

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



ISSUE DATE: September 26, 2019

CASE NO(S): PL180470

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 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Parkland Fuel Corporation
Appellant:	Stremma Developments (St. George) Inc.
Subject:	Proposed Official Plan Amendment No. OPA-A-16-RA
Municipality:	County of Brant
OMB Case No.:	PL180470
OMB File No.:	PL180470
OMB Case Name:	Parkland Fuel Corporation v. Brant (County)

Heard: September 23, 2019 by telephone conference call

APPEARANCES:

Parties

Counsel

County of Brant

Jyoti Zuidema and Jennifer Meader

Parkland Fuel Corporation

Lawrence Hansen

Stremma Developments (St. George) Inc.

Meaghan McDermid

Losani Homes (1998) Ltd.

Denise Baker

Riverview Highlands (St. George) Holdings Ltd.

James Hitchon

MEMORANDUM OF ORAL DECISION DELIVERED BY S. TOUSAW AND K.J. HUSSEY ON SEPTEMBER 23, 2019 AND ORDER OF THE TRIBUNAL

PROCEEDINGS

[1] This hearing event is the third Case Management Conference (“CMC”) in respect of two appeals filed against an Official Plan Amendment (“OPA”) adopted by the County of Brant (“County”).

[2] The County adopted an OPA affecting the settlement area of St. George following the completion of the St. George Area Study and Addendum Report. Parkland Fuel Corporation appealed the OPA as it relates to propane facilities, and Stremma Developments (St. George) Inc. appealed the OPA as it relates to phasing and servicing.

[3] The Parties had requested on consent that this CMC be held by telephone conference call (“TCC”) given the new legislative framework for appeals under the *Planning Act* brought about by the recently enacted Bill 108 and associated regulations. The County advised that signage was posted at the meeting room and no members of the public appeared.

[4] The Parties agree that a draft Procedural Order (“PO”), Issues List (“IL”) and Agreed Statements of Fact (“ASF”) for each appeal cannot be developed until after the time period within which the two appellants may refile their notices of appeal under the new legislation. Accordingly, the Parties request a further CMC within three to four months and agree to submit those documents prior to the CMC.

[5] The next CMC will be scheduled as an appearance hearing in the event of a settlement or if there are disputed procedural matters to resolve, but the CMC may be converted to a TCC if appropriate. The County undertook to advise the Tribunal which format is requested by the Parties at the time.

[6] Paul DeMelo, counsel for the participant Empire Communities (St. George) Ltd., advised that his client may request party status depending on the issues raised by the appellants.

ORDER

[7] The next CMC will commence at **10 a.m. on Wednesday, February 19, 2020** at:

**County of Brant Municipal Building
Council Chambers
7 Broadway Street West
Paris, Ontario**

[8] The Parties are directed to file with the Tribunal an ASF for each appeal, and a draft PO with IL on consent or with disputed areas highlighted, seven days before the next CMC.

[9] No further notice will be given.

[10] This Panel is seized subject to the Tribunal's calendar.

"S. Tousaw"

S. TOUSAW
MEMBER

"K.J. Hussey"

K.J. HUSSEY
VICE-CHAIR

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 Tribunals Ontario – Environment and Land Division
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