

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: July 02, 2020

CASE NO(S): PL180670

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Ross Meredith
Appellant:	Michael Olsen
Appellant:	Daniel Spence
Appellant:	Westboro Community Association
Subject:	By-law No. BL 2018-193
Municipality:	City of Ottawa
LPAT Case No.:	PL180670
LPAT File No.:	PL180670
LPAT Case Name:	Meredith v. Ottawa (City)

Heard: June 23, 2020 by telephone conference call

APPEARANCES:

Parties

Counsel

City of Ottawa

T. Marc

Domicile Development Inc.

A. Cohen

Ross Meredith, Michael Olsen, Daniel
Spencer and Westboro Community
Association

K. Ross

**MEMORANDUM OF ORAL DECISION DELIVERED BY R.G.M. MAKUCH ON
JUNE 23, 2020 AND ORDER OF THE TRIBUNAL**

[1] This matter was subject to a two-day hearing on February 27 – 28, 2020 by former Member C. Bryson, whose term of office terminated on April 17, 2020.

[2] Since that time, former Member Bryson has refused and/or neglected to respond to inquiries from Tribunals Ontario as to the progress being made on outstanding decisions by the Member, and, has also neglected and/or refused to return any of the files related to her outstanding decisions. It is noted that former Member Bryson sent an e-mail correspondence dated June 2, 2020 to counsel for the parties in the within appeal, informing them that her term of office had terminated and that while she remained willing and able to complete the decision in this matter in the coming weeks, she had been removed from same by direction of the Tribunal. This panel has been advised that at no time did the Tribunal direct, prevent or otherwise obstruct former Member Bryson from completing any of her outstanding decisions.

[3] By letter dated June 16, 2020, Associate Chair Hubbard advised counsel for the parties that this matter would be re-heard by another Member of the Tribunal on an expedited basis.

[4] Counsel for the parties have advised the Tribunal that they would cooperate with the Tribunal in re-creating the appeal file within a few days in order to prepare an Appeal Record, which would then be forwarded to the Member, who is assigned the case. The Member would then advise Counsel if the Tribunal will require the filing of additional evidence prior to making a decision on this matter. Any such evidence would be in the form of written questions from the Tribunal to specific individuals and written answers from each of the respective individuals. The Tribunal notes that the Province has introduced a new *Provincial Policy Statement* effective May 1, 2020 and the parties are expected to address consistency of the zoning by-law amendment with this policy statement.

[5] If the Member decides that there is no need for additional information, the parties would then proceed to making final written submissions.

[6] Counsel for the Appellants shall file her written Final Submissions followed by Responses by counsel for the Applicant and the City, then the Appellants' Reply, all in accordance with the time limits set out in the Tribunal's Rules or such other time limits as agreed to by the parties.

[7] It is so ordered.

"R.G.M. Makuch"

R.G.M. MAKUCH
VICE-CHAIR

If there is an attachment referred to in this document,
please visit www.elfto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Ontario Land Tribunals

Website: www.elfto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248