

DECISION AND ORDER

Decision Issue Date Tuesday, October 11, 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): 2038791 ONTARIO INC

Applicant: HICKS DESIGN STUDIO

Property Address/Description: 21 X EDGEHILL RD

Committee of Adjustment Case File: 18 136465 WET 04 MV

TLAB Case File Number: 19 227635 S45 02 TLAB

Hearing date: August 30, 2022

DECISION DELIVERED BY Panel Member S. MAKUCH

APPEARANCES

Name	Role	Representative
Hicks Design Studio	Applicant	
2038791 Ontario Inc.	Owner/Appellant	Aaron Platt
City of Toronto	Party	Marc Hardiejowski
6607446 Canada Inc.	Party	Mark Joblin
Tina Rocca	Party	Gerard Borean
Peter Rocca	Party	Gerard Borean
Elizabeth Ann Batten	Party	Mark Joblin
James Heller	Participant	
Pam Dunsmore	Participant	
Name	Role	Representative
Linda Wright	Participant	

INTRODUCTION

This is an appeal of the refusal by the Committee of Adjustment to approve a number of variances to permit the construction of a new detached dwelling with an integral garage, a second and third storey platform. The parties are attempting to settle the matter and have requested an adjournment to permit further settlement discussions.

BACKGROUND

At a previous hearing, February 24, 2020, after an attempted mediation it was agreed and ordered that the matter be adjourned on the following basis: the applicant /appellant will prepare new plans and obtain a new list of variances. The parties and participants will have at least three business days to examine the plans and variances. If there is a dispute regarding the new plans and variances I may be spoken to. If a settlement is reached, Minutes of Settlement may be prepared with an affidavit. These may then be submitted to me as a basis for me to issue an order respecting this matter. If no settlement is reached the matter may be set down for a hearing by a different TLAB member, based on the previously set exchange dates for this matter.

MATTERS IN ISSUE

The parties did not request any change in the previous order and requested a further adjournment to the earliest agreed upon date in order to have time to negotiate a settlement.

DECISION AND ORDER

The matter is adjourned to a date to be agreed upon. If a settlement is reached then evidence can be presented by affidavit. If the matter is not returned before TLAB on or before March 31, 2023 the appeal shall be dismissed.

X 

S. Makuch

Panel Chair, Toronto Local Appeal