

ISSUE DATE:

Feb. 6, 2008



PL061085

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

IN THE MATTER OF subsection 17(24) of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended

Appellant: Norman & Isabelle Vartanian
Subject: Proposed Official Plan Amendment No. 131
Municipality: City of Hamilton
OMB Case No.: PL061085
OMB File No.: O060208

APPEARANCES:

Parties

Counsel

City of Hamilton

A. Zuidema

Norman Vartanian and Isabelle Vartanian

M. Rudolph

**MEMORANDUM OF ORAL DECISION DELIVERED BY D. R. GRANGER ON
FEBRUARY 4, 2008 AND ORDER OF THE BOARD**

This is the first pre-hearing conference regarding an appeal by Norman and Isabelle Vartanian (appellants) from a decision of the Council of the City of Hamilton (City) to approve a proposed Amendment No. 131 to the applicable former City of Stoney Creek Official Plan (OPA 131). OPA 131 adopts the Nash Neighbourhood Secondary Plan for the area bounded by Felkers Creek to the west, the Niagara Escarpment to the north, Upper Centennial Parkway to the east and Mud Street to the south.

The appeal relates to a site-specific approximate 2-hectare parcel of land owned by the appellants located adjacent to the northeast boundary of the secondary plan area.

At the commencement of this pre-hearing conference, the Board was informed that the parties were resolving a settlement of the dispute. The parties requested that

the Board adjourn the pre-hearing, sine die, with an expectation of a full resolution over the course of the next four to six weeks.

On consent and at the request of the parties, the Board grants the adjournment request.

The Board will reconvene by telephone conference call (TCC) upon request by the parties in accordance with the requirements of the Board. Prior to any TCC being convened, the parties will provide any necessary modifications to OPA 131 and an affidavit by a qualified expert land use planner setting out the appropriate evidence addressing the settled dispute including regard for the Provincial Policy Statement and applicable City Official Plan(s).

No further notice is required.

The Board may be spoken to should difficulties arise.

This Board Member is not seized.

The Board congratulates the parties for their efforts in resolving this dispute.

The Board so Orders.

“D. R. Granger”

D. R. GRANGER
VICE-CHAIR