

DECISION AND ORDER

Decision Issue Date Tuesday, July 17, 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): KRISHAN CHAHAL

Applicant: TONY HENRIQUES

Property Address/Description: 74 HUMEWOOD DR

Committee of Adjustment Case File Number: 17 256702 STE 21 MV

TLAB Case File Number: **18 173791 S45 21 TLAB**

Motion Hearing date: Tuesday, July 17, 2018

DECISION DELIVERED BY L. MCPHERSON

INTRODUCTION AND BACKGROUND

On May 23, 2018, the Committee of Adjustment (Committee) for the City of Toronto (City) refused minor variances to alter an existing 2- storey detached dwelling by constructing a 2-storey rear addition. The owner appealed the decision to the Toronto Local Appeal Body (TLAB). The TLAB scheduled a hearing for September 24, 2018.

On June 27, 2018, Counsel for the owner, Mr. M. Mazierski, filed a Notice of Motion requesting that the hearing be adjourned to another date, as both Mr. Mazierski and the expert planning witness, Mr. TJ Cieciora, are scheduled to appear before the TLAB on the same day on another Appeal. The Motion requests that the hearing be rescheduled to another date, subject to TLAB's availability. There are no other Parties and 2 Participants. All persons on the TLAB mailing list were advised of the Motion for Adjournment. There have been no responses received by the TLAB.

JURISDICTION

Rule 23.4 of the TLAB's Rules of Practice and Procedure allows the TLAB to grant or deny the Motion and make any other appropriate orders.

ANALYSIS, FINDINGS, REASONS

The Applicant's Motion for Adjournment was filed with adequate time to reschedule the hearing. The adjournment, at the request of the Applicant, will not prejudice the TLAB from conducting the proceeding in a just, timely and cost effective manner. The TLAB provided alternate dates and the Applicant advised that they would be available October 3 or October 4, 2018.

DECISION AND ORDER

The Motion for Adjournment is granted. The hearing is scheduled for October 4, 2018. The TLAB staff are requested to issue a new Notice of Hearing to the Party and Participants with revised deadlines.

The hearing scheduled for September 24, 2018 is cancelled and no appearances or attendances are required.

The undersigned Member is not seized for the hearing.

X 

Laurie McPherson
Panel Chair, Toronto Local Appeal Body