

DECISION AND ORDER

Decision Issue Date Friday, October 26, 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): DOV BARRY NUSSBAUM

Applicant: SARAH IFRAH ARCHITECT INC

Property Address/Description: 50 FAIRHOLME AVE

Committee of Adjustment Case File: 18 175854 NNY 15 MV

TLAB Case File Number: **18 208889 S45 15 TLAB**

Motion Hearing date: Friday, September 28, 2018

DECISION DELIVERED BY T. YAO

APPEARANCES

NAME	ROLE	REPRESENTATIVE
Sarah Ifrah Architect Inc	Applicant	
Gittel Sara Spetner	Alternate Owner	
Dov Barry Nussbaum	Appellant	

INTRODUCTION

Ms. Spetner and Mr. Nussbaum are the owners of 50 Fairholme Avenue. On July 26, 2018, the Committee of Adjustment granted them six minor variances but refused three others, having to do with height and number of stories. Mr. Nussbaum appealed on August 13, 2013.

On September 28, 2018, Mr. Nussbaum brought a motion requesting an adjournment of the December 18, 2018 hearing date. The affidavit in support states that the owners were reconsidering their plans and intended to submit further plans and would attend at the Committee at the end of October/November 2018. On October 24, I

Decision of Toronto Local Appeal Body Panel Member: T. Yao
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wrote to the owners requesting further clarification of their plans. On October 25, 2018, Mr. Nussbaum replied as follows:

Thank you for your letter dated October 24, 2018.

In response to same, and for clarification, please be advised as follows:

1. Concerning the disclosure date, the intention of the motion is for a further extension of this date in the event that we proceed with the appeal and wish to submit revisions to the current plans before the TLAB.
2. We have submitted revised/further plans to the Committee of Adjustment. These were submitted on October 5, 2018. We are expecting to hear from the Committee of Adjustment any day now for a second hearing date.

Please let me know if you require any further clarification,

Barry Nussbaum

DECISION AND ORDER

Rule 2.1 states that the TLAB is committed to fixed hearing dates. The motion for adjournment is denied and the hearing on December 18, 2018, will proceed. I further direct that the owners comply with all filing requirements by November 16, 2018, and documentation filed after that date will be inadmissible on December 18, 2018.

X

Ted Yao

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