

MOTION DECISION AND ORDER

Decision Issue Date Friday, September 09, 2022

PROCEEDING COMMENCED UNDER section 53, subsection 53(19) and section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): 2706463 ONTARIO INC

Applicant: EKP DESIGNS INC

Property Address/Description: 24 FAIRFIELD AVE

Committee of Adjustment Case File Number:

20 232829 WET 03 CO (B0055/20EYK)

20 232831 WET 03 MV (A0515/20EYK)

20 232832 WET 03 MV (A0516/20EYK)

TLAB Case File Number(s): 22 150409 S53 03 TLAB, 22 150410 S45 03 TLAB,

22 150412 S45 03 TLAB

Hearing date: Wednesday, October 05, 2022

DECISION DELIVERED BY Panel Member T. Yao

REGISTERED PARTIES AND PARTICIPANTS

Applicant	EKP DESIGNS INC
Appellant	2706463 ONTARIO INC
Appellant's Legal Rep	STEPHANIE FLEMING
Party	JUDY GIBSON (LBNA)
Participant	CHRISTINE MERCADO (LBNA)
Participant	ANDREW CHOLES (LBNA)
Expert Witness	HANK SAVINSKY

Decision of Toronto Local Appeal Body Panel Member: T. YAO
TLAB Case File Number: 22 150409 S53 03 TLAB, 22 150410 S45 03 TLAB,
22 150412 S45 03 TLAB

Expert Witness STEVEN QI

This is a written motion to extend the time for the proponent to file its expert witness statement. It will be granted, as it is on consent.

The motion was to be considered by a TLAB member on August 10, 2022. Staff followed the usual protocol for a “contested” written motion, and awaited a possible response to the motion and possible further reply to the response. Neither of these was forthcoming, since the original motion was on consent. This matter was only forwarded to me on August 31, 2022.

Since the timetable envisaged by the Parties has been delayed by the late decision on the motion materials, I order the following new dates for filings:

	Original proposed date	New date
Document disclosure and Witness Statements	August 29, 2022	September 16, 2022
Response	September 12, 2022	September 23, 2022
Reply to Response	September 21, 2022	September 30, 2022

In view of the fact that I am seized, I will be flexible with late filings for a day or two, should any party or participant provide submissions about being prejudiced in their preparation. The original hearing date of Oct 5, 2022, remains in place.



X

Ted Yao
Panel Chair, Toronto Local Appeal Body