

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



**ISSUE DATE:** August 30, 2019

**CASE NO(S):** PL180938

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 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Andrea McCormick
Subject:	By-law No. BL 2018-57
Municipality:	Township of McNab-Braeside
LPAT Case No.:	PL180938
LPAT File No.:	PL180938
LPAT Case Name:	McCormick v. McNab-Braeside (Township)

**Heard:** July 25, 2019 in the Arnprior, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

Township of McNab-Braeside	E. Blanchard* and N. Abraham*
Andrea McCormick	Self-represented
Grant Armstrong and Karen Wilson	Self-represented
Keith and Jennifer Christie	Self-represented
Borden and Joyce McLachlan	Self-represented
William Morton	Self-represented
Sean Connor and Jennifer Sutherland	Self-represented

**MEMORANDUM OF ORAL DECISION DELIVERED BY C.J. BRYSON ON JULY 25, 2019 AND ORDER OF THE TRIBUNAL**

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[1] This hearing event was the mandatory Case Management Conference (“CMC”) in the appeal of Andrea McCormick from approval of a zoning by-law amendment application of Sean Conner and Jennifer Sutherland (“Applicants”) by the Township of McNab-Braeside (“Township”). The zoning by-law amendment changes the zoning of the Applicants’ property at 240 McLeod Road (“Subject Lands”) from Rural (RU) to Rural (RU-Exception 37), which permits a “wellness group home” on the Subject Lands as newly defined within the zoning by-law. The Applicants run a long-term addiction recovery program under the name Blue Skies Recovery Addiction Treatment Wellness Centre on the Subject Lands and required the additional definition given the lack of required government licencing for their operation as required by the existing definition of “group home” within the zoning by-law.

[2] The Tribunal accepted the Affidavit of Service for this CMC and marked it as Exhibit 1.

[3] Several individuals filed requests for party status in these proceedings within the statutory timeline set out in s. 40(1) of the *Local Planning Appeal Tribunal Act, 2017*, S.O. 2017, c.23, Sched.1 and per Rule 26.19 of the *Local Planning Appeal Tribunal Rules of Practice and Procedure*. The Tribunal granted party status to the following persons without objection:

1. Grant Armstrong and Karen Wilson
2. Keith and Jennifer Christie
3. Borden and Joyce McLachlan
4. William Morton
5. Sean Connor and Jennifer Sutherland

[4] The Tribunal then canvassed the concerns of the new parties and sought out potential for settlement among all of the parties. While stating they all remain open to continuing discussions with the Township, no party saw an immediate opportunity for settlement in regard to their specific concerns.

[5] The Tribunal ordered the Township to provide the Municipal Enhanced Record and all Appeal Records and the Case Synopsis and Responding Case Synopsis to the new parties forthwith, to assist them in preparing their arguments for the hearing of this matter, as ordered below. The Tribunal further ordered the Applicants to submit an Affidavit to a maximum of 20 pages, excluding attachments, to the Tribunal in electronic and hard copy within 30 days of this hearing event, following which the McLachlans and Mr. Morton were ordered to submit any desired Affidavit subject to the same limits and directions, within 20 days of receipt of the Applicants' Affidavit. The Township was then ordered to submit any desired responding Affidavit, subject to the same limits and directions, within a further 20 days of receipt of any Affidavits from the McLachlans and Mr. Morton.

[6] The Tribunal further ordered that it would determine the nature and duration of the hearing to be held at a later date. Given the urgency of the requests of several of the parties, the Tribunal has now set an oral hearing date of **Thursday, October 31, 2019**, at which time the Township will be provided a total of 60 minutes for its submissions, inclusive of any reply, and the other parties will each be provided 30 minutes for submissions to the Tribunal on the matters of the zoning by-law amendment's consistency with the Provincial Policy Statement, 2014 and conformity with other applicable provincial and Township official plan policies, as identified in their respective party status request submissions. The Tribunal reminds the parties, as discussed during the CMC, that they are limited to their respective issues of consistency and conformity as identified in their party status requests in making submissions to the Tribunal at the oral hearing.

[7] The hearing will be heard at:

**Council Chambers  
Municipal Building (McNab-Braeside)  
2508 Russett Drive, RR 2  
Arnprior, Ontario**

- [8] This Member is seized.
- [9] No further notice is required.

*"C.J. Bryson"*

C. J. BRYSON  
MEMBER

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please visit [www.elto.gov.on.ca](http://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](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248