

DECISION AND ORDER

Decision Issue Date Friday, August 02, 2019

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): HAYES COLLIN STEINBERG

Applicant(s): CLIMANS GREEN LIANG ARCHITECTS INC

Property Address/Description: 65 TILSON RD

Committee of Adjustment Case File Number: 19 113330 NNY 15 MV (A0085/19NY)

TLAB Case File Number:

19 141090 S45 15 TLAB

Motion Hearing date: Thursday, August 01, 2019

DECISION DELIVERED BY T. Yao

REGISTERED PARTIES AND PARTICIPANTS

Moving Party John Plumpton

Responding Party¹'s Legal Representative David Bronskill

DECISION AND ORDER

This is a written motion for adjournment returnable at the commencement of the hearing, which is August 30, 2019. Since it is obviously inconvenient for the parties and participants to simultaneously prepare for a hearing and for the possibility that the motion may be allowed, I am ignoring Mr. Plumpton's indication that the motion be heard on August 30, 2019 and assuming he wishes it would be heard as soon as possible. I note for the record that Mr. Bronskill was not given an opportunity to file a response to the Notice of Motion but I assumed he was opposed.

The procedural history is:

¹ The owners are Jennifer Marlene Gould and Hayes Colin Steinberg

Decision of Toronto Local Appeal Body Panel Member: T. Yao
TLAB Case File Number: 19 161165 S45 18 TLAB

- May 9, 2019 Notice of hearing for August 30, 2019
- June 5 , 2019 John Plumpton elects to be a participant.
- July 8, 2019 Participant witness statements of William Thoms, Arlene Gould, and John Hippler
- July 8, 2019 Expert witness statement of Tae Ryuck
- July 23, 2019 Notice of Motion advising of Mr. Plumpton's request for an adjournment because he has a longstanding family vacation, from which he will return on August 30, 2019
- July 26, 2019 Memo to Parties indicating that that I was prepared to grant the adjournment despite procedural irregularities along with a proposed Draft Order

In my opinion the most efficient way to proceed would be to allow a short adjournment. Accordingly, I order that the August 30, 2019 hearing date is cancelled and the new hearing will be September 3, 2019. A fresh Notice of Hearing for that date will be sent to all parties and participants.

X 

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