

ISSUE DATE:

**Aug. 28, 2008**



PL070900

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

Nick Wiendels and Colleen Wiendels (together with Bartels Environmental Services) have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 2005-005 of Municipality of Middlesex Centre to rezone lands respecting 10098 Greystead Drive (South Part Lot 6, Concession 12) from A-2 to R-1 – to rezone the property from Agricultural A1 to Agricultural A1-# to allow for an additional use to permit storage of bio-solids within an existing manure pit  
OMB Case No. PL070900  
OMB File No. Z070127

**APPEARANCES:**

**Parties**

**Counsel/ Agent\***

NUBS.org

A. Patton  
A. Fernandez

Municipality of Middlesex Centre

A. Wright  
C. Saunders\*

N&C Wiendels and Bartels Environmental  
Services ("Wiendels")

J. Doherty  
D. Sunday

**MEMORANDUM OF ORAL DECISION DELIVERED BY C. HEFFERON ON  
AUGUST 27, 2008 AND ORDER OF THE BOARD**

The appeal before the Board (under subsection 34(11) of the *Planning Act*) is in respect of the September 21, 2007 decision of the Council of the Municipality of Middlesex Centre refusing Wiendels' application to amend Zoning By-law 2005-005 for the south part lot 6, Concession 12, geographic Township of Lobo, ("subject lands") to allow for an additional use, namely the storage of bio-solids within an existing manure pit. The new use requires that the site be re-zoned from Agricultural A1 to Agricultural A1# to permit storage of bio-solids within the existing manure pit. It also requires a Certificate of Approval ("C of A") under Part V of the Environmental Protection Agency.

Two pre-hearing conferences at which the public attended have already taken place at the Middlesex Centre Municipal Offices.

At this, the third telephone conference call, the Board was informed that while the parties have made progress towards refining the issues list, more work is still needed. They have therefore asked the Board to convene a fourth telephone conference for September 3, 2008 at 3:00pm, at which time the parties will report the results of their negotiations over the next week.

The parties are asked to dial 416 212 0400 or toll free 1 866 355 2663 (entry code 4417#) to join the call.

This Member will continue to manage this file up to but not including the hearing, and may be spoken to if difficulties arise. He is not seized of the hearing itself.

So Orders the Board.

“ C. Hefferon”

C. HEFFERON  
MEMBER