

# DECISION AND ORDER

**Decision Issue Date**      Tuesday, May 11, 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): FRANCESKA TISHI

Applicant(s): SUPER DECKS TORONTO

Property Address/Description: 162 VIEWMOUNT AVE

Committee of Adjustment File 20 170206 NNY 08 MV

Number(s):

**TLAB Case File Number(s): 20 214800 S45 08 TLAB**

Hearing date: April 27, 2021

DECISION DELIVERED BY C. KILBY

## APPEARANCES

NAME	ROLE	REPRESENTATIVE
SUPER DECKS TORONTO	APPLICANT	
FARA REDLICK	PRIMARY OWNER	
EFREM MANDELCORN	OWNER	
FRANCESKA TISHI	APPELLANT	

## BACKGROUND

On October 15, 2020 the Committee of Adjustment, North York Panel (COA) approved three variances in relation to the construction of a deck at the rear of 162

Viewmount Avenue with a condition that permanent opaque screening be installed along the east edge of the deck.

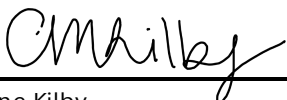
Franceska Tishi, an architectural designer retained by the Applicant, Super Decks Toronto, representing the Owners (**Appellant**), filed an appeal to the Toronto Local Appeal Body (**TLAB**) seeking approval of a revised plan which would eliminate the need for a side yard setback variance and thus the opaque screening condition (**Appeal**).

A 'virtual' Hearing was scheduled for April 27, 2021 using the City's Webex platform. On the return date, Ms. Tishi appeared before the TLAB, as did the Owners, Efrem Mandelcorn and Fara Redlick. One neighbour who resides at 160 Viewmount Avenue also appeared briefly by telephone to assert his support for the Appeal. There were no other Parties or Participants who elected status before the Tribunal. The evidence in support of the Appeal was presented and the Hearing concluded that same day.

Following the completion of the Hearing, but prior to a decision being issued, Ms. Tishi sent an email to the TLAB dated April 30, 2021 on behalf of the Owners requesting the Appeal be withdrawn.

## DECISION AND ORDER

The appeal having been abandoned, the appeal is dismissed. The COA decision noted above and mailed on October 22, 2020 is final and binding, and the file of the Toronto Local Appeal Body is closed.

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Christine Kilby  
Panel Chair, Toronto Local Appeal Body