

INTERIM DECISION AND INSTRUCTIONS REGARDING THE HEARING SCHEDULED FOR SEPTEMBER 27 2022

Decision Issue Date Wednesday, September 21, 2022

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

Appellant(s): CITY OF TORONTO

Applicant(s): DENNIS WOOD

Property Address/Description: 84 NORTH DR; PARTS 1 & 2; PARTS 5, 6, 7, 8, 11 & 12

Committee of Adjustment File

Number(s): 20 158548 WET 02 CO (B0024/20EYK), 20 158552 WET 02 MV

(A0243/20EYK), 20 158553 WET 02 MV (A0242/20EYK)

TLAB Case File Number(s): 20 230446 S53 02 TLAB, 20 230447 S45 02 TLAB, 20 230450 S45 02 TLAB

Hearing date: September 27, 2022

DECISION DELIVERED BY S. GOPIKRISHNA

REGISTERED PARTIES AND PARTICIPANTS

Owner	HALINA KRZYWUCKA
Applicant	DENNIS WOOD
Appellant	CITY OF TORONTO
Appellant's Legal Rep.	MICHAEL MAHONEY
Participant	GIULIO CANCELLI
Participant	M JUDITH ORR
Participant	ADA ZRADO
Participant	JOSEPHINE COMELLA
Participant	SUSAN YIP
Participant	LORA CANTARUTTI
Participant	TATIANA SAMILA
Participant	DARIA OLYNYK
Participant	BUTTONWOOD HILL RESIDENTS' A
Participant	MARK NOTTEN
Participant	LORETTA NOTTEN
Participant	ELIZABETH BURLACOFF
Participant	LAURINDA ANDERSON
Participant	RASHA BASSYOUNI
Participant	IAN ANDERSON
Participant	CHRISTOPHER WALTER LEM
Participant	IRINA PASECHNIK
Participant	NANCY ROPER
Participant	PAULINE SALIBA
Participant	DIANA MURRAY
Participant	RICARDO ALCOLADO PEREZ
Participant	ANNE ANDERSON
Participant	JUDY SUSAN SMITH

**Decision of Toronto Local Appeal Body Panel Member: S. Gopikrishna
TLAB Case File Number: 20 230446 S53 02 TLAB, 20 230447 S45 02 TLAB,
20 230450 S45 02 TLAB**

Participant	MARIA SHOSTAK
Participant	MATTHEW VETTESE
Participant	GEORGE MCKETTON
Participant	COSIMO COSTA
Participant	PIETRO COSTA
Participant	SAM TEHRANCHI
Participant	FRANCA RACCO
Participant	MARLA VETTESE
Participant	MICHAEL TKACH
Participant	ANNE BARNES
Participant	MARK COUTTS
Participant	GEOFFREY COUTTS
Participant	TAMRA COLANGELO
Participant	MARIA GALATI-MATAR
Participant	LARA ARMOUR
Participant	IRENE KREMBLEWSKI
Participant	ADRIANA LEES
Participant	JOYCE MCCUTCHEON
Participant	SALLY ROPER
Participant	BARBARA KNECHTEL WILDS
Participant	JOSEPH CHU
Participant	FRANCESCO PLASTINA
Participant	GARRY YIP
Participant	JEFFREY LEM
Participant	TED KULAR
Participant	SHARON KULAR
Participant	RON ZRADO
Participant	GAIL COOK-BENNETT

Participant	MURRAY SMITH
Expert Witness	FRANCO ROMANO
Expert Witness	TRISTA JAMES
Expert Witness	CELINE BATTERINK
Party (TLAB)	PIOTR KRZYWUCKI
Party's Legal Rep.	DENNIS WOOD
Party's Legal Rep.	ANGELA FANG
Participant's Legal Rep.	MURRAY SAMUEL SMITH

INTRODUCTION AND BACKGROUND

The purpose of this Interim Decision is to provide specific instructions regarding written submissions, with respect to the Hearing scheduled for September 27, 2022.

As the Parties are aware, I had requested for copies of Authorities that the Parties would follow for the purposes of Oral Argument, by way of an Interim Decision dated June 29, 2022. I take this opportunity to acknowledge the submissions made by the Applicants, and the Appellants, on July 15, 2022 and July 18, 2022, in response to the aforementioned Interim Decision.

At the Hearing conducted on July 22, 2022, respecting 84 North Drive, there was discussion regarding further written submissions, during the Examination-in-chief of the Applicants' Expert Witness, Mr. Romano. The purpose of the submissions was to elucidate issues arising out of the Examination-in-chief, and/or offer further support to submissions made for the purposes of Oral Argument.

I understood at the end of this discussion, that while the Applicants supported further submissions, the Appellant was reluctant to make further submissions.

When I indicated to the Parties if I was open to the idea of receiving more submissions in the interests of completeness, the Appellants asked if there were any specific topics on which further submissions were needed. After a preliminary discussion, I said that I would come back with any questions on which further submissions were needed. I note that this discussion did not take into account a scenario where Oral Argument would not be completed on July 22, 2022.

After reviewing the record, I would like to advise the Parties that while I will review any further material that the Parties wish to submit, the TLAB does not require further submissions of the Parties with respect to the Appeal respecting 84 North Drive, before the Hearing scheduled for September 27, 2022

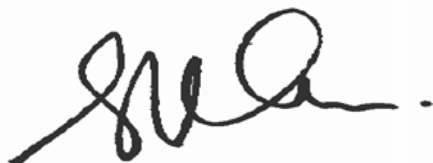
I take this opportunity to express my appreciation of how dutiful and diligent the Parties have been in terms of responding to requests for information.

INTERIM DECISION AND ORDER

1. The TLAB does not request any further submissions of the Parties in advance of the Hearing scheduled for September 27, 2022.

So orders the Toronto Local Appeal Body.

X



S. Gopikrishna
Panel Chair, Toronto Local Appeal Body