

INTERIM DECISION WITH HEARING INSTRUCTIONS

Decision Issue Date Tuesday, February 23, 2021

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): George Labrakos

Applicant(s): RSI First Aid Ltd

Property Address/Description: 40 Ainsworth Rd Unit 1

Committee of Adjustment File

Number(s): 19 224412 STE 14 MV (A1011/19TEY)

TLAB Case File Number(s): 20 190745 S45 14 TLAB

Hearing date: Monday, February 08, 2021 and Friday, March 26, 2021

DECISION DELIVERED BY S. Gopikrishna

REGISTERED PARTIES AND PARTICIPANTS

Appellant	George Labrakos
Applicant	RSI Aid Ltd
Owner	Betterdot Systems Inc

INTRODUCTION AND BACKGROUND

The purpose of this Interim Decision with Hearing Instructions is to provide instructions for the Hearing scheduled for 26 March, 2021, to Parties and Participants, as well as community members who may have an interest in participating in the scheduled Hearing.

MATTERS IN ISSUE

The only matter to be addressed in this Decision is the issuance of instructions for the Hearing. This Decision addresses the issue of deadlines to be adhered to for the Hearing, and draws the attention of Parties and Participants to “do”s and “don’t”s in the interests of a smooth Hearing.

ANALYSIS, FINDINGS, REASONS

Community Members who want to participate in the Hearing scheduled for 26 March 2021, **have until 5 March, 2021 to elect to be a Party or a Participant**. It is important that they contact the TLAB Office to obtain Form 4, complete the same and submit it to the TLAB before 4:00 PM on 5 March, 2021, to be included as Parties or Participants for the Proceeding. It is important that community members reviews the TLAB’s Rules of Process and Procedure, and make a decision about whether to become Parties or Participants.

I emphasize that such community members who don’t submit a completed Form 4 by 5 March, 2021, will not be allowed to participate in the Hearing.

All Parties and Participants are required to submit a Witness Statement, which can be accompanied by attachments (including photographs) by **15 March, 2021**. While the attachments are optional, the Witness Statement is mandatory because it provides opposing Parties and Participants an idea of the position of the individual in question, and why they support/oppose the Appeal. Parties and Participants who may have submitted Witness Statements may submit additional material by **15 March, 2021**.

It is the responsibility of the Parties and Participants to submit any supporting documents or attachments they wish to rely upon at the Hearing, including documents that are available in the public sphere. It is not the responsibility of the TLAB, or other Parties/Participants involved in the Hearing, to research and locate a given document referred to by another Party, and peruse the same, as part of preparing for the Hearing. A full disclosure of all documents is mandatory in the interests of an open and transparent Proceeding.

While all Parties and Participants can speak orally at the Hearing, it is very important to note that repetition of a given perspective by multiple speakers, does not strengthen the perspective, and will not result in the assignation of extra weight to the perspective. I strongly encourage Parties and Participants to ensure that there is no oral repetition of the same material, and will intervene if this instruction is not followed.

Any supplementary material to be filed in Response to the original Witness Statements (due to be submitted by 15 March, 2021) need to be filed by **22 March, 2021**. I emphasize that these submissions are solely in response to materials that have already been filed by other Parties, and exclude new submissions that refer to issues that were previously not raised by the Parties and Participants.

INTERM DECISION WITH HEARING INSTRUCTIONS

1. The oral Hearing to hear the Appeal respecting 40 Ainsworth is scheduled to commence at 9:30 AM on 26 March, 2021.
2. The last date to elect for Party or Participant Status is 5 March, 2021. Failure to elect for Party or Participant Status by this date will result in an exclusion of the individual from participating in the Hearing.
3. The last date to submit a Witness Statement, including supplementary material in support of an earlier Witness Statement is 15 March, 2021.
4. The last date to submit a Response to a Witness Statement is 22 March, 2021

So orders the Toronto Local Appeal Body

X



S. Gopikrishna
Panel Chair, Toronto Local Appeal Body