

INTERIM ORDER WITH INSTRUCTIONS

Decision Issue Date Thursday, September 29, 2022

PROCEEDINGS COMMENCED UNDER section 45(12), subsection 45(1), 45(2)(a)(i)(ii) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant(s): RYAN THOMAS SLIGHT

Applicant: REPLACEMENT DESIGN INC.

Property Address/Description: 9 SPRUCE STREET

Committee of Adjustment Case File Number: 20 233743 STE 13 MV (A0004/21TEY)

TLAB Case File Number: **21 212024 S45 13 TLAB**

DECISION DELIVERED BY TLAB Panel Member S. Gopikrishna

REGISTERED PARTIES AND PARTICIPANT

Appellant	Ryan Thomas Slight
Applicant	Replacement Design Inc.
Expert Witness	Erik Calhoun
Owner / Party	Eric Murphy
Party's Legal Rep	Paul Dineen Chapnick & Assoc.
Participant	Richard Pryor

INTRODUCTION AND BACKGROUND

As the Parties involved in the Appeal respecting 9 Spruce Street are aware, an Interim Decision was issued on June 21, 2022, which ordered the following:

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1. The Appellant is given time until July 25, 2022, to withdraw the Appeal., in case they have decided not to proceed with the same.
2. Should the Appellant decide to proceed with their Appeal, they are given time until July 25, 2022, to submit a Witness Statement, discussing the nexus between their opposition to the Application at 9 Spruce Street, and the four tests under Section 45.1 of the Planning Act. The Applicant has until August 10, 2022, to file a Response to any Witness Statements submitted by the Appellant, with respect to the Appeal respecting 9 Spruce Street.
3. Should the Parties arrive at a Settlement, the Applicants are asked to contact the TLAB to update them about the Settlement, and submit any documents, including updated Plans, Elevations and a Witness Statement in support of the Settlement. The TLAB will schedule a Hearing on a priority basis, where possible, to hear the Settlement.
4. The Applicants can rely on the “Rules” to identify options to complete the processing of this Appeal, in case there is no further action taken by the Appellant, through exercising the various options listed above.

As of September 26, 2022, no information has been received from the Parties regarding how they want to proceed.

As a result, I have requested the TLAB Staff to reach out to the Parties and find out which of the dates provided below would be convenient for the Parties to participate in a Hearing conducted by the TLAB. At this Hearing, I would like to understand what steps have been taken by the Parties to resolve the Appeal. I anticipate that this Hearing will take less than a full day.

I understand that the Parties will be available on November 1, 2022- by way of this Interim Order and Decision, I order a Hearing to continue with the Proceeding respecting 9 Spruce Street, commencing at 10:30 AM.

Any material that needs to be considered towards the continuation, or dismissal of the Appeal has to be submitted by the end of day on October 21, 2022 (Friday)

The Parties are advised that non-attendance at this Hearing could result in a dismissal of the Appeal, without a further Hearing of the planning merits.


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1. The TLAB will hear the Appeal respecting 9 Spruce Street at 10:30 AM on November 1, 2022, by way of Webex platform based Electronic Hearing.

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2. All submissions that have to be reviewed by this Tribunal, before the Hearing scheduled for November 1, 2022, have to be completed by the end of day on October 21, 2022.
3. The Parties are advised that non-attendance at this Hearing, can result in a dismissal of the Appeal, without further Hearings regarding the planning merits of the Application.

So orders the Toronto Local Appeal Body



X

S. Gopikrishna
Panel Chair, Toronto Local Appeal Body