

## DECISION AND ORDER

**Decision Issue Date** Thursday, January 20, 2022

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): **GAYLE NUSSBAUM, EPHRAIM FIKSEL**

Applicant: **RICHARD WENGLE ARCHITECT INC**

Property Address/Description: **52 STRATHEARN RD**

Committee of Adjustment Case File Number: **21 124281 STE 12 MV (A0289/21TEY)**

TLAB Case File Number: **21 208295 S45 12 TLAB**

**Date of Scheduled Hearing:** Monday, January 17, 2022

**DECISION DELIVERED BY: JOHN TASSIOPOULOS**

### BACKGROUND

On Wednesday, August 18, 2021, the Committee of Adjustment approved the variances for the Committee file number set out above. An appeal was submitted by Appellants Gayle Nussbaum and Ephraim Fiksel. A Hearing date was scheduled for January 17, 2022. On January 14, 2022, the Appellants withdrew their appeal by email.

Because the date of the withdrawal was so close to the scheduled Hearing date it could not be vacated prior. A brief Hearing was held on January 17, 2022 and in attendance were the Owners Nathaniel Lipkus and Amanda Steiman and their counsel David Bronskill. Mr. Bronskill confirmed that he and the Owners were in receipt of the Appellant emails and were aware of the withdrawal of their appeals.

As the presiding Chair, I indicated that the appeal was therefore dismissed and noted that Committee of Adjustment decision, including the conditions of approval, were still final and binding.

## DECISION AND ORDER

The appeal having been abandoned, the appeal is dismissed. The Committee of Adjustment decision noted above, including its conditions of approval, is final and binding, and the file of the Toronto Local Appeal Body is closed.

No further attendance or submissions are required.

X

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John Tassiopoulos  
Panel Chair, Toronto Local Appeal Body