

DECISION AND ORDER

Decision Issue Date Friday, March 09, 2018

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): KAREN UNGER, FRANK SPITZER

Applicant: RICHARD WENGLER ARCHITECT INC

Property Address/Description: 46 WEMBLEY RD

Committee of Adjustment Case File Number: 17 161955 STE 21 MV

TLAB Case File Number: **17 248204 S45 21 TLAB**

Motion Hearing date: Thursday, March 08, 2018

DECISION DELIVERED BY L. MCPHERSON

INTRODUCTION AND BACKGROUND

On September 27, 2017, the Committee of Adjustment ("Committee") for the City of Toronto ("City") approved certain minor variances and amended a minor variance to permit alterations to an already approved 3-storey dwelling at 46 Wembley Road.

The Applicant and a Neighbour appealed the Committee decision. TLAB scheduled a Hearing date for March 8, 2018.

The City's planning witness identified certain concerns with the proposal in her Witness Statement filed with TLAB. As a result the Applicant made changes to the proposed plans and variances.

On March 5, the Solicitor for the Applicant filed a Notice of Motion requesting that the TLAB adjourn the hearing and abridge, as required, the time requirements for servicing and filing the Motion. The Motion date was scheduled for March 8, 2018, the Hearing Date. The purpose of the adjournment was to permit the City Building Department to confirm the potential variances.

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.

ANALYSIS, FINDINGS, REASONS

The proposed adjournment was presented on the consent of the Parties. No Participants attended the Hearing. The TLAB was advised that a Settlement had been reached with both Parties and the Applicant's Solicitor would advise the TLAB when the matter could be brought forward for approval.

DECISION AND ORDER

The Motion for Adjournment granted on consent and the Hearing is adjourned, *sine die*.

X 

Laurie McPherson
Panel Chair, Toronto Local Appeal Body