

DECISION AND ORDER

Decision Issue Date Friday, February 02, 2018

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

Appellant(s): KUNAL ADHIKARI

Applicant: SEAN GALBRAITH

Property Address/Description: 821 CARLAW AVE

Committee of Adjustment Case File Number: 17 194352 STE 29 MV (A0785/17TEY)

TLAB Case File Number: 17 267941 S45 29 TLAB

Motion Hearing date: Friday, February 02, 2018

DECISION DELIVERED BY L. McPherson

INTRODUCTION AND BACKGROUND

On November 8, 2017, the Committee of Adjustment (“Committee”) for the City of Toronto (“City”) refused minor variances to legalize and to maintain: the as constructed rear one-storey addition; the converted front porch and attic into living space; and the added third dwelling unit within the existing 2 ½ -storey detached a dwelling at 821 Carlaw Avenue. The owner appealed the decision to the Toronto Local Appeal Body (the “TLAB”). The TLAB scheduled a hearing for April 16, 2018. There are three other parties to the hearing including the City.

On January 26, 2018, one of the Parties, Mr. A. Panagiotopoulos, filed a Notice of Motion requesting that the hearing be adjourned to another date, as he is not able to attend on April 16, 2018.

JURISDICTION

Under Rule 2.10, the TLAB may grant all necessary exceptions to the Rules, or grant other relief as it considers appropriate, to enable it to effectively and completely

adjudicate matters in a just, expeditious and cost-effective manner. In addition, under Rule 4.4, the TLAB may extend or reduce the time limits provided by the Rules.

EVIDENCE

The Notice of Motion included documentation to support Mr. Panagiotopoulos's unavailability on April 16, 2018. In addition, the Motion included confirmation from the other Parties that they consent to an adjournment to May 3, 2018 or May 17, 2018. The TLAB staff provided these dates.

ANALYSIS, FINDINGS, REASONS

The Notice of Motion has been filed on the consent of the Applicant and the other Parties. The adjournment is for a short period of time and should not cause any undue delay.

DECISION AND ORDER

The Motion for Adjournment is granted. The TLAB staff is requested to issue a new Notice of Hearing for May 3, 2018. All other dates will remain as stated in the original Notice of Hearing.

The hearing scheduled for April 16, 2018 is cancelled and no appearances or attendances are required.

The undersigned member is not seized for the hearing.

X 

L. McPherson
Panel Chair, Toronto Local Appeal Body