

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



**ISSUE DATE:** November 17, 2020

**CASE NO(S):** PL180416

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 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: CRH Canada Group Inc.  
Subject: Request to amend the Official Plan - Failure of Township of Tiny to adopt the requested amendment

Existing Designation: 'Rural', 'Environmental Protection II' and 'Mineral Aggregate Resource II'

Proposed Designated: 'Mineral Aggregate Resources I'

Purpose: To permit the expansion of the existing gravel pit

Property Address/Description: 2 Darby Road

Municipality: Township of Tiny

Approval Authority File No.: '12/D09' (DS #36243)

OMB Case No.: PL180416

OMB File No.: PL180416

OMB Case Name: CRH Canada Group Inc. v. Tiny (Township)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: CRH Canada Group Inc.  
Subject: Application to amend Zoning By-law No. 06-001 and 30-77 - Refusal or neglect of Township of Tiny to make a decision

Existing Zoning: Rural (RU) Zone, Rural (A) Zone and Holding Low Hazard (OS4) Zone

Proposed Zoning: Mineral Aggregate (MAR) Zone and Extractive Industrial (M5) Zone

Purpose: To permit the expansion of the existing gravel pit

Property Address/Description: 2 Darby Road

Municipality: Township of Tiny

Municipality File No.: '12/D14' (DS#36242)

OMB Case No.: PL180416  
 OMB File No.: PL180417

**Heard:** November 6, 2020 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel/Representative\***

CRH Canada Group Inc

Jonathan W. Kahn

Township of Tiny

Sarah Hahn

Federation of Tiny Township  
 Shoreline Associations (FoTTSA)

Judith Grant\*  
 Ramani Nadarajah\*

**MEMORANDUM OF ORAL DECISION DELIVERED BY D. CHIPMAN ON  
 NOVEMBER 6, 2020 AND ORDER OF THE TRIBUNAL**

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[1] This Case Management Conference (“CMC”), conducted by telephone conference call (“TCC”), with respect to appeals by CRH Canada Group Inc. (the “Applicant/Appellant”) of the failure of the Township of Tiny (“Township”), under s. 22(7) and s. 34(11) of the *Planning Act*, to make a decision on applications for amendments to the Township’s Official Plan (“OP”) and Zoning By-law (“ZBL”). The purpose of these applications is to permit the expansion of an existing gravel pit for the subject property located at 2 Darby Road.

[2] An associated application has been made for a License under the *Aggregate Resources Act* (“ARA”). This application was submitted to the Ministry of Natural Resources and Forestry (“MNRF”) in late February 2020 before the COVID19 Emergency Order had been declared. The parties had anticipated that there would be a referral of the ARA Licence application to the Tribunal by this CMC date. As of the date of this CMC, no communications have been received by the Tribunal in regard to the License application. As the intent is to have the appeals on the proposed amendments

to the OP and ZBL heard at the same time as the referral under the ARA, this matter remains without the information needed to move forward.

[3] At this CMC, Mr. Kahn advised that he expected that the ARA referral would be received by this hearing date. Mr. Kahn requested a further CMC by TCC be scheduled for February 2021, by which time the Tribunal will hopefully have received the ARA referral. No objections were raised by the other parties to this suggestion.

[4] Once the ARA referral has been received by the Tribunal, the Applicant/Appellant will be in a position to understand any outstanding concerns or objections arising from the ARA referral. The purpose of the next CMC will include: finalizing the PO and Issues List which will contain any issues raised by the ARA process and the setting of a date for the hearing.

[5] On consent, a further CMC by TCC, to be attended by the parties, has been scheduled to commence on **Friday, February 26, 2021 at 9 a.m.** Individuals are directed to call **416-212-8012** or **Toll Free 1-866-633-0848** on the assigned date at the correct time. When prompted, enter the code **1006967#** to be connected to the call. It is the responsibility of the persons participating in the call to ensure that they are properly connected to the call and at the correct time. Questions prior to the call may be directed the Tribunal's Case Coordinator.

[6] No further notice is required for the next CMC.

[7] This Member is not seized for the CMC.

[8] The Tribunal orders as directed above.

*"D. Chipman"*

D. CHIPMAN  
MEMBER

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please visit [www.olt.gov.on.ca](http://www.olt.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Ontario Land Tribunals

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