

ISSUE DATE:

**Sept. 10, 2008**



PL080597

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

IN THE MATTER OF subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Subject: Proposed Official Plan Amendment No.  
Referred by: Joedy Burdett  
Municipality: City of Niagara Falls  
OMB Case No.: PL080597  
OMB File No.: PL080597

**APPEARANCES:**

**Parties**

City of Niagara Falls

Joedy Burdett

**Counsel**

K. L. Beaman

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. E. SNIJEK  
ON AUGUST 6, 2008 AND ORDER OF THE BOARD**

At the outset of the hearing, the Board was informed by Counsel for the City of Niagara Falls (the City) that it did not receive notice of the hearing.

Mr. Burdett (the Appellant) questioned the City as to why the Council Chambers had been scheduled for the hearing. Counsel for the City stated that hearings are scheduled in the Council Chambers routinely but the City is not always a Party to the proceedings.

The Board will schedule a hearing as early as possible given the inconvenience experienced by the Appellant.

The Board schedules Tuesday, September 2, 2008 at 10:00 in the Council Chambers at the City of Niagara Falls for the hearing. No further notice of the hearing will be given and the Member is not seized.

So ORDERS the Board.

"J. E. Sniezek

J. E. SNIEZEK  
MEMBER