

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



ISSUE DATE: March 06, 2019

CASE NO(S): PL171189

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 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Orangeville Highland Limited Et Al
Subject: Request to amend the Official Plan - Failure of the Town of Orangeville to adopt the requested amendment

Existing Designation: "Open Space", "Medium Density Residential", "Open space Conservation", "Open space Recreation"

Proposed Designated: Site specific- to be determined
Purpose: To permit redevelopment and intensification of the subject site for a residential community

Property Address/Description: Part of East Half Lot 3, Concession 2 WHS
Municipality: Town of Orangeville
Approval Authority File No.: OPZ 5/10
OMB Case No.: PL171189
OMB File No.: PL171189
OMB Case Name: Orangeville Highland Limited Et Al vs. Orangeville (Town)

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

Applicant and Appellant: Orangeville Highland Limited Et Al
Subject: Application to amend Zoning By-law No. 22 - 90 - Refusal or neglect of the Town of Orangeville to make a decision

Existing Zoning: Development "D"
Proposed Zoning: Site specific – to be determined
Purpose: To permit redevelopment and intensification of

Property Address/Description: the subject site for a residential community
 Part of East Half Lot 3, Concession 2 WHS
 Municipality: Town of Orangeville
 Municipality File No.: OPZ 5/10
 OMB Case No.: PL171189
 OMB File No.: PL171190

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Orangeville Highland Limited Et Al
 Subject: Proposed Plan of Subdivision - Failure of the
 Town of Orangeville to make a decision
 Purpose: To permit redevelopment and intensification of
 the subject site for a residential community
 Property Address/Description: Part of East Half Lot 3, Concession 2 WHS
 Municipality: Town of Orangeville
 Municipality File No.: S1/10
 OMB Case No.: PL171189
 OMB File No.: PL171191

Heard: February 26, 2019 by Telephone Conference
 Call

APPEARANCES:

Parties

Counsel*/Representative

Orangeville Highland Limited Et Al ("Applicant")	M. McQuaid*
Town of Orangeville ("Town")	J. Hart*
Credit Valley Conservation Authority ("CVCA")	J. Campbell

**MEMORANDUM OF ORAL DECISION BY BLAIR S. TAYLOR ON FEBRUARY
 26, 2019 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] This was the second Pre-hearing Conference (“PHC”) with regard to the proposed development by the Applicant of about 18 hectares of land in the Town by way of an Official Plan Amendment, Zoning By-law Amendment, and a Draft Plan of Subdivision.

[2] The purpose of the PHC was to organize for the hearing on the merits of the proposed development.

[3] In the lead up to the PHC, the parties had prepared and circulated to the Tribunal a draft Procedural Order and Issues List (Exhibit 1).

[4] At the PHC, the Tribunal heard and granted additional requests for participant status, received a status update from the parties, reviewed and provided direction with regard to the draft Procedural Order and Issues List, and set down a 10-day hearing, all for the reasons set out below.

DECISION

[5] The Tribunal heard participant status requests from Darrin Davidson, Margo Young, and from Shirley Hackman on her own behalf and that of Stephen Brooke. On consent, all were granted participant status.

[6] The Tribunal was advised that there would be expert witnesses called in the fields of land use planning, hydrogeology, and traffic, and that a 10-day hearing would be necessary.

[7] The Tribunal noted that at the present time there were about 14 individuals who had been granted participant status in this matter. The Tribunal directed that there should be some consideration given to the organization of the participants for the hearing in order that a fair, efficient and timely hearing might be held. Additionally the

Tribunal noted that the member who hears this matter may consider setting aside a specific block of time for the participants.

[8] With regard to the draft Procedural Order and Issues List, the Tribunal directed that it shall be revised to: reflect current Local Planning Appeal Tribunal nomenclature, and include mandatory meetings of like experts and the preparation of agreed statements of fact. Additionally all the participants shall be added to Attachment 1, that draft Issues 1, 2, 3, and 4 on the Issues List are generic and lack specificity and shall be revised so that the hearing issues are transparent to all, and that the participants are to be added to the Order of Evidence in Attachment 3.

[9] With the consent of the parties, counsel for the Applicant will forward the revised draft Procedural Order and Issues List to the Case Coordinator for consideration by the Tribunal and if appropriate, issuance by the Tribunal.

[10] The Tribunal set a 10-day hearing to commence on **Monday, May 25, 2020 at 10 am. at:**

**Council Chambers
Municipal Building
87 Broadway
Orangeville, ON**

[11] Counsel for the Town is to forthwith confirm the venue to the other parties, the participants and to the Case Coordinator.

[12] There will be no further notice.

[13] I am not seized.

[14] Scheduling permitting, I may be available for case management purposes.

[15] This is the Order of the Tribunal.

“Blair S. Taylor”

BLAIR S. TAYLOR
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
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