Mediation conducted by the TLAB shall be held no later than 15 Days before the Hearing. See Rule 20.

IT IS IMPORTANT THAT YOU REGULARLY REVIEW THE PLANS AND MATERIALS IN THE APPEAL FILE.

Please visit the Toronto Local Appeal Body website at www.toronto.ca/tlab regularly for updates to materials filed.

OBJECTION TO AN ELECTRONIC HEARING: Pursuant to Rule 24.3 of the Toronto Local Appeal Body's Rules of Practice and Procedure, "A Party who objects to an Electronic Hearing shall bring a Motion within 5 Days of service of the notice of Electronic Hearing."

MAKING YOUR VIEWS KNOWN

The notice has been provided to you, as required by the Planning Act, to ensure that, as an interested person, you may make your views known by filing your submissions in accordance with the Rules respecting:

Applicant Disclosure as per Rule 11 (Form 3)	DUE no later than November 13, 2024
Notice of Intention to be a Party as per Rule 12 (Form 4) or	DUE no later than November 25, 2024
Notice of Intention to be a Participant as per Rule 13 (Form 4)	DUE no later than November 25, 2024
Document Disclosure as per Rule 16	DUE no later than December 23, 2024
Witness Statement as per Rule 16.4 (Form 12)	DUE no later than December 23, 2024
Response to Witness Statement as per Rule 16.5 (Form 19)	DUE no later than January 07, 2025
Reply to Response to Witness Statement as per Rule 16.5 (Form 20)	DUE no later than January 17, 2025
Participant Statement as per Rule 16.5 (Form 13)	DUE no later than December 23, 2024
Expert Witness Statement as per Rule 16.6 (Form 14)	DUE no later than December 23, 2024
Response to Expert Witness Statement as per Rule 16.9 (Form 21)	DUE no later than January 07, 2025
Reply to Response to Expert Witness Statement as per Rule 16.10 (Form 22)	DUE no later than January 17, 2025
Notice of Motion as per Rule 17 (Form 7)	DUE no later than January 13, 2025

Information you choose to disclose to the Toronto Local Appeal Body will become part of the public record. Use of prescribed forms are mandatory.

If you do not attend the public hearing, or express your views in writing, the Toronto Local Appeal Body may proceed and make a decision in your absence, and may authorize changes to the proposal, matter, or grant the relief requested.

In the event the decision is reserved, persons taking part in the hearing and wishing a copy of the decision may request it by emailing the Toronto Local Appeal Body office at tlab@toronto.ca. Such decision will be emailed to you when available. Also, the decision when available will be publically posted on the Toronto Local Appeal Body's website at www.toronto.ca/tlab.

The Toronto Local Appeal Body is committed to providing accessible services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessible needs, please contact the Accessibility Coordinator listed below as soon as possible. If you have specific accommodation needs, please identify those in advance and any assistance you may require in the event of an emergency evacuation.

DATE ISSUED October 24, 2024

Tribunal Secretary

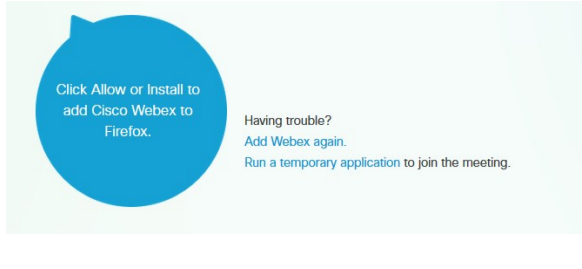
For more information on accessibility options, please contact:

TLAB, Court Services Clerk

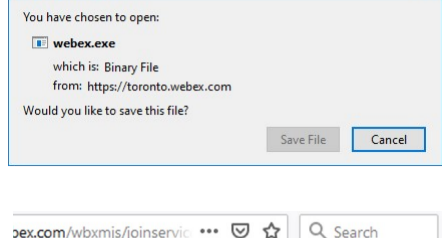
Accessibility Coordinator Telephone Number: 416-392-4697

Accessibility Coordinator Email: tribunalaccess@toronto.ca

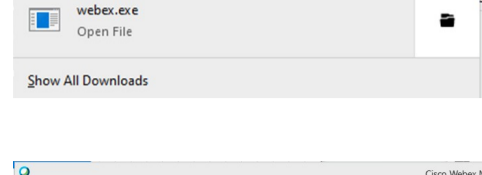
Webex Resource Guide



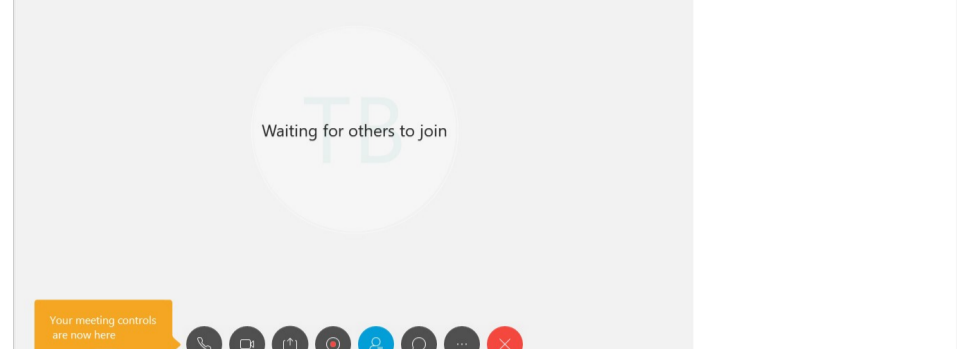
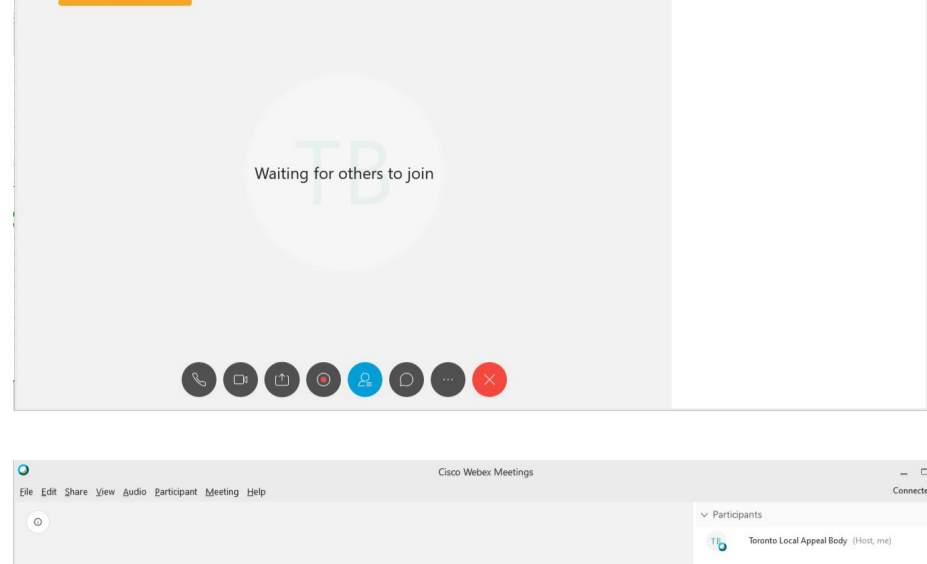
To run Webex, select
Run a temporary application to join the meeting.



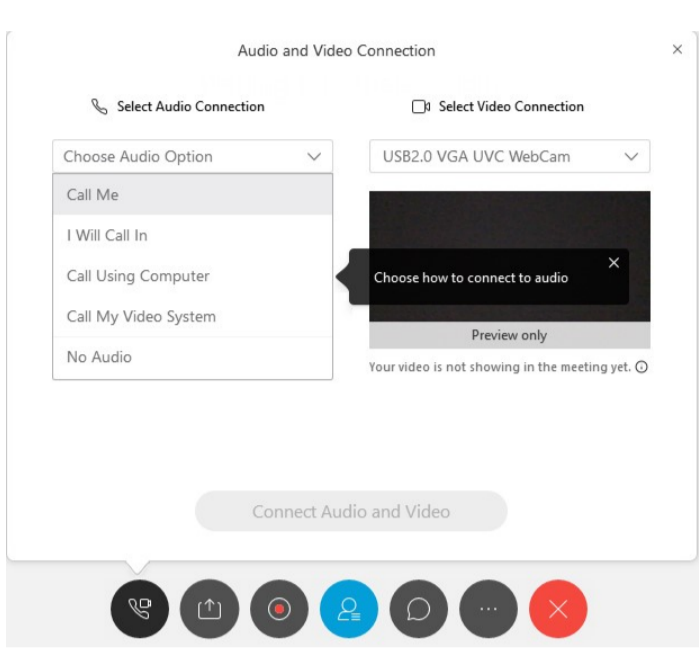
When this pop up window opens, select Save File



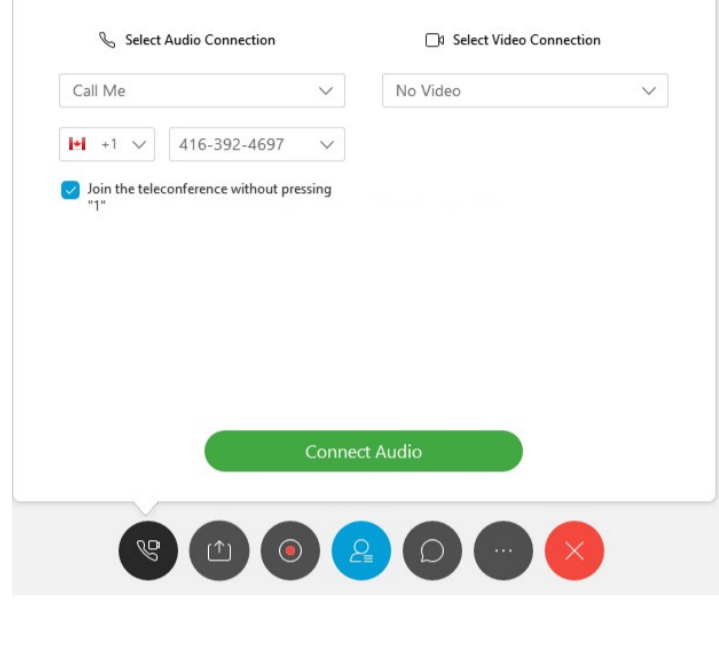
Find the downloaded file and open



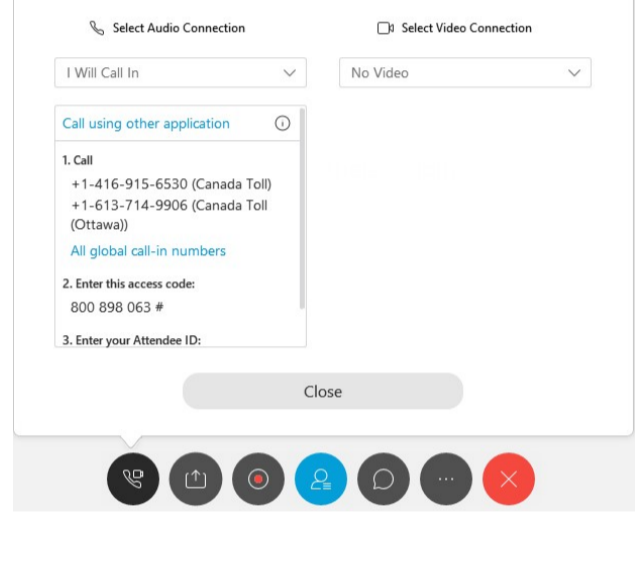
Once you join, the main Webex window will open



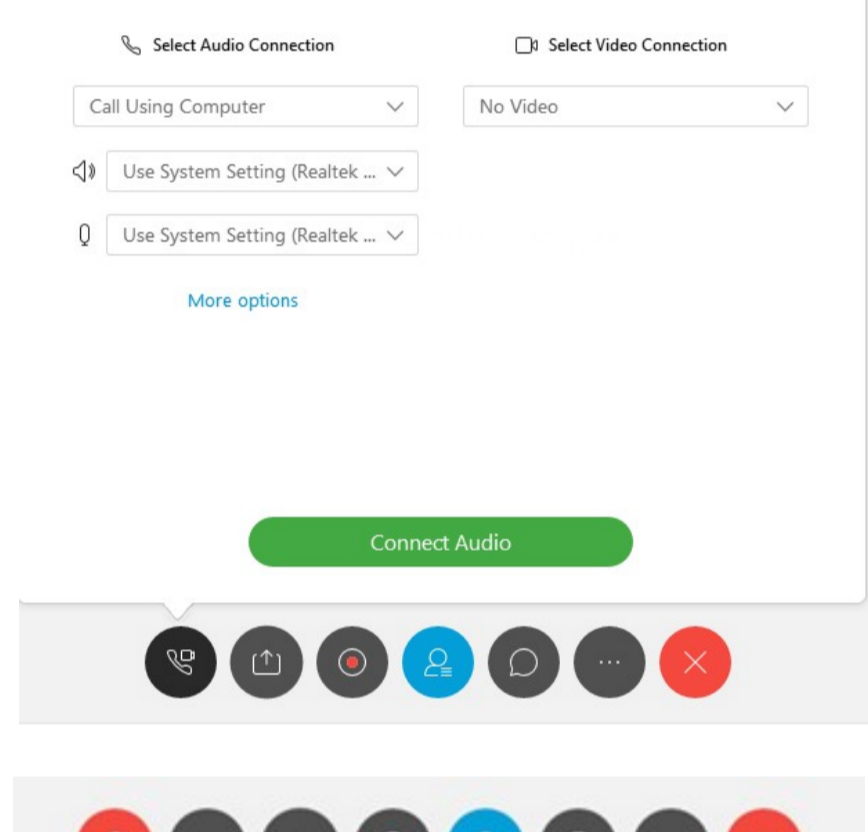
Choose the method of your audio connection



Option 1:
Call me: Have the Webex application call you at a phone number you provide.



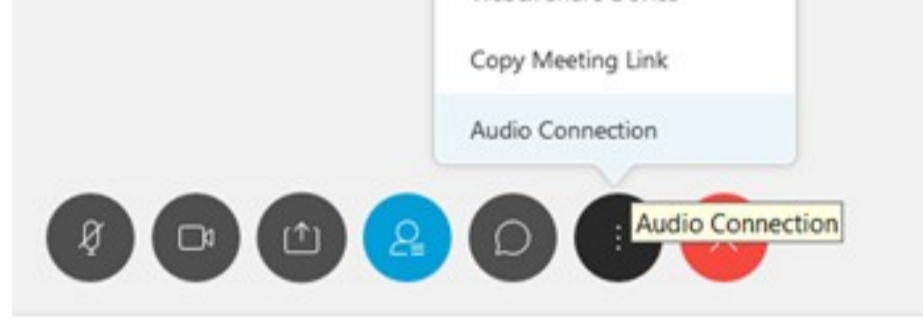
Option 2:
I Will Call In: This option allows you to call into the Webex meeting using your phone (Cellphone or landline).



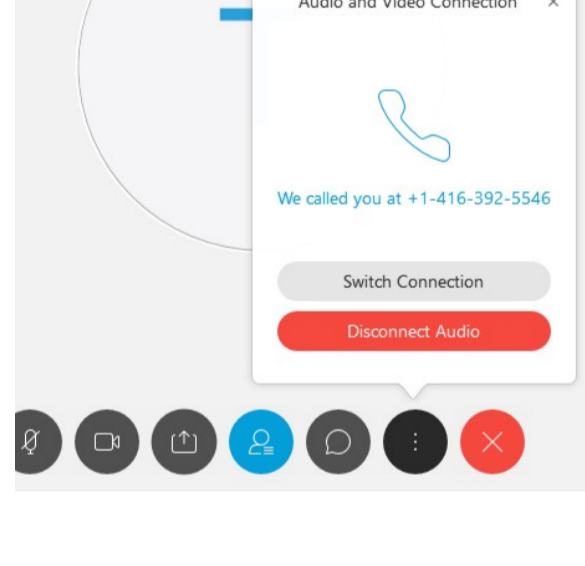
Option 3:
Call Using Computer: Use your computer setting to join the Webex meeting.
Ensure that you select a working speaker and microphone from your computer system.
Video: Select your video connection.
Select "Connect Audio"



Once connected, the controls will disappear and only appear when you hover over the area.



To switch audio settings, select the icon and select audio connections



Select switch connection

The Participant List provides the following information:



1. Displays the list of participants attending the Webex Meeting



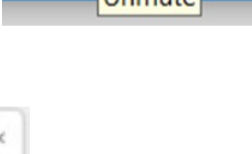
2. Displays who is the Presenter. The Presenter is the individual who is sharing documents in the proceeding.



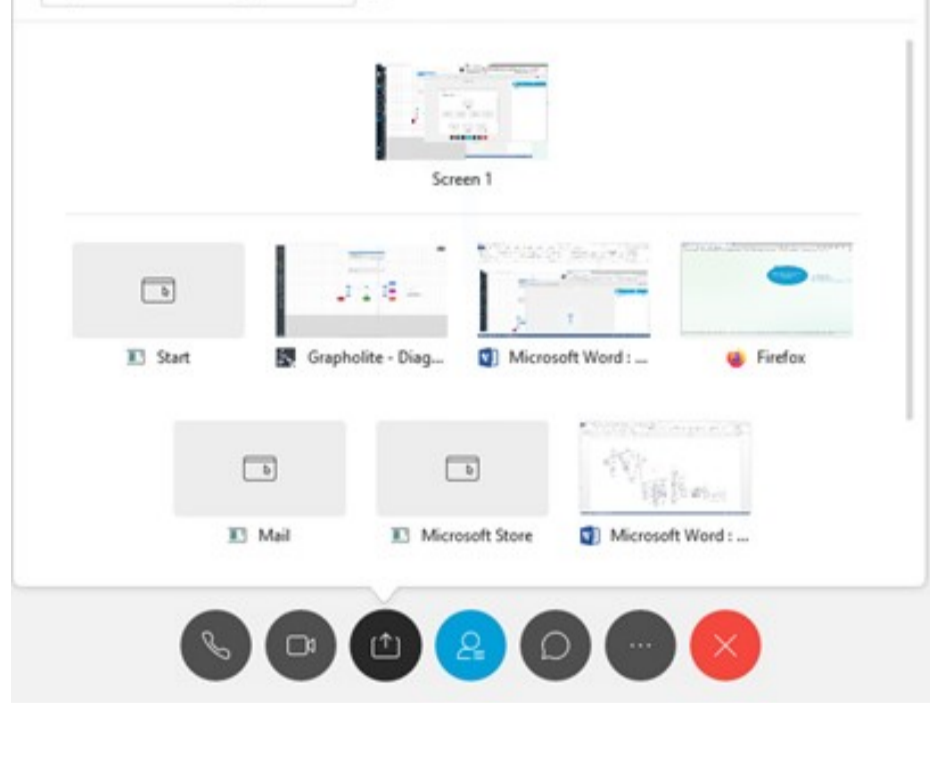
3. Raised hand. This is a visual indicator to the Chair that the individual has something to say.



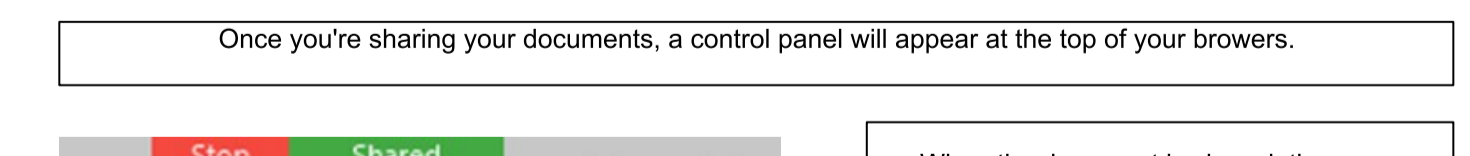
4. Mute or Unmute. This indicates whether the individual is muted.



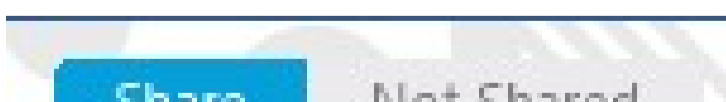
To unmute, select the unmute button



Presenter:
To share a document, locate the icon "Share Content".
You will have the option to:
1. Share Screen: This will enable you to share all contents from your desktops.
2. Share specific content: This will enable you to choose what application to share, for example, word documents, PDF documents, Web browser.
Hover over your option and select "Share"



Once you're sharing your documents, a control panel will appear at the top of your browsers.



When the document is shared, the green shared icon will appear at the top right hand corner of the document.



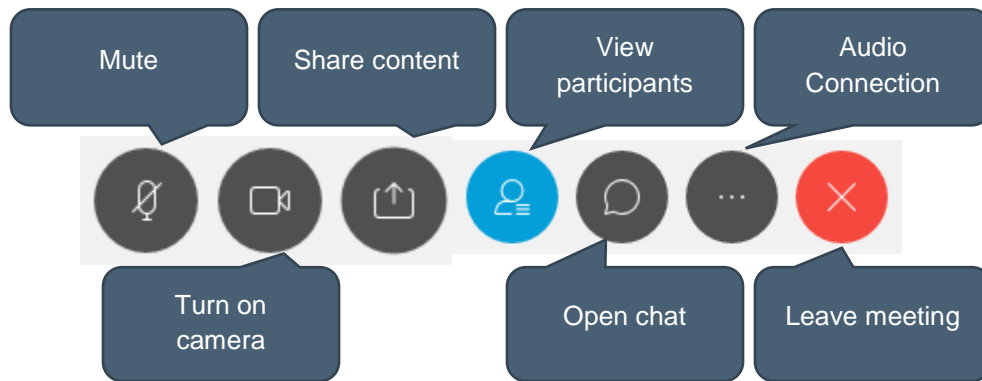
Documents not shared will have the following indicator on the top right corner of the document. To share the document, simply select "Share".

A successful electronic hearing is contingent upon steps taken before, during and after the hearing. Below are some best practices that should be followed to ensure your electronic hearing is smoothly run and effective for all participants.

Meeting Etiquette

- Dress appropriately. Dress as if you are attending the hearing in person.
- Arrive early to your electronic hearing. Show up at least 15 minutes early to address and resolve any potential technical issues. Please test your software, speakers, and microphone.
- Be flexible and expect a degree of informality.
- Come prepared. Familiarize yourself with pre-filed documents and their location; be prepared to access and share documents and files you will depend on ahead of the meeting to avoid disruptions or delays
- Find a private, well lit, and quiet room. Participants should find a room that is free of distractions, interruptions, and telephone calls.
- One person speaks at a time. Be direct and frame questions to specific speakers.
- Mute your microphone. When you join the hearing, your microphone will be muted automatically. Do not unmute your microphone unless requested or required to speak.
- The Electronic Hearing will be facilitated by Staff, acting as the Host; providing assistance to the Chair (including marking, recording, and downloading Exhibits) and the participants.
- Unmute your microphone. When you are ready to speak, remember to unmute your microphone and speak clearly and slowly.
- To object, respond or comment, raise your hand using the "raise hand" Webex icon function. Wait for acknowledgement or respectfully interrupt the proceeding when appropriate to do so.
- Chat function is restricted. Any use of the Chat Function will be displayed for everyone to view
- No speaker phone. For quality audio, avoid using the speaker phone function, on either a landline or mobile, to prevent feedback and audio disruptions.
- Be personable as you would in person.
- Stay focused and avoid multi-tasking.
- Be open, honest and respectful.
- Have a notepad available for undertakings and reminders
- Have a phone or email available in case you get disconnected
- No audio or visual recording. You are not permitted to audio or video record any portion of a remote hearing. The Tribunal will maintain an official recording of the proceeding. To request a copy, contact the administrative staff.

WebEx Controls (displayed at the bottom of the WebEx window)



Please also note the following as per the TLAB Chair's direction:

“A Hearing before the TLAB, whether in person or by way of an electronic or teleconference consideration means and requires that persons involved inform themselves as to the distinctions between ‘Party’ and ‘Participant’ status and be content with those roles as set out in the TLAB Rules of Practice and Procedure.

As well, the TLAB relies upon sworn or affirmed testimony; the obligation rests on the Owner/Applicant to support and satisfy the Tribunal that the approvals sought, on the policy and statutory tests applicable, are advanced by opinion evidence on the application of these matters and principles of good community planning.”