

## 2<sup>nd</sup> PROCEDURAL DECISION and ORDER

**Decision Issue Date** Friday, November 25, 2022

Appellant(s): 1299298 ONTARIO LTD.

Applicant: C2 PLANNING LAND USE PLANNERS

Property Address/Description: 818 EASTERN AVE

Committee of Adjustment Case File Number: 21 161035 STE 14 MV (A0706/21TEY)

TLAB Case File Number: 21 250427 S45 14 TLAB

**Webex meeting date:** Wednesday, November 23, 2022

**DECISION DELIVERED BY Panel Member T. Yao**

### REGISTERED PARTIES AND PARTICIPANTS

Name	Role	Legal representative
C2 Planning Land Use Planners	Applicant	Denitza Koev (for both the Applicant and Appellant)
1299298 Ontario Ltd	Appellant/owner	
Christian Chan	Planning Witness for Soul Mutts Toronto Ltd	
Todd Busch	Noise Witness for Soul Mutts Toronto Ltd	
Alison Fodero	Observer	
Jake Steinman	Observer	
City of Toronto	Party	Aderinsola Abimbola and Jamie Dexter
Sean Guenther	Planning Witness for City of Toronto	
Terry Fagan	Party	
Lorne Philip Hancock	Participant	

### Decision and Order

This is a decision and order on a motion for adjournment brought by Ms. Koev because settlement talks have been initiated and may shorten the final hearing. The motion is consented to by all persons present and I make the order she requests. Two

**Decision of Toronto Local Appeal Body Panel Member: T. Yao**  
**TLAB Case File Number: 21 250427 S45 14 TLAB**

persons (Newton Ngo and James Van Wyck) did not attend, as they expected that the hearing would not proceed on November 23, 2022. The new hearing dates are January 20, 24 and 30, 2023. New notices will be sent out.

The existing hearing dates of November 23, 24 and 28 2022, are cancelled.

I order that Mr. Hancock report to the TLAB by December 14, 2022 on whether:

Option 1 Settlement discussions are proceeding; OR  
Option 2 Settlement discussions are not proceeding.

He is not to use Option 1 unless there is unanimity amongst the persons involved in the settlement discussions as to whether to choose Option 1 or Option 2. This is to preserve my ability to conduct the hearing in January if discussions do not result in a settlement. Mr. Hancock's email should be sent to [tlab@toronto.ca](mailto:tlab@toronto.ca) and copied to all persons on the mailing list.

If Option 2 is communicated, I make the following order. Previous deadlines for Witness Statements and document disclosure etc. are cancelled and in their place there will be a new deadline of **December 21, 2022**. Parties and participants are reminded of the applicable Rules on Parties, Participants, Obligations to consult the website, and Filing of witness statements and document disclosure in Rules 12 to 16 inclusive.

Ms. Koev reserves her right to object to involvement by any person beyond his or her participant status and to late filing of Witness Statements, etc. I explained to Ms. Koev that persons may change their participant/party status as set out in Rules 12.3 and 13.3.

X

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T. Yao  
Panel Chair, Toronto Local Appeal Body