

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** February 07, 2018

**CASE NO(S):** MM170068

**PROCEEDING COMMENCED UNDER** subsection 40.1(4) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended

Appellant: Trolleybus Urban Developments Inc.  
Appellant (jointly): Elizabeth Duke  
Subject: By-law 062-2017 Heritage Conservation Study Area  
Municipality: Town of Orangeville  
OMB Case No.: MM170068  
OMB File No.: MM170068  
OMB Case Name: Trolleybus Urban Development v. Orangeville (Town)

**Heard:** January 30, 2018 in Orangeville, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

Town of Orangeville

E. Lidakis\*

Mike Courtemanche

Self-represented

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON JANUARY 30, 2018 AND ORDER OF THE BOARD**

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**PROCEEDINGS**

[1] This hearing was scheduled to hear appeals from residents and landowners who were opposed to their properties being included in a heritage conservation district

study being undertaken by the Town of Orangeville (the “Town”).

[2] The Town had passed By-law No. 62-2017 for a period of one year to conduct further studies within two proposed heritage conservation districts. The by-law had the effect of establishing a heritage review process for building additions, removals or alterations within the study area for the one year period.

[3] Following receipt of recommendations from the Town’s peer reviewer of the Heritage Conservation District Study, the Town repealed By-law No. 62-2017 on January 29, 2018, the evening before this hearing was scheduled. Counsel for the Town submitted to the Board a certified resolution from the Town Clerk confirming the repeal of By-law No. 62-2017.

[4] Mr. Courtemanche owns properties within the study area and requested clarification on the status of the By-law because he was not aware of Town Council’s recent decision. Mr. Courtemanche heard the Board’s oral decision and will enquire with the Town as to what its next steps may be in the heritage designation process.

[5] No other persons present wished to make enquiries or submissions to the Board.

[6] The Board explained that By-law No. 62-2017 would be repealed under s. 41(7)(b)(i) of the *Ontario Heritage Act* in accordance with the Town’s decision of January 29, 2018.

## **DECISION**

[7] The Board ordered that By-law No. 62-2017 is repealed.

*“S. Tousaw”*

S. TOUSAW  
MEMBER

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**Ontario Municipal Board**

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