

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: September 20, 2018

CASE NO(S): PL171184

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 51(43) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Parkside Hills Inc.(Country Green Homes Inc.)
Subject: Conditions of approval of draft plan of subdivision – Phases 2B & 2C
Property Address/Description: 609 & 615 Hamilton St. N., 3 Nisbet Boulevard and 129-137 Truedell Drive
Municipality: City of Hamilton
Municipal File No.: 25T-201003
OMB Case No.: PL171184
OMB File No.: PL171185
OMB Case Name: Parkside Hills Inc.(Country Green Homes Inc.) v. Hamilton (City)

PROCEEDING COMMENCED UNDER subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by: Parkside Hills Inc.(Country Green Homes Inc.)
Subject: Site Plan
Property Address/Description: 609 & 615 Hamilton St. N., 3 Nisbet Boulevard and 129-137 Truedell Drive – Phases 2B & 2C
Municipality: City of Hamilton
OMB Case No.: PL171184
OMB File No.: PL171186

Heard: September 13, 2018 by telephone conference call

APPEARANCES:**Parties****Counsel**

Parkside Hills Inc.
("Applicant"/"Appellant")

Michael McQuaid

City of Hamilton ("City")

Patrick MacDonald

**MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW ON
SEPTEMBER 13, 2018 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] This second Pre-hearing Conference ("PHC") was held to organize a hearing on the merits of the Applicant's appeals to conditions of draft plan approval and its referral of a site plan application to this Tribunal.

[2] Counsel advised that progress is being made on addressing the disputed conditions to draft plan approval, being matters related to engineering and stormwater management. Similar progress is being made on the site plan application, with the City now reviewing recent filings from the Applicant.

[3] The Parties agree that, if the conditions to draft plan approval are satisfied on consent, no disposition is required from the Tribunal. The referral of the site plan will require a Decision of the Tribunal based on a settlement/hearing as necessary.

[4] The Parties requested that the hearing dates set for November 14 to 16, 2018 be converted to another PHC/settlement hearing on November 14, 2018, and that the hearing dates of November 15 and 16, 2018 be released. A one-day hearing/settlement hearing date was requested as early in 2019 as possible.

[5] The Parties are confident that the 2019 date will be a settlement hearing, but if any outstanding matters require adjudication, that they can be addressed in one day.

ORDER

[6] The Tribunal orders that the next PHC/settlement hearing is set for **Wednesday, November 14, 2018 at 10 a.m. at:**

**Hearing Room
Second Floor Auditorium
Dundas Municipal Service Centre
60 Main Street
Dundas, Ontario**

[7] The Tribunal orders that the previously scheduled hearing dates of November 15 and 16, 2018 are released from the Tribunal's scheduling calendar.

[8] The Tribunal orders that the hearing/settlement hearing is set for **Wednesday, February 13, 2019 at 10 a.m. at:**

**Hearing Room
Second Floor Auditorium
Dundas Municipal Service Centre
60 Main Street
Dundas, Ontario**

[9] No further notice will be given.

[10] This Member is not seized.

"S. Tousaw"

S. TOUSAW
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248