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| **Local Planning Appeal Tribunal** |
| Tribunal d’appel de l’aménagement local |

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| **ISSUE DATE:** | June 12, 2020 | **CASE NO(S).:** | PL190446 |

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| 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. |

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| |  |  | | --- | --- | | **PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended | | | Appellant: | Clark Breuls | | Appellant: | Charles Leo DeSorcy | | Appellant: | Barry Glaspell | | Appellant: | Ambrose Moran | | Subject: | By-law No. BL 2019-078 | | Municipality: | Township of North Kawartha | | LPAT Case No.: | PL190446 | | LPAT File No.: | PL190446 | | LPAT Case Name: | Bruels, DeSorcy et al v. North Kawartha (Township) | | |
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| **Heard:** | June 5, 2020by video conference |

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| **APPEARANCES:** |  |
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| **Parties** | **Counsel\*/Representative** |
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| Township of North Kawartha | John Ewart\* |
| Barry Glaspell  Charles Leo DeSorcy  Clark Breuls  Ambrose Moran | Self-Represented  Self-Represented  Self-Represented  Self-Represented |
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MEMORANDUM OF ORAL DECISION DELIVERED BY G.C.P. BISHOP AND WILLIAM MIDDLETON AND ORDER OF THE TRIBUNAL

1. The Township of North Kawartha (the “Township”) passed Zoning By-law No. 2019-078 (the “By-law”) being an amendment to Zoning By-law No. 26-2013. The By-law was appealed by Barry Glaspell, Charles Leo DeSorcy, Clark Breuls and Ambrose Moran pursuant to s. 34(19) of the *Planning Act.*
2. The Tribunal was informed that a settlement has been reached between the Township and all four parties and requested the Tribunal to convene to review the revised By-law.
3. The appeals were not related to the overall purpose and intent of the By-law but focused on certain minor textual modifications intended to provide greater clarity in respect of specific policies. These concerns have been addressed through the amended By-law presented to the Tribunal.
4. The Tribunal accepts the unchallenged expert testimony of Darryl Tighe, a Registered Professional Planner, who stated that the amendment to Zoning By-law No. 2019-078, as described in the minutes of the settlement reached between the parties and appended hereto as Attachment 1, maintains conformity with the County of Peterborough Official Plan, represents principles of good planning, is appropriate, and promotes the overall public interest of the community.
5. The Tribunal allows the appeal in part to accommodate the amendments to the By-law as presented.
6. The Tribunal so Orders.
7. The Tribunal recognizes that amendments to certain schedules of the By-law may be required and the Tribunal may be spoken to if any issues arise between the parties.

“G.C.P. Bishop”

G.C.P. BISHOP

VICE-CHAIR

*“William Middleton”*

WILLIAM MIDDLETON

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 Tribunals Ontario - Environment and Land Division

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