

# DECISION AND ORDER

**Decision Issue Date**      Tuesday, March 16, 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): LORNE SHIFF

Applicant(s): GOODMANS LLP

Property Address/Description: 331 SHELDRAKE BLVD

Committee of Adjustment File

Number(s): 20 153778 NNY 15 MV

**TLAB Case File Number(s): 20 198816 S45 15 TLAB**

**Last Submission Date: January 08, 2021**

**DECISION DELIVERED BY STANLEY MAKUCH**

## APPEARANCES

Name	Role	Representative
Goodmans LLP	Applicant	
Cheryl Sargent	Owner	
Lorne Shiff	Appellant	David Bronskill
City of Toronto	Party	Sara Amini
Ian Bruce	Party	
Matthew Bruchkowsky	Party	
Patricia Hania	Party	
Susan Elva Johnson	Participant	
Carol Louise Gladwell	Participant	

Marilyn Crocker	Participant
Susanne Aufreiter	Participant
Thomas Gordon Jamieson	Participant
Meghan Lauber	Participant
Scott Glenn Cameron	Participant

## **INTRODUCTION**

This is a motion for the adjournment of a hearing scheduled for April 26, 2021. The hearing is with respect to an appeal of a decision of the Committee of Adjustment dated September 17, 2020 which refused variances to permit the construction of a new three story dwelling at 331 Sheldrake Ave.

## **BACKGROUND**

The parties have engaged in without prejudice settlement discussions and all parties consent to an adjournment *sine die*, subject to certain time limitations, so that settlement discussions may continue without prejudice to the parties.

## **MATTERS IN ISSUE**

There are no matters in issue since all parties consent to the adjournment request, and time limitations, on the request and TLAB should encourage settlements.

## **JURISDICTION**

TLAB has jurisdiction under s. 23 of the TLAB Rules of Practice and Procedure to adjourn this matter as requested.

## **EVIDENCE**

The affidavit of Monica Robin provided the necessary evidence for this matter to be adjourned as requested.

## ANALYSIS, FINDINGS, REASONS

It is in the interest of all parties and TLAB that this matter be settled. All parties consent to an adjournment *sine die*, until a new Notice of Hearing is issued under Rule 10 of TLAB Rules of Practice and Procedure. The parties agree a new Notice of Hearing should be issued the earlier of: any party having requested TLAB for a new hearing date, or six months from the date of this order, whichever is sooner. The appeal will then be subject to TLAB Rules of Practice and Procedure as if had been originally commenced in accordance with the new Notice of Hearing.

These are appropriate conditions to allow for settlement discussions and for a settlement to be brought to a resolution before TLAB, if necessary, and to ensure that, if there is no settlement within a reasonable time, the appeal can be heard without prejudice to the parties.

## DECISION AND ORDER

This matter is adjourned *sine die* until a new Notice of Hearing is Issued. A new Notice of Hearing shall be issued under Rule 10 of TLAB Rules of Practice and Procedure upon the request of any party to these proceedings or six months from the date of this order, whichever is sooner. The appeal subject to the new Notice of Hearing shall be subject to the TLAB Rules of Practice Procedure as if the new Notice of Hearing was an original Notice of Hearing

X 

---

S. Makuch

Panel Chair, Toronto Local Appeal