

# DECISION AND ORDER

**Decision Issue Date** Friday, May 11, 2018

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

Appellant(s): YAYING WANG

Applicant: CHRIS LI

Property Address/Description: 93 MONA DR

Committee of Adjustment Case File Number: 17 168336 NNY 16 MV (A0550/17NY)

TLAB Case File Number: **18 131770 S45 16 TLAB**

**Written Motion Hearing date:** Wednesday, May 23, 2018

**DECISION DELIVERED BY T. YAO**

## APPEARANCES

	<b>Role</b>	<b>Representative</b>
Jia Wang	Owner Party	Annik Forristal (lawyer)
Yaying Wang	Appellant	Andrew Jeanrie (lawyer)

The owners of 93 Mona Drive, Guojun Guan and Jia Wang, have sought four variances with respect to 93 Mona Drive in order to construct a two storey addition plus an addition over an existing one storey portion. On February 28, 2018, the Committee of Adjustment authorized the variances subject to a condition.

On March 20, 2018, one of the registered owners of 335 Glencairn Avenue, Yaying Wang, appealed. On April 27, 2018, one of the owners of 93 Mona, Jia Wang, elected to become a party through her lawyer, Annik Forristal,. The hearing is set for July 13, 2018. Applicant disclosure was due by April 12, 2018 and document disclosure for everyone was due no later than April 27, 2018.

On May 8, 2018, the owners brought a motion for:

1. An order permitting the [owners'] filing of amended plans.

2. An order permitting an extension of the time for service and filing of all expert witness statements for all Parties from Monday, May 14, 2018 to Thursday, May 31, 2018.
3. An order allowing this Motion to proceed by way of a Written Hearing.

In her motion materials, Jia Wang says her arborist, Mr. Bradley:

. . .made recommendations . . .relating to tree protection and preservation which included recommended changes to the proposed methods of construction. More specifically, Mr. Bradley recommended that all construction take place above grade and that helical piles be used for the foundation whereas the Application Plans contemplated excavation and the pouring of concrete foundation walls.

These plans have already been filed. On May 9, 2018, Andrew Jeanrie, Yaying Wang's lawyer, wrote:

. . .we can consent to the motion to amend the plans as requested on the condition as set out below: specifically that the date for filing expert witness statements be extended to May 31, 2018, which would allow sufficient time for witnesses to properly review the revised plans and, if necessary, amend/prepare witness statements to account for the same.

Since this motion is on consent there is no point waiting for the "hearing" date of May 23, 2018. If my making this decision in advance of this earlier date causes difficulties, would the parties please speak to me.

## **DECISION AND ORDER**

1. The owners are given leave to file amended plans.
2. The date for filing expert witness statements is extended to May 31, 2018.

**X**



---

Ted Yao  
Panel Chair, Toronto Local Appeal Body  
Signed by: Ted Yao