

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** September 03, 2021

**CASE NO(S):** PL200445

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

Applicant and Appellant: Lou Oosterhoff  
Subject: Application to amend Zoning By-law No. 61-16  
Refusal of Application by the County of Brant  
Rural Residential (RR) and Natural Heritage (NH)  
Existing Zoning: Rural Residential (RR) and Natural Heritage (NH)  
Proposed Zoning: Site Specific  
Purpose: To permit facilitate the creation of  
new residential building lots  
Property Address/Description: 3 West Harris Road  
Municipality: County of Brant  
Municipality File No.: ZBA37-19-AW  
OLT Case No.: PL200445  
OLT File No.: PL200445  
LPAT Case Name: Oosterhoff v. Brant (County)

**Heard:** August 13, 2021 by video hearing

**APPEARANCES:**

**Parties**

**Counsel**

Lou Oosterhoff

James Hitchon

County of Brant

Jyoti Zuidema

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. A. SILLS ON AUGUST 13, 2021 AND ORDER OF THE TRIBUNAL**

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[1] This was the second Case Management Conference (“CMC”) in the matter of the appeal by Lou Oosterhoff (the “Applicant”) from the refusal of his application for a zoning by-law amendment for his property located within the County of Brant (the

“County”) and municipally known as 3 West Harris Road (the “property”).

[2] At the first CMC the Tribunal granted party status jointly to Sharon Harris, Robert Logan Harris, and Robert Scott. The Tribunal has since been notified that these individuals do not wish to continue their involvement in this matter and have withdrawn their party status.

[3] Following the first CMC, counsel to the Applicant filed a Notice of Motion for an Order for access to the barn located at 23 West Harris Road. The barn is sited on property owned by Sharon and Donald Harris. That matter was referred to this CMC.

[4] In response to an inquiry from this Member about the statutory authority being relied upon for the Tribunal to issue such an order, counsel for the Applicant conceded that as the owners of the said property have withdrawn their party status in this matter, the motion will not be pursued.

[5] Sandra Vos was granted Participant at the first CMC. In accord with a request from counsel to the County, Ms. Vos has now provided written confirmation of her delegation of authority to seek Participant status on behalf of the Brant County Federation of Agriculture.

[6] The Tribunal deferred consideration of a Participant Status Request Form submitted by Deanna and Caillin Langmann at the first CMC because neither individual was in attendance. Ms. Langmann appeared at the current CMC and confirmed the request. Accordingly, Participant status is jointly granted to Deanna and Caillin Langmann.

[7] All Participants are encouraged to familiarize themselves with the requisites and limitations of their involvement in the hearing and the rules of conduct of a video hearing. Information in this regard can be found in the Notice of Case Management Conference by Video and on the Tribunal’s website.

[8] Participants are required to provide a copy of their Participant Statement to the parties and the Tribunal **a minimum of 15 days** prior to the first day of the hearing.

[9] Counsel to the parties concur that up to four days will to be required for the hearing on the merits. Considering that the issue(s) in dispute are limited in number and narrow in scope, and that the parties are optimistically engaged in settlement discussions, the Tribunal is satisfied that a Procedural Order (“PO”) may not be required in this case. In any event, the requirement for a PO will be discussed further at the next CMC.

[10] At the request of the parties a CMC by video conference is scheduled for **Friday, November 19, 2021 at 10 a.m.**

[11] Parties and participants are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections:

<https://global.gotomeeting.com/join/951577693>

**Access code: 951 577 693**

[12] Parties and participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](#) or a web application is available:

<https://app.gotomeeting.com/home.html>.

[13] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: (Toll Free): [1 888 455 1389](tel:18884551389) or [+1 \(647\) 497-9391](tel:+16474979391). The access code is **951 577 693**.

[14] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the hearing by video

to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

[15] No further notice will be given.

[16] This Member is not seized but will continue to be available for case management purposes subject to the availability of the Tribunal Calendar.

*"M.A. Sills"*

M.A. SILLS  
VICE-CHAIR

### **Ontario Land Tribunal**

Website: [olt.gov.on.ca](http://olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.