

DECISION AND ORDER

Decision Issue Date **Thursday, May 2, 2019**

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): YURI KHOLODOV

Applicant: FRANCO ROMANO

Property Address/Description: 76 POPLAR PLAINS CRES

Committee of Adjustment Case File: 18 117320 STE 22 CO, 18 117330 STE 22 MV, 18 117331 STE 22 MV

TLAB Case File Number: 18 200993 S53 22 TLAB, 18 200994 S45 22 TLAB, 18 200995 S45 22 TLAB

Last Submission Date: Wednesday, May 01, 2019

DECISION DELIVERED BY: Stanley Makuch

APPEARANCES

Amber Stewart, Solicitor for the Appellants

Ben Baeny, Solicitor for the City of Toronto

Joseph Zankowisz

James Appleyard

William Gagnoli

Arnold Englander

Teresa Brzozowski

INTRODUCTION

This a decision resulting from a hearing at which I was informed that the parties had reached a settlement but needed more time to resolve all details, and especially time to obtain a revised zoning examiner's notice.

BACKGROUND

This settlement was the result of Panel Member Yao holding an excellent Settlement Hearing which involved the appellants, the City, and interested nearby residents.

MATTERS IN ISSUE

The only issue in this hearing is how to formalize the settlement, given that I must have evidence that the consent and variances meet the requirements of the *Planning Act* and provincial policy.

JURISDICTION

The Toronto Local Appeal Body (TLAB), under its Rules of Practice and Procedure, has jurisdiction to determine how matters before it can be heard and determined.

DECISION AND ORDER

This matter will be determined by a written hearing in the following manner. The appellant's solicitor will file minutes of settlement signed by those parties who attended this hearing. She will also file revised plans and variances and an affidavit sworn to by the appellants planner respecting the planning merits of the revised plans and variances. The affidavit is to be agreed to by all parties as there will be no cross examination on the affidavit. Based on the material filed I will determine whether the appeal should be allowed. All material should be filed by Friday, May 3, 2019.

X 

S. Makuch
Panel Chair, Toronto Local Appeal