

# DECISION AND ORDER

**Decision Issue Date**      **Monday, December 16 2019**

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

Appellant(s): Montgomery Square Inc.

Applicant: Rockport Weston Hub Inc

Property Address/Description: 25 & 31 Montgomery Ave, 2384 & 2388 Yonge St

Committee of Adjustment Case File: 19 153947 NNY 08 MV (A0347/19NY)

**TLAB Case File Number: 19 223470 S45 08 TLAB**

**Hearing date: November 21, 2019**

**DECISION DELIVERED BY S. Makuch**

## INTRODUCTION

This is a Motion for an adjournment of a Hearing respecting an appeal of variances. The Motion is consented to by all parties and is to allow two consecutive days to be set aside for the hearing of this matter. Two days are necessary to hear all of the evidence and it is preferable that the days are consecutive.

## BACKGROUND

There has been one day set aside and the parties agree that is not enough time.

## MATTERS IN ISSUE

There are no matters in issue.

## JURISDICTION

Toronto Local Appeal Body (TLAB) has authority to grant adjournments and set hearing dates.

## EVIDENCE

Affidavit evidence on file with TLAB sets out the reasons for the adjournment and the need for two consecutive hearing days.

## ANALYSIS, FINDINGS, REASONS

It is appropriate to grant the adjournment and allocate two consecutive hearing days on the consent of the parties.

## DECISION AND ORDER

The Hearing in this matter set down for January 14, 2020 is hereby adjourned to a date to be determined by TLAB staff after consultation with the parties.

The Exchange of Witness Statements, Expert Witness Statements, Document Disclosures, and Participant Statements is to occur no later than 45 days prior to the new Hearing date.

Responses to Witness Statements and Expert Witness Statements is to occur no later than 15 days after the initial Exchange.

Reply to the Responses to Witness Statements is to occur no later than 10 days after the Exchange of Responses to Witness Statements and Expert Witness Statements.

X 

---

S. Makuch  
Panel Chair, Toronto Local Appeal