

DECISION AND ORDER

Decision Issue Date: Wednesday, March 4, 2020

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): JOHN IVAN PERSIC, JASON PERSIC

Applicant: EKP DESIGNS INC

Property Address/Description: 133-137 SHERWOOD AVE

Committee of Adjustment Case File: 17 198702 NNY 25 MV (A0683/17NY), 17 200597 NNY 25 MV (A0682/17NY)

TLAB Case File Number: 18 141139 S45 25 TLAB, 18 141144 S45 25 TLAB

Hearing date: Tuesday, September 10, 2019

DECISION DELIVERED BY S. MAKUCH

APPEARANCES

Appellant	John Ivan Persic
Appellant	Jason Persic
Appellant's Legal Rep.	Amber Stewart
Applicant	EKP Designs Inc
Owner	Wai-Ming Persic
Owner	Scott Quach
Party	City of Toronto
Party Legal Rep.	Adrienne deBacker
Party Legal Rep.	Nathan Muscat

Party	Lynn Holloran
Party	Ivy Ng
Participant	Gary Tham
Expert Witness	Terry Mills
Expert Witness	Xin Zhou
Expert Witness	Franco Romano

INTRODUCTION

There is a typographical error in the decision in this matter issued on February 18, 2020.

BACKGROUND

A condition was inadvertently omitted from the order and should be added to the decision.

MATTERS IN ISSUE

There are no matters in issue.

JURISDICTION

TLAB has jurisdiction under Rule 30.1 to correct typographical and minor errors.

EVIDENCE

No evidence is necessary.

ANALYSIS, FINDINGS, REASONS

The order should be amended by adding an additional condition so that the order will read as follows:

'The appeal is allowed, and the variances set out in Appendix 2 are approved subject to the following:

**Decision of Toronto Local Appeal Body Panel Member: S. Makuch
TLAB Case File Number: 18 141139 S45 25 TLAB, 18 141144 S45 25 TLAB**

1) Construction is to be substantially in accordance with site plan and elevations attached as Appendix 1.

2) Opaque screening or fencing with a minimum height of 1.5 m is to be constructed along the edges of the proposed rear platforms adjacent to the properties of Ms. Ng and Ms. Holleran.

3) The conditions in Appendix 2.

DECISION AND ORDER

The decision of February 18, 2020 in this matter is amended by adding a third condition which is:

3) The conditions in Appendix 2

X 

S. Makuch

Panel Chair, Toronto Local Appeal