

ISSUE DATE:

Feb. 5, 2010



PL090335

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

Temagami Bays Development Corporation has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the failure of the Municipality of Temagami to make a decision respecting a proposed plan of subdivision on lands composed of Part of Mining Location WD 259 and WD 257 in the Municipality of Temagami

Approval Authority File No. S-06-01
OMB File No. PL090335

Temagami Bays Development Corporation has 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 06-650 of the Municipality of Temagami to rezone lands composed of Part of Mining Location WD 259 and WD 257 Integrated Management Area (IMA) to Rural Residential (R3) to permit residential development
OMB File No. PL090336

APPEARANCES:

Parties

Counsel

Municipality of Temagami

Dennis Trinaistich

Temagami Bays Development Corporation

Nicholas Roche

DECISION DELIVERED BY J. E. SNIEZEK AND ORDER OF THE BOARD

Mr. Marv Silver of Temagami Bays Development Corporation was in attendance.

Mr. Trinaistich informed the Board that the readings of dissolved oxygen were now available but the Ministry of the Environment (MOE) had not given the Municipality any indication when the data would be analyzed. The Municipality had been informed that it would cost \$8,000 to \$9,000 to do the modelling independently through the use of an environmental consultant. The Municipality lacks the financial resources to do such a study. The Municipality and the Board will contact the Ministry to determine a time table for the necessary technical review.

Mr. Roche stated that his client was frustrated by the pace of the Ministry's review and by the supposed lack of co-operation in getting timely information to his client. Mr. Roche indicated that the Municipality and his client were making progress on the other outstanding issue – the status of the road.

Ms Lisa Beaulieu, Planner for the Municipality, will contact the requisite ministries and provide contacts to the Board so that the Board may make contact.

The Board sets February 8, 2010, for a second Telephone Conference Call at 9:00 a.m. to determine whether the Pre-Hearing Conference set for March 30, 2010, is necessary. The TCC telephone #s are (416) 212-0400 and 1(866) 635-2663; when prompted the conference code is 6251#. No further notice of the TCC will be given.

If a timetable is not available for the MOE, the Board may adjourn the matter *sine die*.

This Member will continue to case manage this matter subject to the requirements of the Board's Hearing Calendar.

So Orders the Board.

"J. E. Sniezek"

J. E. SNIEZEK
MEMBER