

# DECISION AND ORDER

**Decision Issue Date: Thursday, May 7, 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): Fariba Arkan

Applicant: Milan Lukovic

Property Address/Description: 148 Davisville Ave

Committee of Adjustment Case File: 19 134800 STE 12 MV (A0355/19TEY)

**TLAB Case File Number: 19 197064 S45 12 TLAB**

**Hearing date:** Monday, December 02, 2019

**DECISION DELIVERED BY S. Makuch**

## REGISTERED PARTIES AND PARTICIPANTS

Applicant	Milan Lukovic
Owner	Encarnacao L Martin
Appellant	Fariba Arkan
Party	David C Martin
Party	M J Design Consultants Inc
Party	Darlenys Martin
Party	Philip Martin
Expert Witness	Juri Berzins

## INTRODUCTION

It has been brought to my attention that there is a typographical error in Condition 2 of my decision, dated February 17, 2020, respecting the above matter.

## BACKGROUND

Condition 2 of my decision is to provide for a fence only along the property line between the appellant's and applicant's property. As the appellant's property is to the east of the applicant's property the fence should be along the appellant's west property line, whereas the condition provides for it to be along the appellant's east property line.

## MATTERS IN ISSUE

There are no matters in issue.

## JURISDICTION

30.1 of the TLAB Rules of Practice and Procedure state that: The TLAB may at any time and without prior notice to the Parties correct a technical or typographical error, error in calculation or similar minor error made in a Decision or order. There is no fee if a Party or Participant requests such corrections.

## EVIDENCE

My decision of February 17, 2020 provides for the fence to be built along the appellant's east property line rather than the west property line.

## ANALYSIS, FINDINGS, REASONS

Condition 2 of my decision dated February 17, 2020 should be corrected to provide for a fence along the appellant's west property line.

## DECISION AND ORDER

Condition 2 of my decision dated February 17, 2020 is hereby amended by replacing the word "east" with the word "west" in line 2 of that condition in my Decision and Order.

X 

---

S. Makuch  
Panel Chair, Toronto Local Appeal