

INTERIM DECISION AND ORDER

Decision Issue Date Tuesday, June 02, 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): City of Toronto

Applicant: Franco Romano

Property Address/Description: 29 Hadrian Dr

Committee of Adjustment Case File Number: 19 142184 WET 01 MV (A0226/19EYK)

TLAB Case File Number: 19 178637 S45 01 TLAB

Hearing date: Wednesday, April 01, 2020

DECISION DELIVERED BY S. Gopikrishna

REGISTERED PARTIES AND PARTICIPANTS

Applicant	Franco Romano
Appellant	City of Toronto
Appellant's Legal Rep.	Derin Abimbola
Party	2566977 Ontario Inc
Party's Legal Rep.	Christina Kapelos

INTRODUCTION AND BACKGROUND

The case history of 29 Hadrian Drive, culminating in the City of Toronto's appealing the decision of the Committee of Adjustment (COA) to the Toronto Local Appeal Body (TLAB), is discussed in my earlier Interim Decision dated October 31, 2019, and March 31, 2020, and is consequently not repeated here.

The Hearing held by teleconference on April 1, 2020, was attended by Ms. Christina Kapelos, Counsel for the Applicant, and Ms. Aderinsola Abimbola, Counsel for the Appellant, the City of Toronto. The Parties advised me that there was continued interest in exploring a Settlement, though no conversations had taken place since the last Hearing, held on March 5, 2020.

The Parties noted that the Hearing, which was scheduled to be held on April 21, 2020 and April 22, 2020, had been cancelled by the TLAB, as a result of the COVID crisis. In response to a question from me to the Parties about how much preparatory time was needed, before the Hearing could be resumed, the Parties stated that they would have to speak to their planners, and then decide “how quickly they could move forward” after the re-opening of the TLAB.

I thanked the Parties for attending the Hearing, and adjourned the Hearing.

ANALYSIS, FINDINGS, REASONS

I would like to express my disappointment at the lack of any significant progress in discussions between the Hearings held on October 31, 2019 and April 1, 2020- while the COVID related closure of offices from mid-March 2020 may have impacted the ability of the Parties to have discussions, I believe that the four month period from October 31, 2019 to March 5, 2020, should have been sufficient for the Parties to have discussions, and come to a conclusion about the feasibility of a Settlement.

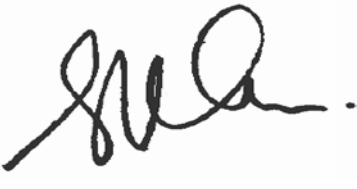
Given the lack of progress with respect to Settlement discussions notwithstanding my granting adjournments with the specific purpose of having such discussions, no further adjournments will be granted to facilitate Settlement discussions. While the Parties may have discussions, resolve their differences and arrive at a Settlement, where possible, the TLAB will not grant further adjournments to facilitate such discussions.

As per the request of the Parties, 29 Hadrian Dr. may be rescheduled for a two day Hearing, after the re-opening of the TLAB. The schedule of the Hearing, will be determined later by the TLAB, with appropriate input from the Parties.

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1. The Appeal respecting 29 Hadrian Drive will be scheduled for a two day Hearing, after the re-opening of the TLAB. The actual dates for the Hearing will be determined later, with appropriate input from the Parties.
2. No further adjournments will be granted to the Parties involved with the Appeal respecting 29 Hadrian Drive to facilitate Settlement discussions.

So orders the Toronto Local Appeal Body.

X 

S. Gopikrishna
Panel Chair, Toronto Local Appeal Body