

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



ISSUE DATE: February 27, 2020

CASE NO(S): PL190351

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

Applicant and Appellant:	Lorrie Tannahill
Subject:	By-law No. 2019-33 ML
Municipality:	Municipality of Marmora and Lake
LPAT Case No.:	PL190351
LPAT File No.:	PL190351
LPAT Case Name:	Tannahill v. Marmora and Lake (Municipality)

Heard: February 7, 2020 in Marmora and Lake,
Ontario

APPEARANCES:

Parties

Counsel*/Representative

Lorrie Tannahill (“Appellant”)

B. Danes

Municipality of Marmora and Lake
 (“Municipality”)

K. Kinch*

2533662 Ontario Corporation
 (“Applicant”)

T. Fleming*

**MEMORANDUM OF ORAL DECISION DELIVERED BY STEVEN COOKE ON
FEBRUARY 7, 2020 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] This is was the first Case Management Conference (“CMC”) on an appeal subject to the procedures of Bill 139.

[2] The Applicant has proposed a four-storey mixed use building located at what is municipally known as 25 and 29 Forsyth Street (“Subject Lands”), with commercial units on the ground floor and 18 residential units to be built above.

[3] On July 3, 2019, the Municipality approved the revised project with the passing of By-law No. 2019-33 (“ZBL”) to allow for the rezoning of the Subject Lands in the Official Plan (“OP”).

[4] The Appellant has filed an appeal to the Tribunal stating reasons that the ZBL approved by the Council is inconsistent with various sections of the Provincial Policy Statements (“PPS”), and fails to conform with the OP.

DECISION

[5] Counsel for the Applicant had filed a written request for Party status in accordance to the statutory requirements and with no objections from the parties, the Tribunal granted Party status to the Applicant.

[6] Five individuals had filed written submissions to become Participants in accordance with the statutory requirements to do so. With no objections from any of the Parties, the Tribunal added the following persons as Participants in these proceedings and has accepted the written statements of Susan Keetch, Kelly Greenley, Cindy Knowler, Susan Connelly, and Lionel Bennett for its consideration in this matter.

[7] Counsel for the Applicant supported by Counsel for the Municipality proposed that under the rules of Bill 139 that the hearing be conducted in writing. After consideration that this CMC had already been rescheduled and that the Appellant had already provided the Tribunal ample documentation of their arguments; it would be a reasonable request to proceed in writing.

[8] The Tribunal directed that the Appellant shall serve and file its Written Submissions on or before **Friday, March 20, 2020** to the Tribunal and all Parties.

[9] The Municipality and the Applicant shall serve and file their respective responses on or before **Friday, April 3, 2020** to the Tribunal and all Parties.

[10] Finally, the Appellant may serve and file a Reply on or before **Tuesday, April 14, 2020** to the Tribunal and all Parties.

[11] There will be no further notice.

[12] The Member is seized on this matter.

[13] This is the Order of the Tribunal.

“Steven Cooke”

STEVEN COOKE
MEMBER

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Local Planning Appeal Tribunal

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