

ISSUE DATE:

**July 19, 2011**



PL050408

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

Harbour West Neighbours Inc., Michael Poworoznyk, Shawn Selway and John Mattinson have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Hamilton to approve Proposed Amendment No. 23 to the (former) Regional Official Plan for the City of Hamilton  
Approval Authority File No. ROPA No. 23  
OMB File No. O050065

The TDL Group Corp, the Harbour West Neighbours Inc., the Canadian National Railway, 687224 Ontario Inc. et al. have appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Hamilton to approve Proposed Amendment No. 198 to the Official Plan for the City of Hamilton  
Approval Authority File No. OPA No. 198  
OMB File No. O050066

Rheem Canada Ltd., the Harbour West Neighbours Inc., the Canadian National Railway, 687224 Ontario Inc. et al. have appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, against Zoning By-law 05-073 of the City of Hamilton  
OMB File No. R050077

**APPEARANCES:**

**Parties**

City of Hamilton

1255717 Ontario Ltd.

Harbour West Neighbours

Canadian National Railway

**Counsel**

Brian Duxbury

Anthony Powell

Herman Turkstra

Alan Heisey

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN ON  
JULY 12, 2011 AND ORDER OF THE BOARD**

The purpose of the telephone conference call was to provide an opportunity for the parties to update the Board in connection with their appeals scheduled for a December, 2011 hearing.

Mr. Duxbury is proposing some modifications to the Setting Sail Secondary Plan. The revisions will be circulated to the Appellant and Parties. Counsel agreed that a further pre-hearing is necessary and it should be held in Hamilton before the end of the summer.

The Board agrees. A pre-hearing conference shall be held on:

**10:30 a.m.**

**Monday, August 22, 2011**

**50 Main Street East**

**Hamilton, Ontario**

No further notice of the pre-hearing shall be given.

Mr. Duxbury will circulate the City's modifications in advance of the pre-hearing. Given the hearing is set to commence December 5, 2011, a draft Procedural Order should be made available for review at the August, 2011 pre-hearing conference.

This is the Order of the Board.

"J. de P. Seaborn"

J. de P. SEABORN  
VICE-CHAIR