

ISSUE DATE:

Nov. 10, 2009



PL090335

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

D. Trinaistich

Temagami Bays Development Corporation

N. Roche

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

Mr. Trinaistich informed the Board that the readings of dissolved oxygen had been taken by the Ministry of Natural Resources ("MNR") in September; however, the report on the readings by the Ministry of the Environment ("MOE") had not been received and the Town's peer reviewer had not had an opportunity to review the results of the MOE report.

Mr. Trinaistich also informed the Board that the matter of the status of the road had not moved further along either.

The Board is unhappy with the progress that the Parties have made and wishes that the Telephone Conference Call (TCC) could have replaced this expensive hearing that has resulted in further Pre-Hearing Conferences (PHC) being scheduled.

The Board schedules two PHC's; one will be held via TCC to review the status and provide a draft issues list and the other will finalize the issues list and set the hearing date.

The first PHC will take place on January 26, 2010 via TCC at 9:00 a.m. If the MOE results are not available by December 15, 2009 the Board will be contacted and the matter of rescheduling will be discussed.

The second PHC will take place Tuesday, March 30, 2010 at 10:30 in the morning at the Municipal Offices in Temagami. This meeting date will be confirmed at the January 30, 2010 PHC.

The members of the public who wish to be added to the list of Participants is appended to this decision as Attachment 1 and will be consolidated with the previous list.

The Member is seized of the management of the file but not the hearing.

The Board so Orders.

"J. E. Sniezek"

J. E. SNIEZEK
MEMBER

ATTACHMENT 1

Temagami Bays OMB Participant List (addendum)
(will be consolidated with previous list)

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